

Voting and Elections

I. Electing Candidates to Office

The culmination of the political process comes on election day when people go into the voting booths and mark their ballots for the candidates of their choice. Up to this point, most voters have been passive — they have watched the political ads on television, glanced through the campaign literature, and tried to keep up with the newspaper, radio, and TV analysis. Comparatively few have worked on a campaign or contributed money to a candidate.

Incumbents have many advantages when they run for reelection. Being in office, they are on TV very often and people get to know them well. They have access to the media that challengers do not have. Moreover, they can usually raise more money than a challenger can. They have helped certain interests which will now help them. Also, people tend not to like change. They prefer what they know to what they don't know. However, some elections have no incumbent because of resignation, death, or the creation of a new congressional or state legislative district through reapportionment. These are called **open elections**.

Electing a president

One of the most popular misconceptions regarding presidential elections is that voters directly vote for one candidate or another. What the voters actually do is choose a slate of electors in their state who make up the Electoral College. There are 538 Electoral College votes: 100 represent the 2 senators from each state, 435 represent the number of congressional districts, and 3 were provided to the District of Columbia by the Twenty-third Amendment (1961).

Although each state technically may decide how to choose electors, almost every state uses a winner-take-all system in which the presidential candidate with the most votes gets all of that state's electoral votes. A majority (270) of the votes in the Electoral College must be won for the candidate to be elected president. If no candidate receives a majority, the election is decided by the House of Representatives, with each state having one vote.

The Electoral College has come under particularly intense scrutiny since the 2000 election, because Vice President Al Gore won the most popular votes but narrowly lost the vote among electors. Furthermore, the closeness of the contest meant that voting irregularities in Florida, such as confusing ballots, may have cost Gore the election — and no state's election laws should decide who holds the presidency. On the other hand, some commentators say that the troublesome 2000 election showed exactly why the Electoral College system is a good one. In such a close election, representatives of both parties would have combed through the records everywhere to find more support for their candidates. With the Electoral College, though, the parties were able to focus their battle on the legal and practical issues involved in one state's voting. Regardless of the merits on each side in this debate, ending the Electoral College would require a constitutional amendment; therefore, it is unlikely to happen.

The coattails effect

A party's nominee for president is at the top of a ballot that includes candidates for the House and Senate, governor, the state legislature, and local offices. The ability of the presidential nominee to help get these other officials elected is known as the **coattails effect**. Ronald Reagan had long coattails in 1980, when enough Republicans were elected to give the party control of the Senate for the first time in a quarter-century.

Congressional elections

Under the Constitution, all 435 members of the House of Representatives and a third of the senators are up for election every two years. In off-year, or *midterm*, elections, voter participation is lower than when there is a presidential contest. Although the state and local issues are important in themselves, the results may have additional national significance. Historically, midterm elections are a referendum on the performance of the administration, and the party that controls the White House almost always loses seats in Congress. Dissatisfaction with President Clinton was so great in 1994 that Republicans won control of both the House and the Senate for the first time in 40 years. But in 1998, President Clinton was the first sitting president since the 1930s whose party *gained* congressional seats in a midterm election. On the other hand, President Bush's unpopularity gave Democrats a majority in Congress in 2006.

II. Getting Nominated and Campaigning for Office

One of the most famous images in American politics is the smoke-filled room, where the political bosses met to decide whom they would support. The bosses' power has given way to the power of the voters, who now decide on their party's nominees. Reforms during the Progressive Era started the trend toward **primary elections**, in which voters directly select their party nominees, a process that was solidified for presidential elections starting in 1972.

Primary elections

A primary is an election in which voters choose the parties' candidates for the general election. There are two types of primaries. In a **closed primary**, only a party's registered voters may vote; in an **open primary**, registered voters in either party can participate. Sometimes winning the primary is tantamount to winning the election because voter registration in the state assembly or congressional district heavily favors one party or the other. There are often many candidates in a state or municipal primary. If one candidate does not receive a majority of the votes, the top two usually face each other in a **runoff election**.

