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**Volume 10, 1992**

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**VOLUME 10, 1992**

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**EDITOR'S PREFACE**

The Pi Sigma Alpha Review is published annually by the Beta Mu chapter of Pi Sigma Alpha, in cooperation with the Brigham Young University Political Science Department.

We would like to thank those who submitted papers for this year's essay contest. Steven Hugie's paper was awarded the prize for first place, David Moore's as second place, and Jonathan Mott's as third place. The other papers appearing were awarded prizes for honorable mention. A total of thirty papers were submitted. We also thank Professors, Daynes, Hollist, and Midgley for participating in the blind judging of papers.

Authors are solely responsible for statements of fact or opinion made in their respective papers.

Brant Warren Bishop

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*Volume X*

*Winter 1992*

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# The Effectiveness of Judicial Activism: Desegregation and Racial Attitudes

by  
Steven E. Hugie

*The relationship between Supreme Court desegregation rulings and the racial tolerance of Americans is examined. Comprehensive summaries are given of the desegregation cases and public opinion survey data on the question of public school desegregation from 1954 to present. While some question the constitutionality of judicial activism, it is defended on the grounds that it is an effective means for achieving important social ends. Data show that when (from the 1954 Brown decision to the 1974 Milliken decision) the Court pressed for desegregation, the public responded more positively to opinion poll questions about the appropriateness of racially balanced schools. Milliken represented a turning point for the Court. Since the court began weakening its demands for integration, public opinion has been much less favorable on racial integration. The legitimization hypothesis is defended, placing the responsibility for deteriorating racial attitudes on a Court which could, but is unwilling to, change those attitudes. Alternative explanations, which would attribute the decline in racial attitudes to the failures of desegregation, are discredited as inconsistent with sociological expectations.*

## Introduction

The words of Martin Luther King, Jr. rang loud in the segregated South: "I have a dream that one day on the red hills of Georgia the sons of former slaves and the sons of former slaveowners will be able to sit down together at the table of brotherhood" (D'Amato 1987, 357). Desegregation of the public schools was one of the principal aims of the civil rights movement led by King. The National Association for the Advancement of Colored People (represented by Thurgood Marshall) took to the court dockets for redress of the wrongs that executives and legislators had ignored. Now, thirty-four years after their victory in *Brown et al v. Board of Education of Topeka* (1954), a police brutality incident in Los Angeles, a Hispanic uprising in our

nation's capital, and litigation from Mississippi claiming that "unconstitutional vestiges of desegregation remain and should be ordered eliminated" have brought race relations once again to the American consciousness (Applebome 1991, A16). Desegregation has fallen on hard times.

One avowed aim of desegregation was the elimination of racism, "both root and branch" (*U.S. v. Mississippi*, 1989). Measuring racial attitudes as a product of desegregation will reflect on the effectiveness of judicial activism as well as the social influence of education. Before discussing desegregation, however, we must place it within the context of a larger constitutional debate over what the Supreme Court's role in such questions should be.

## The Judicial Activism Debate

The debate over judicial activism has its roots in the origins of American government. The Constitution did not explicitly grant the authority of judicial review to the Supreme Court. Now the Constitution is being interpreted by a Court which makes a broad range of policy decisions that otherwise would be reserved to the more "democratic" executive and legislative branches. Wechsler and Berger warn that "court decisions should be explicitly based on neutral, general principles that transcend a particular result"; otherwise, they violate the separation of powers and threaten democratic government (Rebell and Block 1982, 6, 8).

The Civil Rights Act of 1964 echoes this anti-activist stand on desegregation, saying that it

does not mean the assignment of students to public schools to overcome racial imbalance and that nothing therein empowers any official or court of the United States to issue any order requiring the transportation of pupils or students from one school to another or one school district to another in order to achieve racial balance (Trenker 1989, 672-3).

The Court decided to desegregate at any cost.

Scholars who defend the Court's policy making role argue that the rise of the welfare state has led to the activist intrusion of all three branches into our lives and that the Court is just keeping pace. While others question the Court's abilities in fact-finding and remedial action, defenders of activism argue that "courts protect the basic constitutional rights of minorities...when other institutions are unwilling to deal with important social issues" (Rebell and Block 1982, 10). They argue that the founders did not intend an absolute separation of powers but rather a blending of those powers as they were shared by three coordinate branches of government.

## Methodology and Thesis

The justifiability of judicial activism depends, at least in part, on the measure of its effectiveness. The major public school desegregation cases spanning from the *Brown* decision in 1954 down to the present will be examined in conjunction with data from public opinion polls that measure public responses to this question: "Do you think white students and black students should go to the same schools or separate schools" (Gilbert 1987, 267)? It will be shown that while the Court pursued desegregation, racial tolerance increased; but during the period in which it has become less assertive, there has been a downturn in racial tolerance, suggesting that the Court can and does influence racial attitudes.

## Literature Review and Theoretical Framework

Much work has been done examining the interaction of public opinion and Supreme Court decisions. When the Court takes a stand on visible and controversial issues, argue some theorists, the body of thought that they uphold is validated as "politically correct." The legitimation hypothesis emphasizes the degree of compliance and support that accompany Supreme Court rulings (Marshall 1989, 135). Public opinion, according to this theory, would be expected to shift favorably toward the position of the Court. Hence, the Court can and does have a profound influence on Americans' attitudes and the nation's policy agenda.

The work of sociologist Cardell C. Jacobson equips the legitimation hypothesis with approximate controls for all variables external to the ruling itself (social factors, implementation, and other policies such as affirmative action). He conducted a survey in the months before and after a Milwaukee desegregation ruling. Among those directly affected by the ruling, 8.1% fewer of them

said that they would object to their children attending racially balanced schools after the ruling than before (1978, 703):

There were no increased intergroup contacts, no changes in school feeder patterns, no increased neighborhood integration. There was only the ruling. Like several earlier investigators of law and attitudes we have found that the law can change public opinion (1978, 705).

Franklin and Kosaki fine-tuned the legitimization hypothesis and renamed it the positive response hypothesis, but argued that the effects of the ruling on long-held social values are mitigated as "social communication processes become the dominant influence" (1989, 766). These processes are defined as interactions within an individual's own racial or ethnic group. The reasoning behind this theory is not unlike that which justified the separate but equal doctrine of *Plessy v. Ferguson* (1896). Other researchers have come to the same conclusion. Muir and McGlamery found that while white students displayed more acceptance of blacks as classmates (from 56.4 percent in 1963 to 96.7 percent in 1982), "data reveal that this trend has not just slowed but actually reversed, with an increased portion of white undergraduates believing that blacks are relatively lazy, untrustworthy, immoral, and vengeful" (1984, 968).

Longshore asserts that desegregation may sow the seeds of its own destruction because of a phenomenon that he calls territorial instinct. He found that "even when students of one race are greatly outnumbered, their attitudes are more favorable than when the school is racially balanced, because control of the school is not in dispute" (1982, 675). He proposes the use of situation-specific remedies rather than universal judicial decrees.

Thus, most researchers assert that while desegregation might have seemed like a good idea at first, it has failed to achieve its desired

results in the long run. The case often singled out for such analysis is *Milliken v. Bradley* (1974), which was accompanied by a two point positive poll shift from the pre- to postdecision period, while the long term poll shift was negative eight points (Marshall 1989 147, 155). It will be shown, however, that the negative opinion shifts in the wake of *Milliken* reflected the subtle "throttling back" of the Court on desegregation. The explanatory value of the legitimization hypothesis will be illustrated by examining desegregation cases and placing them on a public opinion continuum from 1954 to the present.

## Findings

### **History of Public School Desegregation Cases**

*Plessy v. Ferguson* (1896) established the doctrine of "separate but equal facilities" for members of different races, citing congressional segregation of Washington, D.C. public schools as justification. *Brown v. Board* (1954) reversed *Plessy*, calling separate facilities "inherently unequal," and stated that the opportunity of education, "where the state has undertaken to provide it, is a right which must be made available to all on equal terms" (483). The Court had started down the road to desegregation, a road that it would continue to take until 1974.

*Brown* (II) (1955), issued one year later, required compliance with the original decree "with all deliberate speed". The decisions met massive resistance, especially in the South, but the Court in *Cooper v. Aaron* (1958) unanimously reaffirmed *Brown*. When, in 1964, Prince Edward County, Virginia schools remained mostly segregated the Court declared that "the time for more deliberate speed had run out" (*Griffin v. County School Board of Prince Edward County*, 1964).

School boards defended themselves by saying that they allowed students the "freedom-of-choice" to go to any school they chose, but the Court held in *Green v. New Kent County School Board* that "[the open-enrollment] plan has operated simply to burden children and their parents with a responsibility which *Brown II* placed squarely on the School Board" (1964, 430). The Court went farther out on a limb, requiring not only that school districts allow students to choose which school they would like to go to, but that they also take steps (busing being one) to facilitate racial diversity in each school.

Opposition persisted. "[T]he Supreme Court rejected [Nixon] Administration-sponsored delay requests in *Alexander v. Holmes County Board of Education* (1969) and *Carter v. West Feliciana Parish School Board* (1970)" (Levy 1986, 559). By 1974, however, the Court's resolve had eroded. *Milliken v. Bradley* (1974) was the first case to strike down a judicial desegregation order, an order involving several school districts, not all of which discriminated. Thus, they rejected the only possibility of having integrated schools where "white flight" to the suburbs had left a high concentration of minorities in inner-city districts.

From 1974 on, the liberal-activist judges (notably Brennan and Marshall) were consistently on the dissenting side of desegregation opinions. More difficult standards for proving discrimination were set forth in a number of cases. "There was little judicial enthusiasm for continued reliance on a remedial process about which there was so much controversy as to its effectiveness..." (Levy 1986, 560). In 1975, the Court accepted partial desegregation in *Calhoun v. Cook* and did basically the same thing in *Milliken v. Bradley II* (1977). The Court held that resegregation after integration need not be corrected by the courts in *Pasadena Board*

*of Education v. Spangler* (1976). Finally, the 1982 *Crawford v. Los Angeles Unified School District* case validated this California proposition: "State courts shall not order mandatory pupil assignment or transportation unless a federal court would do so to remedy a violation of the Equal Protection Clause" (527).

