

7.1 Political Participation:

How do citizens become engaged in a representative democratic republic?



Image 7.1 Women Suffrage Supporters

Political participation in action with Mrs. J. Hardy Stubbs, Miss Ida Craft, and Miss Rosalie Jones preparing to pass out leaflets encouraging citizens to support legislation allowing women to vote. (Credit: George Grantham Bain, Library of Congress; Summary Photo shows 3 suffragettes with bag "Votes for Women pilgrim leaflets." Published [between ca. 1910 and ca. 1915] ; George Grantham Bain Collection (Library of Congress). - General information about the Bain Collection is available at <http://hdl.loc.gov/loc.pnp/pp.ggbain>; <http://hdl.loc.gov/loc.pnp/pp.print> Digital Id ggbain 11100 //hdl.loc.gov/loc.pnp/ggbain.11100 Control Number ggb2005011205 Reproduction Number LC-DIG-ggbain-11100 (digital file from original negative) Rights Advisory No known restrictions on publication.)

Learning Objectives

- Identify ways U.S. citizens participate politically.
- Identify the different forms of and reasons for civic engagement by the people.
- Discuss factors influencing people's willingness to become engaged.
- Explain why some policies are made by elected representatives and others directly by voters.
- Identify characteristics of who runs for elected office.

Chart 7.1 Learning Objectives on Citizen Participation

Citizen Participation Critical to Representative Government

Government based upon the consent of the people presupposes citizen participation in the political process. One of the hallmarks of this participation is voting in elections. In fact, voting is clearly a necessary condition—that is, you cannot have a representative republic without voting. However, voting is not sufficient for a government to be called a representative republic or representative democracy. Totalitarian governments frequently allow citizens to vote but without real and meaningful participation in governing. For example, without real opportunity for citizens to express their opinions in an open

environment or to join a political party or an organization that opposes the government leaders in power, votes have no impact on the direction of governmental policy. Voting must be coupled with civil rights and protected liberties that permit meaningful participation through a broad range of opportunities.

Means of Political Participation

All citizens of the U.S. have numerous opportunities open to them for participating in the political processes of our federal structure. From the local level to the national level, citizens may participate in the processes that affect them. Individuals and groups have worked tirelessly in the U.S. to foster expanded opportunities for participation including a major expansion in those permitted to vote and facilitating our voter registration process. However, more work remains to be done to achieve the goals of maximum political equality with inclusive political participation. Participation in political processes takes many forms from writing a letter petitioning the government for assistance with some problem to marching with a group advocating for a change in government policy. It is obvious that some participatory activities take a much higher initiative on the part of an individual than others. Moreover, some activities are quite normal or **conventional** methods to influence government policy, while other activities are more atypical or **unconventional**. That is, while voting or assisting someone with a campaign is conventional, protesting or boycotting products may be less typical and more unconventional. Under the U.S.

Means of Political Participation	General Description
registering to vote	completing necessary forms to be added to voting rolls
voting	choose elected officials; make decisions about ballot initiatives; etc.
protesting	make opinions known by marching, signs, or other symbols of opinion
petitioning	writing a letter to a public official; blogging; emailing; using social media to express opinions; etc.
electioneering	volunteering for a campaign; donate time and money; posting a political sign on your property; making phone calls; etc.
jury duty	participate in an essential part of judicial procedure
attending a government meeting/hearing	make opinions know by speaking, questioning, etc.
join an interest group	associating with other individuals or entities that share similar opinions on issues/policies; donate time and money
join a political party	associate with a group that shares similar political goals; ideological perspective; policy objectives; donate time & money
run for office	become a direct participant in the policy making process
initiative/proposition*	law passed directly by citizens of a state; bypass legislature & governor; subject to review by courts
referendum*	citizens directly confirm or repeal government decision; legislature of a state may present a law directly to voters for ratification/confirmation
recall*	citizens directly vote to remove a government official from office

Constitution and the Bill of Rights, such activities and methods of participation are protected rights of citizens. Active engagement in civic activities is an important component of democratic ideals and essential in a representative government to achieve

Chart 7.2 Illustrating Political Participation in Various Forms

*Forms of political participation marked with asterisks are only available in the United States at the state or local government level, not at the national government level.

responsiveness from our public officials. Participation is all about making opinions known, having opinions heard, and attempting to influence the policy making process.

An example of **civic participation**, in a representative democratic republic, is voting for legislative representatives. Elections allow the people to pick representatives to serve in government and make policy decisions on the citizens' behalf. Representatives pass laws and carry out this decision/policy making process. Direct democratic ideals are realized when policy questions go directly to the voters for a decision in referenda. Citizens now use these powers at the ballot to change laws and direct public policy in some states. These decisions include local bond funding for schools or state transportation bonds and policy changes such as state constitutional amendments. Not all states allow direct democracy through referenda; moreover, the *Constitution* of the United States does not authorize the use of referenda at the national level for any policy question.

Is there a decline in civic engagement?

Are fewer people active in politics today? Political scientist Robert Putnam has argued that **civic participation** is declining; although many Americans may report belonging to interest groups, these groups are usually large, impersonal ones with thousands of members.^[1] People who join interest groups such as Amnesty International or National Rifle Association (NRA) may share certain values and ideals with other members of the group, but they do not actually interact with these other members—allowing them to feel connected to others without having to spend time in their presence. These organizations are different from the types of groups Americans used to belong to, like church groups or bowling leagues—small interactive groups. Putnam considers a number of explanations for this decline in small group membership, including technological developments, such as the internet, that separate people by allowing them to feel connected to others without having to spend time in their presence and societal changes leading to less time for small groups caused by a changing marriage and divorce rate and workforce participation of women.^[2]

An Opinion on the Issue

Kenneth Thompson, Austin Community College...

The United States of America and the republic, over the last couple of centuries, have become one of the most powerful and productive nations in the history of the world. One of the guiding principles to this phenomenon is citizen participation in the political process—to ensure government at each level is held accountable. The First Amendment guaranteeing free speech is a direct request for political participation. A society based on government discussion requires a strong civil society that plays an active role in the political debate, and voting is one method of participating in the debate. In fact, voting is clearly a necessary condition—that is—you cannot have a representative republic without voting. However, voter's overall participation is declining with each generation. While many states have increased ways to register, other states have added additional requirements needed to vote. Local, county, state, and national elections are all significant—how funds are spent and how policies are set. Political participation and voter turnout are cornerstones of a healthy civil society.

[Used with permission 06/19/2019 from Kenneth Thompson]

Chart 7.3 Student Opinion on Citizen Participation

Putnam argues that a decline in **social capital**, “the collective value” of the face-to-face civic interactions among citizens, accompanies this decline in membership in small interactive community-based groups. Included in social capital are the value of social networks among people who know and trust each other and are willing to do something constructive for each other, and work with others to find solutions to problems. This decline in social capital makes them less likely to engage in meaningful civic participation in representative democracy.^[3] If Putnam is correct, this trend is unfortunate, because becoming active in a representative government is important for many reasons, such as responsiveness from those we elect. Young Americans are often reluctant to become involved in traditional forms of political activity. They may believe politicians are not interested in what they have to say, or they may feel their votes do not matter. However, this attitude has not always prevailed. Indeed, today’s college students can vote because of the activism of college students in the 1960s. Most states at that time required citizens to be twenty-one years of age before they could vote in national elections. This angered many young people, especially young men who could be drafted to fight the war in Vietnam. They argued that it was unfair to deny eighteen-year-olds the right to vote for the people who had the power to send them to war. As a result, the Twenty-Sixth Amendment, which lowered the voting age in national elections to eighteen, was ratified by the states and went into effect in 1971.



GETTING INVOLVED—Prove Robert Putnam wrong! In many ways, the pluralists were right. There is plenty of room for average citizens to become active in government, whether at a local or national level. Local civic organizations always need volunteers, sometimes for only a short while and sometimes for much longer.

Follow-up activity: Choose one of the following websites to connect with organizations and interest groups in need of help:

- [Common Cause](#) “is a grassroots organization dedicated to upholding the core values of American democracy”
- [Friends of the Earth](#) “mobilizes people to protect the natural environment”
- [Grassroots International](#) “works for global justice”
- [The Family Research Council](#) “promotes traditional Judeo-Christian values”
- [National Latina Institute for Reproductive Justice](#) “builds Latina power”
- [Equality Now](#) “works to end violence and discrimination against women and girls”
- [Heritage Action](#) “mobilizes people to support limited government, American values, and a strong national defense”
- [Freedom Works](#) “mobilizing citizens supporting individual freedom”

FACTORS OF ENGAGEMENT

Many Americans engage in political activity on a regular basis. A 2008 survey revealed that approximately two-thirds of American adults had participated in some type of political action in the past year. These activities included largely non-personal activities that did not require significant interaction

with others.^[4] Americans aged 18–29 were less likely to become involved in political activity than older Americans. A 2015 poll of more than three thousand young adults by Harvard University’s Institute of Politics revealed that only 22 percent claimed to be politically engaged, and fewer than 10 percent said that they belonged to any type of political organization or had volunteered for a political campaign.

Only slightly more claimed they had gone to political rallies.^[5] However, although Americans under age thirty are less likely than older Americans to engage in traditional types of political participation, many remain engaged in activities on behalf of their communities. One-third reported that they had voluntarily engaged in some form of community service in the past year.^[6]

Evidence suggests that younger Americans less likely to become involved in traditional political organizations and a more traditional policy-making path? One answer may be that as American politics become more partisan in nature; young people turn away. Young Americans are particularly likely to be put off by partisan politics. More Americans under the age of thirty now identify themselves as Independents instead of Democrats or Republicans. Instead of identifying with a political party, young Americans are increasingly concerned about specific issues.^[7] In summary, the likelihood that people will become active in politics also depends not only on age but on wealth and education. In a 2006 poll, the percentage of people who reported that they were regular voters grew as levels of income and education increased.^[8]



Chart 7.4 Illustrating the Policy Making Process

Deciding to Run

Running for office can be as easy as collecting one hundred signatures on a city election form or paying a registration fee of several thousand dollars to run for governor of a state. However, a potential candidate needs to meet state-specific requirements covering length of residency, voting status, and age. Potential candidates must also consider competitors, family obligations, and the likelihood of drawing financial backing. His or her spouse, children, work history, health, financial history, and business dealings also become part of the media's focus, along with many other personal details about the past. Candidates for office are slightly more diverse than the representatives serving in legislative and executive bodies, but the realities of elections drive many eligible and desirable candidates away from running.^[9] Despite these problems, most elections will have at least one candidate per party on the ballot. In states or districts where one party holds a supermajority, such as Massachusetts, candidates from the other party may be discouraged from running because they do not think they have a chance to win.^[10]

Another factor for potential candidates is whether the seat they are considering is competitive or open. A **competitive seat** describes a race where a challenger runs against the **incumbent**—the current office holder. An **open seat** is one whose incumbent is not running for reelection. But when an incumbent retires, the seat is open and more candidates will run for that seat.

Many potential candidates will also decline to run if their opponent has a lot of money in a campaign war chest. War chests are campaign accounts registered with the Federal Election Commission, and candidates are allowed to keep earlier donations if they intend to run for office again. Incumbents and candidates trying to move from one office to another very often have money in their war chests. Those with early money are hard to beat because they have an easier time showing they are a viable candidate (one likely to win).

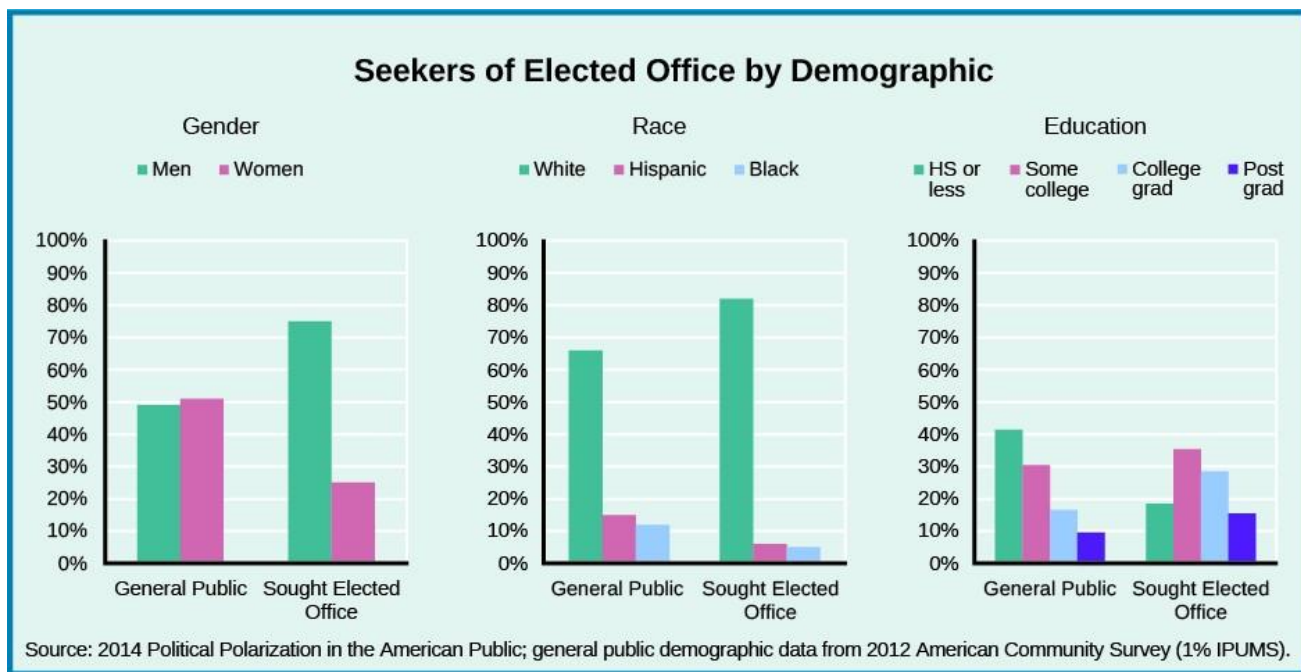


Chart 7.5 Bar Graphs on Seekers of Elected Office by Demographics

Those who seek elected office do not generally reflect the demographics of the general public: They are often disproportionately male, white, and more educated than the overall U.S. population.

They can woo potential donors, which brings in more donations and strengthens the campaign. A challenger who does not have money, name recognition, or another way to appear viable will have fewer campaign donations and will be less competitive against the incumbent.

Candidates are likely to be moving up from prior elected office or are professionals, like lawyers, who can take time away from work to campaign and serve in office.^[11] When candidates run for office, they are most likely to choose local or state office first.

For women, studies have shown that family obligations rather than desire or ambition account for this choice. Further, women are more likely than men to wait until their children are older before entering politics.^[12] Because higher office is often attained only after service in lower office, there are repercussions to women waiting so long. If they do decide to run for the U.S. House of Representatives or Senate, they are often older, and fewer in number, than their male colleagues. Only 24.4 percent of state legislators and 20 percent of U.S. Congress members are women.^[13] The number of women in executive office is often lower as well. 80 percent of members of Congress are male, 90 percent have at least a bachelor's degree, and their average age is sixty.^[14]

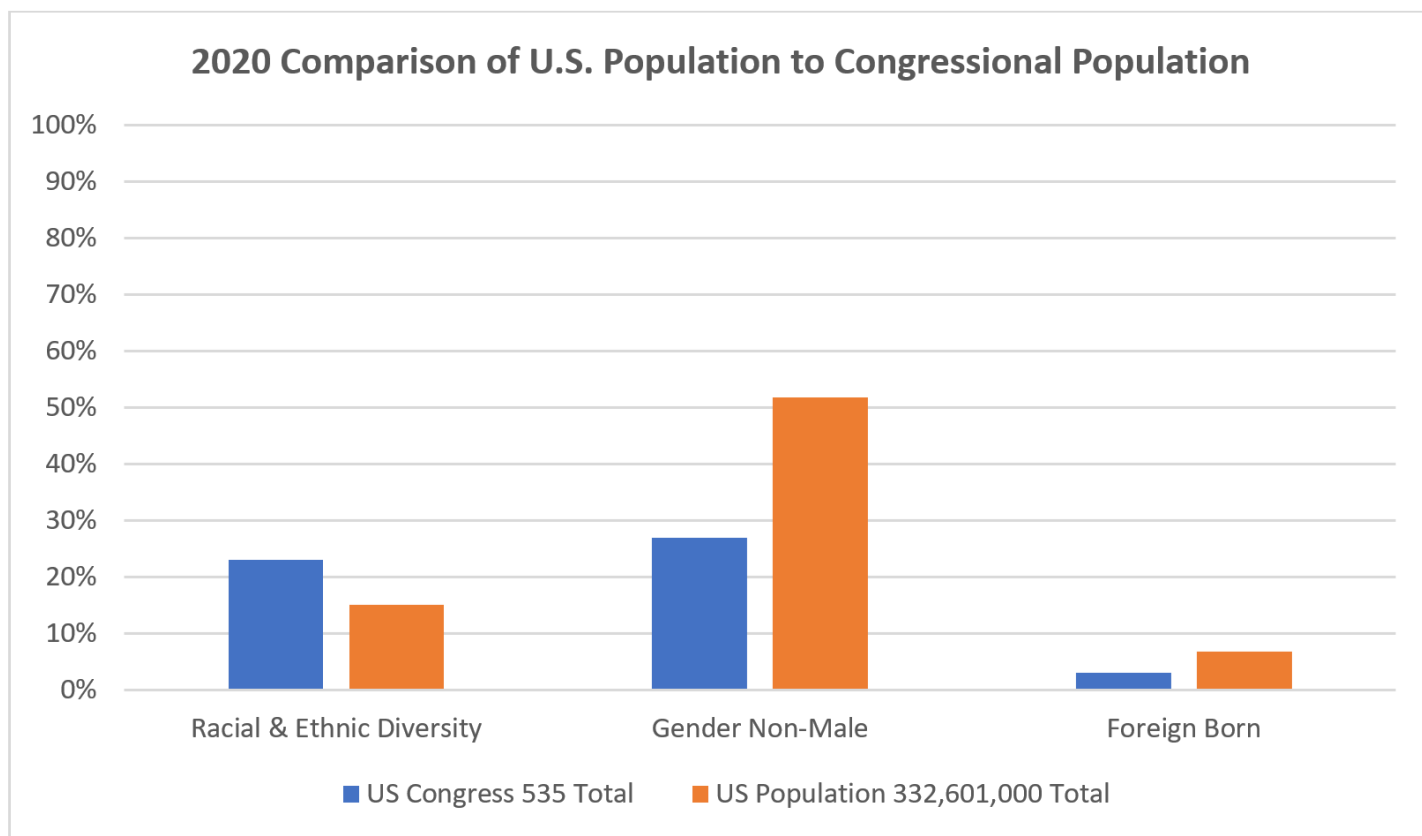


Chart 7.5 Bar Graphs Illustrating Population of US and Population of Congress

Credit: United States Census Bureau, "2020 Demographic Analysis" and "Foreign Born: 2018 Current Population Survey Detailed Tables," 222.census.gov; Pew Research Center "The changing face of Congress in 7 charts," 2021 data; American Community Survey (ACS).

WHERE AND HOW DO WOMEN PARTICIPATE IN THE POLITICAL PROCESS?

This photo shows women marching in national suffrage demonstration, seeking voting rights, in Washington, D.C., May 9, 1914. The suffragists in sashes marching down the street past The Washington Post building were flanked by policemen.



Image 7.2 Women Marching for the Vote

Women marching in national suffrage demonstration in Washington, D.C., May 9, 1914. (Credit: Library of Congress)^[15]

Women are a historically disadvantaged group in the arena of political participation. According to the U.S. State Department, women are joining government in growing numbers, holding almost 20 percent of seats in national assemblies worldwide, and serving as heads of government in over 20 countries. Women's political engagement not only increases visibility of women's leadership abilities, but also leads to social and economic benefits for their communities and countries.

Despite this progress, women make up less than 10 percent of the world's leaders, and globally less than one in five members of national parliaments is a woman. A critical mass for women's representation in national parliaments (estimated at approximately 30%) has been reached in only 28 countries and women are too frequently absent at negotiating tables where constitutions are written and conflicts are resolved.