Nominating a president

Each party nominates its candidate for president at the national convention. While some of the delegates are still appointed by state party leaders or are elected officials themselves, most are selected through the primary election or caucus process. Presidential primaries may be winner-take-all, in which the candidate who gets the most primary votes gets all the state's delegates, or the delegates may be divided among several candidates based on their percentage of the vote. In caucus states, delegates from the local level are selected for the county caucus, and from the county caucus they go to the state convention. Because of the primaries and caucuses, a party's nominee for president is really chosen long before the convention held in July or August. An incumbent president rarely faces a primary challenge, but Jimmy Carter did from Ted Kennedy in 1980, and so did George Bush in 1992 from Pat Buchanan.

Political campaigns

Because of the importance primaries have assumed, and because most states have been pushing their primaries earlier and earlier, the political campaign season has become longer. Candidates may announce their plans to run for president as early as two years before the

election. Combined with the huge role the media play in elections, the effect of this prolonged season has been to significantly increase the cost of campaigning for office. Until 1971, there were no controls on campaign financing. The **Federal Election Campaign Act** (1971) and subsequent amendments have limited the amount that both individuals and organizations such as **political action committees (PACs)** can give to presidential candidates seeking the nomination and to the House and Senate candidates during the primary and general election campaigns. A spending limit is imposed on presidential primaries, and federal matching funds are distributed by the **Federal Election Commission** (created in 1974) to candidates who qualify by raising a certain amount of contributions on their own. The Democratic and Republican nominees for president can receive full public funding for the general election from the commission, which also oversees campaign finance disclosure requirements. The federal money comes from an income-tax checkoff that goes to the treasury's Presidential Campaign Fund.

The concern with the impact of money on politics led to passage of the Bipartisan Campaign Reform Act in 2002, which prohibited **soft money**, large contributions to national party organizations, placed restrictions on when broadcast ads by corporations or unions for or against specific candidates could be used, and significantly increased the amounts that individuals could give to candidates, parties, and political action committees. The limitations on ads was struck down by the Supreme Court.

III. Obstacles to Voting

Despite the expansion of the franchise, obstacles to voting remained, particularly for African Americans. With the power to set registration procedures, states found it relatively easy to deny African Americans the right to vote in spite of the Fifteenth Amendment.

Poll taxes

Southern states charged a fee before a person could vote, and a few added the unpaid fees from one election to another. This practice effectively disenfranchised poor African Americans and whites. The poll tax was finally abolished in 1964 through the Twenty-fourth Amendment.

Literacy tests

Again in the Southern states, literacy tests were used to restrict applicants. The usual practice was to require an African American to explain some complex part of the Constitution, while whites were given an easier passage to read and explain.

Good-character tests

Prospective African-American voters in the South had to provide an endorsement of their "good character" from two or more registered voters.

Grandfather clause

In order to register, an applicant had to prove that his or her father or grandfather had voted. Because the fathers and grandfathers of African Americans in the South had been slaves and obviously had not voted, such applicants were rejected.

Residency requirements

Voters would have to live in a community for a certain length of time before they could vote there. In the Southern states, this was a burden to many rural blacks because they moved from job to job as farm laborers.

Other restrictions to voting

Although all the limitations on African Americans' voting have been abolished, they were not the only group affected by restrictions. Native Americans became eligible to vote in 1924 when they were made citizens of the United States by an act of Congress. It was not until 1952 that Congress overturned 19th-century laws that had denied citizenship to Asian immigrants.

Even today, voter registration requirements make it difficult, if not impossible, for some people to vote. In order to register, an applicant must have a permanent address, which the homeless do not have. Thousands of college students who go away to school can vote only "back home" through an **absentee ballot**. Many Americans find voting a chore because they move homes rapidly, and renewing their voter registration in the new locale is not a high priority.



African-American citizens marched for the guaranteed right to vote in Selma, Alabama, in 1965. Many were beaten by the police.

IV. The Right to Vote

In a democratic society, it is the citizens' responsibility to vote in elections; the vote of a street cleaner counts just as much as the vote of a millionaire. The right to vote is the right to determine who governs. For many years, however, large numbers of Americans were denied this basic right. Today, even with all the formal restrictions against voting eliminated, a significant percentage of Americans choose not to cast their ballots. Voter participation has generally declined since 1960.