While the Court has remained mostly silent on public school desegregation cases since 1982, it has allowed lower court rulings to stand that have made it more difficult for parent organizations to obtain standing (*Morgan v. McDonough* 1984), has placed the burden of proof squarely on those who challenge a school district that has declared itself unitary, and has granted "relief against school board's 'bussing' plan to promote desegregation" (Trenker 1989, 674). Still other lower court decisions (such as *United States v. Mississippi* [1989] and *Whittenberg v. School District* [1985]) have relaxed desegregation rules and been decided in favor of the school districts whose policies are challenged. Although they do not abandon *Brown*, these lower court opinions (tacitly approved by the Supreme Court) have departed from the activist traditions of the 50s, 60s, and half of the 70s. The recent conservatism of the Court on racial issues can also be illustrated by race-related cases such as *Wygant v. Jackson Board of Education* (1986) and *Bazemore v. Friday* (1986) that have also found Brennan and other desegregation activists in the minority. An examination of the history of these cases shows a shift in the Court's posture on desegregation and racial issues. How does this shift relate to patterns in public racial attitudes? To this question we turn next.

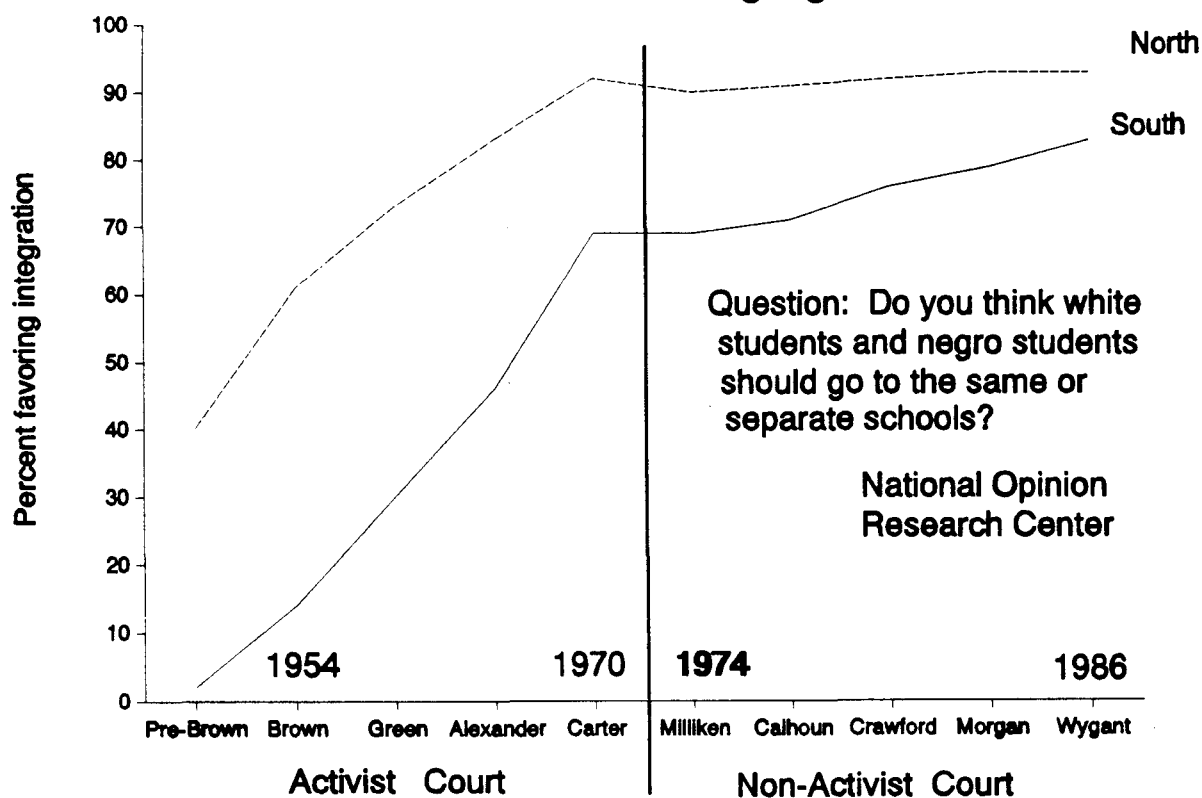
### Evolution of Racial Attitudes

*Brown* was a watershed of racial tolerance for Americans. In 1964 34.5 percent

of eighteen to twenty-four-year-olds polled said that they were in favor of desegregation. By 1972, nearly 51 percent agreed. Between 1972 and 1974 (exactly when *Milliken* brought the judicial pendulum swinging back to the right) there was a sharp downturn and by 1978 only 32.8 percent polled were in favor of

desegregation--less than in 1964 (Converse et al 1980, 64). This trend seems to have persisted. A June 1990 Gallup poll reports that only 33 percent of eighteen to twenty-nine-year-olds polled feel like they have become more tolerant of people of different colors and races (Newport 1990, 32).

### Supreme Court Cases and Attitudes on Desegregation



Source: Dennis A. Gilbert, ed. *Compendium of American Public Opinion*. New York: Facts on File Publications, 1987.

The declining proportion of positive racial responses of students corresponds with a similar pattern in their parents. A 1990 Gallup Poll found:

10% of whites saying they would object to sending their child to a school where half of the students were black. That proportion increased to 31% when asked if they would object to sending their child to a school where more than half of the children were black (Newport 1990, 25).

Polls show that there has been only a modest increase (from 30 percent in 1973 to 37 percent in 1988) in those who feel that more should be done to integrate our schools (Shriver 1988, 46). These data show that racism and separatism are not, as we might like to think, unfortunate relics of the past.

The most continuous, representative, and random data is provided in the figure which traces overall public opinion on integration from 1940 to 1985. When the cases we have examined are plotted along the x-axis, we can see an almost linear increase of the *Brown* to *Carter* period. After *Milliken*, the trend stops and has flattened significantly as the Court has become less active in school integration.

## Analysis

### **Review of the Data**

In the figure, all shown cases from *Brown* to *Carter* were decided in favor of integration and were relatively activist decisions. *Milliken* in 1974 and all subsequent cases did not reverse *Brown* but represent a departure from the Court's activist position. The pre-*Brown* period saw the initiation of positive racial attitudes. This jump from 2 percent to 15 percent positive responses

coincides with the first two cases in which the Supreme Court upheld the rights of black citizens, *Smith v. Allwright* (1944) and *Shelley v. Kramer* (1948) (Schaefer 1990, 219). The 1954 *Brown* decision creates an even sharper increase in positive responses, a trend that continued until the *Milliken* decision. As Figure 1 shows, since *Milliken*, the Court's negative posture towards desegregation and race related cases has corresponded with steady or only minutely increasing positive public responses to the question of integration.

### **Theoretical Implications**

This analysis, particularly in light of the dramatic shift in the early 1970s, supports the legitimization hypothesis. To the extent that this correlation is not mere coincidence, alternative hypotheses are discredited.

Proponents of the positive response/social communication hypothesis would attribute this renewed polarization to the influence of primary social institutions (friends and family) and/or a resurgence of ethnicity. However, most sociological models emphasize assimilation or pluralism rather than conflict<sup>1</sup>. After 300 years of cohabitation and black attempts to assimilate into white society, we should be able to expect successful integration. Those sociologists who do predict a resurgence of ethnicity do not expect this to occur until the third generation after a strong push for assimilation (in this case the *Brown* decision) (Schaefer 1990, 142-3)<sup>2</sup>.

The territoriality theory is also discredited by the exact coincidence of *Milliken* and the decline in racial attitudes. Moreover, territorial conflicts could only be expected where there is a nearly perfect balance of black and white students. Blacks represent only 12 percent of the population and do not account for 50 percent of the student body in a majority of schools.

The social communication or territoriality hypotheses would attribute the deterioration of racial attitudes to the failures of desegregation (see Table 2). The data show, however, that so long as the Court was willing to take a stand in favor of desegregation, public racial attitudes improved. The opposite was true when the Court softened its activist stance on desegregation. The legitimization hypothesis is consistent with both trends.

**Table I.** Theories and implications.

HYPOTHESIS:	IMPLICATION:
Legitimation	Court lost resolve
Positive Response	Desegregation failed
Territoriality	Desegregation failed

### Limitations and Suggestions for Further Research

Analysis of this type carries with it the persistent subjectivity of the social sciences. People who agree generally to the principle of desegregation may nonetheless oppose specific remedies such as busing. Politically correct professions of racial tolerance might only mask the persistent hatred of a "timid bigot" (Schaefer 1990, 56)<sup>3</sup>. Another limitation encountered in this type of study is that it is easier to explain conclusively the shifts in public opinion before and after the first ruling on a controversial issue than it is to explain shifts in opinion in concert with subsequent rulings.

This study focuses on the aim of improving racial tolerance; other research has and will focus on the accessibility to quality education and student attainment. Future researchers might also look at the role of media, the executive and legislative actions of the same period, racial lobbying efforts,

and other political factors. Racial violence is, unfortunately, an increasingly available variable that will be useful for future studies.

### Conclusion

By examining the relationship between Supreme Court decisions and racial attitudes we have seen the effect that the Court can and does have on public opinion. The period of activist desegregation coincided with dramatic increases in racial tolerance. Since 1974, however, the Court has taken a much more conservative stance and public opinion has deteriorated.

The implications are profound. Racial tensions and conflict are on the rise. The conservative Court's current session will address desegregation for the first time in years. The outcome will be as impressive as *Brown* and therefore should be of great interest to all of us. Just how effective can an activist Court be in "correct[ing], by balancing of the individual and collective interest, the condition which offends the Constitution" (Trenker 1989, 672)? It can be very effective. Should the Court assert itself as it did before 1974? It should. Will Martin Luther King's dream ever become a reality? We can only hope that it will.