The U.S. Department of State recognizes that democracy cannot flourish without the inclusive and full participation of all its citizens. Women must be engaged in governance and policy-making – not only because they have a right to be involved in the decisions that directly affect their lives, their families, and their communities, but also because their perspectives and experiences improve the outcomes of these deliberations.^[16]

Yet, women around the world are still largely absent from national and local decision-making bodies; struggle to have a voice in peace-building transitions and are excluded from political processes. From discrimination and violence to a lack of support and resources, women face countless challenges to participation in the civic and political life of many countries.^[17]

Political Participation: Questions to Consider

1. What are some of the ways someone can participate in the political process besides voting?
2. How do the characteristics of people who decide to run for office compare with the general public?
3. Is citizen engagement necessary for government to function? Explain.
4. Are all Americans equally able to become engaged in government?

1. *People can pay attention to the news in order to be aware of the most important issues of the day. They can become active with a political party or interest group. They can sign a petition or attend a governmental meeting to voice their concerns. They can engage in some constitutionally protected but unconventional behavior such as marching in protest.*
2. *Those who seek elected office do not generally reflect the demographics of the general public. They are often disproportionately male, white, and more educated than the overall population.*
3. *open for debate about the level necessary, but most believe that a republic or democracy cannot function effectively without some level of civic engagement such as voting and making your opinion known to elected government officials*
4. *open for debate; those with higher levels of income and education and more free time can contribute money to fundraising efforts and volunteer for campaigns or become active in interest groups, but there are many examples of individuals becoming quite effective through organized groups. Moreover, there are forms of engagement in which all can participate: listening to the news, answering surveys, and voting*

Terms to Remember

civic engagement/political engagement—citizen involvement with politics/government; being involved in the political process; to ensure the government serves the people and not the other way around

civic participation—citizen involvement in a representative republic; the rights of citizens to participate in government is an important principle of representative government

competitive seat—race where a challenger runs against the incumbent

conventional participation—forms of political participation that are considered quite normal and typical such as voting, writing a letter, sending an email, or joining an organized group

incumbent—a current office holder

open seat—a legislative election in which the current office holder is not running for reelection

social capital—collective value of all 'social networks' [those whom people know] and the inclinations that arise from these networks to do things for each other

responsiveness—governmental decisions or actions that correspond to the identified needs and goals of the citizens or reflect the consent of the governed

unconventional participation—forms of political participation that are considered atypical, such as protesting and boycotting products

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7.2 Political Participation: Voter Turnout and Registration



(a)



(b)

Image 7.3 Photos of Bus and Musicians Supporting Rock the Vote

Rock the Vote works with musicians and other celebrities across the country to encourage and register young people to vote (a). Sheryl Crow was one of Rock the Vote's strongest supporters in the 2008 election, subsequently performing at the Midwest Inaugural Ball in January 2009 (b).

(Credit to OpenStax, a: modification of work by Jeff Kramer; Credit b: modification of work by "cliff1066"/Flickr)

Learning Objectives

- Understand the concept of voter turnout.
- Analyze reasons for low voter turnout in the United States.
- Understand the registration process to become eligible to vote.
- Identify factors that motivate registered voters to vote.
- Discuss both past and current circumstances that prevent citizens from voting.

Chart 7.7 Learning Objectives on Voter Turnout

Counting Voters and Voter Turnout

One of the key acts of civic participation is voting in elections. In fact, voting is clearly a necessary condition—that is, you cannot have a representative republic without voting. Low **voter turnout** has long caused concern and frustration. A healthy society is expected to be filled with civically engaged citizens who vote regularly and participate in the electoral process.

Calculating voter turnout begins by counting how many ballots were cast in an election. These votes must be cast on time, either by mail or in person. The next step is to count how many people *could* have voted in the same election.

The **voting-age population** (VAP) consists of persons who are eighteen and older. Some of these persons may not be eligible to vote in their state, but they are included because they are of age to do so.^[1]



Chart 7.8 Graph Illustrating Voters in Relation to Various Populations

There are many ways to measure voter turnout depending on whether we calculate it using the total population, the voting-age population (VAP), the voting-eligible population (VEP), or the total number of registered voters. (Credit: OFFICIAL 2016 PRESIDENTIAL GENERAL ELECTION RESULTS; General Election Date: 11/08/2016 estimates from United States Census Bureau and the Federal Election Commission)^[2]

An even smaller group is the **voting-eligible population** (VEP), citizens eighteen and older who, whether they have registered or not, are eligible to vote because they are citizens, mentally competent, and not imprisoned. If a state has more stringent requirements, such as not having a felony conviction, citizens counted in the VEP must meet those criteria as well. This population is much harder to measure, but statisticians who use the VEP will generally take the VAP and subtract the state's prison population and any other known group that cannot vote. This results in a number that is somewhat theoretical; however, in a way, it is more accurate when determining voter turnout.^[3]

The last and smallest population is **registered voters**, who, as the name implies, are citizens currently registered to vote. Now we can appreciate how reports of voter turnout can vary. Although 77 percent of registered voters voted in the 2020 presidential election, this represents only 48.5 percent of the total U.S. population. While 48 percent is indeed low and might cause alarm, some people included in it are under eighteen, not citizens, or unable to vote due to competency or prison status. The next number shows that just over 62 percent of the voting-age population voted, and 67 percent of the voting-eligible population. The best turnout ratio is calculated using the smallest population: 77 percent of registered voters voted. Those who argue that a healthy democracy needs high voter turnout will look at the voting-age population or voting-eligible population as proof that the United States has a problem. Those who

believe only informed and active citizens should vote point to the registered voter turnout numbers instead.

There are several prominent reasons for low national turnout in the United States. First, participation is not mandated. Some countries, such as Belgium and Turkey, have compulsory voting laws, which require citizens to vote in elections or pay a fine. This helps the two countries attain VAP turnouts of 87 percent and 86 percent, respectively, compared to the U.S. turnout of 55.7 percent. Chile’s decision to move from compulsory voting to voluntary voting caused a drop in participation from 87 percent to 46 percent.^[4]

Since it is unlikely that the United States would ever mandate voting, comparison with one other significant factor—automatic registration of voters—can be identified as a major explanation of U.S. low turn-out when calculated by the voting age population (VAP). That is, for example, Sweden and Germany automatically register their voters, and 83 percent and 66 percent vote, respectively. United States’ voting turnout in 2016 is listed as “61.4 percent of the citizen voting-age population” according to the U.S. Census Bureau as reported by Thom File on May 10, 2017. The U.S. system, which requires personal action on the part of the individual to become eligible to vote (registering), is clearly a factor in explaining lower voter turnout of the voting age population.

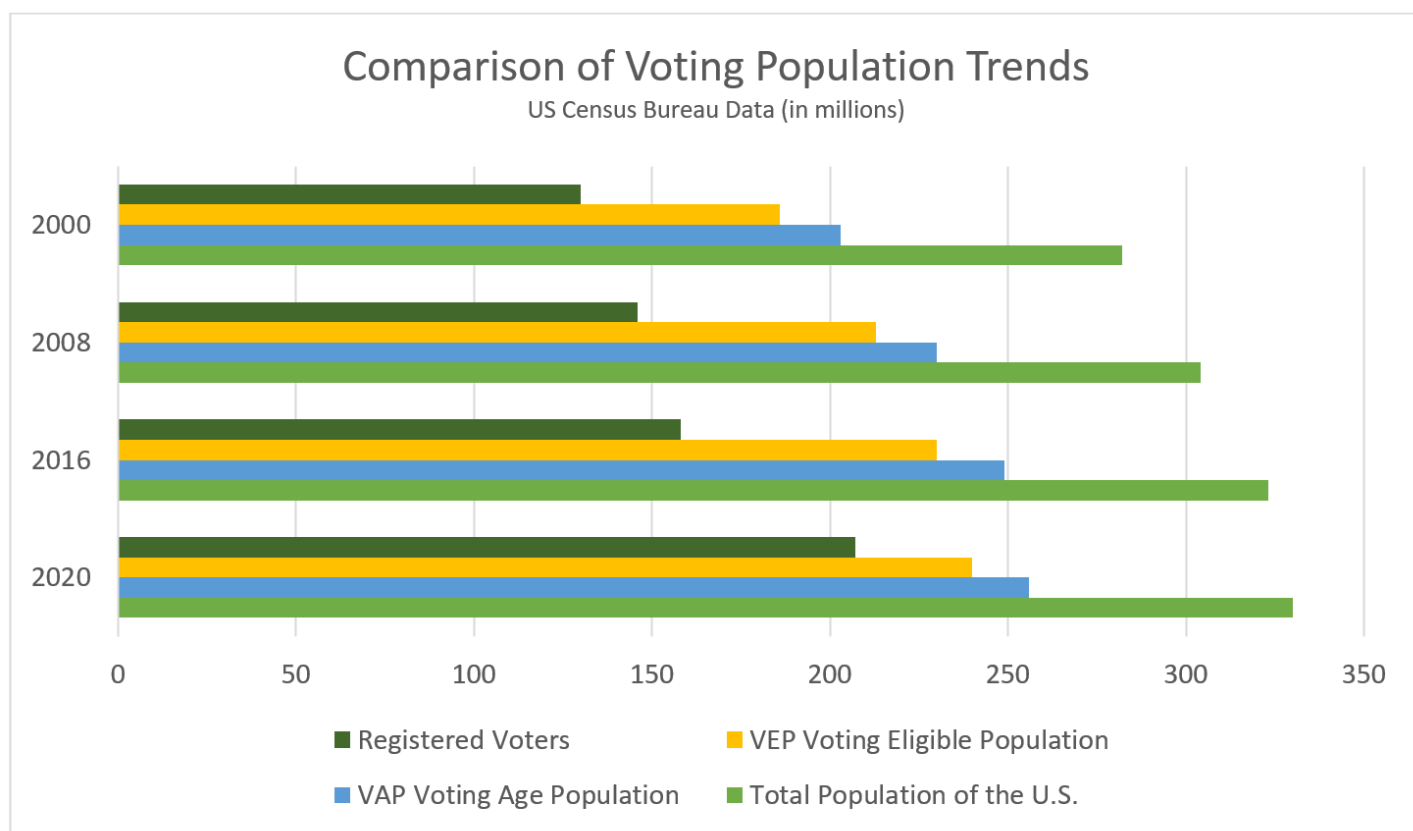


Chart 7.9 Bar Graph Comparing Voting Population Trends Over Time



Do you wonder what voter turnout looks like in other developed countries? Visit the [Pew Research Center report on international voting turnout](#) to find out.

Who Is Allowed to Register?

In order to register to be eligible to vote in the United States, a person must be a citizen, resident, and eighteen years old. But states often place additional registration requirements on the right to vote or to be part of the **voting-eligible population (VEP)**.

The most common requirement is that voters must be mentally competent and not currently serving time in jail. Some states enforce more stringent or unusual requirements on citizens who have committed crimes.

Kentucky and Iowa permanently bar felons and ex-felons from voting unless they obtain a pardon from the governor, while Mississippi and Nevada allow former felons to apply to have their voting rights restored; and, Florida, who previously denied felons the right to vote, changed their rules in November of 2018 by state constitutional amendment--now allowing felons to regain their voting rights.^[5]

On the other end of the spectrum, Vermont does not limit voting based on incarceration unless the crime was election fraud.^[6] Maine citizens serving in Maine prisons also may vote in elections. Beyond those jailed, some citizens have additional expectations placed on them when they register to vote. Wisconsin requires that voters “not wager on an election,” and Vermont citizens must recite the “Voter’s Oath” before they register, swearing to cast votes with a conscience and “without fear or favor of any person.”^[7]

How Does Someone Register to Vote?

In all states except North Dakota, a citizen wishing to vote must complete an application. Whether the form is online or on paper, the prospective voter will list his/her name, residency address, and in many cases party identification (with Independent as an option) and affirm that he or she is competent to vote. States may also have a **residency requirement**, which establishes how long a citizen must live in a state before becoming eligible to register, often 30 days.

Beyond these requirements, there may be an oath administered or more questions asked, such as felony convictions. If the application is completely online and the citizen has government documents (e.g., driver’s license or state identification card), the system will compare the application to other state records and accept an online signature or affidavit if everything matches. Citizens who do not have these state documents are often required to complete paper applications. States without online registration often allow a citizen to fill out an application on a website, but the citizen will receive a paper copy in the mail to sign and mail back to the state.

Another aspect of registering to vote is the timeline. States may require registration to take place as much as thirty days before voting, or they may allow same-day registration. Maine first implemented same-day

registration in 1973. Fourteen states and the District of Columbia now allow voters to register the day of the election if they have proof of residency, such as a driver’s license or utility bill.

Many of the more populous states (e.g., Michigan and Texas), require registration forms to be mailed thirty days before an election. Moving means citizens must re-register or update addresses. College students, for example, may have to re-register or update addresses each year as they move.

States that use same-day registration had a 4 percent higher voter turnout in the 2012 presidential election than states that did not.^[8]

Image 7.4 Photo of Voter Registration Form

Moving requires a voter to re-register or update his or her address in the system. Depending on the state, this notification can sometimes be completed through the Department of Motor Vehicles. (Credit: Image incorporated by OpenStax)

“Motor-Voter Act” and Voter Registration

Before most voters can cast a ballot, they must register to vote in their state. This process may be as simple as checking a box on a driver’s license application (Motor-Voter Act) or as difficult as filling out a long form with complicated questions.^[9]

Congress enacted the [National Voter Registration Act of 1993](#) (also known as the “NVRA” and the “**Motor Voter Act**”), to enhance voting opportunities for every American. The Act has made it easier for all Americans to register to vote and to maintain their registration. In addition to whatever other methods of voter registration which States offer, the Act requires states to provide the opportunity to apply to register to vote for federal elections by three means: [Section 5](#) of the Act requires states to provide individuals with the opportunity to register to vote at the same time that they apply for a driver’s license or seek to renew a driver’s license, and requires the State to forward the completed application to the appropriate state of local election official.^[10] [Section 7](#) of the Act requires states to offer voter registration opportunities at all offices that provide public assistance and all offices that provide state-funded programs primarily engaged in providing services to persons with disabilities.

Each applicant for any of these services, renewal of services, or address changes must be provided with a voter registration form as well as assistance in completing the form and forwarding the completed application to the appropriate state or local election official. [Section 6](#) of the Act provides that citizens can register to vote by mail using mail-in-forms developed by each state and the Election Assistance Commission.^[11]



Interested in mobilizing voters? Explore [Rock the Vote](#), [The Voter Participation Center](#) and [True the Vote](#) for more information.

Voter Registration Across the United States

Elections are state-by-state contests. General elections for president and statewide offices (e.g., governor and U.S. senator) are often organized and paid for by the states. Because political cultures vary from state to state, the process of voter registration varies.

Many states have sought methods of increasing voter registration. In 2002, Arizona was the first state to offer online voter registration, which allowed citizens with a driver's license to register to vote without any paper application or signature.

The system matches the information on the application to information stored at the Department of Motor Vehicles, to ensure each citizen is registering to vote in the right precinct. Citizens without a driver's license still need to file a paper application. More than eighteen states have moved to online registration. The National Conference of State Legislatures estimates, however, that adopting an online voter registration system can initially cost a state between \$250,000 and \$750,000.^[12]

Other states have decided against online registration due to concerns about voter fraud and security. Legislators also argue that online registration makes it difficult to ensure that only citizens are registering and that they are registering in the correct precincts.

A bill to move registration online in Florida stalled for over a year in the legislature, based on security concerns. In other states, such as Texas, both the government and citizens are concerned about identity fraud, so traditional paper registration is still preferred.

Some attempts have been made to streamline voter registration. As previously noted, Motor-Voter was enacted to expedite the registration process, allowing citizens to register to vote when they sign up for driver's licenses and Social Security benefits. On each government form, the citizen need only mark an additional box to also register to vote. Unfortunately, while increasing registrations by 7 percent between 1992 and 2012, Motor-Voter did not dramatically increase voter turnout.^[13] In fact, for two years following the passage of the act, voter turnout decreased slightly.^[14]

It appears that the main users of the expedited system were those already intending to vote. One study, however, found that preregistration may have a different effect on youth than on the overall voter pool; in Florida, it increased turnout of young voters by 13 percent.^[15]

In 2015, Oregon made news when it took the concept of Motor-Voter further. When citizens turn eighteen, the state now automatically registers most of them using driver's license and state identification information. When a citizen moves, the voter rolls are updated when the license is updated. While this policy has been controversial, with some arguing that private information may become public or that Oregon is moving toward mandatory voting.^[16]

The Help America Vote Act of 2002 (HAVA) was passed in order to reform voting across the states and reduce these problems. As part of the Act, states were required to update voting equipment; make voting more accessible to those with accessibility challenges, and maintain computerized voter rolls that could be updated regularly.^[17]

Over a decade later, there has been some progress. In Louisiana, voters are placed on ineligible lists if a voting registrar is notified that they have moved or become ineligible to vote. If the voter remains on this list for two general elections, his or her registration is cancelled. In Oklahoma, the registrar receives a list of deceased residents from the Department of Health.^[18] Twenty-nine states now participate in the Interstate Voter Registration Crosscheck Program, which allows states to check for duplicate registrations.^[19]



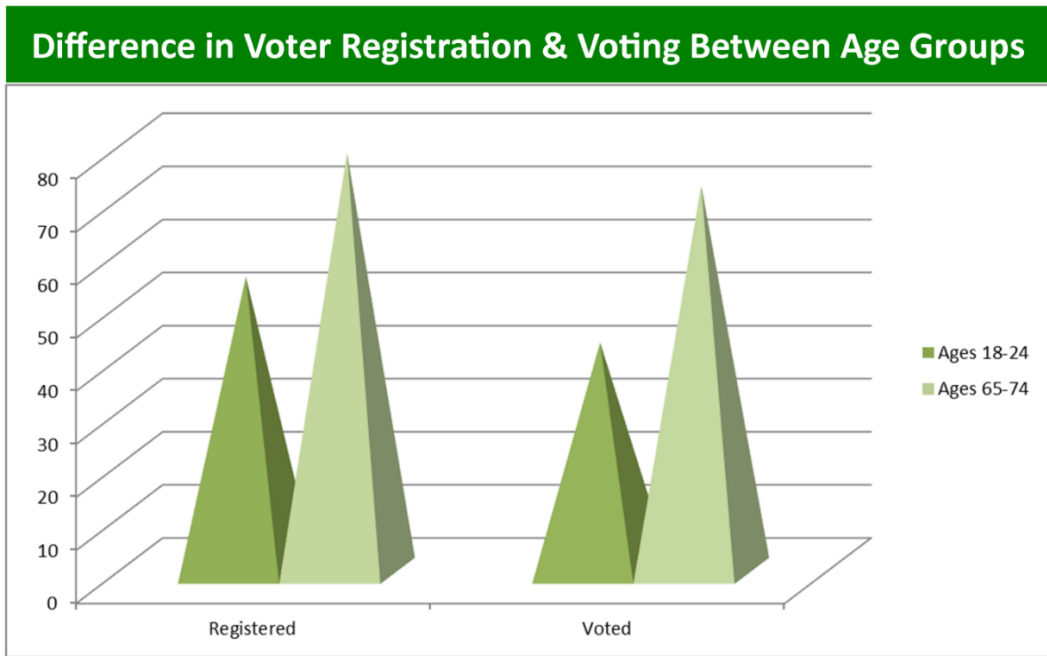
The National Association of Secretaries of State maintains a [website](#) that directs users to their state's information regarding voter registration, identification policies, and polling locations.

What Factors Drive Voter Turnout?

Those who are registered and did vote in the last election are likely to have a strong interest in politics and elections and will vote again, provided they are not angry with the political system or politicians. Younger people ages 18-24 are less likely to have registered to vote and even, if registered, are less likely to have actually voted. Perhaps, for younger voters, government is a distant concept rather than a daily concern, which may drive down both registration and voter turnout. Younger people are often still in college or only recently graduated and perhaps working part-time and earning low wages and paying low taxes.

They may also be unaware of what a government provides or does. With somewhat circular impact, some have suggested that many youth are less active in government and politics, leading to political parties to neglect them.

Thus, when people are neglected, they are in turn less likely to become engaged in government. Older voters have greater experiences and therefore may more clearly see how the government affects their well-being, livelihood and opportunities. In 2016, for example, the Census Bureau reported that only 55.4 percent of eligible voters between the ages of eighteen and twenty-four registered and 43.0 percent voted, while 78.7 percent of sixty-five to seventy-four-year-olds registered and 72.6 percent voted.^[20]



Credit: Chart by Deborah Hoag, Austin Community College; Source of Data from U.S. Census Bureau.

