Consider the strengths and weaknesses of elections within the United States.

Written by Wendy Barnes (Nov 2013)

Introduction

The US electoral process operated in the context of the following constitutional provisions; a federal structure, separation of PowerStation and fixed terms of office for all elected positions which are changed by constitutional amendment. The system results in permanent campaigns and a sense of democratic overload, with more than 100,0000 elections taking place annually in over 80,000 units of government, for a wide range of posts from the president to the local dog-catcher. The following essay will consider the strengths and weaknesses of elections within the United States.

Election Campaign

Due to the Watergate scandal, the federal Election Campaign Act of 1974 was passed and included a number of changes with the hope of reducing candidates’ reliance on very wealthy donors and equalise the amount of one spent by both the Democrats and Republicans. The act included limits on contributions and spending by congressional candidates, a system of public financing through taxpayer funding coupled with speeding and contribution limits for president; campaigns and the establishment of the Federal Election Committee. The reforms, though successful, were weakened by both the Supreme Court and Congress. On the case of Buckley v Valle 1976, the Supreme Court ruled that limitations on what individuals or political could spend either supporting or opposing a candidate infringed 1st Amendments rights and were unconstitutional. In 1979, Congress further weakened the law by allowing parties to raise money for such aspects as voters registration and get-out-the-vote drives as well as party building activities. This shows the weaknesses of elections as the “soft money” would soon be regarded by most observers as out of control leading to the need for further reform.

People will only run for office in districts they have a reasonable chance of winning and therefore there is little point in challenging a well-finder, popular incumbent. Consequently, there are a significant number of Congressional districts in which the incumbent may face no challenger for several elections. For example, in Georgia’s 5th district, which covers the predominantly African American city of Atlanta, Congressman John Lewis, has not faced a challenge in either a primary or in an

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1 Harris C, AQQ Government and Politics – The Politics of USA, Phillip Allan, 2012, pg 9
3 Politics Review, 1995, pg 11
This led to the Republican Party, in an act of desperation, also nominating a candidate called John Lewis in the hope that the people of Atlanta might vote out their Congressman by mistake. This is a weakness of American elections as the money required makes it impossible for people who do not have personal wealth or connections to prosperous individuals or organisations to run for office. This is problematic as it leads to widespread suspicion that once elected, representatives can remain in office for as long as they have the support of wealthy donors.

The cost of an election is likely to be substantial. Candidates need to raise large amounts of money, therefore they often start their campaigns early. In 2004, there were 433 candidates of the House of Representatives who raised, collectively $525,513,868 and the 98 candidates for the Senate raised $251,623,440. When the funds raised for local campaigns, such as governor and state legislatures and are added to these totals, the campaign funds amassed in 2004 exceeded $3 billion. This is a weakness of American elections as its costs greatly limit capable candidates from standing for elections as they are unable to compete on a financial level. In the UK, over £40 million was spent by parties during the 2005 election campaign. This is problematic as questions are raised on whether the electoral system fulfils its primary goals of holding representatives to account and limiting the amount of power they wield.

Primaries and Caucuses

Primaries were introduced in the early twentieth century as a means of democratising the selection of presidential nominees by removing the corrupt control of the process by party bosses. Democratisation can be criticised by going too far. In 1968, the Democratic Party establishment was able to impose the nomination of Hubert Humphrey, the incumbent vice-president, even though he had not entered a single election primary. Although this is a weakness of American elections, the consequent outcry led to the rule changes which encouraged more primaries and required any serious candidate for the nomination to enter at least some of them.

According to McKeever and Davies, the greatest weakness of the primary system is the danger of self-inflicted damage on upon the party’s eventual nominee. In a long and fiercely fought nomination campaign, candidates will seek not only to enhance their own image and prospects, but also to undermine those of their competitors. Not only did Pat Buchanan launch damaging attacks upon President Bush in 1992, but Senator Edward Kennedy did likewise against President Carter in the Democratic

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10 McKeever R & Davies P, Politics USA 2nd edition, Pearson Longman, 2011, pg 113
nomination struggle in 1980. In both cases, the eventual nominee was already in a weakened state by the time the “real” campaign began in September.\textsuperscript{11} This is a weakness of American elections as it can erupt into bitter conflict between candidates from the same party, bordering on political fratricide.

Although more people do participate in the nomination process than 45 years ago, the turnout in the presidential primaries various enormously from one election cycle to another. In a year when an incumbent president is running for re-election and therefore only one party base a genuine nomination contest, turnout in the primaries is only around 17%. When President Clinton was running for re-election it was 17.5% in 1996 and 17.2% in 2004 when George W. Bush was running for re-election.