### NOTES

1. See Richard T. Schaefer, *Racial and Ethnic Groups* (Glenview, Ill.: Scott Foresman and Company, 1990), p. 43-47.

2. Schaefer refers to the work of Marcus Lee Hansen. See *The Problem of the Third Generation Immigrant*, (Rock Island, Ill.: Swenson Swedish Immigration Research Center, 1987).

3. See also Robert K. Merton, *Sociological Ambivalence and Other Essays*, (New York: Free Press, 1976).



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# **Covenant and Compact: Bases for Citizen Obligation**

by  
David H. Moore

*Views on the role of the government and the role of the citizen have changed in modern America, leading to an idea that government is the provider of goods to be consumed and that citizens have no obligations to with respect to the government. The founding documents of America suggest that this is not so. Rather, the American founding is based on the ideas of covenant and compact. Covenants and compacts require all parties to agree to certain obligations. The founding of America and of American states was accomplished through covenants and compacts, and consequently place obligations on citizens.*

## **Introduction**

Today, America's political and social system suffers from what Daniel Elazar terms consumerism. Instead of seeing themselves as responsible citizens, many Americans perceive themselves as consumers (Elazar 1988, 82). The traditional idea of citizenship as individual participation in the polity and contribution to society (upon which our nation was founded) has been supplanted by the notion of residence, which allegedly entitles the individual to demand benefits from a government "out there," whose success is measured by its ability to deliver (Elazar 1976, 4). In response, governments have solicited greater resources in a "politics of purchased solutions" which "substitutes money for commitment" (21). This trend that is transforming citizenship into consumerism and government into commerce has lead to predatorial behavior and has eclipsed understanding of individual responsibility to society and to the polity. To combat this threat, we must restore a true understanding of the principles upon which our nation was founded: the principles of covenant and compact. In this essay, I will explain the concepts of covenant and compact and show that our

system was founded on them. I will then explore the obligations that result from our national covenant and compact.

## **The Concepts of Covenant and Compact**

The idea of the covenant, as Elazar explains, comes from Hebrew scripture and consists of a mutual promise voluntarily effected by independent parties in the presence of higher authority, often God. Covenants are usually meant to be eternal and are often political, though they also govern the divine relationship between God and man (1988, 30, 90). As witnessed in the Bible, the covenant places moral and legal obligations on all who enter into it. The covenant people of Israel, for example, were not only to measure their products justly, but they were also to "be holy" as the Lord was holy (Leviticus 19:2, 36). Thus, the covenant bound all, including God, to legal and moral virtue (Wardle 1987, 16).

While the American colonists, according to Donald Lutz, often used the verbs "agree," "compact," and "covenant" synonymously, there remains a difference between these concepts (1988, 16, 19). Both covenants and compacts involve consensual public agreements and require participants to treat each other

according to the spirit of the law and not according to the narrow, contractual readings. The covenant, however, differs from the compact in that its moral aspects supersede its legal aspects (Elazar 1988, 91; Lutz 1988, 18). Further, God is usually cited as a witness in the covenant, while the people remain the highest authority in the compact (Elazar 1988, 91; Lutz 1988, 17, 28). As both Lutz and Elazar recognize, the compact is a secular form of the covenant which removes God as a party and focusses on relationships between men (Elazar 1988, 30; Lutz 1988, 28).

Locke best explained the notion of the compact. He believed that in the state of nature, men are free and equal (1689, 3). In order to receive the benefits of community, men make social compacts to form societies. This voluntary agreement is the only way that a legitimate political system may begin and is "[t]he only way whereby any one divests himself of his natural liberty and puts on the bonds of civil society" (58). Once men unite in society, they surrender the powers necessary to accomplish the ends of that society and submit to majority rule, limiting their own freedom (60). Thus, the compact, like the covenant, places limitations and obligations on its integrants.

### **Citizen Obligations Inherent in Covenants and Compacts**

When men enter into a covenant, "[s]o long as [the] authorities [of the covenant are] . . . acting within the sphere of authority established by the covenant, [men are] . . . obligated to obey" (Baldwin cited in Wardle 1987, 16). As mentioned, even God becomes subject to the covenant's terms (Wardle 1987, 16). Obedience to the law is thus the most basic obligation emanating from a covenant or compact.

John Finnis elucidates why covenantors or compactors are obligated to obey. When men enter a covenant or compact, he explains, they do so for the common good, i.e., to obtain rewards attainable only in a community and only through the rule of law. He states that, first, citizens must be law-abiding in order to obtain the common good. Second, where an act is made obligatory by law, the citizen must perform that act to be law-abiding. Thus, the citizen is obliged to execute acts required by the law (1988, 316). At the very least, then, any covenant or compact requires participants to obey the law.

This is true; but more is required. As Milton Knovitz notes, the voluntary nature of the covenant provides a basis for both political and moral obedience (Cited in Vetterli and Bryner 1987, 36). Similarly, the voluntary social compact stipulates that people receive the benefits of societal life and in turn owe certain obligations, besides obedience (Cheney 1985, 7). They enjoy what Daniel Elazar entitles "federal liberty." When the Declaration of Independence speaks of liberty as an inalienable right, says Elazar, it does not refer to an absolute liberty, but a federal liberty (1988, 98). According to Elazar, "[f]ederal liberty is necessary to prevent the disaster of anarchy and the diseases of natural liberty" (172) and consists of freedom to live in accordance with the rules of the covenant (or compact) that initiated the system (128). Acts that violate *the nature* of the societal agreement are anarchic and so justifiably prohibited and punished by government (128). Thus, the covenant and the compact not only oblige the citizen to obey the laws, but also to live in accordance with the spirit or principles of the covenant or compact. While obedience remains a constant obligation for citizens of all covenanted or compacted societies, the principles that citizens must adhere to vary depending on the nature of each covenant or

compact. Therefore, after addressing arguments against the idea that covenants and compacts provide a basis for citizen obligation, and after documenting how covenant and compact form the foundation of the American polity and society, I will identify some of the American citizen's obligations that stem from that foundation.

### **Obligation of Those Born into the Covenant or Compact**

Locke, in his *Second Treatise of Government*, identifies an alleged flaw in his theory of the social compact: that except for the original compactors, all men are born under a government and so never have the opportunity to voluntarily enter the social compact into which they are born or to establish another one (1689, 69). Locke responds "that a child is born a subject of no country or government." Children are raised by their parents until they reach the age at which they can choose independently what society they will join (72). This choice can be made through *express* or *tacit* consent (72). For example, while a child may not expressly offer his consent, if he accepts his father's property, obtains other possessions within the realm of that society, or enjoys some of the benefits of that society, then he has given his tacit consent and he is obligated to fulfill the responsibilities of a citizen of that compact (71, 73).

The Conventionalists, as Noel Reynolds explains, offer a similar explanation to the problem of birth under the covenant or compact (1991). Like Locke, they believe that a man can show his consent through his actions as well as his words. They assert that children are not full citizens, because they do not have all the benefits of the society. Consequently, children do not have the same citizen obligations as do adults, and their

punishments for disobeying the law are less severe. When, however, a child reaches an age where he is free to leave the country or change its laws through suffrage and political participation, then he shows his acceptance of the system by remaining under its jurisdiction and enjoying its benefits. Thus, even those who do not participate in the original covenant or compact do, at least in the United States, have the opportunity to voluntarily consent to or dissent from the system. Once they consent, they are morally bound to fulfill their citizen obligations.

### **The American Polity as Covenant and Compact**

The fact that our political system was formed by both covenant and compact is evident from the pervasiveness of these ideas before and at the time of the founding and from the documents that affected the founding of our nation and of our government: the Declaration of Independence, the federal Constitution, and the state constitutions.

### **The Pervasiveness of Covenantism in Colonial America**

The idea of the covenant was commonplace and widely accepted in colonial America. As Lynn Wardle notes in his article "The Constitution as Covenant," almost all the religious sects and settlements that came to America brought with them covenant theology: the Pilgrims, the Puritans, the Anabaptists, the Presbyterians, etc. (1987, 12). The Puritans, most often recognized as the primary adherents to and disseminators of covenantism, were, according to Clinton Rossiter, "'obsessed with the covenant or contract, relying on this handy instrument to explain almost every relation of man to man and man to God'" (cited in Wardle 1987, 12). While Donald Lutz

recognizes the expansive influence of the Puritans, he maintains that the Calvinists were also very familiar with covenant theology and as the dominant religion in much of colonial America, were even more influential in spreading the covenant perspective (1988, 24-25).

Regardless of which sect was most instrumental in spreading covenant theology, the fact remains that about four-fifths of colonial New England's church-attenders belonged to Protestant faiths that taught the covenant theology as an essential part of their doctrine (Wardle 1987, 13). By 1780, America boasted over 1900 congregations of "covenant theology" mainline denominations" (Marty cited in Wardle 1987, 23). Clearly, covenantism was a widely accepted doctrine in colonial America.

### **The Use of Covenant in Colonial America**

Not only was covenantism a widespread idea, but the idea of the covenant was put into practice in organizing churches, "scientific and reform societies, labor unions, and professional associations as well as business corporations" (Elazar 1988, 33). Most importantly, the covenant formed the base of many of the colonial political organizations (Wardle 1987, 12). Those of the Plymouth Colony, for example, covenanted to form a "body politick" when they arrived. Their covenant, recorded in the Mayflower Compact, reads:

Haveing undertaken, for the glorie of God, and the advancemente of the Christian faith, and honour of our king and countrie, a voyage to plant the first colonie in the Northerne parts of Virginia, doe by these presente solemnly and mutually in the presence of God, and one another, covenant and combine our selves together into a civill body politick; for our better ordering and preservation and furtherance of the ends aforesaid; and by vertue hearof to

enacte, constitute, and frame such just and equall lawes, ordinances, acts, constitutions, and offices, from time to time, as shall be thought most meete and convenient for the generall good of the Colonie, unto which we promise all due submission and obedience (cited in McLaughlin 1932, 18-19).