Chart 7.10 Chart of Voter Registration Numbers Between Age Groups

Presidential Election Year Voting Turnout

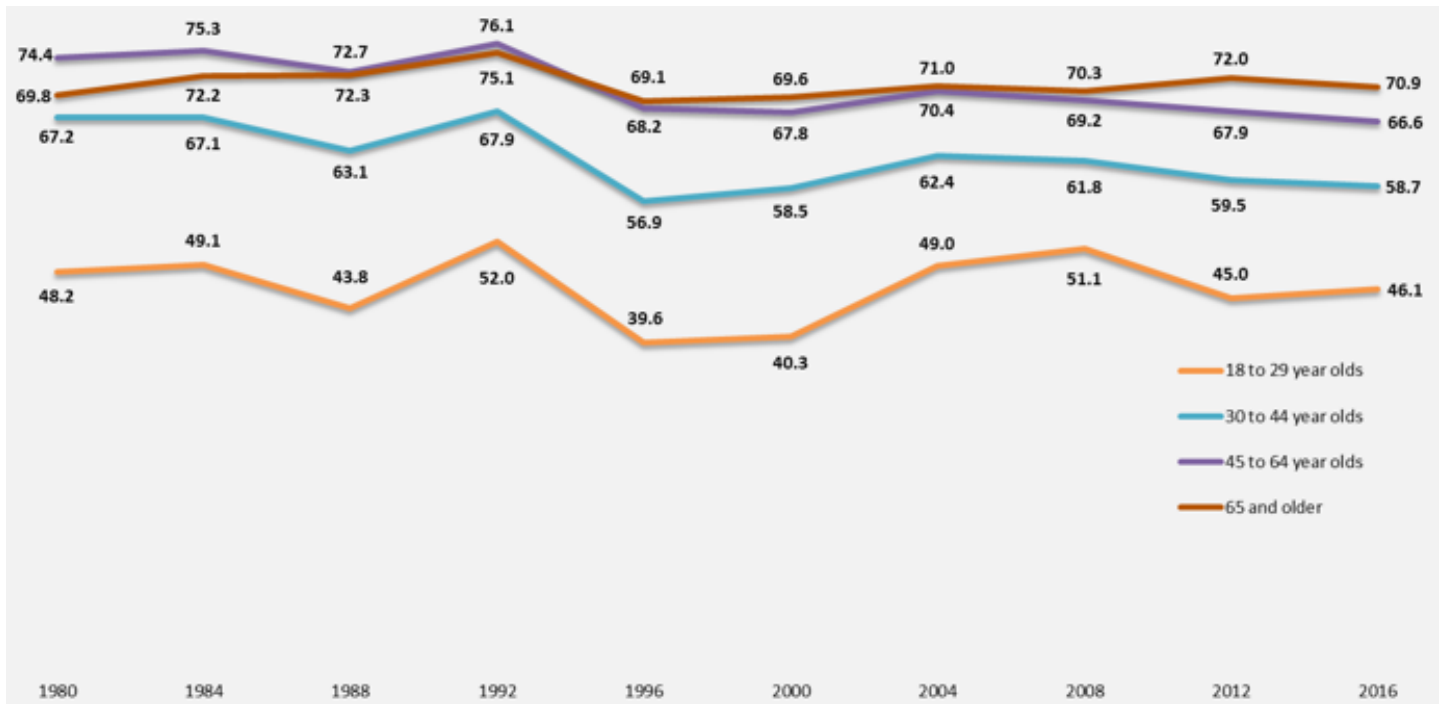


Chart 7.11 Line Chart of Voting Rates by Age

Reported Voting Rates by Age: 1980-2016.

Credit: U.S. Census Bureau at <https://www.census.gov/content/dam/Census/newsroom/press-kits/2017/voting-and-registration/figure 04.png>.

A citizen's **socioeconomic status**—the combination of education, income, and social status—may also predict whether he or she will vote. Among those who have completed a four year college degree, the 2020 voter turnout rate jumps to 80 percent of eligible voters, compared to about 60 percent for those who have completed only high school.^[21] This is due in part to the powerful effect of education, one of the strongest predictors of voting turnout. Income also has a strong effect on the likelihood of voting. Citizens earning over \$150,000 a year are very likely to vote and 80 percent of them do, while only 55 percent of those who earn \$25,000 vote.^[22]

Once high income and college education are combined, the resulting high socioeconomic status strongly predicts the likelihood that a citizen will vote. Race and ethnicity can also be a factor. Caucasians turn out to vote in the highest numbers, with 71 percent of white citizens voting in 2020 presidential election. In comparison, 63 percent of African Americans, 59 percent of Asian Americans, and 54 percent of Hispanic citizens voted in 2020. However, African American voter turn-out exceeded total Caucasian turn-out both in 2012 and 2008 when Barak Obama was on the ballot. Voting turnout can increase or decrease based upon the political culture of a state.

Hispanics, for example, often vote in higher numbers in states where there has historically been higher Hispanic involvement and representation, such as New Mexico, where 59 percent of Hispanic voters turned out in 2020.^[23] Overall, Hispanic turn-out has trended upward in recent presidential elections with Latinos making up 11 % of the electorate in 2016—up from 10% in 2012 and 9% in 2008. ^[24]



Image 7.5 Photo of Suffragettes Voting

Suffragettes voting. (Credit: National Photo Company; Repository Library of Congress Prints and Photographs Division Washington, D.C. 20540 USA Digital Id npcc 29566 //hdl.loc.gov/loc.pnp/npcc.29566 Control Number npc2008010067; No known restrictions on publication)

After 1920, when the Nineteenth Amendment gave women the right to vote, women began slowly turning out to vote, and now they do so in high numbers. Today, more women vote than men. In 2020, 65.0 percent of men and 68.4 percent of women reported voting according to the U.S. Census report.^[25]



Check out this [website](#) to find out who is voting and who is not voting.

What Factors Decrease Voter Turnout?

Just as political scientists and campaign managers worry about who does vote, they also look at why people choose to stay home on Election Day. Over the years, studies have explored why a citizen might not vote, even though they are registered to vote. The reasons range from the obvious excuse of being too busy (14.3 percent) to more complex answers, such as transportation problems (2.6 percent) and

restrictive registration laws (4.4 percent). In the 2016 presidential election, another factor was significant. Approximately twice the percentage of 2012 (that is 24.8% compared to 12.7%, mentioned they “did not like candidates or campaign issues” as the reason for not voting.^[26]

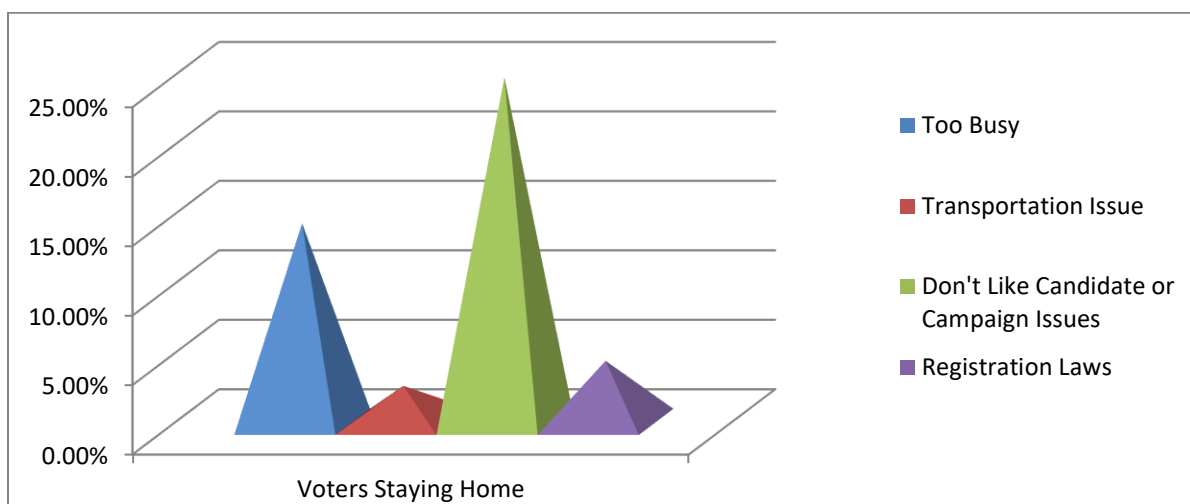


Chart 7.12 Excuses for Not Voting

Credit for Data: “Reported Voting and Registration, by Sex and Single Years of Age: November 2012,” <https://www.census.gov/data/tables/time-series/demo/voting-and-registration/p20-580.html> (May 2017).

One reason for not voting in the past was that polling places were open only on Election Day. This makes it difficult for voters juggling school, work, and childcare during polling hours. Many states have tried to address this problem with **early voting**, which opens polling places as much as two weeks early. Texas opened polling places on weekdays and weekends in 1988 and initially saw an increase in voting in gubernatorial and presidential elections, although the impact tapered off over time.^[27] Other states with early voting, however, showed a decline in turnout, possibly because there is less social pressure to vote when voting is spread over several days.^[28]



Image 7.6 Photo of Citizens Waiting in Line to Vote in 2008

On February 5, 2008, dubbed “Super Duper Tuesday” by the press, twenty-four states held caucuses or primary elections—the largest simultaneous number of state presidential primary elections in U.S. history. As a result, over half the Democratic delegates were allocated unusually early in the election season. This polling station, on the Stanford University campus in Palo Alto, California, had long lines, commonly seen only on Election Day, and nearly ran out of Democratic ballots. (Credit: OpenStax; Josh Thompson, photographer)

In a similar effort, Oregon, Colorado, and Washington have moved to a mail-only voting system in which there are no polling locations, only mailed ballots. These states have seen a rise in turnout, with Colorado’s

numbers increasing from 1.8 million votes in the 2010 congressional elections to 2 million votes in the 2014 congressional elections.^[29]

Apathy may also play a role. Some people avoid voting because their vote is unlikely to make a difference or the election is not competitive. If one party has a clear majority in a state or district, for instance, members of the minority party may see no reason to vote.

Democrats in Utah and Republicans in California are so outnumbered that they are unlikely to affect the outcome of an election, and they may opt to stay home. Because the presidential candidate with the highest number of popular votes receives all of Utah's and California's electoral votes, there is little incentive for some citizens to vote: they will never change the outcome of the state-level election. These citizens, as well as those who vote for third parties like the Green Party or the Libertarian Party, are sometimes referred to as the chronic minority.

Finally, some voters may view non-voting as a means of social protest or may see volunteering as a better way to spend their time. Younger voters are more likely to volunteer their time rather than vote, believing that serving others is more important than voting.^[30] Possibly related to this choice is **voter fatigue**. In many states, due to our federal structure with elections at many levels of government, voters may vote many times per year on ballots filled with candidates and issues to research. The less time there is between elections, the lower the turnout.^[31]



(a)



(b)

Image 7.7 Photos of Voter Registration Events

On National Voter Registration Day in 2012, Roshaunda McLean (a, left), campus director of the Associated Students of the University of Missouri, and David Vaughn (a, right), a Missouri Student Association senator, register voters on campus. Cassie Dorman (b, left) and Samantha Peterson (b, right), both eighteen years old, were just two of the University of Missouri students registering to vote for the first time. (Credit to OpenStax; a, b: modification of work by "KOMUnews"/Flickr)

Voting Rights: History and Controversy



Image 7.8 Photo of Voting Integration

Black and white people voting together. (Credit: Warren K. Leffler, photographer, 6 November 1962, U. S. News & World Report Magazine Photograph Collection, Library of Congress, 2016646466)

The varied registration and voting laws across the United States cause controversy. In the aftermath of the Civil War, some states enacted literacy tests, grandfather clauses, and other requirements intended to disenfranchise poor and black voters in Alabama, Georgia, and Mississippi. Literacy tests were long and detailed exams on local and national politics, history, and more. They were often

administered arbitrarily with more blacks required to take them than whites.^[32] Poll taxes required voters to pay a fee to vote. Grandfather clauses exempted individuals from taking literacy tests or paying poll taxes if they or their fathers or grandfathers had been permitted to vote prior to a certain point in time. While the Supreme Court determined that grandfather clauses were unconstitutional in 1915, states continued to use poll taxes and taxes and literacy tests to deter potential voters from registering.^[33] Some states ignored instances of violence and intimidation against African Americans wanting to register or vote.^[34]

The ratification of the Twenty-Fourth Amendment in 1964 ended poll taxes, but the passage of the Voting Rights Act (VRA) in 1965 had a more profound effect. The act protected minority voters by prohibiting state laws denying voting rights.

The VRA gave the attorney general of the United States authority to order federal examiners to areas with a history of discrimination. These examiners had the power to oversee and monitor voter registration and elections. States violating or sometimes suspected of violating the VRA were required to get any changes in their election laws approved by the U.S. attorney general or by going through the court system.



(a)



(b)

Image 7.9 Photos of President Johnson with Civil Rights Figures and The Voting Rights Act

The Voting Rights Act (a) was signed into law by President Lyndon B. Johnson (b/left) on August 6, 1965, in the presence of major figures of the civil rights movement, including Rosa Parks and Martin Luther King Jr. (b/center). (Credit: images incorporated by OpenStax)

The effects of the VRA were visible almost immediately. In Mississippi, only 6.7 percent of blacks were registered to vote in 1965; however, by the fall of 1967, nearly 60 percent were registered. Alabama experienced similar effects, with African American registration increasing from 19.3 percent to 51.6 percent.

Voter turnout across these two states similarly increased. Mississippi went from 33.9 percent turnout to 53.2 percent, while Alabama increased from 35.9 percent to 52.7 percent between the 1964 and 1968 presidential elections.^[35]

Voter turnout may be affected by **voter identification laws**, such as requiring a voter to show a photo identification such as a driver's license to verify their identity at the polling place. The American Civil Liberties Union and other groups argue an unfair burden on people who are poor, older, or have limited finances (who may not have a photo ID), while states argue it would prevent fraud. In *Crawford v. Marion County Election Board* (2008), the Supreme Court decided that Indiana's voter identification requirement was constitutional.^[36]

Journalists discovered that many states, including Florida, had large numbers of phantom voters on their rolls, voters had moved or died but remained on the states' voter registration rolls.^[37]

An Opinion on the Issue

Nathaniel Gruca, Austin Community College...

In 1830, Congress passed the Indian Removal Act, which forced Native Americans to relocate to the west of the Mississippi River. The Supreme Court ruled this law unconstitutional in the *Cherokee Nation v. Georgia* case, and President Andrew Jackson ignored this ruling. Indigenous people did not get complete citizenship until 1940, when the Nationality Act was passed. Native Americans have been one of the worst treated ethnicities, and I've been to the memorial for Sand Creek and Wounded Knee. It is just truly horrific standing where these events took place. Recently, in 2018, North Dakota passed a law that required citizens to have an address to vote. It disproportionately affected Native Americans more than anyone since they usually only have a P.O. box. This law, in my opinion, is unconstitutional because citizens of the United States do not stop becoming citizens just because they do not have an address. This is fundamental to our *Constitution*; yet, *Spirit Lake Tribe v. Jaeger* was not deemed unconstitutional by the Supreme Court.

[Used with permission 06/25/2019 from Nathaniel Gruca; Credit to The Department of Justice, 30 U.S. (5 Pet.) 1 (1831) and *Richard Brakebill, et al., Plaintiffs v. Alvin Jaeger*, Tuesday, April 5, 2016, 586 U.S. (2018) No. 18A335, No. 1:16-CV-008, and the Native American Rights Fund, March 1, 2019, "Discriminatory North Dakota Voter ID Law Still in Effect"]

Chart 7.13 Student Opinion on Treatment of Native Americans

In 2011, Texas passed a photo identification law for voters, allowing concealed-handgun permits as identification. The Texas law was blocked by the Obama administration before it could be implemented, because Texas was on the Voting Rights Act's pre-clearance list. Other states, such as Alabama, Alaska, Arizona, Georgia, and Virginia similarly had laws and districting changes blocked.^[38] As a result, Shelby County, Alabama, and several other states sued the U.S. attorney general, arguing the Voting Rights Act's pre-clearance list was unconstitutional and that the formula that determined whether states had violated the VRA was outdated. In *Shelby County v. Holder* (2013), the Supreme Court agreed. In a 5–4 decision, the justices in the majority said the formula for placing states on the VRA pre-clearance list was outdated and reached into the states' authority to oversee elections.^[39] States and counties on the pre-clearance list were released, and Congress was told to design new guidelines for placing states on the list.

Political Participation: Questions to Consider

1. What challenges do college students face regarding voter registration?
2. Have you registered to vote in your college area or back home? What factors influence your decision about where to vote?
3. What recommendations would you make to increase voter turnout in the United States?
4. Why does age affect whether a citizen will vote?
5. If you were going to predict whether your classmates would vote in the next election, what questions would you ask them?

1. *Home is out-of-state or not near campus and unable to register in person; state by state rules regarding mail-in ballots and registration.*
2. *personal opinion*
3. *Open to discussion. For Example, states could make registration easier by allowing registration closer to election day or even on Election Day or automatically registering citizens to vote when they turn eighteen, and/or allowing online registration. States could also allow more early voting including voting on weekends or more mail-in ballots.*
4. *Younger people ages 18-24 are less likely to have registered to vote and even, if registered, are less likely to have actually voted. . Perhaps, for younger voters, government is a distant concept rather than a daily concern, which may drive down both registration and voter turnout. Older voters have greater experiences and therefore may more clearly see how the government affects their well-being, livelihood and opportunities.*
5. *I would ask them their age, whether they are registered to vote, educational background or level, interest in politics, income level, and whether they voted in the last election*

Terms to Remember

early voting—an accommodation that allows voting up to two weeks before Election Day

Motor Voter Act—federal law making it easier for Americans to register to vote and to maintain registration by requiring states to provide individuals with an opportunity to register at the same time they apply for, change, or renew a driver's license

registered voters—citizens who have taken the necessary steps to place and maintain themselves on voter registration rolls to be able to participate by voting in elections

residency requirement—which establishes how long a citizen must live in a state before becoming eligible to register, often 30 days

socioeconomic status— combination of education, income, and social status of an individual or group

voter fatigue—the result when voters grow tired of voting and stay home from the polls

voter identification laws—requiring a voter to show a photo ID such as a driver's license in order to verify identity at the polling place

voter turnout–number of citizens voting in a given election

voting-age population (VAP)–persons who are 18 and older

voting-eligible population (VEP)–citizens 18 and older who, whether registered or not, are eligible to vote because of citizenship, mental competence, and non-imprisonment

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7.3 Political Participation:

How do we choose representatives through elections and voting?



Image 7.10 Photo Inside the U.S. House of Representatives

The United States House of Representatives in 2016.

(Credit: U.S. Congressional District Resource; <http://www.congressional-maps.com/what-is-the-house-of-representatives/>)

Learning Objectives

- Explain how fundamental characteristics of the House and Senate shape their elections.
- Discuss the effects of incumbency in the House and Senate.
- Analyze the way congressional elections have become more nationalized.

Chart 7.14 Learning Objectives on Fundamental Characteristics of Congress

Who can be elected to Congress?

The U.S. Congress is composed of two bodies or chambers—a House of Representatives and a Senate. House of Representative members are elected by the voters for two-year terms in their specific, geographically-defined, congressional districts.

There are currently 435 congressional districts in the United States and thus all 435 House members are elected every two years. Each state has several House districts roughly proportional to its share of the total U.S. population, with states guaranteed at least one House member. Two senators are elected by each state for six-year terms. Since there are 50 states, there are 100 senators.



Image 7.12 New Speaker of the House Kevin McCarthy Welcomes President Joe Biden to a Joint Session of Congress (Credit: house.gov)

Elections to the U.S. Senate are staggered, so that one-third of all senate seats are up for election every two years. Unless there has been a vacancy (due to death or resignation) within an existing six term, only one senate seat in a state is up for election at any single time.

The State of Texas has 38 House congressional districts with one member of Congress elected by the voters of each district. Texas has two senators elected at-large by all voters in the state.

In a system in which individual candidates compete for individual seats representing unique geographic districts, election winners are required to receive either a **majority** (simply the greater number/typically more than half) of votes or at least a **plurality** (one candidate receives more than another) of the votes, also known as **first-past-the-post** voting system.