The term *suffrage*, or *franchise*, means the right to vote. Under the Constitution, residency requirements and other qualifications for voting were set by the states. In the late 18th century, it was widely held that only the best-educated men of substance were capable of making the correct voting decisions; therefore, the right to vote was limited to white male property owners. Poor white men, women, and slaves were excluded.

Universal manhood suffrage

The first breakthrough in the crusade to end voting restrictions took place in the 1820s and 1830s, when many states revised and liberalized their constitutions. During this period, often called the "Age of the Common Man" or the "Age of Jackson," property qualifications and

religious tests that denied the right to vote to Catholics and Jews were removed in some states. **Universal manhood suffrage** is a little misleading, because the franchise was denied to African Americans almost everywhere.

Expansion by amendment

The right to vote was extended through the amendment process. Under the Fifteenth Amendment (1870), a person could not be denied the right to vote because of "race, color, or previous condition of servitude." In theory, this applied to all African Americans and former slaves. The long campaign for women's suffrage, which began in the 19th century with such leaders as Susan B. Anthony and Elizabeth Cady Stanton, culminated in the Nineteenth Amendment (1920). The only state that gave 18-year-olds the right to vote was Georgia; all other states set the age at 21. During the Vietnam War, the sentiment grew that if 18-year-olds were old enough to die for their country, they were old enough to vote. The Twenty-sixth Amendment (1971) lowered the voting age to 18.

V. Voter Turnout

Voter turnout in the United States is not very high. In the 2004 election, for example, just over 55 percent of those eligible to vote actually cast their ballots, and that percentage was the highest in almost 30 years. Presidential elections spark maximum voter interest. Voter turnout in **midterm elections**, when all the seats in the House of Representatives and a third of those in the Senate are contested, drops to as low as 35 percent, and it may be even lower in state and local elections. The United States ranks near the bottom in voter participation among the countries of the world.

The process of registering

Voting in the United States is a two-step process: A person registers to vote at one time and then casts his or her ballot at another. Registering to vote is not easy. A person may have to take time off from work, which is not an appealing idea, especially if pay is docked, and find the place to register. Although registration drives sponsored by the major political parties or groups such as the League of Women Voters help, registration is often catch-as-catch-can. Local campaigns often do not move into high gear until a month before the election. A person deciding to register at that point may find it is too late. A number of states, however, allow people to register up to and on election day; North Dakota has no registration requirement at all. Voters must re-register whenever they change residences. The National Voter Registration Act of 1993, also called the Motor-Voter Law, required states to provide voter registration services when adults receive or renew their drivers' licenses. Nevertheless, people who move frequently — such as soldiers, students, and the homeless — still vote at much lower rates than other Americans.

The process of voting

Even people who take the time to register may not vote. Elections are traditionally held on a Tuesday, a workday. While the polls may be open for more than 12 hours — 7 a.m. to 8 p.m., for example — many still find they do not have the time to vote. Absentee ballots are increasingly used, but the voter has to send away for one, fill it in, and mail it back, making sure

that all the procedures are followed correctly. Oregon adopted a unique approach: The state did away completely with polling places and only uses mail-in ballots; the result was a dramatic increase in voting. Several states offer mail-in ballots as an option.

News coverage of elections also has an effect. **Exit polls** and other statistical techniques allow journalists to predict the winner of an election before the polls even close. Already knowing the winner can be a strong disincentive to vote.

Who votes and who doesn't

Political scientists have analyzed voting patterns and have found that older people with more education and higher income tend to be very active politically. Despite the passage of the Twenty-sixth Amendment, the group aged 18 to 21 years old has the lowest voting percentage. Potential voters may be satisfied with the way the government is working and see no reason to cast their ballot; something has to be seriously wrong to motivate them to go to the polls. Others are so dissatisfied with all of the candidates in a particular election that the only way they would vote is for "none of the above."

In recent years, there has been a movement in many states to enact Voter I.D. laws to combat the problem of voter fraud, i.e., more people than are registered voting in order to give the advantage to one candidate. Studies have shown that this problem is very insignificant, yet many states are enacting such laws. Many people suspect that the true purpose is to **disenfranchise** poor and minority voters who favor stronger government assistance and higher taxes to pay for it.