Thus, they called upon God as a witness and covenanted both to him and to each other to establish a political system. Later, in 1639, the people of Connecticut made a similar covenant which is recorded in America's "'first written constitution'": the Fundamental Orders of Connecticut (McLaughlin and Rossiter cited in Wardle 1987, 14). In this document the people agreed to "assotiate and conioyne [them] . . . selues to be as one Publike State or Comonwelth; and . . . enter into Combination and Confederation together" in order to establish a government "according to God" (Perry 1978, 120). Other political documents, like the 1636 Pilgrim Code of Law, were also based on covenants (Lutz 1988, 25). The most important of these is the Declaration of Independence, which created the American nation through a covenant.

### **The Covenant as the Foundation of the American Nation**

In that famous document, "representatives of the UNITED STATES OF AMERICA . . . appealing to the Supreme Judge of the world for the rectitude of [their] . . . intentions, [and] . . . in the name, and by the authority of the good people of these colonies, solemnly [declared] . . . That these United Colonies are and of a right ought to be, FREE and INDEPENDENT STATES" (Perry 1978, 321). This statement embodies a tripartite covenant between God as the witness, the states and the United States (Elazar 1988, 106). The representatives' recognition of the "consent of the governed" as the basis for all

government and the grievances against King George, which suggest what the Americans thought good government should be, constitute the terms of that covenant (100, 105). Thus, America as a nation was born out of and remains founded on a covenant.

### **The Pervasiveness of Compact Philosophy in Colonial America**

Having established the influence of covenant theology in America and having shown that the American nation is based on a covenant, I will now proceed to document the influence of the idea of the compact and its role in the founding of our political system. Once again, evidence of the expansive acceptance of this philosophy combined with documentary examples of its practice in the United States will prove that our system is based simultaneously on the covenant and the compact.

Like the concept of the covenant, that of the social compact (that society and government are formed by the consent of those involved) was widespread in colonial America (McLaughlin cited in Wardle 1987, 15). John Davenport, a New Englander, explained the idea of the social compact twenty years before Locke did in the *Second Treatise* (15). Preachers freely taught the doctrines of Milton and Locke from the pulpit, making them familiar to all (15). As Andrew McLaughlin pointed out, "[t]he New Englander of 1780, when he voted to ratify and establish the state constitution, or later . . . the Constitution of the United States . . . would have been perplexed had he been told that power, authority, and obedience were not all the fruit of the agreement" (1932, 84). All the men educated in the thinking of the day "believed that all decent government originated in compact; they were not as yet far removed

from Milton's declaration that no one would be so stupid as to deny it" (81).

### **The Use of the Compact in Colonial America**

As a result of this widespread acceptance of the compact and the secularization of the covenant (Lutz 1988, 28), the bulk of colonial political structures were established as compacts. The 1641 Combination of the Settlers Upon the Piscataqua River for Government was the first intentionally secular covenant and hence, compact (30). A host of political compacts followed. The 1641 Massachusetts Body of Liberties, for example, identified the rights of the citizens and affirmed them "with . . . sollemne consent" (Perry 1978, 148). The Virginia Bill of Rights of 1776, recognized that certain rights could not be wrested from men by compact and that all political "power is vested in . . . the people" (311). In the same year, the Constitution of Pennsylvania thanked God (though it did not call on Him as a witness) that "the people of this State, by common consent," were able to establish their own rules for their government (328). Concurrently, the Delaware Declaration of Rights and the Constitution of Maryland declared "that all government of right originates from the people, is founded in compact only, and instituted for the good of the whole" (338, 346). Further, the 1780 Constitution of Massachusetts explained that "'[T]he body politic is formed by a voluntary association of individuals. It is a social compact by which the whole people covenants with each citizen and each citizen with the whole people, that all shall be governed by certain laws for the common good'" (cited in Elazar 1988, 33). All these documents testify that many if not most colonial polities were founded on a social, political compact.



## The Compact as the Foundation of the American Political System

The most central political documents of the modern United States are the federal and state constitutions. Also influenced by the widespread covenant/compact philosophy of colonial times, these constitutions reveal that America's modern governments and political societies are based on compact. A constitution, according to Lutz, is a document that describes the political institutions and structure of a society (1988, 34). In accordance with this definition, both the federal and the state constitutions focus on describing the structure of the governments they form.

The preambles of these constitutions, however, identify them as compacts. The federal Constitution, for example, reads, "We the people of the United States . . . do ordain and establish this Constitution for the United States of America." This statement, enforced by the fact that the federal Constitution was ratified by the American people, established the Constitution as the record of a national compact.

Similarly all the state constitutions begin with a preamble that says something like this: We, the people of the State of \_\_\_\_\_, in order to obtain certain ends (for example, justice, liberty and domestic tranquility) (1901 Constitution of Alabama in Legislative Drafting Research Fund of Columbia University 1962, 1: 9) and grateful for the blessings of the Almighty God, "do ordain and establish this constitution" (1959 Constitution of Alaska in Legislative Drafting Research Fund 1962, 2: 7). All the state constitutions, except those of Oregon and Tennessee, mention God in their preamble, giving them a decidedly moral tone. The Constitution of West Virginia goes so far as to say, "we, the people of West Virginia, in and through the provisions of this

Constitution, reaffirm our faith in and constant reliance upon God" (2: 7). None, however, call upon God as a witness to their agreement; therefore, none constitute covenants. All do, however, in the style of a compact recognize that "[a]ll political power is inherent in the people" (1912 Constitution of Arizona in Legislative Drafting Research Fund of the University of Columbia 1962, 1:9). The 1867 Constitution of Maryland goes further to explain "[t]hat all Government of right originates from the People, is founded in compact only, and instituted solely for the good of the whole" (1: 9). And the 1784 Constitution of New Hampshire further articulates that "[w]hen men enter into a state of society, they surrender up some of their natural rights to that society, in order to ensure the protection of others" (2: 7). Thus, the preambles of the state constitutions--which establish them as acts of the people of the states and as a recognition of the principles of the social compact--identify the state polities as compacts.

Lutz explains that technically, the preambles in both federal and state constitutions should come before the title constitution, for what we have now are "really compacts in which the constitution [the description of the government's institutions] became predominant" (1988, 34). Regardless of where the preambles figure in the text of the various constitutions, they signal that the federal and state political systems are formed by compact.

Some would argue that the federal Constitution is actually a covenant. Lynn Wardle, for example, traces the influence of covenant theology in colonial America and demonstrates how the Constitution and many of the ideas in it emerged from the covenant tradition and concludes that the Constitution is a covenant (1987). According to our definition of covenant, however, this conclusion cannot be valid, for the Constitution of

1787 removed God as a witness and created a secular compact (Elazar 1988, 136).

The federal Constitution, aside from being a compact, may be said to embody a covenant. As Elazar explains, "Normally a covenant precedes a constitution and creates the people or civil society that then proceeds to adopt a constitution of government for itself. Thus a constitution involves implementing a prior covenant--effectuating [it] . . . into an actual frame or structure of government" (1988, 91). This view seems plausible. We established that the Declaration of Independence constituted a national covenant which created us as a nation or society. According to Elazar's view, the Articles of Confederation and later the Constitution can thus be seen as the constitutions that established, through compact, a political structure for that original covenant.

### **Citizen Obligations that Result from the Covenant/Compact Foundation of the American Political System**

While the federal Constitution may be considered a compact embodying a covenant, it remains clear that the state constitutions are compacts and that our national identity, created by the Declaration of Independence, is founded on a covenant. From these covenants and compacts emerges a strong justification for the obligation of American citizenship.

### **Obedience and Civic Duties**

We have already noted that all covenants or compacts require obedience to the laws. Civil obedience, then, is an obvious obligation of members of the American nation and polity. But the obedience required of Americans must be active not passive, says Associate Justice Brewer (1909, 9293). Brewer, the Founders, President Lincoln and others realized that a greater degree of citizenship was required of

Americans, because they had been given so much, and because the American system locates political control in the hands of the people (Brewer 1909, 23). Lincoln reminded a group of citizens in Indianapolis in 1861, "that with [the citizen] . . . and not with politicians, not with the President, not with officeseekers, but with [the citizen] . . . is the question, 'Shall the Union and shall the liberties of this country be preserved to the latest generation?'" (Cited in Elazar 1988, 211). The United States citizen cannot transfer his obligation to the government, because "[h]e is the government" (Brewer 1909, 27).

Because the American compacts created a representative democracy requiring citizen participation, the American citizen has a host of civic duties. According to Cheney, who wrote to a juvenile audience, these civic duties include participating in government in order to influence laws, expenditures and taxation (1985, 16-17), cooperating with authorities to enforce the law (17), paying taxes fairly (23), accepting a draft assignment or possibly volunteering for the armed forces (30-32), obtaining an education so as to be able to participate intelligently in society (34, 3738), casting informed votes (39-40), and cooperating in the community, realizing that we share our world with others (51). Brewer notes many of the same civic duties (Brewer 1909, 62, 64). Joseph Larsen, writing specifically to Latter-day Saints, identifies two main civic duties: electing good leaders and participating in public decision-making and problem-solving (1986, 14).

### **Moral Duties**

Due to the fact that the American compact established a republic, relying to a large extent on self-control and not on government coercion, the responsibilities of the American citizen do not stop with obedience to law and

civic involvement. The American Founders believed that man had a dual nature, capable of both virtue and vice (Madison 1787, 15; Hamilton 1787, 11; Vetterli and Bryner 1987, 170; Elazar 1988, 165). They knew that for society to survive, men had to control their vices (Paine cited in Vetterli and Bryner 1987, 180). Because the American system would not control its citizens, they would have to moderate themselves. Thus, the Founders expected a certain character from the American citizen, a moderate virtue, and they knew that without it, the system would fail (Vetterli and Bryner 1987, 187).

Others have echoed this view. Cheney holds that citizens should do good because it will benefit society as a whole, not because it will bring them profit or allow them to escape punishment. Brewer asserted that "each citizen owes to the nation the duty of maintaining in himself a high, clean, moral character" (1909, 35). He also advanced that citizens have an obligation of willing, intelligent, "unselfish and conscientious" service (61). Finally, he believed that Americans have an obligation to work to improve the nation's life

(109). In view of the blessings that we receive from living in America, Brewer said, we should strive to preserve and strengthen the morality of the nation (109).