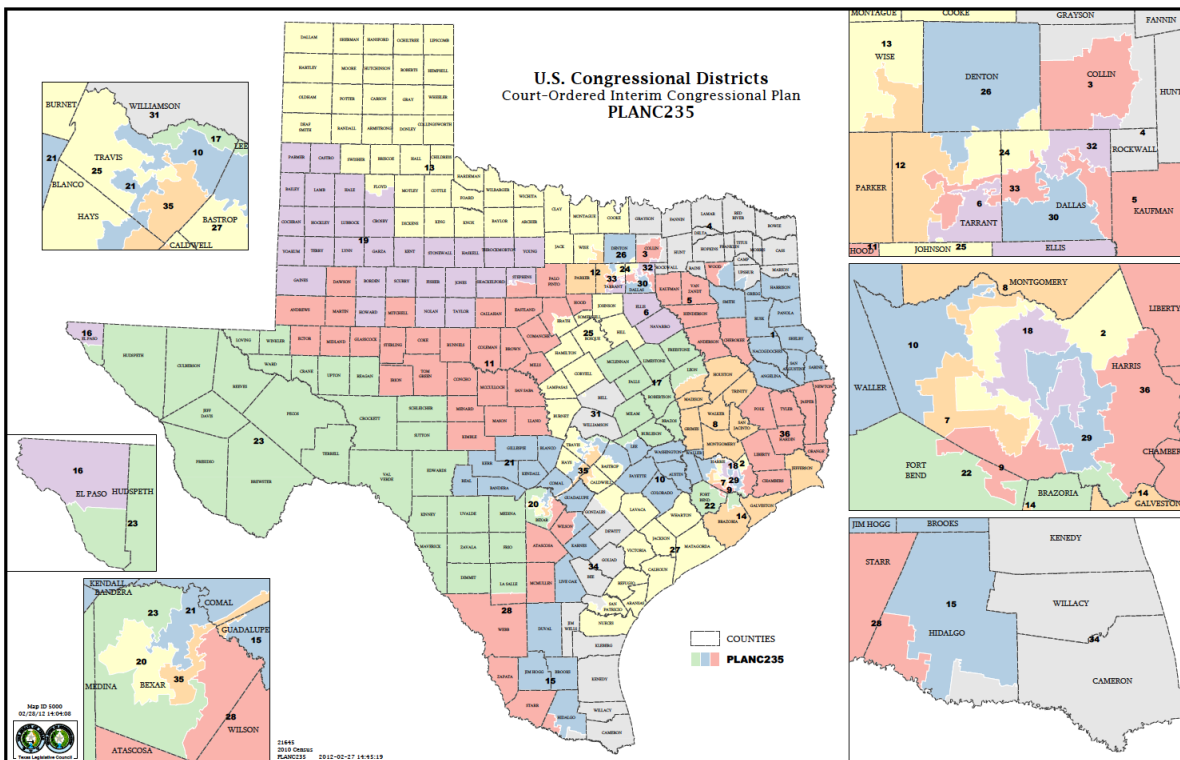


Chart 7.15 Map of U.S. Congressional Districts in Texas

Map of United States Representatives Congressional Districts for the State of Texas (Credit: Texas Legislative Council).

The election to Congress involves a two-step election process. Thus, the first step in election to the U.S. Congress is to be nominated by a major political party.

An individual must first win the nomination in a primary election and then win in the fall general election to earn the right to serve in the U.S. Congress.

Moreover, many House congressional districts and Senate seats across the country are considered **safe seats** or noncompetitive districts, meaning candidates from a party are statistically likely to consistently win the seat. Because of this structure of U.S. congressional elections, there has been a strong tendency to have one of the two major political parties dominant in who wins these legislative seats.

Therefore, the “real” decision of who will serve in Congress for these safe seats occurs during the party primary election, not in the general election. In recent election cycles, most political analysts suggest there may be only 50 to 75 seats in the House of Representatives that are really competitive, where each of the two major parties has a good chance of capturing the seat. ^[1]

Because its members serve short two-year terms they must regularly answer to the demands of their constituency when they run for election or reelection. This allows voters to develop a personal relationship with, and awareness of, “their” government elected representative and his or her actions. They know exactly whom to blame, or thank, for actions taken.

In contrast, members of the Senate are furthest removed from the demands and scrutiny of their constituents. Because of their longer six-year terms, they will see every member of the House face his or her constituents multiple times before they themselves seek reelection. Originally, when a state’s two U.S. senators were appointed by the state legislature, the Senate chamber’s distance from the electorate was even greater. Unlike House members who can seek the narrower interests of their district, senators must maintain a broader appeal across their entire state.

What are the effects of incumbency?

Incumbents are elected officials who currently hold an office and they have very high reelection rates. In the House, the percentage of incumbents winning reelection has stayed between 85 and 100 percent for the last half century. The Senate sees slightly more variation given the statewide nature of the race, but it is still a very high majority of incumbents who win reelection. As these rates show, even in the worst political environments incumbents are very difficult to defeat. The historical difficulty of unseating an incumbent in the House or Senate is often referred to as the **incumbent advantage** or the **incumbency effect**.

One of the many reasons incumbents win a large majority of congressional races each electoral cycle is that incumbents attract more money because people want to give to a proven winner. The amount of money they raise against their challengers demonstrates their advantage. In 2020, for example, the average Senate incumbent raised \$28,649,593, whereas the average inexperienced challenger raised only \$5,264,022.^[2]

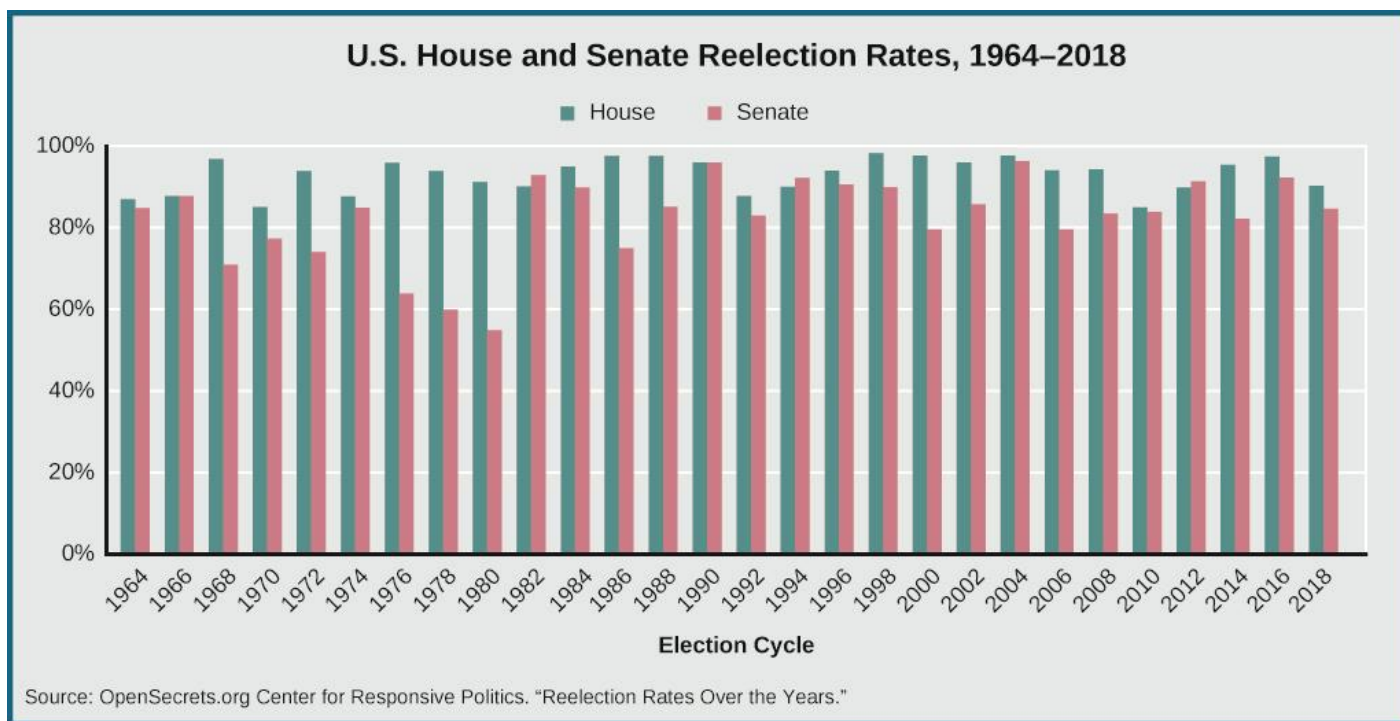


Chart 7.16 Bar Graph Illustrating Reelection Rates

The financing advantage is a significant part of an incumbent's advantage in reelection, but it is not the only contributor.

What contributes to this advantage and often persuades competent challengers not to run? First,

Incumbent Advantage
Name Recognition
Fundraising Advantage—Connections to \$
Constituent Casework—History of Assistance
Paid Staff
Franking Privilege—Mailings to Constituents
House District Gerrymandering

Chart 7.17 Incumbent Advantage Noted

incumbents have name recognition and voting records. The media is more likely to interview them because they have advertised their name over several elections and have voted on legislation affecting the state or district. Incumbents also have won elections before, which increases the odds that political action committees and interest groups will give them money; most interest groups will not give money to a candidate destined to lose.

The way the party system itself privileges incumbents is even more important. The leadership of major political parties in general prefers to support

incumbents because incumbents are considered stronger candidates, and their record of success supports this conclusion. However, on occasion, popular individual candidates and challengers with strong ideological leanings that appeal to a party's base electorate sometimes prevail. In recent years Republican incumbents have been "primaried" by challengers more conservative than they.

Likewise, in the aftermath of the 2016 presidential elections, some Democrat incumbents were being threatened with challenges by more leftist or progressive elements within the party. Incumbents wield another advantage over their challengers through the state power they have at their disposal.^[2] Sitting congresspersons are responsible for **constituent casework**. Constituents routinely reach out to their congressperson for powerful support to solve complex problems, such as applying for and tracking federal benefits or resolving immigration and citizenship challenges.^[3]

Incumbent members of Congress have paid staff, influence, and access to specialized information that can help their constituents in ways other persons cannot. And congresspersons are not shy about their constituent support. Often, they publicize their casework on their websites or create television advertisements that boast of their helpfulness. Election history demonstrates that this publicity is very effective in garnering voter support. Incumbents also have **franking privileges**, which allows them a limited amount of free mail to communicate with the voters in their district. While these mailings may not be sent in the days leading up to an election—sixty days for a senator and ninety days for a House member—congressional representatives are able to build a free relationship with voters through them.^[4] Moreover, incumbents have existing campaign organizations, while challengers must build new organizations from the ground up. Lastly, incumbents have more money in their war chests than most challengers. Another incumbent advantage is **gerrymandering**, the drawing of district lines to advantage one political party's chances to win a district over the other party.

Every ten years, following the U.S. Census, the number of House of Representatives members allotted to each state is determined based on a state's population. If a state gains or loses seats in the House, the state must redraw districts to ensure each district has a roughly equal number of citizens. States may also choose to redraw these districts at other times and for other reasons.^[5] If the district is drawn to ensure that it includes a majority of Democratic or Republican Party members within its boundaries, for instance, then candidates from those parties will have an advantage.



Image 7.13 Cartoon of Gerrymandering

Printed in March 1812, this political cartoon was drawn in reaction to the newly drawn state senate election district of South Essex created by the Massachusetts legislature to favor the candidacy of Elbridge Gerry. The caricature satirizes the bizarre shape of a district as a dragon-line “monster.” Political opponents at the time likened the district shape to a salamander, and the word gerrymander was a blend of that word and Governor Gerry's last name. (Credit: *Boston Gazette* on March 26, 1812; OpenStax)

Gerrymandering helps local legislative candidates and members of the House of Representatives, who win reelection over 90 percent of the time. Senators and presidents do not benefit from gerrymandering because they are not running in a district.

Presidents and senators win states, so they benefit only from war chests and name recognition. This is one reason why senators running in 2014, for example, won reelection only 82 percent of the time.^[6]

Local and National Elections

The importance of publicizing constituent casework during campaigns supports the popular saying, “All politics is local.” This phrase, attributed to former Speaker of the House Tip O’Neill (D-MA), asserts that

the most important motivations directing voters are rooted in local concerns. In general, this is true. People naturally feel more driven by the things that affect them daily. Examples are the quality of the roads, availability of good jobs, and cost and quality of public education. Good senators and representatives understand this and seek to influence these issues for their constituents. This is an age-old strategy for success in office and elections.

Political scientists have taken note of some voting patterns that may challenge this common assumption, however. In 1960, political scientist Angus Campbell proposed the **surge-and-decline theory** to explain these patterns.^[1]

Campbell noticed that since the Civil War, with the exception of 1934, the president's party has consistently lost seats in Congress during the **midterm elections**—that is the election that occurs in the middle of the four-year presidential term of office.^[8] So called Midterm elections occur because all members of the House of Representatives and one-third of the senators come up for reelection every two years.

Campbell proposed that the reason was “a surge” in political stimulation during presidential elections, which contributes to greater turnout and brings in voters who ordinarily abstain. These voters, Campbell argued, tend to favor the party holding the presidency.^[9]

In contrast, midterm elections witness the opposite effect. They are less stimulating and have lower turnout because less-active voters stay home. Campbell asserts this shift helps the party not currently occupying the presidency. During a presidential election year, members of Congress often experience the **coattail effect**, which gives members of a popular presidential candidate's party an increase in popularity and raises their odds of retaining office.^[10]

During a midterm election year, however, the president's party often is blamed for the president's actions or inaction. Representatives and senators from the sitting president's party are more likely to lose their seats during a midterm election year.

A recent congressional realignment, in which the House changed from Republican to Democratic control, occurred because of this reverse-**coattail effect** during midterm elections. The most recent example is the 2018 election, in which control of the House returned to the Democratic Party after two years of Donald Trump's presidency. The 2018 and 2022 midterm elections were somewhat unusual, even under the Campbell Theory, in that there was a relatively high voter turnout.

In the decades since Campbell's influential theory was published, a number of studies have challenged his conclusions.^[11] Nevertheless, the pattern of midterm elections benefiting the president's opposition has persisted.^[12]

Only in exceptional years has this pattern been broken.

The evidence does suggest that national concerns, rather than local ones, can function as powerful motivators at the polls. Consider, for example, the role of the Iraq War in bringing about a Democratic rout of the Republicans in the House in 2006 and in the Senate in 2008. Unlike previous wars, the war in Iraq was fought by a very small percentage of the population.^[13]

Nationwide, voters in large numbers were motivated by the war to vote for politicians they believed would end it.

Congressional elections may be increasingly driven by national issues. Just two decades ago, straight-ticket, party-line voting was still rare across most of the country.^[14] In much of the South, which began to vote overwhelmingly Republican in presidential elections during the 1960s and 1970s, Democrats were still commonly elected to the House and Senate. The candidates themselves and the important local issues, apart from party affiliation, were important drivers in congressional elections. This began to change in the 1980s and 1990s, as Democratic representatives in the South declined. The South is not alone; areas in the Northeast and the Northwest have grown increasingly Democratic. Indeed, the 2018 and 2022 midterm election were the most nationalized election in many decades. Voters who favor a particular party in a presidential election are now much more likely to also support that same party in House and Senate elections than was the case just a few decades ago.

Political Participation: Questions to Consider

1. What does Campbell's surge-and-decline theory suggest about the outcome of midterm elections?
2. Explain the factors that make it difficult to replace incumbents.

1. *the president's party has consistently lost seats in Congress*
2. *financing advantage; higher level of name recognition; voters are more likely to select the name they recall; donors give to a proven winner*

TERMS TO REMEMBER

coattail effect—gives members of a popular presidential candidate's party an increase in popularity and raises their odds of retaining office

constituent casework—use of staff of a member of Congress to help a constituent solve a problem they are having with a governmental agency or program, such as applying for and tracking federal benefits or obtaining specialized information from the federal government

first-past-the-post—the principle that the individual candidate with the most votes wins, whether or not he or she gains a majority (51% or greater) of the total votes cast; also known as **plurality voting**

franking privileges—allows members of Congress a limited amount of free mail to communicate with the voters in their district

gerrymandering—the manipulation of the boundaries/lines of a legislative district in an attempt to favor a particular political party's candidate; redrawing district lines for political gain

incumbents—current office holder

incumbent advantage—the historic difficulty in unseating a current elected member of Congress

midterm election—occurs in the middle of a presidential term because all members of the House of Representatives and one-third of the senators come up for reelection every two years, including years in which there is no presidential election

surge-and-decline theory—a theory proposing that the surge of stimulation occurring during presidential elections subsides during midterm elections, accounting for the differences we observe in turnouts and results

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7.4 Political Participation:

How do we select and elect a president?



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Image 7.14 Photo of President Joe Biden and Vice President Kamala Harris

Learning Objectives

- Describe the process of electoral voting for President.
- Describe the changes over time in the way the President and Vice-President are selected through the nomination process.
- Explain the role of the general election in the modern presidential selection process.
- Assess the advantages and disadvantages of the Electoral College voting system and the possible alternatives.

Chart 7.18 Learning Objectives on the Electoral Process

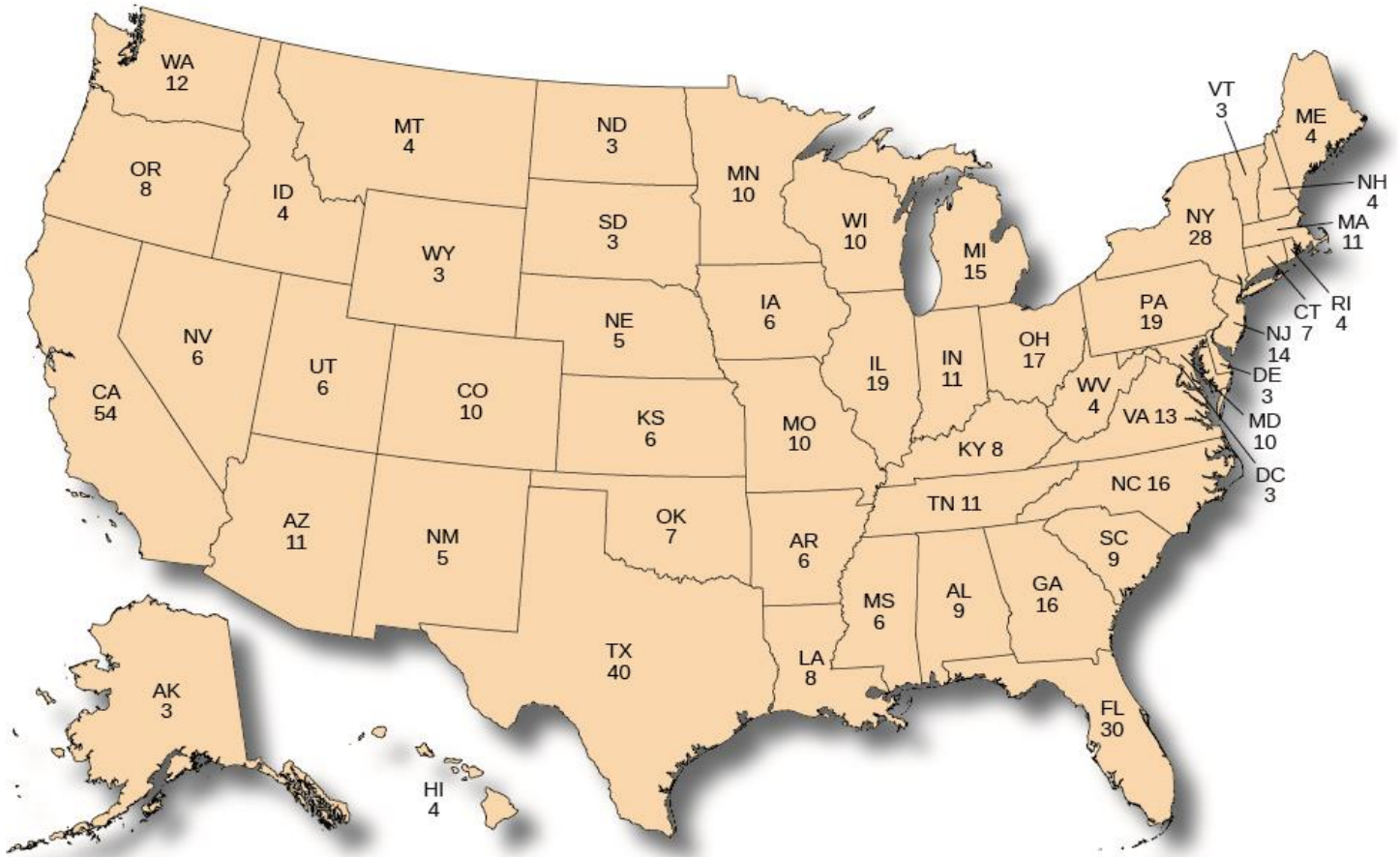


Chart 7.19 Map Showing Distribution of Electoral Votes

This map shows the distribution by state of 538 electoral votes available in the 2024 national election. The number of electoral votes granted to each state equals the total number of representatives and senators that state has in the U.S. Congress or, in the case of Washington, DC, as many electors as it would have if it were a state. Under the U.S. *Constitution*, a majority of electoral votes (currently 270) is required to elect the president. (Credit: Image used in OpenStax)

The Electoral Voting and “The Electoral College”

Once the voters have cast ballots in November and all the election season would seem to come to a close, races for senators and representatives may be over, but the constitutional process of officially electing a president has technically only begun. Despite media coverage that proclaims who the next president will be, it is not official. Under the U.S. *Constitution*, presidential electors, chosen by the political party that won the presidential race in that state, must travel to their respective state capitols and cast the official votes for president in mid-December. In nearly all cases, presidential electors, political party loyalists, cast their ballots for the candidate who won the majority of votes in their state. Although not mentioned in the *Constitution*, we have come to call these 538 **electors**, the **Electoral College**—though they never gather together in one place to vote. The Electoral College is a state-by-state process (each state conducting their own democratic majoritarian popular vote election to inform how electors will vote) and not a place or an organized entity. Once voting has occurred in each state, the states then forward the official voting results to the U.S. Senate.