The primary process can be argued to be too long with invisible primaries creating a situation of permanent campaigning which led to voters losing interest. In 1960, Senator John Kennedy announced his candidacy for the presidency just 66 days before his first primary. In readiness for the 2004 campaign, he announced his candidacy 423 days before the first primary. Although this demonstrates a weakness of elections in USA, in particular primaries, the process isn’t quite as long in an election cycle in which incumbent presidents are seeking re-election. This was shown in the 2012 election as Mitt Romney announced his candidacy on 2 June 2011, which was 222 days before the New Hampshire primary, 3 months later than Obama.

According to Harris primaries provide more democratic choices for voters, ending “smoke-filled room” politics and control by party who are not representatives of the wider party. In addition, they show who can win and where. Primaries produce candidates with national appeal who can win in different regions of the country. An example, Clinton in 1992 was a southern Democrat who showed he had appeal in the northern liberal state, while John Kerry in 2004 and Obama in 2008 were northern liberals who showed they could win in the conservative south. This is a strength of elections as primaries weed out weaker candidates with little chance of winning the presidential election: such candidates fail to gain or sustain momentum as the primary campaign progress.

National party conventions

National party conventions are the meeting held once every four years by each of the major parties to select their presidential and vice presidential candidates and write a party platform. There is no equivalent to national party nominations in the UK although parties hold national conferences.\textsuperscript{12}

The importance of modern-day conventions have declined and are of little importance. This is due to the fact that parties seek to deliver scripted, sanitised conventions, devoid of much political content. In a Washington Post-ABC News poll the question, “"How important will these conventions be in helping you decide how to vote for president in November?" received a response of 71% of the population saying that the conventions would be “less important” to the whilst making their

\textsuperscript{11} McKeever R & Davies P, Politics USA 2nd edition, Pearson Longman, 2011, pg 113
\textsuperscript{12} Harris C, AQQ Government and Politics – The Politics of USA, Phillip Allan, 2012, pg 22
Therefore national party conventions can be seen as weaknesses of American elections as it no longer fulfils its function as presidential candidates are now decided during the primaries. The party platforms is often agreed by the platform committee before the convention and since 1952 there has been no second ballot at either conventions.

On the other hand national party conventions can be argued to be a key strength of American elections. National party conventions are the They are still importance as millions of Americans who shun election campaigns the whole year will often tune in for the key moments of these conventions. Professor Cal Jillson stated in an interview with National Journal that “that’s what makes the convention critically important… even though the junkies have been riveted for a year, a good half of the public is just about to start paying attention.” This is a strength of USA elections as national party conventions provide the opportunities for little-know candidates to be identified and recognised nationally. Barack Obama was a state Senator from Illinois and returned to the convention as it president following an impressive keynote address.

**Electoral College**

According to Whitton, the electoral college fails to represent be will of the US people. This is due to the fact that it may allow a candidate to win the presidency despite winning a minority of votes across the country as a whole. The most notable example was in 2000 when Al Gore won more votes than Gorge W. Bush but lost the presidency in the Electoral College. In addition, the Electoral College fails to represent the popular will through the presence of faithless or rouge electors. These electors don’t vote for their State’s preferred presidential candidates. Altogether there have been over 80 faithless electors since the establishment of the Electoral College. For example, in 2000 Barbara Lott Simmons an elector from Washington DC, abstained from voting for Al Gore as she wanted to protest about the lack of congressional representation for Washington. The Electoral College fails to meet the crucial requirement of any democratic system and can be seen as a weakness of US elections.

Despite this argument, a perverse result in which the popular vote winner losses in the Electoral College is very rare. In the past 25 years, the 2000 election is the only example of a perverse result as the current system will always deliver an Electoral College candidate who wins the national popular vote. Obama is an example of this as he won the 2012 election by 51% to 47%. This shows how the Electoral college is a strength of elections as although rouge electors are possible in theory, they are rare and have never affected an election outcome.

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14 Whitton J, Should the Electoral College be replaced by a national popular vote, yes – Politics Review, Phillip Allan, Nov 2013, pg 16  
15 Endersby A, J, Should the Electoral College be replaced by a national popular vote, no – Politics Review, Phillip Allan, Nov 2013, pg 17
The Electoral College ensures a decisive result though incentivising a two-party system that provides voters with a clear choice. It requires a president to win votes from a wide variety of states to endure that the president is able to govern with the interests of all Americans in mind. This occurred in both the 2008 and 2012 elections as Obama won states such as Michigan, Ohio, Colorado and Nevada in order to assemble a winning coalition in the Electoral College. This is strength of the American Elections as the legitimacy of the president is increased significantly.

Conclusion

To conclude, the strengths in the election within the United States is that primaries provide more democratic choices for voters and weeds out the weaker candidates with little chance of winning the president election. In addition, national party conventions provide the opportunities for unknown candidates to be internationally recognised. Electoral College also is a strength of American elections as it provides a clear choice. On the other hand, the weaknesses of the elections within the United States is that

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16 Ibid pg 17