### Conclusion

The list of moral and legal obligations of the American citizen could continue. These suffice to show that trends toward consumerism and excessive individualism and away from citizenship circumvent our true responsibility. Adult American citizens who possess and enjoy the property, public services and other benefits of this system and who have means whereby to participate in the system are legitimately subject to obligations emanating from the covenant expressed in the Declaration of Independence and from the compacts recorded by the federal and state constitutions. To check any moves toward predatorial consumerism, we must resurrect an understanding of our citizen obligations, teach them to our populace, and begin to live them in order to preserve the covenant and compact, which constitute the foundations of our nation.

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# **The Advantages of Incumbency, Candidate Image, and the Vote**

by  
Jonathan Mott

*Candidate image is an important predictor of voting behavior in congressional elections. Voters usually compare the qualities of both candidates and choose the candidate that they perceive to be best. The evidence provided indicates that incumbents have an advantage under normal circumstances, in establishing, reinforcing, and maintaining positive images of themselves in the minds of the electorate. The source of this advantage for incumbents is the result of privileges and the amount of time they can devote to campaigning. However, the decisive advantage of incumbency is money. Incumbents raise and spend a great deal more money than challengers. Incumbents are also able to utilize various media forms more extensively than challengers to build positive images among voters. Further evidence is provided to show that once images are established, incumbents fare even better, because these images become more stable and harder to change. Public financing of elections, not term limits, is probably the best way to make congressional elections competitive again.*

*Incumbents win because Americans despise Congress but love their particular Congressman, who toils tirelessly to deliver services. Incumbents are entrenched by democratic choices, and Americans have a constitutional right to democracy, not good government.*

*George F. Will*

## **Introduction**

In the boxing matches of congressional elections, the weathered, reigning champions usually come out on top. The young, bushy-tailed challengers often find out only after stepping into the ring that they never had a chance. More often than not, the champ, flexing huge muscles of money and the perks of office, soundly defeats all-comers. Indeed, the matches fought in the ring are usually no-contest affairs.

It hasn't always been this way though. There once was a time when the champ would voluntarily step out of the ring, leaving the contest to new, fresh faces.<sup>1</sup> Now, however, there is a greater likelihood of the champ dying in between matches than actually losing one.

Because of such odds, most viable contenders are content to wait for the day the champ meets with such a fate before they put on their gloves and step into the ring. Challengers once brought fierce competition into these matches, but the most they muster now is usually only token opposition. The judges of these contests consistently declare the champ the overwhelming winner.

Admittedly, the above analogy is not perfect. The outcomes of elections, unlike boxing matches, are influenced by more factors than head-to-head comparisons and candidate showdowns. Partisanship, the political environment, and a host of other variables come into play when two candidates vie for the same elected office. However, the fact remains that competition has all but disap-

peared from congressional races in America. The "reigning champion" has an undisputed advantage over challengers.

## **Background**

Numerous studies have attempted to assess the importance of incumbency and other factors of candidate image in congressional elections. For many years, the consensus was that congressional elections were largely decided on the basis of national political forces. Supporters of this thesis characterized congressional elections in the following three categories: (1) partisan affairs in which party affiliation was the only important predictor of voting behavior, (2) referenda on the incumbent president's job performance, and (3) the means through which voters could either reward or punish members of Congress for the condition of the economy (Niemi and Weisberg 1984, 199). More recent research, however, indicates that congressional elections may indeed be more susceptible to local influences than earlier studies had led political scientists to believe. Much of this new research rests on the assumption that candidate qualities *are* important to voter choices and, as a rule, incumbents are better known and better liked (Niemi and Weisberg 1984, 204).

My thesis, and the impetus for writing this paper, is an extension of these assumptions. I contend that the trappings of incumbency have allowed incumbents to become better known and better liked than challengers, thereby causing the demise of competition in congressional elections. While this thesis is accepted fairly well among political scientists, there is room for elaboration. Indeed, the trends in congressional elections mentioned above have led to a heightened level of interest in the study of candidate appeal and image; however, most of the resulting research has focussed on presidential candidates and their

campaigns. Furthermore, because relatively few studies have been done to assess the link between the advantages of incumbency and the establishment of positive images by congressional incumbents, there is reason to examine this problem.

As I have noted briefly, there are a host of factors which influence the outcome of congressional elections. I contend, however, that the image and appeal of candidates are becoming increasingly important factors of voting behavior. This, coupled with the fact that incumbents are far better equipped to establish positive images in the minds of voters than are challengers, leads to a serious discrepancy in the viability of incumbent and challenger candidates. My research indicates that the major factor contributing to this disparity is the huge advantage incumbents enjoy in the fund raising aspect of electioneering.

In order to establish this relationship, I have defined four objectives for this paper. First, I will review the existing literature on candidate appeal and image. Second, because of the lack of a systematic approach to this area of study, I will present my model of candidate appeal and image. Third, I will address the advantages of incumbency (with an emphasis on the ability to raise money), especially those which clearly give an advantage to incumbents in the campaign process. Furthermore, I will show how these advantages help incumbents to project positive images of themselves in the minds of the electorate. I will also assess the plausibility of tying these images to voter choice. Fourth, and last, I will elaborate on my argument which links candidate image to voter choice, paying specific attention to the theoretical bases of my thesis and examine some models of voter rationality. Having accomplished these tasks, I will make some general conclusions about



congressional races and offer some recommendations for reform.

## **PART I**

### **Candidate Appeal and Image**

There has been relatively little research done in the area of the appeal and image of congressional candidates. There have been, however, some very important developments which would be foolish to overlook. Even more important for the purposes of this paper, though, many of these studies serve as both a basis and launching pad for my own research and subsequent conclusions.

First of all, I should address the school of thought which rests on the assertion that congressional races are, in fact, not local, candidate-centered affairs at all, but nationally driven political events. Proponents of this school of thought point to early studies, based on the 1958 Michigan election surveys, which showed that voters, in general, knew little of the candidates running for Congress in their districts. This, in fact, is true. Most voters still cannot recall the name of either candidate when asked by pollsters. This fact, along with other supporting evidence, has led many researchers and political scientists to conclude that congressional elections are not decided on the basis of candidate saliency but on the other, national factors mentioned above (partisanship, presidential popularity, and the status of the economy).

More recent studies and research, though, have tended to refute this concept of congressional elections. Much of the research now shows that candidates are much more important than was originally thought (Niemi and Weisberg 1984, 204). At the same time, it is clear that incumbents are generally better known and better liked. Even supporters of the congressional elections as national events thesis like Jacobson and Kernell admit that

on the individual level, there is little evidence that voters actually base their voting decisions on things like the state of their personal economic situation (Jacobson and Kernell 1982).

Further contributions to the study of candidate image by Mann and Wolfinger support the idea that congressional elections are influenced by local factors--especially the qualities of the candidates (Mann and Wolfinger 1980). Mann and Wolfinger include things like incumbency, name recognition, reputation, and "preference" or favorability of candidates in their discussion of candidate appeal and image. In fact, they argue that voters do not base their decisions solely on partisanship or incumbency status as some authors have concluded. What is more likely to happen, they argue, is that voters will assess each candidate, compare them, and choose the one that they like best (Mann and Wolfinger 1980, 280). Consequently, even a candidate who is perceived as "neutral" (neither negatively nor positively) may win if their opponent's image is sufficiently negative (see Box 1).

Mann and Wolfinger conclude that candidate image and appeal are very important predictors for the outcomes of congressional elections (288). To support this contention, they explain that most voters *recognize*<sup>2</sup> the names of both candidates in congressional races (virtually all voters recognize the incumbent's name and about two-thirds recognize the challenger's name). Furthermore, most voters can also attribute qualities and values to each candidate. Though these voter perceptions are based on thin information and are highly personalized, they have a dramatic impact on voter decisions (Mann and Wolfinger 1980, 288).

One of the most comprehensive looks at candidate image was published in 1976. Nimmo and Savage, in their book *Candidates and Their Images*, concluded through their

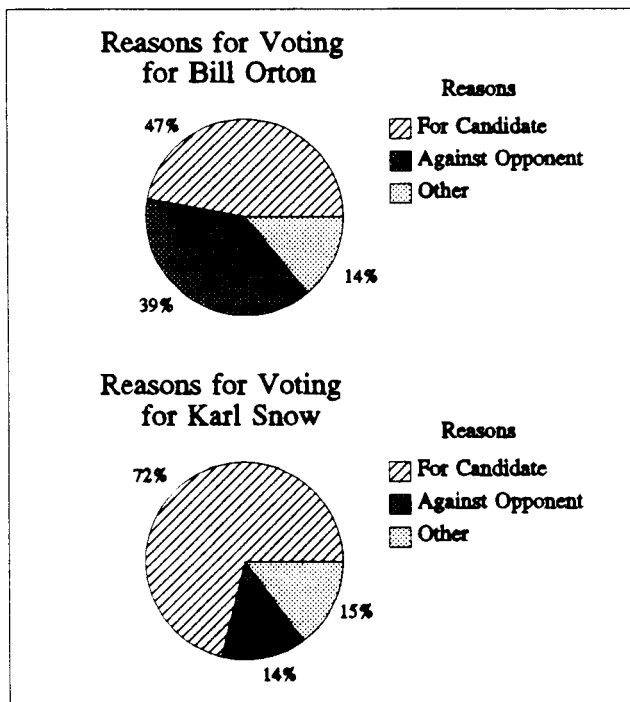
research of presidential, congressional, and other elections that candidate image is a function of both candidate "projects" and voter perceptions (31). They further concluded that candidate images are based on what voters *perceive* of each candidate's actions and traits (50-63). In fact, because of this perceptual model of voter imaging, they contend that candidates may often have more than one image in the eyes of the electorate (73). In the end, they conclude that their work was

but a beginning in the area of candidate appeal and image. Based on their research, though, they concluded that image *does* effect voter choice, but the link between the two was not yet fully understood (208-9).