Only after the electoral votes have been officially opened and read into the Congressional record by the president of the Senate (i.e., the vice president of the United States) during a special joint session of Congress in January, is the presidential candidate who received most electoral votes officially named president. Normally this session is “pro-forma” (done as a matter of form) with little drama. In 2020, this process was lengthened due to two occurrences: 1) objections by some senators and representatives to the legitimacy of several states’ slates of electors requiring an extensive debate over the objections and 2) a number of rioters forcibly entering the Capitol building and causing damage and a temporary “lockdown.” The official certification of electoral votes continued later that evening after order had been restored by law enforcement and objections were rejected.

The number of electors granted to each state equals the total number of representatives and senators that state has in the U.S. Congress or, in the case of Washington, DC, as many electors as it would have if it were a state. The number of representatives may fluctuate based on state population, which is determined every ten years by the U.S. Census, mandated by Article I, Section 2, of the *Constitution*. There are 538 electors. A majority of 270 electoral votes is required to elect the President. Read more about [the allocation of electoral votes](#). The map at the front of this section shows the distribution of electoral votes by state. Electors cannot be elected officials, nor can they work for the federal government. Since the Republican and Democratic parties choose faithful party members who have worked hard for their candidates, the modern system decreases the chance they will vote differently from the state’s voters. But how do we know how these electors will vote well before the official vote? We know since the electors (with rare exception, when they are called **faithless electors**) will follow the wishes of the electorate in each state. What is important to know is which party’s candidate won a state to estimate accurately the results of electoral voting. Under our current two-party political system, in forty-eight states and the District of Columbia, the candidate who wins the most votes in November receives all the state’s electoral votes, and only the electors from that party will vote. This is often called the **winner-take-all system**.



Image 7.15 Photo of Protester Encouraging "Faithless Electors"

Sign at a Women and Allies protest in New York on December 12. (Credit: Pacific Press/LightRocket via Getty Images and *New Yorker Magazine*)

Faithless electors who do not follow the dictates of the electorate in their state are extremely rare. In fact, in the 2016 election despite a determined effort including thousands of emails and phone calls to sway 37 electors in states won by Trump to vote for another candidate, the effort completely fizzled. In fact, there were more faithless electors away from Hillary Clinton (5) than for Donald Trump (2).¹¹

The District System—The Two State Exception

In two states, Nebraska and Maine, the electoral votes are divided. The candidate who wins the state gets two electoral votes, but the winner of each congressional district also receives an electoral vote. In 2008, for example, Republican John McCain won two congressional districts and the majority of the voters across the state of Nebraska, earning him four electoral votes from Nebraska. Obama won in one

congressional district and earned one electoral vote from Nebraska.^[2] In 2016, Donald Trump lost the state of Maine, but won the majority in one congressional district earning him one electoral vote. This voting method is referred to as the **district system**, since electoral votes are calculated by the presidential candidate receiving the majority of the vote with a particular congressional district.

Electing the President

The process of electing a president every four years has evolved over time. This evolution has occurred because of political parties' power as gatekeepers to the presidency. Political parties impact both the beginning and end of the process to elect a president. The political parties select, through a nomination process, who will run for president and in the end the winning political party in each state picks the electors who cast the official ballots for president. The framers of the *Constitution* made no provision in the document for the establishment of political parties. Following the first election of Washington, the political party system gained steam and power in the electoral process, creating separate **nomination** and **general election** stages. The U.S. *Constitution* established a federal system of government in which the role of state government is preserved and protected. The existence of the federal system significantly impacts both the nomination and general election phases of the election of the president.

Selecting the Candidate: The Party Nomination Process

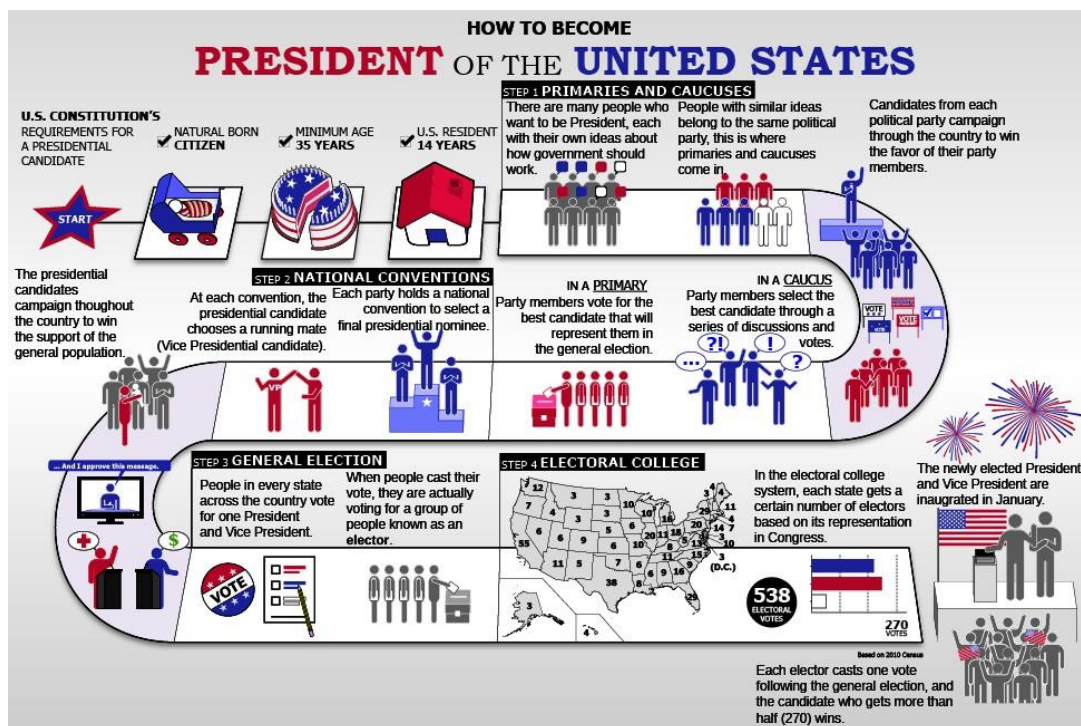


Chart 7.20 Map Illustrating the Process of Becoming President

The process of becoming president has become an increasingly longer one, but the underlying steps remain largely the same. (Credit: modification of work by the U. S. General Services Administration, Federal Citizen Information Center, Ifrah Syed)

Over the last several decades, how parties have chosen candidates has trended towards a drawn-out series of state by state contests, either primaries or caucuses, which generally begin in January prior to the November general election during the presidential election year. Over the course of the 20th century, the individual state primaries gradually became a most important part of the process. The national party leadership controls the timetable nomination through the convention rules impacting delegate distribution by state and the calendar of primaries. In recent decades, a majority of the delegates, pledged to a particular candidate, are chosen through primary elections well before the party convention, thus the national party conventions themselves are little more than a widely publicized rubber-stamping event of the candidate that already won the support of a majority of the delegates to the convention. This was not the situation in the past. Well into the middle of the 20th century, state leaders and workers met in national conventions to choose their nominees, sometimes after long struggles that took place over multiple ballots to pick the eventual nominee.

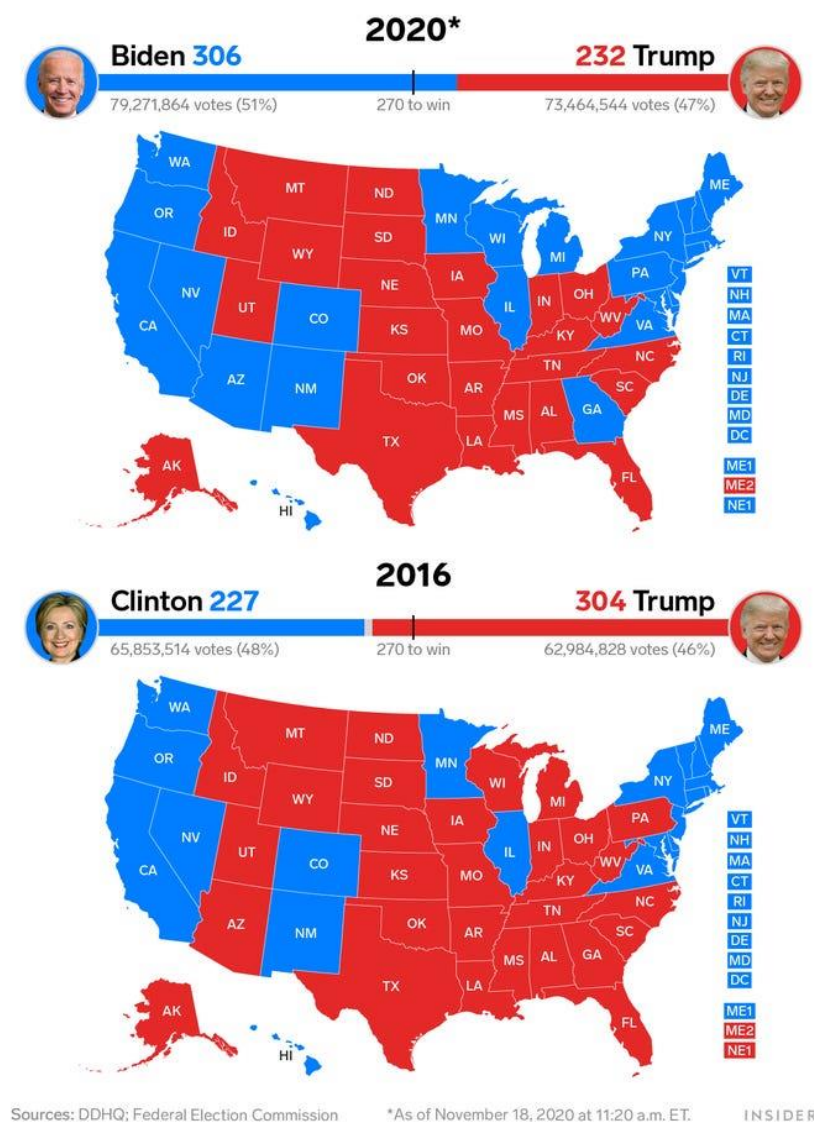


Chart 7.21 Maps Illustrating Electoral Votes in 2016 and 2020

Credit: *Business Insider* and John L. Dorman and Shayanne Gal, 16 November 2020, 5:07 pm; from "How the final 2020 Electoral College map compares to 2016."

The General Election

The Twelfth Amendment, ratified in 1804, provided for our current process of using electoral voting for the election of president and vice president as well as setting out a backup system to choose a winner if no one received a majority of the electoral votes.

Only once since the passage of the Twelfth Amendment, during the election of 1824, has the House of Representatives selected the president under these rules of the backup system.

In several elections, such as in 1876 and 1888, and more recently in 2000 and 2016, a candidate who nationwide received less popular votes has won the presidency, including cases when the losing candidate secured a nationwide majority of the popular vote.

In the 2000 election, Democratic nominee Al Gore won the popular vote, while Republican nominee George W. Bush won the Electoral College vote and hence the presidency.

In 2016, Hillary Clinton won the nationwide popular vote 48% to 45.9% with 2.9 million votes more than Donald Trump, who interestingly won an overwhelming majority of total counties in the U.S. Donald Trump became president by winning more votes than Hillary Clinton in enough states to capture a majority of the electoral votes—building a successful coalition of state majority elections to create an electoral college victory.

In fact, 77,774 combined votes in Michigan, Pennsylvania, and Wisconsin gave Trump 46 critical electoral votes by winning narrow victories in each of these states. Most of Hillary Clinton’s popular vote margin can be accounted for by the margins she won in a few highly populated areas of states such as California and New York.^[13]

Of course, both sides in the 2016 and 2020 elections understood the rule of the game—that winning 270 electoral votes was much more important than winning the national popular vote. Both the Clinton and Trump campaigns accordingly planned strategies in 2016 that lead them to win the popular vote in enough states with enough electoral votes to reach the magic number of 270. In 2020, the Biden campaign achieved narrow majorities of the popular vote in Michigan, Pennsylvania, and Wisconsin, reversing Trump’s 2016 electoral vote victories in those states.

Campaign dollars for advertising and campaign visits were focused on achieving sufficient elector votes; thus, the federal nature of the United States has presidential campaigns adopting strategies that recognize the reality that there are 50 campaigns rather than a single national campaign for president. Moreover, since some states are overwhelmingly dominated by one party or another, presidential campaigns focus most of their attention on so-called **swing states** that could go to either candidate.

ELECTORAL COLLEGE: SHOULD WE CHANGE THE WAY WE COUNT THE VOTES FOR PRESIDENT?

Not everyone is satisfied with how the Electoral College voting system shapes the election. Yet movements for change in the voting system for presidential elections, including proposals for a straightforward nationwide direct election by popular vote, have gained little traction.^[14]

Following the 2000 presidential election, when then-governor George W. Bush won by a single electoral vote and with over half a million fewer individual votes than his challenger, many voters called for “Electoral College reform,” that is the manner under which we determine who is elected president. Years later, even after 2016 election, however, nothing of any significance had been done. The absence of reform in the wake of such elections is a testament to the staying power of the Electoral College or our current system of electing the president. Supporters of the current system defend it as a manifestation of federalism, arguing that it also guards against the chaos inherent in a multiparty environment by encouraging the current two-party system. They point out that under a system of direct election; candidates would focus their efforts on more populous regions and ignore others.^[15]

Voting for President: Comparing Plans

Name of Plan	Advantages	Disadvantages
Electoral College current system, mainly winner-take-all	preserves role of states; requiring separate majorities by state; majority mandate, usually stronger with higher % than popular vote; encourages candidates to campaign in rural areas rather than relying solely on television and focus on urban areas; avoid nationwide recounts, encourages 2 major parties who must moderate views to capture independent support	no national majority; possible winner may have less popular votes; 2 votes given to states based on equality not population; candidates ignore states without close races; impossible for 3rd parties to ever win or even impact election; electoral votes may not reflect wishes of voters in state
Direct Popular Vote need Constitutional Amendment to implement this plan	creates national majority winner with nationwide mandate; every vote counts equally; states are not a factor; might encourage nationwide campaign because concept of swing state focus is eliminated	strong possibility candidate will get less than a majority requiring a run-off second-round election; might encourage 3rd parties with extreme views; possibility of nationwide recounts; voters in less populated states largely ignored; voters on coasts and in highly populated urban areas may decide election for the entire country
Proportional Vote division of votes in each state based on candidate results; need Constitutional Amendment to implement	retains electoral votes but electoral division more accurate reflection of popular vote; generally most plans provide "federalism bonus" of 2 additional electoral votes for a state-wide winner which should encourage campaigning in most states; retains advantage of Electoral College without disadvantage of direct popular vote run-off elections and nationwide recounts	undermines principle of political equality if "federalism bonus" is retained; might encourage 3rd and 4th parties to form, possible disputes about how to divide whole numbers of electoral votes, especially the last electoral vote; might encourage recounts for a single electoral vote in close contested states
District Voting division of votes on candidate who wins geographic area of congressional district; need Constitutional Amendment	retains electoral votes; unlike current system, might encourage candidates to campaign throughout country for contested/swing districts not swing states; might be closer linkage between president/congress; most district voting plans retain "federalism bonus" of 2 additional electoral votes for state-wide winner	lack of real swing districts means narrow campaigning; voters in non-swing districts ignored; district gerrymandering; "federalism bonus" not eliminated without amendment, which would have strong opposition from low population states
Interstate Compact mandate a popular vote winner	unlike other plans does not require amendment, easier to achieve prime objective of direct popular vote of assuring candidate with most votes wins; can be achieved through formal agreement among states, who together have a majority of electoral votes; retains electoral votes and avoids disadvantage of run-off elections	highly dependent of action by state legislatures, may have built-in bias for current system depending on political balance in the state; may encourage more recounts in closely contested states if ever implemented

Chart 7.22 Comparison of Voting Plans for Presidential Elections

One alternative to the Electoral College is to scrap it all together and replace it with a **direct nationwide popular vote**. The popular vote would be the aggregated totals of the votes in the fifty states and District of Columbia, as certified by the head election official of each state. As previously noted, this could result in candidates ignoring much of the country's voters—especially those living in less populated states—and focusing on highly populated urban areas or east and west coast regions.

Critics charge that the current system negates the one-person, one-vote basis of U.S. elections, subverts majority rule, and might lead, in theory, to chaos should enough electors desert a candidate, thus thwarting the popular will. Moreover, public opinion polls show majority support for a direct popular vote on a national level not understanding that the system allows for state-wide majority elections. Despite all this, the system remains in place. It appears that enough people are more comfortable with the perceived problems of the current system than with the uncertainty of change.¹⁶¹ Of course a change to a system of a single nationwide majority rule election would require a constitutional amendment supported by a majority of both houses of Congress and approval of 3/4ths of the states.

Those who insist that the Electoral College should be reformed argue that its potential benefits pale in comparison to the way the current system depresses voter turnout. This thinking does not consider the depressed voter turnout for the less-populated states should an abolishment of the Electoral College occur. In addition to favoring less-populated states, since individual votes there count more than in larger states due to the mathematics involved in the distribution of electors, the Electoral College results in a significant number of “safe” states that receive no real electioneering, such that nearly 75 percent of the country is ignored in the general election. Again, the Electoral College voting system does preserve the idea of 51 individual majoritarian elections rather than a single nationwide majority. This not only keeps less populated states in the mix, but it forces candidates to build coalitions to secure the election victory. The *Constitution* includes this protection in order that the President of the United States would not become the president of the most populated state or the most urban state. Another alternative to the current system often mentioned is to have a **proportional system** of division of the electoral vote in each state. That is, as each state assigns its electoral votes, it would do so based on the popular vote percentage in their state, rather than the winner-take-all approach almost all the states use today. Sometimes this suggestion is coupled with a “federalism bonus” which gives the winner of the state two votes but divides the rest of the electoral vote proportionally. Although individual states could currently adopt this system by state law, to mandate this system nationwide would require a constitutional amendment.

Another proposal mentioned is to have voting method referred to as the **district system**, in which electoral votes are calculated by the presidential candidate receiving the majority of the vote within a congressional district. That is, the candidate who received the most votes in the geographic area of a congressional district would win one electoral vote. Under this system, 435 electoral votes would be divided up by districts. Usually, this suggestion is also coupled with the “federalism bonus” to allocate the additional 100 electoral votes. Two states have currently adopted this system on their own, to mandate this system national would require a constitutional amendment.