### A Model for Candidate Appeal and Image

The problem that Nimmo and Savage pointed out is still largely unsolved. Sheer logic will confirm the idea that candidate

## Bill Orton vs. Karl Snow: Who's Image was Better?



In 1990, Bill Orton upset Karl Snow in the race for Utah's 3rd Congressional District seat. Many observers have argued, though, that Orton's victory was more due to Snow's negative image than to Orton's positive image.

Notice that the graphs at the left show a much larger percentage of Orton's votes as votes cast against Snow than vice versa. It is quite possible that Orton was viewed as neutral because he was fairly unknown. Snow's image, however, had become increasingly negative after the primary. Apparently, a candidate need not have a strong, positive image in order to win—it only has to be more positive than the opponent's image.

( Data taken from KBYU's 1990 Utah Colleges Exit Poll)

image has an impact on voting behavior. However, it is possible to show this causality with some degree of certainty. In this pursuit, under the tutelage of Professors David Magleby and Bud Scruggs, I have constructed a model of candidate image and appeal. This three-part model accounts for, in my estimation, each facet of a candidate's image. The model is diagrammed in Figure 1.

While the chart is, for the most part, self-explanatory, I will briefly describe the reasoning behind the model. As I mentioned, I believe that this model accounts for all

aspects of candidate appeal and image. In the two boxes, I have summarized the characteristics and experiences of candidates which makes them what they are. (Because of the "political" nature of candidates and candidacy, I thought it logical to separate "personal appeal" from "political identity.") These candidate traits are communicated to voters directly, through the media, and through candidate campaigns. Through the campaign, the candidate will attempt to convey a positive, tailored image to the voting public. Not only do candidates seek to accomplish this goal through paid media

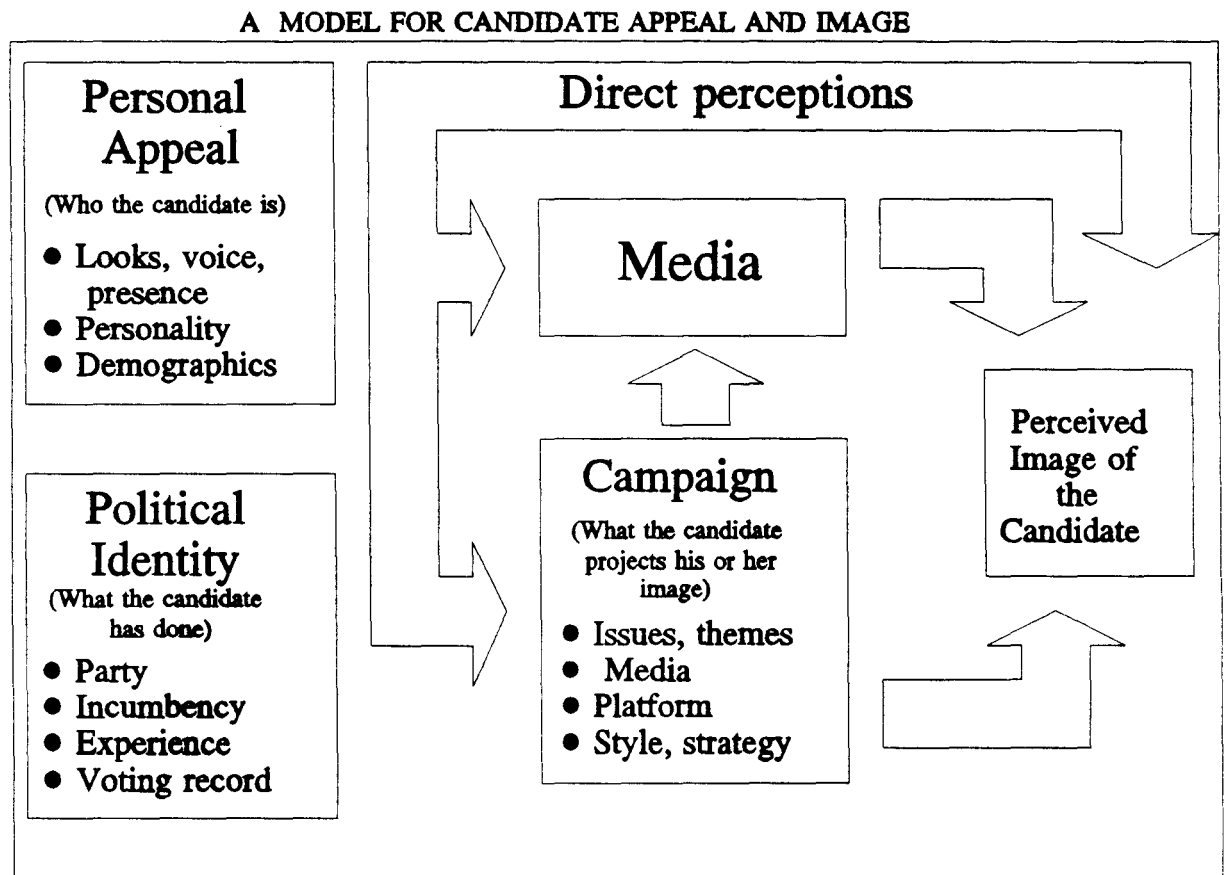


Figure 1.

and staged events, but they also attempt to control how the news media projects their images.

Admittedly, this is not a perfect model. All races are not alike. The less visible the race, the less likely voters are to know much about the candidates involved. Additionally, depending on the severity or intensity of any one of the candidate's characteristics, the campaign may have only a minimal effect in projecting a positive image. For example, David Duke is currently trying to portray himself as the best choice for the president of the United States in 1992. However, his affiliation with the Ku Klux Klan, a huge part of his political identity, will undoubtedly obscure the images he attempts to project through his campaign.<sup>3</sup> Furthermore, if candidates attempt to represent themselves as something that they are not, or try to obscure an embarrassing part of their past, the media will most likely alert the voters to the candidate's "real" identity.

As the literature indicates, though, a candidate's image is an important factor of voter choice, and my model begins to explain why that is the case. Most authors agree that candidate image and appeal have a direct impact on voter choice. In fact, many scholars argue that it is at least the most important short term predictor of voting behavior (Flanigan and Zingale 1991, 114). The ability to project a positive image is a very important factor in campaigning.

These conclusions naturally lead to the following question: What kind of candidates have the best images? Secondly, why do these candidate's have images that are more positive than others? The remainder of this paper will be devoted to answering these two questions.

## PART II

### The Incumbent Advantage

The answer to the first of the two question just posed is clear. Incumbents are, by far, better known and better liked than their challengers. Incumbents are almost always reelected. Moreover, they usually win handily. *Vital Statistics on Congress*, a publication of Congressional Quarterly Press, puts incumbents who sought reelection to House seats in 1990 into the following three categories: (1) those who won more than 60% of the vote, (2) those who won less than 60% of the vote but were still reelected, and (3) those incumbents who were defeated. In 1990, 312 out of the 435 races were won by incumbents in the first category while only fifteen fell into the third category (Ornstein, Mann, and Malbin 1991, 80-1). Why are incumbents so formidable? Simply put, it is because they have an overwhelming advantage in terms of political firepower.

### The Perks of Office

Members of Congress have a vast number of resources at their disposal. In researching these resources, David Vogler found that the "perks" of office--things like personal staff allowances for members of Congress (around fifteen staffers are allowed for Representatives and about twice that many for Senators), the franking privilege, and travel allowances that permit congressmen to return home nearly every weekend--cost the taxpayers between \$500,000 and \$1 million per congressperson per year (1988, 88). Vogler specifically points to the increasing staff sizes, which have permitted members of Congress to run state and district offices for constituent services, as a major source of advantage for incumbents (224). While Vogler's assertion that the main purpose of these home offices is to help incumbents get reelected (225) may

be a little strong, the political benefits they provide for incumbents are tremendous. Besides those listed above, there are many other resources which contribute to incumbent advantages.

Because each of these perks and advantages offers unique opportunities to members of Congress which allow them to build positive images and increase their advantage over challengers, they deserve to be addressed individually. While these advantages are numerous where the formation and development of candidate appeal and image are concerned, the most important advantages are constituency service, the franking privilege, time, exposure and reputation, and the ability to raise money.

**Constituency Service.** In his book *Congress: Keystone of the Washington Establishment*, Morris Fiorina adds to the weight of Vogler's conclusions about the ability of incumbents to provide services to their constituencies (1989). In the newly added Chapter 11 of his second edition, though, Fiorina clarifies some misunderstandings about his arguments. He makes it clear that, by no means is constituent service the deciding factor leading to the domination of congressional elections by incumbents. In fact, he contends that constituency service accounts for only about five to eight percentage points of an incumbent's advantage over challengers (99). He argues further that the polling resources, the ability to raise money, and the generally poor quality of challengers are other, possibly more dramatic, advantages or factors of incumbent domination (99-100).

Still, constituent service is one of the best tools a member of Congress can use to build a positive image in his or her district. Not only do the people who receive assistance from the congressperson's office become endeared to the officeholder, but they spread

the story of how they were helped among their friends. Indeed, it is as George Will once wrote: "Incumbents win because Americans despise Congress but love their particular Congressman, who toils tirelessly to deliver services" (Will 1990, 236). Furthermore, the advantages of constituent service become even more pronounced the longer a congressperson is in office. Not only does the aggregate of services rendered amass a sizeable support base among the electorate as time passes, but a senior member of Congress is better equipped to supply even more services. Jewell and Patterson maintain that the seniority system, especially in the House, leads to a Congress where the longer members are in office, the greater is their ability to "deliver" and, therefore, get reelected (Jewell and Patterson 1986, 116).