Another alternative for electing the president has been proposed by an organization called National Popular Vote. Rather than seeking a constitutional amendment to achieve a nationwide national popular vote, supporters advocate for a **National Popular Vote Interstate Compact** between multiple states. Once a combination of states constituting 270 electoral votes supports the movement, each state entering the compact pledges all its Electoral College votes to the national popular vote winner. Again the negative possibility with this alternative may result in more populated states being pitted against the less populated, which could depress voter turnout. As of April 2021, sixteen jurisdictions representing 196 electoral votes have joined this interstate compact. Some constitutional issues arise from the NPV movement’s approach. The current system is designed to offer state-wide democratic elections, with each state’s voters choosing the candidate the state wishes to support. The NPV method does not require a candidate to secure a coalition of these state majorities to win the Electoral College majority, which means a president could politically ignore most states and focus all attention on a few populated areas. NPV also makes it theoretically easier to commit fraud to secure an election. In this instance, fraud can be targeted to just a few small strategic areas. Under the NPV system, the wishes of the majority of voters in a state could be ignored, if different than the overall national majority. Voters in individual states give up state vote sovereignty to participate in NPV. The legal constitutionality of this approach is open to challenge.

Political Participation: Questions to Consider

1. What are the positive and negative points to the Electoral College voting system?
2. In what ways does the current system protect the representative power of small states and less-densely populated regions?

1. *The Electoral College voting system forces candidates to build a broad coalition of states to win and protects the role of states in our political system and strengthens our two-party system. The greatest criticism of the electoral college system is that a candidate winning the popular vote might not receive a majority of electoral votes. Moreover, the system depresses voter turnout, since the Electoral College results in a significant number of “safe” states that receive no real electioneering.*
2. *It means the more densely populated coastal areas of the country will not have enough electoral voting strength alone to elect the president based solely on numerical majority, since the electoral votes of smaller states and less densely populated states will also be needed to achieve a majority of 270 electoral votes.*

Terms to Remember

Electoral College—The unofficial name given to a voting process by which the U.S. president is officially elected through votes officially cast by state *electors* pledged to support the presidential candidate who has won the most votes in that state. The Electoral College is not an organized entity since electors never meet but cast their votes in their separate state capitols.

faithless electors—official presidential electors who do not follow the wishes of the electorate in each state and vote their “elector vote” for some presidential candidate other than the winner of the state’s majority vote. This happens rarely.

swing states—U.S. states which could potentially be won by either major candidate for president and therefore presidential campaigns focus most of their attention on these states.

winner-take-all system--Under this system, the candidate who wins the most votes in November receives all the state’s electoral votes, and only the electors from the winning candidate’s party will vote.

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7.5 Political Participation: Fundraising, Campaign Finance and Elections



Image 7.16 Photo of One Dollar Bill

Image of a one dollar bill. (Credit: The U.S. Bureau of Engraving and Printing at the U.S. Department of Treasury; <https://www.uscurrency.gov/seven-denominations>; The first \$1 Federal Reserve note was issued in 1963, and its design—featuring President George Washington and the Great Seal of the United States—remains unchanged)

Campaigns for elected office run on currency, and raising funds is big business in U.S. politics today. Fundraising significantly impacts elections, and numerous laws control the financing of political campaigns.

Learning Objectives

- Understand the role of campaign fundraising and the impact on elections.
- Review the current state of campaign finance laws and the impact of Supreme Court decisions.

Chart 7.23 Learning Objectives on Campaign Finance

Fundraising

Even with a carefully planned and orchestrated presidential run, early fundraising is vital for candidates. Money helps them win, and the ability to raise money identifies those who are viable. In fact, the more money a candidate raises, the more he or she will continue to raise. EMILY's List, a political action group, was founded on this principle; its name is an acronym for "Early Money Is Like Yeast" (it makes the dough rise). This group helps progressive women candidates gain early campaign contributions, which in turn helps them get further donations.



Want to know how much money federal candidates and PACs are raising? Visit the Campaign Finance Disclosure Portal at the [Federal Election Commission](https://www.fec.gov/disclosure) website.



(a)



(b)

Image 7.17 Women Politicians from Emily's List

EMILY's List candidates include members of Congress, such as Tammy Duckworth (D-IL) (a), and governors, such as Maggie Hassan (b) of New Hampshire, who ran successfully for U.S. Senate. (Credit to OpenStax images; a, b: modification of work by Roger H. Goun)

Early in the 2016 election season, several candidates had fundraised well ahead of their opponents. Hillary Clinton, Jeb Bush, and Ted Cruz were the top fundraisers by July 2015. Clinton reported \$47 million, Cruz with \$14 million, and Bush with \$11 million in contributions. Bush later reported over \$100 million in contributions, while the other Republican candidates continued to report lower contributions.

Media stories about Bush's fundraising discussed his powerful financial networking, while coverage of the other candidates focused on their lack of money. Donald Trump, the eventual Republican nominee, showed a comparatively low fundraising amount because he was self-funded during most of the nomination campaign and was able to generate considerable free publicity.

The Democratic field in 2020 was initially crowded before winnowing down to only Senator Bernie Sanders and the former Vice President Joseph Biden. The March "cash-on-hand" amounts for these two candidates, \$11.2 for Sanders and \$6.0 for Biden far exceeded other candidates who remained in the race at the time.

Campaign Finance Laws

In the 2020 presidential election cycle, candidates for all parties raised a total of over \$5.7 billion dollars for campaigns.^[1] Congressional candidates raised \$ 8.7 billion.^[2] This, however, pales in comparison to the amounts raised by **political action committees (PACs)**, which are organizations created to raise and spend money to influence politics and contribute to candidates' campaigns.^[3] How does the government monitor the vast amounts of money that are now a part of the election process?

The complex problem of funding campaigns has a long history in the United States. For nearly the first hundred years of the republic, there were no federal campaign finance laws. Then, between the late nineteenth century and the start of World War I, Congress pushed through a flurry of reforms intended to bring order to the world of campaign finance. These laws made it illegal for politicians to solicit contributions from civil service workers made corporate contributions illegal and required candidates to report their fundraising.

As politicians and donors soon discovered, however, these laws were full of loopholes and were easily bypassed by those who knew the ins-and-outs of the system. While these laws intended to create

transparency in campaign funding, government did not have the power to stop the high levels of money entering elections, and little was done to enforce the laws. In 1971, Congress again tried to fix the situation by passing the Federal Election Campaign Act (FECA), which outlined how candidates would report all contributions and expenditures related to their campaigns. The FECA also created rules governing the way organizations and companies could contribute to federal campaigns, which allowed for the creation of political action committees.^[4]

Finally, a 1974 amendment to the act created the Federal Election Commission (FEC), which operates independently of government and enforces the elections laws. While some portions of the FECA were ruled unconstitutional by the courts in *Buckley v. Valeo* (1976), such as limits on personal spending on campaigns by candidates not using federal money, the FEC began enforcing campaign finance laws in 1976.^[5]

Even with the new laws and the FEC, money continued to flow into elections. By using loopholes in the laws, political parties and political action committees donated large sums of money to candidates, and new reforms were soon perceived to be needed. 2002 brought another important reform when Senators John McCain (R-AZ) and Russ Feingold (former D-WI) cosponsored the Bipartisan Campaign Reform Act of 2002 (BCRA), also referred to as the **McCain-Feingold Act**. The McCain-Feingold Act limited the use of **soft money**, which is raised for purposes like party-building efforts, get-out-the-vote efforts, and issue-advocacy ads.^[6]

Unlike **hard money** contributed directly to a candidate, which is heavily regulated and limited, soft money has almost no oversight. Soft money was not a problem before the mid-1990s, when several very imaginative political operatives developed creative ways to spend this money. After this, soft money donations skyrocketed; however, McCain-Feingold brought some scrutiny and control to this type of fundraising.^[7] McCain-Feingold places limits on total contributions to political parties, prohibits coordination between candidates and PAC campaigns, and requires candidates to include personal endorsements on their political ads.^[8] Until 2010, it also limited advertisements run by unions and corporations thirty days before a primary and sixty days before a general election.

Soon after the passage of the McCain-Feingold Act, the FEC's enforcement of the law spurred court cases challenging it. A controversial decision handed down by the Supreme Court (2010) is the ruling on *Citizens United v. Federal Election Commission* led to the removal of spending limits on corporations. Justices in the majority argued that the BCRA violated a corporation's free speech rights.^[9] The *Citizens United* case began as a lawsuit against the FEC filed by Citizens United, a non-profit organization that wanted to advertise a documentary critical of former senator and Democratic hopeful Hillary Clinton on the eve of the 2008 Democratic primaries.^[10]

Advertising or showing the film during this time window was prohibited by the McCain-Feingold Act. The Court found that this type of restriction violated the organization's First Amendment right to free speech. As critics of the decision predicted at the time, the Court opened the floodgates to private soft money flowing into campaigns again.^[11]

In the wake of the Court ruling, a new type of advocacy group emerged, the **super PACs**, or Independent Expenditures-Only Committees. These organizations cannot contribute directly to a candidate, nor can they strategize with a candidate's campaign.

They can, however, raise and spend as much money as they please to support or attack a candidate, including running advertisements and hosting events.^[12] In the 2020, the Senate Leadership Fund, a conservative super PAC, spent \$293.7 million supporting conservative candidates while the Senate Majority PAC spent \$230.4 million supporting liberal candidates. The total expenditure by super PACs alone was \$2.13 billion in the 2020 election.^[13]

In contrast, a traditional **PAC** is an organization designed to raise hard money to elect or defeat candidates. Such traditional PACs tended to be run by businesses and other groups, like the Teamsters Union and the National Rifle Association, to support their special interests. They are highly regulated on the amount of money they can take in and spend. Super PACs are *not* bound by these regulations.

Several limits on campaign contributions have been upheld by the courts and remain in place. Individuals may contribute up to \$2,900 per candidate per election. This means a teacher living in Nebraska may contribute \$2,900 to Ron DeSantis for his campaign to become to the Republican presidential nominee, and if DeSantis becomes the nominee, the teacher may contribute another \$2,900 to his general election campaign. Individuals may also give \$5,000 to political action committees and \$36,500 to a national party committee. PACs that contribute to more than one candidate are permitted to contribute \$5,000 per candidate per election, and up to \$15,000 to a national party.

PACs created to give money to only one candidate are limited to only \$2,900 per candidate, however.^[14] The amounts are adjusted every two years, based on inflation. These limits are intended to create a more equal playing field for the candidates, so that candidates must raise their campaign funds from a broad pool of contributors.



The [Center for Responsive Politics](#) reports donation amounts that are required by law to be disclosed to the Federal Elections Commission. One finding is that, counter to conventional wisdom, the vast majority of direct campaign contributions come from individual donors, not from PACs and political parties.

CONTRIBUTION LIMITS FOR 2021–2022 FEDERAL ELECTIONS					
DONORS	RECIPIENTS				
	Candidate Committee	PAC ¹ (SSF and Nonconnected)	State/District/Local Party Committee	National Party Committee	Additional National Party Committee Accounts ²
Individual	\$2,900* per election	\$5,000 per year	\$10,000 per year (combined)	\$36,500* per year	\$109,500* per account, per year
Candidate Committee	\$2,000 per election	\$5,000 per year	Unlimited Transfers	Unlimited Transfers	
PAC-Multicandidate	\$5,000 per election	\$5,000 per year	\$5,000 per year (combined)	\$15,000 per year	\$45,000 per account, per year
PAC-Nonmulticandidate	\$2,900 per election	\$5,000 per year	\$10,000 per year (combined)	\$36,500* per year	\$109,500* per account, per year
State/District/Local Party Committee	\$5,000 per election (combined)	\$5,000 per election (combined)	Unlimited Transfers		
National Party Committee	\$5,000 per election ³	\$5,000 per year			

*- Indexed for inflation in odd-numbered years.

¹ "PAC" here refers to a committee that makes contributions to other federal political committees. Independent-expenditure-only political committees (sometimes called "super PACs") may accept unlimited contributions, including from corporations and labor organizations.

² The limits in this column apply to a national party committee's accounts for: (i) the presidential nominating convention; (ii) election recounts and contests and other legal proceedings; and (iii) national party headquarters buildings. A party's national committee, Senate campaign committee and House campaign committee are each considered separate national party committees with separate limits. Only a national party committee, not the parties' national congressional campaign committees, may have an account for the presidential nominating convention.

³ Additionally, a national party committee and its Senatorial campaign committee may contribute up to \$51,200 combined per campaign to each Senate candidate.

Source: Federal Election Commission. "Contribution Limits for 2021–2022 Federal Elections." January, 2021.

Chart 7.24 Contribution Limits for Federal Elections

How are Congressional campaigns funded?

Modern political campaigns in the United States are expensive, and they have been growing more so. For example, in 1986, the costs of running a successful House and Senate campaign were \$849,111 and \$7,243,782, respectively, in 2020 dollars. By 2020, those values had shot to \$2.4 million and \$27.2 million.^[15] Raising this amount of money requires significant time and effort. Indeed, a presentation for incoming Democratic representatives suggested a daily Washington schedule of five hours reaching out to donors and only three or four hours for actual congressional work. As this advice reveals, raising money for reelection constitutes a large proportion of the work a congressperson does. However, overall the largest share of direct campaign contributions in congressional elections comes from individual donors, who are less influential than the political action committees (PACs) that contribute the remainder and demand their time.^[16]

Political Participation: Questions to Consider

1. What is the difference between soft money and hard money in connection to political campaigns?
2. Has the amount of money in politics truly become a corrupting influence?

1. *hard money is direct contation to a candidate or campaign; soft money goes to an interest group or other entity usually for more generalized influence such as voter registration*
2. *personal opinion*

Terms to Remember

hard money—contributed directly to a candidate, which is heavily regulated and limited, soft money has almost no oversight.

incumbent—the current holder of a political office

open primary—an election in which any registered voter may vote in any party's primary or caucus

political action committees (PACs)—organizations created to raise money for political campaigns and spend money to influence policy and politics

soft money—raised for purposes like party-building efforts, get-out-the-vote efforts, and issue-advocacy ads.

super PACs—officially known as Independent Expenditure-Only Committees; organizations that can fund raise and spend as they please to support or attack a candidate but not contribute directly to a candidate or strategize with a candidate's campaign

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7.6 Political Participation: Campaigns and the Voting Process



Image 7.18 Photo of Harris and Sanders Running for Office

Presidential candidates often spend a significant amount of time campaigning in states with early caucuses or primaries. Kamala Harris (left) and Bernie Sanders (right) part of the 2020 group of candidates for the Democratic presidential nomination. (Credit: PBS NewsHour, 21 January 2019 by Daniel Bush and Lisa Desjardines, "What does Kamala Harris believe? Where the candidate stands on 9 issues" at pbs.org and PBS NewsHour, 18 May 2015, "Sen. Bernie Sanders on taxes, trade agreements and Islamic State" at pbs.org)

Learning Objectives

- Compare campaign methods for different types of elections.
- Identify strategies campaign managers use to reach voters.
- Analyze the factors that typically affect a voter's decision.

Chart 7.25 Learning Objectives on Campaigning

Campaign managers know that to win an election, they must do two things: reach voters with their candidate's information and get voters to show up at the polls. To accomplish these goals, candidates and their campaigns will often try to target those most likely to vote. Unfortunately, these voters change from election to election and sometimes from year to year. Primary and caucus voters are different from voters who vote only during presidential general elections. Some years see an increase in voter turnout in younger voters, voters of some demographic, or voters with interests. Elections are unpredictable, and campaigns must adapt to be effective.

Comparing Primary and General Campaigns

Although candidates have the same goal for primary and general elections, which is to win, these elections are very different from each other and require a very different set of strategies. **Primary elections** are more difficult for the voter.

There may be more candidates vying to become their party's nominee, and party identification is not a useful cue because all candidates are running in "party elections" seeking to be nominated by a party.

In the 2016 presidential election, Republican voters in the early primaries were presented with twelve options, while in 2020 Democratic voters were offered over 20 candidates seeking the Presidency.

Whether a candidate is running for the nomination for President, U.S. Senate, U.S. House of Representatives or some state or local office, voters in each party must find more information about each candidate to decide which is closest to their preferred issue positions or who have the experience or personal attributes they seek in their party's nominee.

Due to time limitations, voters may not research all the candidates. Nor will all the candidates get enough media or debate time to reach the voters. These issues make campaigning in a primary election difficult, so campaign managers tailor their strategy depending on the candidate.

First, name recognition is extremely important. Voters are unlikely to cast a vote for an unknown. In 2016, some candidates for President of the United States, such as Hillary Clinton or Donald Trump, were well known. Most candidates for president were governors or senators who were less well-known nationally and who needed to gain name recognition.

Of course, for the federal offices for U.S. Senate or U.S. Representative, candidates for the nomination for these offices are even more likely to be less known to the primary election voters. During the 2008 Democratic presidential nomination contest, Barack Obama had been only a junior senator from Illinois prior to running for president. Voters across the country had little information about him and he needed to adopt campaign strategies to become better known. While well-known candidates generally have longer records that can be attacked by the opposition, they also have an easier time raising campaign funds because of their odds of winning being perceived as better.

Second, increasing visibility as a campaign strategy is crucial when a candidate is one in a long parade of faces. Given that voters will want to find quick, useful information about each, candidates will try to get the media's attention and pick up momentum. Media attention is especially important for newer candidates. Most voters assume a candidate's website and other campaign material will be skewed, showing only the most positive information.

The media, on the other hand, are generally considered more reliable and unbiased than a candidate's campaign materials, so voters turn to news networks and journalists to pick up information about the candidates' histories and issue positions. Candidates are aware of voters' preference for quick information and news and try to get interviews or news coverage for themselves. Candidates also benefit from news coverage that is longer and cheaper than campaign ads. In 2016, both Donald Trump (in the Republican nomination process) and Bernie Sanders (in the Democratic nomination process) benefited from "free" news coverage of their political events and rallies.

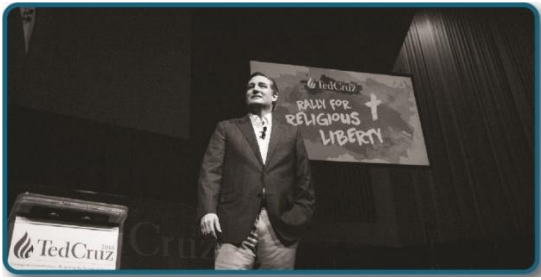


Image 7.19 Ted Cruz at Political Rally

Senator Ted Cruz (R-TX) hosts a Rally for Religious Liberty at Bob Jones University, a Christian university in Greenville, South Carolina, on November 14, 2015. Cruz announced his campaign for president on March 23, 2015, at Liberty University in Lynchburg, Virginia. (Credit: OpenStax; modification of work by Jamelle Bouie)

The first Republican candidate to throw a hat into the ring for 2016, Ted Cruz had been preparing for his presidential run since 2013 when he went hunting in Iowa and vacationed in New Hampshire, both key states in the nomination process.^[1]

Like candidates for office at all levels of U.S. government, Cruz understood that campaigns must reach out to the voters to increase name recognition and visibility with voters.

Campaign ads in primary elections focus on issue positions or name recognition or favorable attributes of the candidate. Many of the best primary ads help the voters identify issue positions they have in common with the candidate.

General Elections and Election Day

The general election campaign period occurs between mid-August and early November. These elections are simpler than nomination primaries, because there are only two major party candidates and a few minor party candidates. In 1845, Congress passed legislation that moved the presidential election day to the first Tuesday after the first Monday in November; and, in 1872, elections for the House of Representatives were also moved to that same Tuesday.^[2]

General elections in years in which we elect a president garner the most attention from the media and the voters. Yet, they are not the only important elections. The even-numbered years between presidential years, like 2018 and 2022, are reserved for congressional elections—sometimes referred to as **midterm elections** because they are in the middle of the president's term. Midterm elections are held because all members of the House of Representatives and one-third of the senators come up for reelection every two years.

General Election Campaign Strategy

By the **general election** (whether in a presidential year or in a **midterm** year) each party has selected their candidates, and campaigns adopt different strategies to reach different voters. Because most party-affiliated voters will cast a ballot for their party's candidate, the campaigns must try to reach the independent and undecided, as well as try to convince their party members to get out and vote. Accordingly, some ads will focus on issue and policy positions, or personal positive attributes or experiences, comparing the two main-party candidates. Other ads will remind party loyalists why it is important to vote. General campaigns also try to get voters to the polls in closely contested swing or battleground states. In Ohio in 2004, George W. Bush's campaign adopted a campaign strategy focused on getting the state's Republican voters to the polls. The volunteers walked through precincts and knocked on Republican doors to raise interest in Bush and the election. Volunteers also called Republican and

former Republican households to remind them when and where to vote.^[4] The strategy worked, and it reminded future campaigns that an organized effort to get out the vote, rather than relying primarily on paid advertising, is still a viable way to win an election, especially in swing states that can go in either direction on Election Day. In 2016, both candidates sensed shifts in the electorate that led them to adopt a campaign strategy to visit states that were not recently battleground states. For example, past conventional campaign strategies, Trump spent many hours over the last days of the campaign in the largely Democratic Rust Belt states, namely Michigan and Wisconsin. President Trump ended up winning both states and industrial Pennsylvania as well.

Positive and Negative Advertising

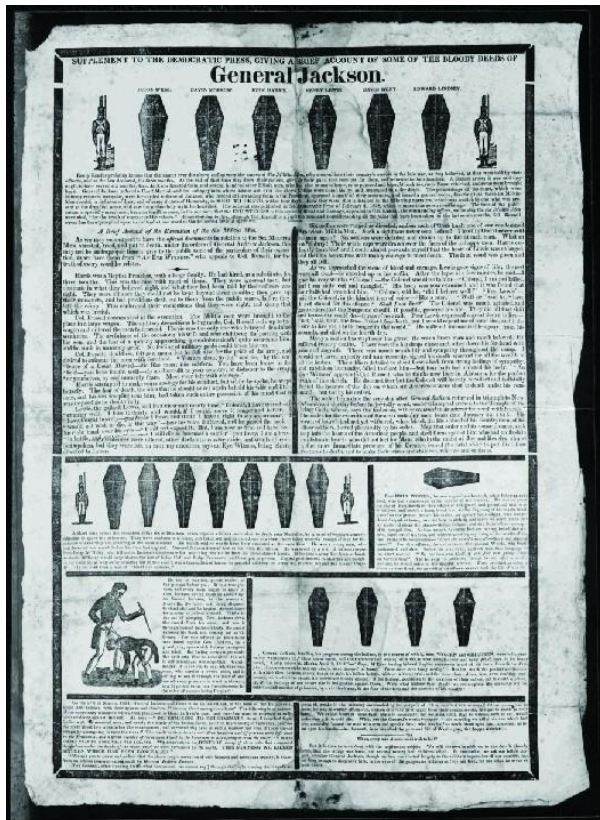


Image 7.20 Photo of Handbill Used for Negative Political Advertising

The infamous “coffin handbill” used by John Quincy Adams against Andrew Jackson in the 1828 presidential election. This is an early version of negative advertising. (Credit: Library of Congress, OpenStax image)

Campaigns have always been expensive. Also, they have sometimes been negative and nasty. The 1828 “Coffin Handbill” that John Quincy Adams ran, for instance, listed the names and circumstances of the executions his opponent Andrew Jackson had ordered. This was in addition to gossip and verbal attacks against Jackson’s wife, who had accidentally committed bigamy when she married him without a proper divorce. Campaigns and candidates have not become more amicable in the years since then.

Once television became a fixture in homes, campaign advertising moved to the airwaves. Television allowed candidates to connect with the voters through video, allowing them to appeal directly to and connect emotionally with voters.

While Adlai Stevenson and Dwight D. Eisenhower were the first to use television in their 1952 and 1956 campaigns, the ads were more like jingles with images. John Kennedy’s campaign was the first to use images to show voters positive personal attributes of the candidates suggesting that the candidate was the choice for everyone. His ad, “Kennedy,” combined the jingle “Kennedy for me” and photographs of a diverse population dealing with life in the United States.



The **[Museum of the Moving Image](#)** has collected presidential campaign ads from 1952 through today, including the “Kennedy for Me” spot mentioned above. Take a look and see how candidates have created ads to get the voters’ attention and votes over time.

Over time, however, ads became more negative and manipulative. President Lyndon B. Johnson used the infamous “Daisy Girl” ad, which cut from a little girl counting daisy petals to an atomic bomb being dropped, to explain why voters needed to turn out and vote for him. If the voters stayed home, Johnson

implied his opponent, Barry Goldwater, might start a war. The ad aired once as a paid ad on NBC before it was pulled, but the footage appeared on other news stations as newscasters discussed the controversy over it.^[5]



Image 7.21 Photos from Negative Campaign Ad

President Lyndon B. Johnson's "Peace Little Girl (Daisy)" campaign ad aired only once, during an NBC broadcast of "Monday Night at the Movies," yet it was one of the most notorious ads ever shown during a political campaign. (Credit: *The Greenfield Recorder* and the *Los Angeles Times* at <http://www.recorder.com/Long-before-Trump-4244993>).

Another source of negative ads is from groups outside the campaigns. Sometimes, shadow campaigns, run by political action committees and other organizations without the coordination or guidance of candidates, also use negative ads to reach voters. Even before the *Citizens United* decision allowed corporations and interest groups to run ads supporting candidates, shadow campaigns existed. In 2004, the Swift Boat Veterans for Truth organization ran ads attacking John Kerry's military service record, and MoveOn attacked George W. Bush's decision to commit to the wars in Afghanistan and Iraq. In 2014, super PACs poured more than \$300 million into supporting candidates.^[6]

The Bipartisan Campaign Reform Act of 2002, or McCain–Feingold, included a requirement that candidates stand by their ad and include a recorded statement within the ad stating that they approved the message whether it was positive or negative in tone. Although ads, especially those run by super PACs, continue to be negative, candidates can no longer dodge responsibility at least for those they directly run.

Campaigns and the Infotainment Strategy

Candidates are also frequently using interviews on late night television to get messages out. Soft news, or infotainment, is a new type of news that combines entertainment and information. Shows like *The Daily Show* and *Last Week Tonight* make the news humorous or satirical while helping viewers become more educated about the events around the nation and the world.^[7]

In 2008, Obama and McCain visited popular programs like *The Daily Show*, *The Colbert Report*, and *Late Night with Conan O'Brien* to target informed voters in the under-45 age bracket. The candidates were able to show their funny sides and appear like average Americans, while talking a bit about their policy preferences. By fall of 2015, *The Late Show with Stephen Colbert* had already interviewed most of the potential presidential candidates, including Hillary Clinton, Bernie Sanders, Jeb Bush, Ted Cruz, and Donald Trump. Similar strategies were utilized by Democratic presidential hopefuls during the 2020 nomination process.

Candidate Debates

Debates are an important element of both the primary and the general election season, allowing voters to see candidates answer questions on policy and prior decisions. While most voters think only of presidential debates, the general election season sees many debates. In a number of states, candidates for governor are expected to participate in televised debates, as are candidates running for the U.S. Senate. Debates not only give voters a chance to hear answers, but also to see how candidates hold up under stress. Because television and the Internet make it possible to stream footage to a wide audience, modern campaign managers understand the importance of a debate. During the primary election phase of



Image 7.22 Trump and Clinton at Presidential Debate

presidential candidate efforts, debates represent a critical opportunity for candidates to gain visibility. However, this can be a difficult challenge when there is a large number of candidates seeking the nomination of their party. Candidates who are unsuccessful during the early debate phase of the presidential nomination process often drop out of the race even before the first official primary or caucus in New Hampshire or Iowa.

Photo of the presidential debate in St. Louis (2016). (Credit: Jim Lo Scalzo/EPA and the *Chicago Tribune*; “Hillary Clinton and Donald Trump during the second Presidential Debate at Washington University in St. Louis, Missouri” at <http://www.chicagotribune.com/news/nationworld/ct-photos-presidential-debate-between-donald-trump-hillary-clinton-20161009-photogallery.html>)

In 1960, the first televised presidential debate showed that answering questions well is not the only way to impress voters. Senator John F. Kennedy, the Democratic nominee and Vice President Richard Nixon, the Republican nominee, prepared in slightly different ways for their first of four debates. Although both studied answers to possible questions, Kennedy also worked on the delivery of his answers, including accent, tone, facial displays, and body movements, as well as overall appearance. Nixon, however, was ill in the days before the debate and appeared sweaty and gaunt. He also chose not to wear makeup, a decision that left his pale, unshaven face vulnerable.^[8] Interestingly, while people who watched the debate thought Kennedy won, those listening on radio saw the debate as more of a draw.

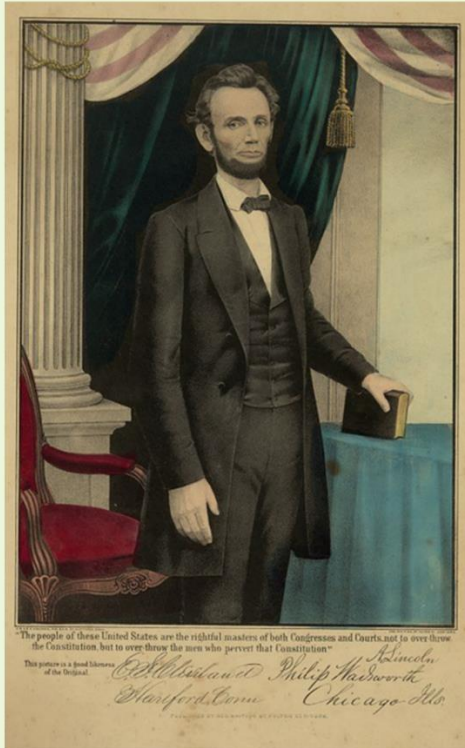
While debates are not just about a candidate's looks, most debate rules contain language that prevents candidates from artificially enhancing their physical qualities. For example, prior rules have prohibited shoes that increase a candidate's height, banned prosthetic devices that change a candidate's physical

appearance, and limited camera angles to prevent unflattering side and back shots. Candidates and their campaign managers are aware that visuals matter.

Debates are generally over by the end of October, just in time for Election Day.

The Internet has given candidates a new platform and a new way to target voters. In the 2000 election, campaigns moved online and created websites to distribute information. They also began using search engine results to target voters with ads. Candidates also use social media, such as Facebook, Twitter, and YouTube, to interact with supporters and get the attention of younger voters.

Consider the Original



from *Abraham Lincoln...*

“The people of these United States are the rightful masters of both congresses and courts, not to over-throw the Constitution, but to over-throw the men who pervert that Constitution.”

Many consider the 1858 debates between Abraham Lincoln and Stephen Douglas—during the campaign for the U.S. Senate from Illinois—to be one of the first debates to reach a national audience. In the primary source set on “Lincoln’s Rise to Prominence,” people may read the correspondence between Lincoln and Douglas as they worked to arrange the debates.

A description of one of the debates can be found in the article “Abraham Lincoln: A History.” Though Lincoln lost this election to Douglas, when he ran for president the next year, he had the transcripts of the debate published and they were sold around the country. This helped voters learn about Lincoln and may have led to his election as president.

Three-quarter portrait of Abraham Lincoln standing, holding a book, facing right—1809–1865. (Credit: Library of Congress)

<http://loc.gov/teachers/classroommaterials/connections/abraham-lincoln-papers/history3.html>; Title “The people of these United States are the rightful masters of both congresses and courts, not to over-throw the Constitution, but to over-throw the men who pervert that Constitution” / E.B. & E.C. Kellogg, 245 Main Street, Hartford, Conn. Summary Print showing three-quarter portrait of Abraham Lincoln standing, holding a book, facing right. Contributor Names E.B. & E.C. Kellogg (Firm), printer Created / Published New York: Geo. Whiting, 87 Fulton St.; [1864] Subject Headings- Lincoln, Abraham,--1809-1865 Format Headings Lithographs--Hand-colored--1860-1870. Portrait prints--1860-1870. Notes- Title from item. “This picture is a good likeness of the original.” Includes facsimile signatures of Abraham Lincoln, E. S. Cleveland, Hartford, Conn., and Philip Wadsworth, Chicago, Ills.: Gift: Estate of Henry P. Fletcher. Medium 1 print : lithograph, hand-colored ; 42.9 x 33.2 cm. Call Number/Physical Location PGA - Kellogg (E.B. & E.C.)--Portrait of Abraham ... (B size) [P&P] Repository Library of Congress Prints and Photographs Division Washington, D.C. 20540 USA <http://hdl.loc.gov/loc.pnp/pp.printDigital> Idppmsca 19243 /hdl.loc.gov/loc.pnp/ppmsca.19243 Library of Congress Control Number 2008680376 Reproduction Number LC-DIG-ppmsca-19243 (digital file from original) Rights Advisory No known restrictions on publication. Notes- Title from item. “This picture is a good likeness of the original.” Includes facsimile signatures of Abraham Lincoln, E. S. Cleveland, Hartford, Conn., and Philip Wadsworth, Chicago, Ills.: Repository Library of Congress Prints and Photographs Division Washington, D.C. 20540 USA <http://hdl.loc.gov/loc.pnp/pp.printDigital> Idppmsca 19243 /hdl.loc.gov/loc.pnp/ppmsca.19243 Library of Congress Control Number 2008680376 Reproduction Number LC-DIG-ppmsca-19243 (digital file from original) Rights Advisory: No known restrictions on publication. <http://loc.gov/teachers/classroommaterials/connections/abraham-lincoln-papers/history3.html>; Title “The people of these United States are the rightful masters of both congresses and courts, not to over-throw the Constitution, but to over-throw the men who pervert that Constitution” / E.B. & E.C. Kellogg, 245 Main Street, Hartford, Conn. E.B. & E.C. Kellogg, Printer. “The people of these United States are the rightful masters of both congresses and courts, not to over-throw the Constitution, but to over-throw the men who pervert that Constitution” / E.B. & E.C. Kellogg, 245 Main Street, Hartford, Conn. [New York: Geo. Whiting, 87 Fulton St, 1864] Image. Retrieved from the Library of Congress, <<https://www.loc.gov/item/2008680376/&qt:>

Chart 7.26 Excerpt from Abraham Lincoln

Voter Decision Making

The election environment is complex, and most voters do not have time to research everything about the candidates and issues. Yet they will need to make a fully rational assessment of the choices for an elected office. To meet this goal, they tend to take shortcuts.

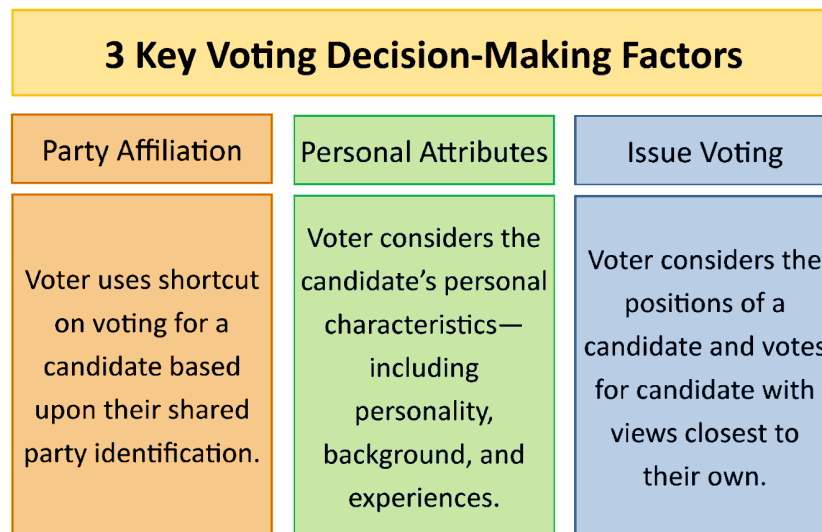


Chart 7.27 Decision-Making Factors Affecting Voting

One popular shortcut is simply to vote using party affiliation, that is, based on the political party of the candidate. Many political scientists consider **party affiliation voting** to be rational behavior because citizens register for parties based upon either position preference or socialization. Similarly, candidates align with parties based upon their issue positions. A Democrat who votes for a Democrat is very likely selecting the candidate closest to his or her personal ideology. While party identification is a voting cue, it also makes for a logical decision.

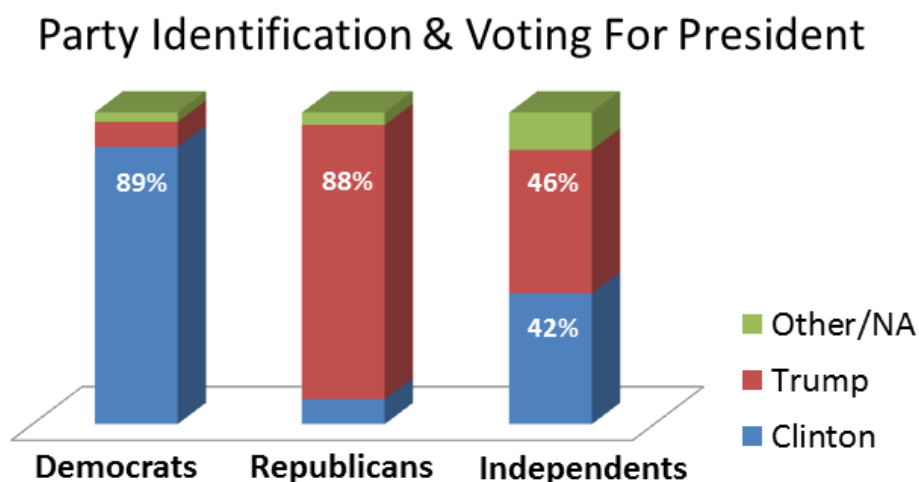


Chart 7.28 Bar Graph Illustrating Party Identification in Voting (Credit: CNN at <http://edition.cnn.com/election-polls/national/president>)

About half of voters will make their decision based upon party membership, so candidates will focus on winning over independent voters and visiting states where the election is close.^[9]

The 2016 election was no exception to this consistent pattern of voters affiliated with either the Republican or

Democratic party to vote for the candidate who was nominated by their respective parties.

Voters are known to review **personal attributes** of a candidate that include consideration of not only physical characteristics such as age, ethnicity, or gender; but, also the candidate's personality, perceived personal qualities, educational background, or past political experiences. Voters make decisions based upon candidates' physical characteristics, such as attractiveness or facial features.^[10]

They may also vote based on gender or race, because they assume the elected official will make policy decisions based on a demographic shared with the voters. Candidates are very aware of voters' focus on these non-political traits. In 2008, a sizable portion of the electorate wanted to vote for either Hillary Clinton or Barack Obama because they offered new demographics—either the first woman or the first black president. Demographics hurt John McCain that year, because many people believed that at 71 he was too old to be president.^[11]

Hillary Clinton faced this situation again in 2016 as she became the first female nominee from a major party. In essence, personal attributes can make a candidate appear more competent or better suited for the position, which in turn can help him or her ultimately win.^[12]

Aside from party identification and demographics, and other personal attributes, voters will also look at issues when deciding how to vote. This is known as **issue voting**. Many voters are likely to seek out a candidate's position on a multitude of issues before deciding. On the other hand, for some single-issue voters, a candidate's stance on one issue alone such as on abortion rights will be a major factor, while other voters may look at the candidates' beliefs on the Second Amendment and gun control. Single-issue voting may not require much more effort by the voter than simply using party identification. Issue Voters use the information they find in several ways.

Retrospective voting occurs when the voter looks at the candidate's past actions or even the past economic climate during the time an elected official has been in office and makes a voting decision using these factors. Retrospective voters hold politicians accountable for past actions or past situations and decide whether they wish to give that official a second chance.

Pocketbook voting occurs when the voter looks at his or her personal finances and circumstances to decide how to vote. Someone having a harder time finding employment or seeing investments suffer during a candidate or party's control of government will vote for a different candidate or party than the incumbent.

Prospective voting occurs when the voter makes a decision by using information gathered from a candidate's campaign promises or from a candidate's past behavior to decide how the candidate will act in the future.

For example, will the candidate's voting record or actions help the economy and better prepare him or her to be president during an economic downturn? The challenge of this voting method is that the voters must use a lot of information, which might be conflicting or unrelated, to make an educated guess about

how the candidate will perform in the future. Voters do appear to rely on prospective and retrospective voting more often than on pocketbook voting.