**The Franking Privilege.** Direct mailings are one of the most touted campaign tactics of recent times. While there are some limits on the use of the franking privilege in Congress, members send out reams of letters each year to their constituents, "free of charge"--which is the literal meaning of *frank*. While his study is somewhat dated, David Mayhew found that out of the 158 House members who were elected in the mid-1960s, 121 said that they sent out regular news letters to their constituents, and eighty-nine periodically sent out mail questionnaires (Mayhew 1974, 50). Since then, the use of franked mail has become even more pervasive.<sup>4</sup> Some members of Congress go as far as to send letters of congratulations and information on baby care to the new parents in their districts. All of these mailings add up to a powerful campaign tool. Challengers, on the other hand, must pay thousands of dollars each time they want to cover the district with letters.

**Time.** While time is not an exclusive gift given to members of Congress (they still have only twenty four hours in each day), incumbents have a clear advantage in the amount of time they have available for campaigning. While in office, a member of the House or Senate spends a large amount of his or her time preparing for the next election. Most begin serious preparations at least a year in advance (Salmore and Salmore 1985, 71). Scruggs contends that the power of office allows candidates to mold their images over time (Scruggs 1991). To support this notion, he points to the efforts of Orrin Hatch, a Utah Senator, to increase his support among women. According to some post-election polling, Hatch's consultants found that he wasn't faring too well with women. Consequently, the Senator has, for the past six years, shifted his focus to women's and children's issues. He has sponsored an annual Women's Conference in Salt Lake City and has taken issue stances that, according to survey research, women are more responsive to than men.<sup>5</sup> Members of Congress are, in effect, constantly campaigning while their challengers are not blessed with nearly as much time to mold their images among voters.

**Exposure and Reputation.** As previously noted, incumbents are generally better known and better liked than their challengers. Much of this is due to their ability to communicate directly, and indirectly, with constituents (Salmore and Salmore 1985, 61). While the franking privilege contributes significantly to this advantage, other facets of incumbency are also important and contribute to further incumbent-challenger disparities. For example, incumbents enjoy a decisive margin in name recognition over challengers. One survey found that incumbents had a 92% name recognition while challengers were at a much lower 54% (Jewell and Patterson 1986, 44).

Once an incumbent's name is well known, a relative lack of news coverage can also contribute to a positive candidate image. Scruggs argues that one of the most important aspects of incumbent advantage is that, once the member of Congress has established a positive image, most voters feel that "no news is good news" (1991). Voters are willing to assume that if they hear nothing, the representative or senator is doing their job, and doing it well. This is especially true for members of Congress who have won their first reelection bid (Scruggs 1991).

Media coverage, while potentially devastating, can build and strengthen an incumbent's positive image as well. Many opportunities are available for members of Congress to get "free" or "earned" media coverage. Mayhew's study found that forty-eight of the Representatives he interviewed wrote regular columns in local newspapers or magazines, and another eighty-two regularly reported home by means of radio or television (Mayhew 1974, 50). At least one Congressman has even run his own radio program (51).

Members of Congress are able to contact large numbers of voters through the means listed above. Many congresspersons even make a habit of appearing at social events unannounced or speaking at "non-political" functions. One congressman is said to have never lost a precinct where he gave a high school commencement speech (Mayhew 1974, 50). Activities such as these, combined with campaign activities (to be discussed later), allow incumbents to contact a surprisingly large number of voters. In contrast, American National Elections Study (ANES) data shows that most voters are never contacted by challengers (see Figure 2). In fact, congressional incumbents are able to contact almost 90% of voters before the election while challengers contact less than 45%. In other words, about twice as many voters have had contact with

the incumbent than the challenger. Since challengers are rarely even able to *contact* a majority of voters, it follows that they are seldom able to convince a majority of voters to fire the incumbent and hire the challenger.

This discrepancy in voter contacts increases the longer a member of Congress is in office. Obviously, the longer a congressperson serves, the better they become

known by their constituents. Mann found that voters, in response to specific questions about candidate traits, chose the "Don't Know" response only 15-25% of the time in regard to long term incumbents. The numbers went up to 20-45% for new incumbents, 40-60% for challengers with prior exposure, and 60-75% for new challengers (Mann 1984, 262). By utilizing the advan

## Number of Contacts by Candidates

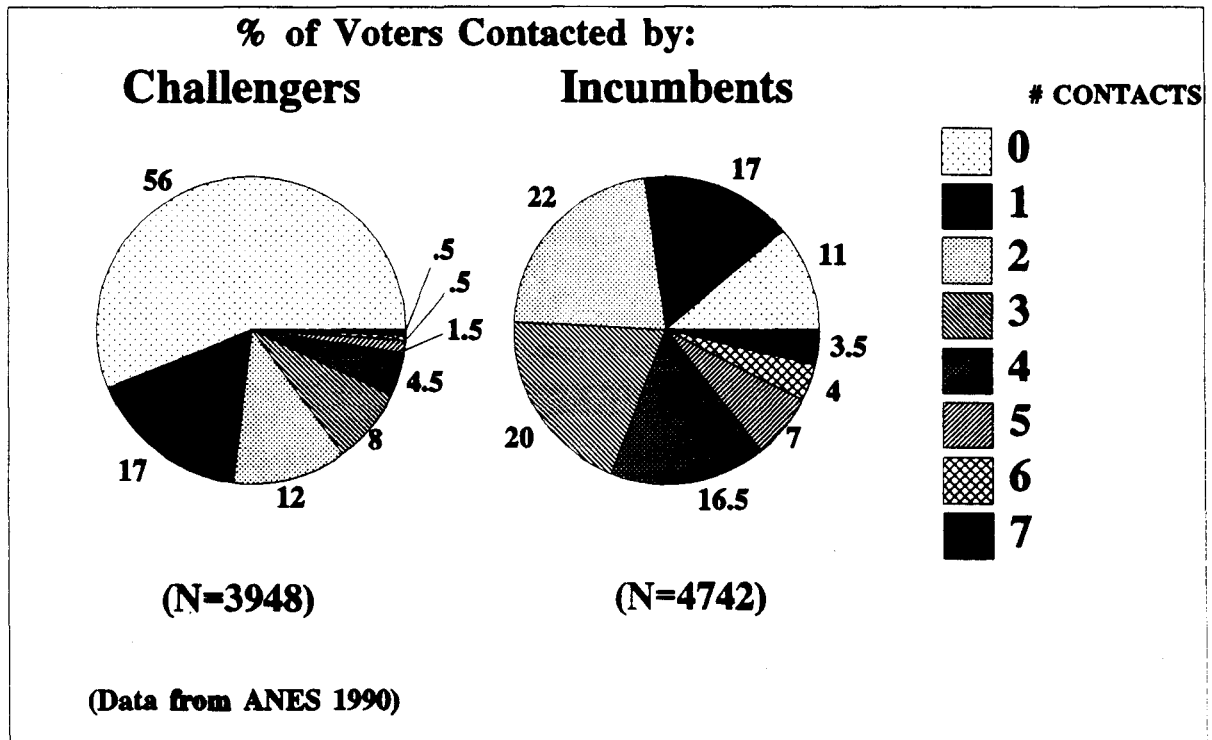


Figure 2.



tages I have described, a member of Congress can foster positive images while becoming increasingly well known. The more established an incumbent's image becomes, the more difficult it becomes, under normal circumstances,<sup>6</sup> to change that image.

### The Ability to Raise Money

The ability of incumbents to raise money may be their biggest advantage over challengers in congressional races. Due to strict campaign expenditure reporting laws, there is very good data on both challenger and incumbent spending. Merely glancing at the

reported figures will reveal an alarming trend—challengers are being out spent by a large margin. Figure 3 shows incumbent and challenger spending in U.S. House races from 1976 through 1990 (the figures are in mean net dollars). The graph illustrates two clear trends. First, the overall level of campaign spending has increased every year for more than a decade. In fact, rises in campaign spending have exceeded the overall inflation rate (Abramowitz 1991, 49).

However, the second trend, which is not completely illustrated by the graph, is that challenger spending has decreased