In some cases, a voter who may support a 3rd party candidate may cast a ballot strategically using party affiliation. In these cases, a person may vote for a second choice candidate, either because his or her preferred candidate cannot win or in the hope of preventing another candidate from winning. This type of voting is likely to happen when there are multiple candidates for one position or multiple parties running for one seat.^[13]

In Florida and Oregon, for example, Green Party voters (who tend to be liberal) may choose to vote for a Democrat if the Democrat might otherwise lose to a Republican. Similarly, in Georgia, while a Libertarian may be the preferred candidate, the voter would rather have the Republican candidate win over the Democrat and will vote accordingly.^[14]



Since 1960, the [American National Election Studies](#) has been asking a random sample of voters a battery of questions about how they voted. The data are available at the [Inter-university Consortium for Political and Social Research](#) at the University of Michigan.

Straight-Ticket Voting

Citizens also use party identification to make decisions via **straight-ticket voting**—choosing every Republican or Democratic Party member on the ballot. In some states, such as Michigan, selecting one box at the top of the ballot gives a single party all the votes on the ballot. Straight-ticket voting does cause problems in states that include non-partisan positions on the ballot.

In Michigan, for example, the top of the ballot (presidential, gubernatorial, senatorial and representative seats) will be partisan, and a straight-ticket vote will give a vote to all the candidates in the selected party. But the middle or bottom of the ballot includes seats for local offices or judicial seats, which are non-partisan.

These offices would receive no vote, because the straight-ticket votes go only to partisan seats. In 2010, actors from the former political drama *The West Wing* came together to create an advertisement for Mary McCormack's sister Bridget, who was running for a non-partisan seat on the Michigan Supreme Court. The ad reminded straight-ticket voters to cast a ballot for the court seats as well; otherwise, they would miss an important election. McCormack won the seat. **Split-ticket** voting occurs when a voter makes decisions based not upon party affiliation but on issue, demographics, or some other factor. Split-ticket voters split votes between candidates from various parties.

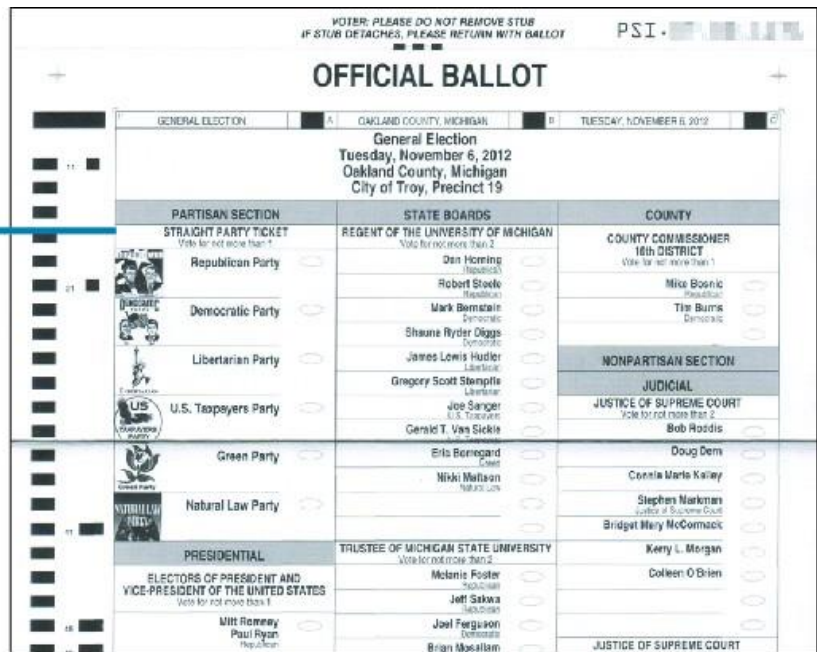


Image 7.23 Photographs of Ballots

Voters in Michigan can use straight-ticket voting. To fill out their ballot, they select one box at the top to give a single party all the votes on the ballot. (Credit: OpenStax included image)

Straight-ticket voting does have the advantage of reducing **ballot fatigue**. Ballot fatigue occurs when someone votes only for the top or important ballot positions, such as president or governor, and stops voting rather than continue to the bottom of a long ballot. In 2012, for example, 70 percent of registered voters in Colorado cast a ballot for the presidential seat, yet only 54 percent voted yes or no on retaining Nathan B. Coats for the state supreme court.^[15] Voters make decisions based upon candidates' physical characteristics, such as attractiveness or facial features.^[16] **Split-ticket** voters split votes between candidates from various parties. Split-ticket voting occurs when a voter makes decisions based not on party affiliation but on issues, demographics, candidate attributes, or some other factor.

Political Participation: Questions to Consider
1. In what ways is voting your party identification a rational choice? 2. Do physical characteristics or personal attributes matter when voters assess candidates? If so, how?
1. many political scientists consider party-line voting to be a rational behavior because citizens register for parties based upon either position preference or socialization; most people belong to the party with which they share an ideology, so voting with their party is logical. 2. open for debate; clearly to some voters, personal characteristics matter, such as appearance, personality, background, etc.

Terms to Remember

ballot fatigue—the result when a voter stops voting for offices and initiatives at the bottom of a long ballot

issue voter—voter who decides which candidate to vote for on the basis of what positions they have taken on key issues of concern to the voter

party affiliation—the political party the person identifies with, also known as political identification

personal attributes—include consideration of not only physical characteristics such as age, ethnicity, or gender but candidate personality or perceived personal qualities as well as educational background or past political experiences

pocketbook voting—occurs when the voter looks at his or her personal finances and circumstances to decide how to vote

prospective voting—occurs when the voter makes a decision by using information gathered from a candidate's campaign promises or from a candidate's past behavior to decide how the candidate will act in the future

retrospective voting—voter looks at the candidate's past actions and the past economic climate and makes a decision only using these factors

shadow campaign—a campaign run by political action committees and other organizations without the coordination of the candidate

split-ticket voting—the practice of voting based upon issue or candidate rather than party; voters may split decisions between individuals from a variety of parties

straight-ticket voting—the practice of voting only for candidates from the same party

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7.7 Political Participation: Direct Democracy in the United States



Image 7.24 Photo of Man Installing Political Campaign Signs

Harney County (Oregon) recall vote signs illustrate an example of direct action by citizens attempting to recall an elected official. (Credit: Scott Rohter at <http://lessgovisthebestgov.com>)

Learning Objectives

- Identify the different forms of and reasons for direct civic engagement by the people.
- Summarize the steps needed to place initiatives on a ballot.
- Explain why some policies are made by elected representatives and others by voters.

Chart 7.28 Learning Objectives on Civic Engagement

Civic engagement may involve direct action on the part of citizens. Most forms of direct political participation occur at the state level.



To learn more about what type of direct democracy is practiced in your state, visit the University of Southern California's [Initiative & Referendum Institute](https://www.usc.edu/initiative-referendum-institute/). This site also allows you to look up initiatives and measures that have appeared on state ballots.

Statewide methods of engagement, like direct democracy practices, allow citizens to propose and pass laws that affect state constitutions, state budgets, and more.

Most states in the western half of the country allow citizens all forms of direct democracy, while most states on the eastern and southern regions allow few or none of these forms.

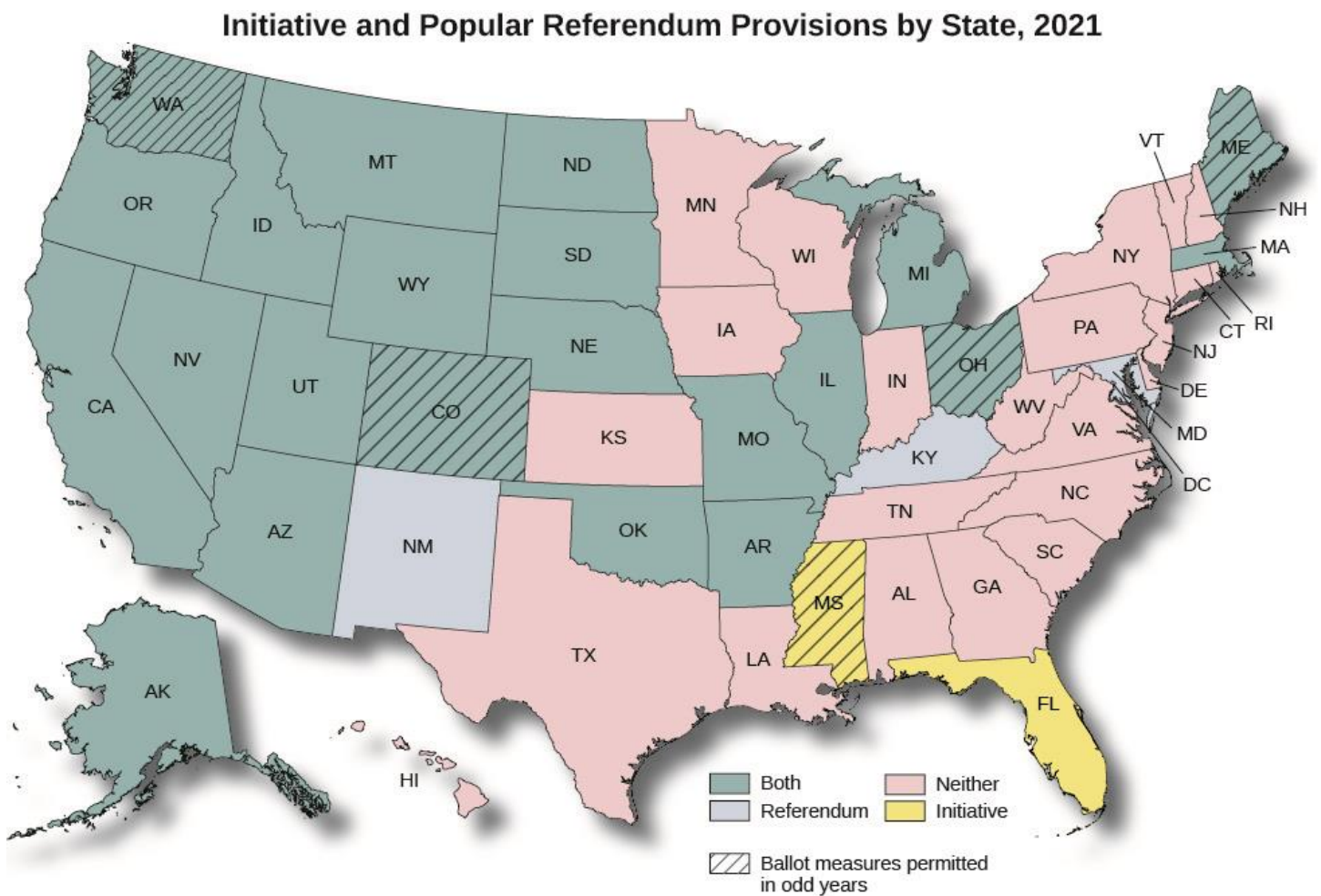


Chart 7.29 Map of Initiative and Referendum by State

This map shows which states allow citizens to place laws and amendments on the ballot for voter approval or repeal.
(Credit: OpenStax included image)

A **referendum** asks citizens to confirm or repeal a decision made by the government. A legislative referendum occurs when a legislature passes a law or a series of constitutional amendments and presents them to the voters to ratify with a yes or no vote. Popular referendums occur when citizens petition to place a referendum on a ballot to repeal legislation enacted by their state government. This form of direct democracy gives citizens a limited amount of power, but it does not allow them to overhaul policy or circumvent the government.

Initiative or proposition is normally a law or constitutional amendment proposed and passed by the citizens of a state. Initiatives completely bypass the legislatures and governor, but they are subject to review by the state courts if they are not consistent with the state or national constitution. The process to

pass an initiative is not easy and varies from state to state. Most states require that a petitioner or the organizers supporting an initiative file paperwork with the state and include the proposed text of the initiative. This allows the state or local office to determine whether the measure is legal, as well as estimate the cost of implementing it. This approval may come at the beginning of the process or after organizers have collected signatures.

The initiative may be reviewed by the state attorney general, as in Oregon's procedures, or by another state official or office. In Utah, the lieutenant governor reviews measures to ensure they are constitutional.

Next, organizers gather registered voters' signatures on a petition. The number of signatures required is often a percentage of the number of votes from a past election. In California, for example, the required numbers are 5 percent (law) and 8 percent (amendment) of the votes in the last gubernatorial election. This means through 2022, it will take 623,212 signatures to place a law on the ballot and 997,139 to place a constitutional amendment on the ballot.¹¹

Once the petition has enough signatures from registered voters, it is approved by a state agency or the secretary of state for placement on the ballot. Signatures are verified by the state or a county elections office to ensure the signatures are valid. If the petition is approved, the initiative is then placed on the next ballot, and the organization campaigns to voters.

While the process is relatively clear, each step can take a lot of time and effort. First, most states place a time limit on the signature collection period. Organizations may have only 150 days to collect signatures, as in California, or as long as two years, as in Arizona. For larger states, the time limit may pose a dilemma if the organization is trying to collect more than 500,000 signatures from registered voters. Second, the state may limit who may circulate the petition and collect signatures. Some states, like Colorado, restrict what a signature collector may earn, while Oregon bans payments to signature-collecting groups. And the minimum number of signatures required affects the number of ballot measures. California had more than twelve ballot measures on the 2020 general election ballot, because the state requires so few signatures to get an initiative on the ballot. Oklahomans see far fewer ballot measures because the number of required signatures is higher.

Another consideration is that, as we've seen, voters in primaries are more ideological and more likely to research the issues. Measures that are complex or require a lot of research, such as a lend-lease bond or changes in the state's eminent-domain language, may do better on a primary ballot. Measures that deal with social policy, such as laws preventing animal cruelty, may do better on a general election ballot, when more of the general population comes out to vote. Proponents for the amendments or laws will take this into consideration as they plan.

Finally, the **recall** allows voters to decide whether to remove a government official from office. All states have ways to remove officials, but removal by voters is less common. The recall of California Governor Gray Davis in 2003 and his replacement by Arnold Schwarzenegger is perhaps one of the more famous

such recalls. The recent attempt by voters in Wisconsin to recall Governor Scott Walker show how contentious a recall can be. Walker survived recall.^[2]

Politicians are often unwilling to wade into highly political waters if they fear it will harm their chances for reelection. When a legislature refuses to act or change current policy, initiatives allow citizens to take part in the policy process and end the impasse.

In Colorado, Amendment 64 allowed the recreational use of marijuana by adults, despite concerns that state law would then conflict with national law. Colorado and Washington's legalization of recreational marijuana use started a trend, leading to more states adopting similar laws.

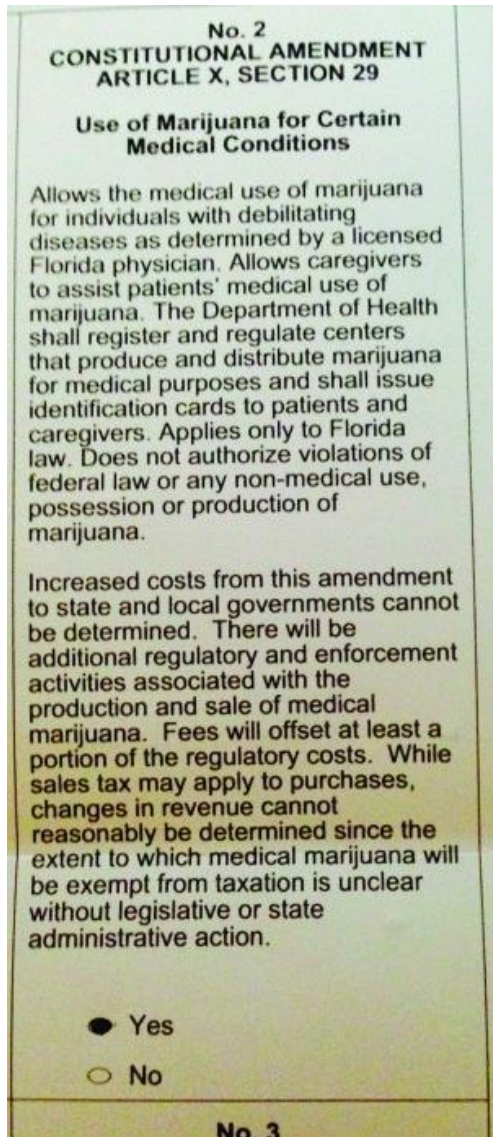


Image 7.25 Photo of Section of Ballot with State Constitutional Amendment for Ballot Initiative

In 2014, Florida voters considered a proposed amendment to the Florida constitution that would allow doctors to recommend the use of marijuana for patient use. The ballot initiative received 58 percent of the vote, just short of the 60 percent required to pass in Florida.

(Credit: OpenStax included image)

CAN THERE BE TOO MUCH DIRECT DEMOCRACY?

How much direct democracy is too much? When citizens want one policy direction and government prefers another, who should prevail?

Consider recent laws and decisions about marijuana. California was the first state to allow the use of medical marijuana, after the passage of Proposition 215 in 1996. Just a few years later, however, in *Gonzales v. Raich* (2005), the Supreme Court ruled that the U.S. government had the authority to criminalize the use of marijuana. In 2009, then-Attorney General Eric Holder said the federal government would not seek to prosecute patients using marijuana medically, citing limited resources and other priorities. Perhaps emboldened by the national government's stance, Colorado voters approved recreational marijuana use in 2012. Since then, other states have followed. Twenty-three states and the District of Columbia now have laws in place that legalize the use of marijuana to varying degrees. In a number of these cases, the decision was made by voters through initiatives and direct democracy.

So where is the problem? First, while citizens of these states believe smoking or consuming marijuana should be legal, the U.S. government does not. The Controlled Substances Act (CSA), passed by Congress in 1970, declares marijuana a dangerous drug and makes its sale a prosecutable act. And despite Holder's statement, a 2013 memo by James Cole, the deputy attorney general, reminded states that marijuana use is still illegal.^[3] But the federal government cannot enforce the CSA on its own; it relies on the states' help. And while Congress has decided not to prosecute patients using marijuana for medical reasons, it has not waived the Justice Department's right to prosecute recreational use.^[4] The states and

its citizens are in an interesting position. States have a legal obligation to enforce state laws and the state constitution, yet they also must follow the laws of the United States.

Citizens who use marijuana legally in their state are not using it legally in their country. This leads many to question whether initiative, as a form of direct democracy, gives citizens too much power. Any group can create an organization to spearhead an initiative or referendum. And because the cost of collecting signatures can be high in many states, signature collection may be backed by interest groups or wealthy individuals wishing to use the initiative to pass pet projects. Many commentators argue direct civic engagement is not always a process by the people, but rather a process used by interest groups and wealthy individuals. For example, the 2003 recall of California governor Gray Davis faced difficulties during the signature collection phase, but \$2 million in donations by Representative Darrell Issa (R-CA) helped the organization seeking the recall to attain nearly one million signatures.^[5]

Political Participation: Questions to Consider

1. What is the difference between a representative democracy and a direct democracy?
 2. Should states continue to allow ballot initiatives and other forms of direct democracy? Why or why not?
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1. In a representative democracy, people elect representatives to make political decisions and pass laws for them. In a direct democracy, people make all political decisions and pass laws themselves.
 2. open for debate. Sometimes politicians are often unwilling to wade into highly political waters if they fear it will harm their chances for reelection. When a legislature refuses to act or change current policy, initiatives allow citizens to take part in the policy process and end the impasse. States should continue to allow ballot initiatives and other forms of direct democracy. In this way citizens can propose legislation or constitutional amendments, repeal laws, or recall politicians. Because special interest groups may try to take advantage of voter ignorance, however, people must fully understand the nature of the referendum, initiative, or recall before they vote. Direct democracy requires voters to be well informed. Unfortunately, many are not. People are occasionally misled or mistaken. Laws developed through direct democracy methods such as initiatives are not subject to deliberation, debate and checks and balances of the normal legislative process.

Terms to Remember

initiative—law or constitutional amendment proposed and passed by the voters and subject to review by the state courts; also called a proposition; initiatives completely bypass the legislatures and governor, but they are subject to review by the state courts

recall—the removal of a politician or government official by the voters

referendum—asks citizens to confirm or repeal a decision made by a state or local government, A legislative referendum occurs when a legislature passes a law or a series of constitutional amendments and presents them to the voters to ratify with a yes or no vote. Popular referendums occur when citizens petition to place a referendum on a ballot to repeal legislation enacted by their state government

Works Consulted

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