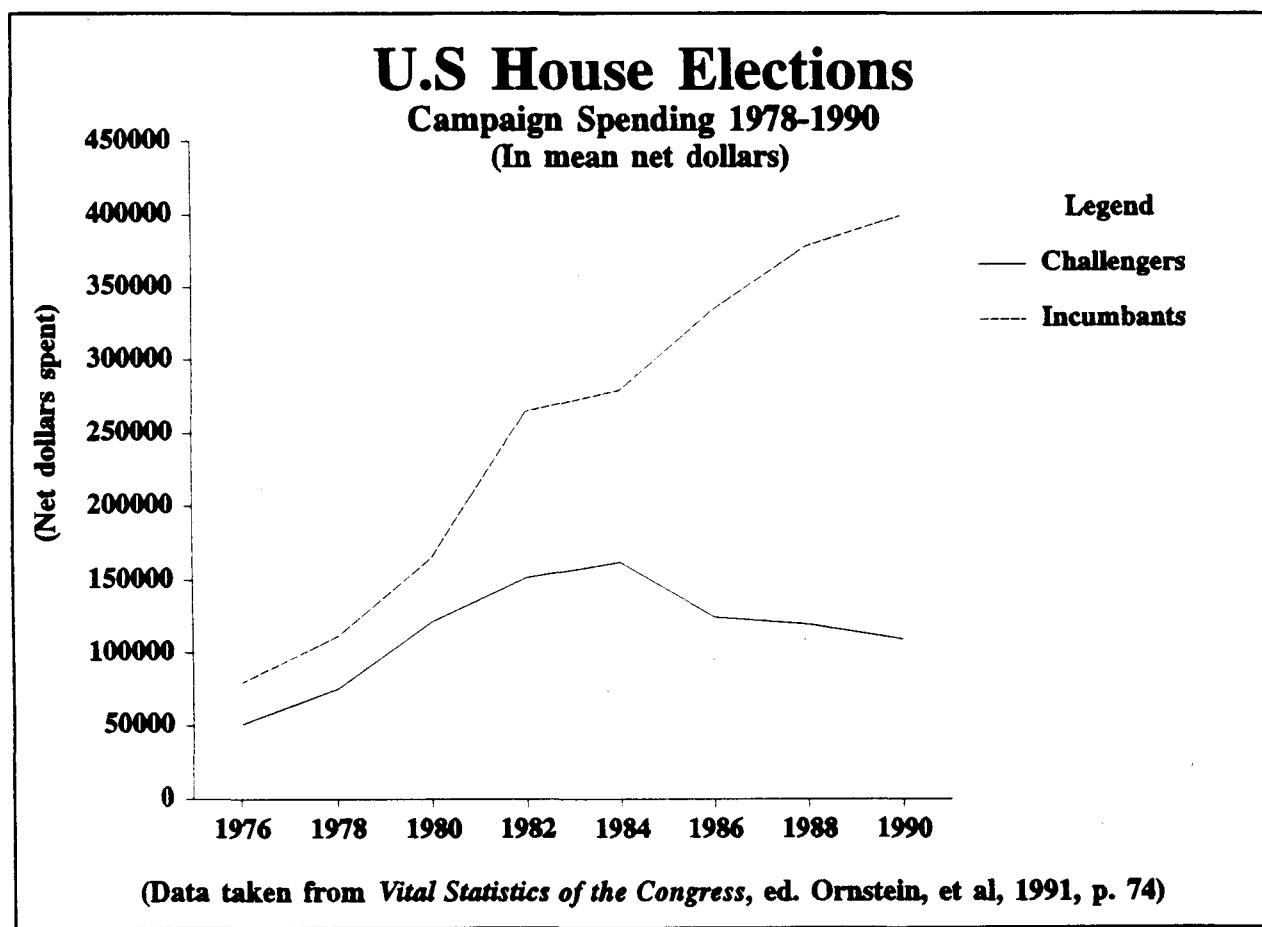


Figure 3.

sharply. The drop in challenger spending, which started in 1984, is even more dramatic when inflation is controlled for. Adjusted for inflation, overall challenger expenditures dropped 30% during the 1980s (Abramowitz 1991, 51). While House challengers were, on the average, only out spent by about \$30,000 dollars, or 36%, in 1976, they were out spent by an average of almost \$290,000, or 73%, in 1990.

Similar spending trends are apparent in Senate races as well. Figure 4 shows campaign expenditures for Senate races from 1976 through 1990. Here again, the overall cost of running a campaign has skyrocketed from about \$625,000 for incumbents in 1976

to more than \$3.5 million in 1990 (the figures are in mean net dollars). Challenger expenditures have also increased, but not at the same rate. In 1976, challengers were out spent by only about \$160,000, or 30%. But, by 1990, the gap had grown to more than \$1.7 million, or 52%. While both challenger and incumbent expenditures dropped in 1990, the proportion is essentially unchanged.

The reasons for this discrepancy in the ability to raise money are simple. People most often donate their money to the candidate that is most likely to win. This is especially true of Political Action Committees which, in 1988, gave 75% of all their

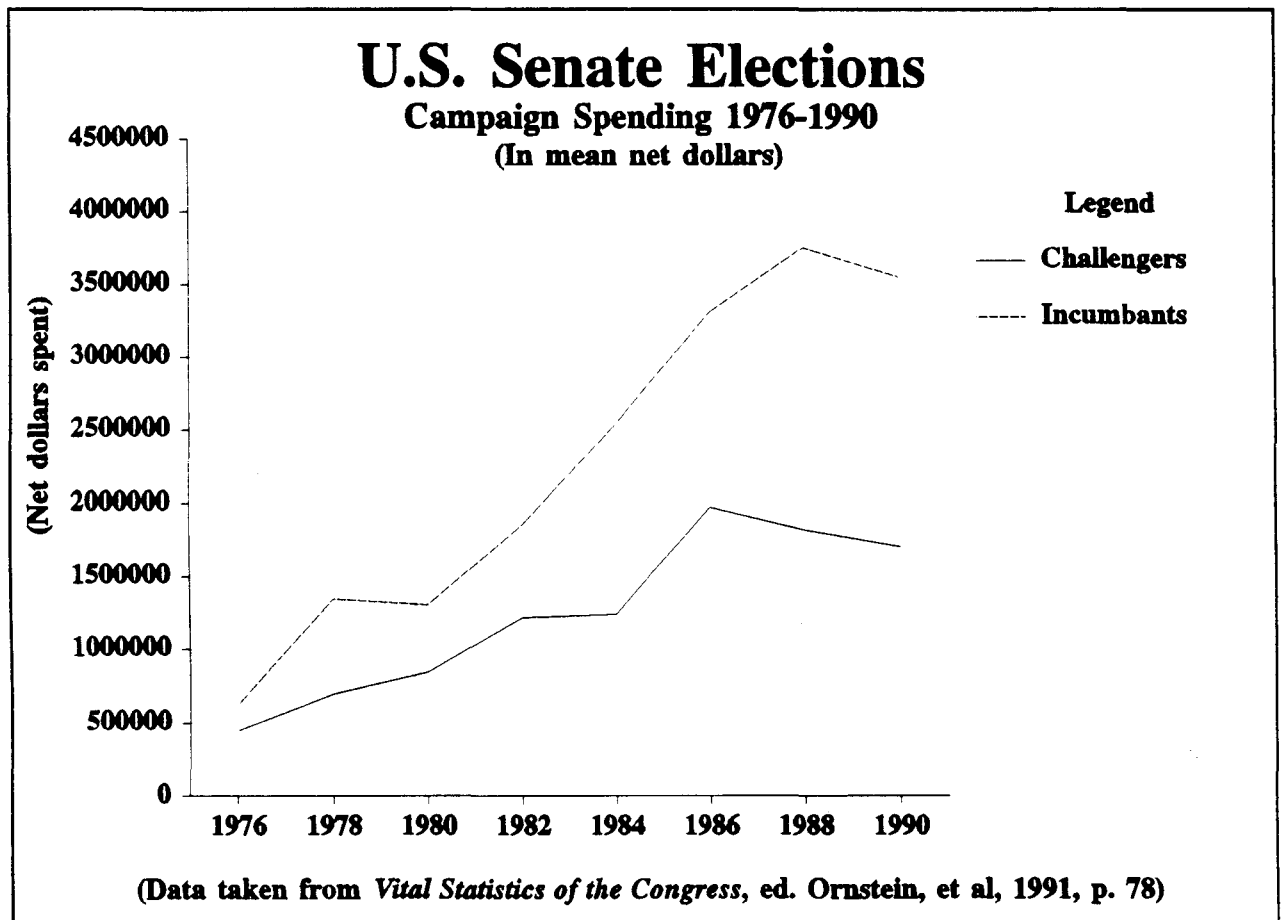


Figure 4.

contributions to incumbents (Magleby and Nelson 1990, 53-4). PAC money accounted for almost 40% of all House campaign expenditures in the same year.

### PART III

#### The Implications of the Incumbent Advantage

While it is obvious that incumbents are better equipped to run election campaigns than are challengers, it is more difficult to assess the impact of this disparity on candidate salience. What is the overall effect of these discrepancies between incumbents and challengers?

#### Election Results

The most important result of the discrepancy between the fund raising abilities of incumbents and challengers is the outcome of elections. As previously stated, incumbents almost always win their reelection bids, and they usually win by large margins. In 1988, fifty-six of the 435 House races were uncontested, and 70% of the 435 were won by incumbents who won more than 65% of the votes cast (Will 1990, 236). A grand total of five incumbents (about 2%) seeking reelection were defeated in the same year (Ornstein, Mann, and Malbin 1990, 79). In 1990, there were seventy House incumbents who ran unopposed (Ornstein, Mann, and Malbin 1991, 74). There were even three unopposed Senate races, where competition is usually much stronger (Ornstein, Mann, and Malbin 1991, 78).

This trend toward incumbent domination in congressional races was recognized by Mayhew in the early 1970s (Mayhew 1974) and was reassessed by Fiorina (1989). Both authors came to similar conclusions--the "marginal", or closely contested, races for

House seats were becoming a thing of the past, and, to a lesser degree, the same trend was appearing in the Senate. Fiorina attributes this trend to the advantages of incumbency--especially constituent service--and the declining strength of challengers (1989, 17-28).

#### The Absence of Strong Challengers

One development that cannot technically be called an advantage of incumbency which has, nonetheless, contributed to the entrenchment of incumbents in Congress is the lack of strong challengers. However, in pointing to this trend as a cause of incumbent domination, it is important to point out that this argument is somewhat tautological. It's the same old question with a new twist--Which came first? The strong incumbent or the weak challenger?

Much like the "chicken or the egg" question, this query may never be fully resolved. However, one thing is quite clear--the trend toward weak challengers feeds the already formidable bias toward incumbents in elections. Jacobson supports this notion when he points out that incumbency alone does not account for high reelection rates. They are a function of both the highly positive images of incumbents and the comparatively much more negative images of challengers (Niemi and Weisberg 1984, 204). But, why are challenger images so much worse than that of incumbents?

A recent article by Banks and Kiewiet presents convincing evidence that weak challengers<sup>7</sup> are more likely to run against incumbents, while strong challengers are more inclined to wait for an open-seat race (Banks and Kiewiet 1989, 1013). Their reasoning behind this conclusion is straightforward: weak candidates have a better chance of beating an incumbent than winning a major party's nomination in an open seat race, while the

odds for strong candidates are reversed (1014). This scenario becomes somewhat of a self-fulfilling prophecy because, for the most part, "weak" confine their election bids to races against incumbents, thereby avoiding a tough primary against a strong candidate. Likewise, strong candidates sit it out until their chances of winning are maximized. When weak candidates run against incumbents, they win significantly more often than when they run in open-seat races (Banks and Kiewiet 1989, 1008).

The inability to raise the large sums of money required to run a competitive race

against an incumbent is also a major deterrent for even fairly strong candidates. Abramowitz argues that this fact contributes directly to incumbent dominated electoral success (1991, 34).

### The Effects of Money on Electoral Competition

Having established the fact that challengers cannot raise money with near the success enjoyed by incumbents, I now turn to an explanation of the direct effects of this

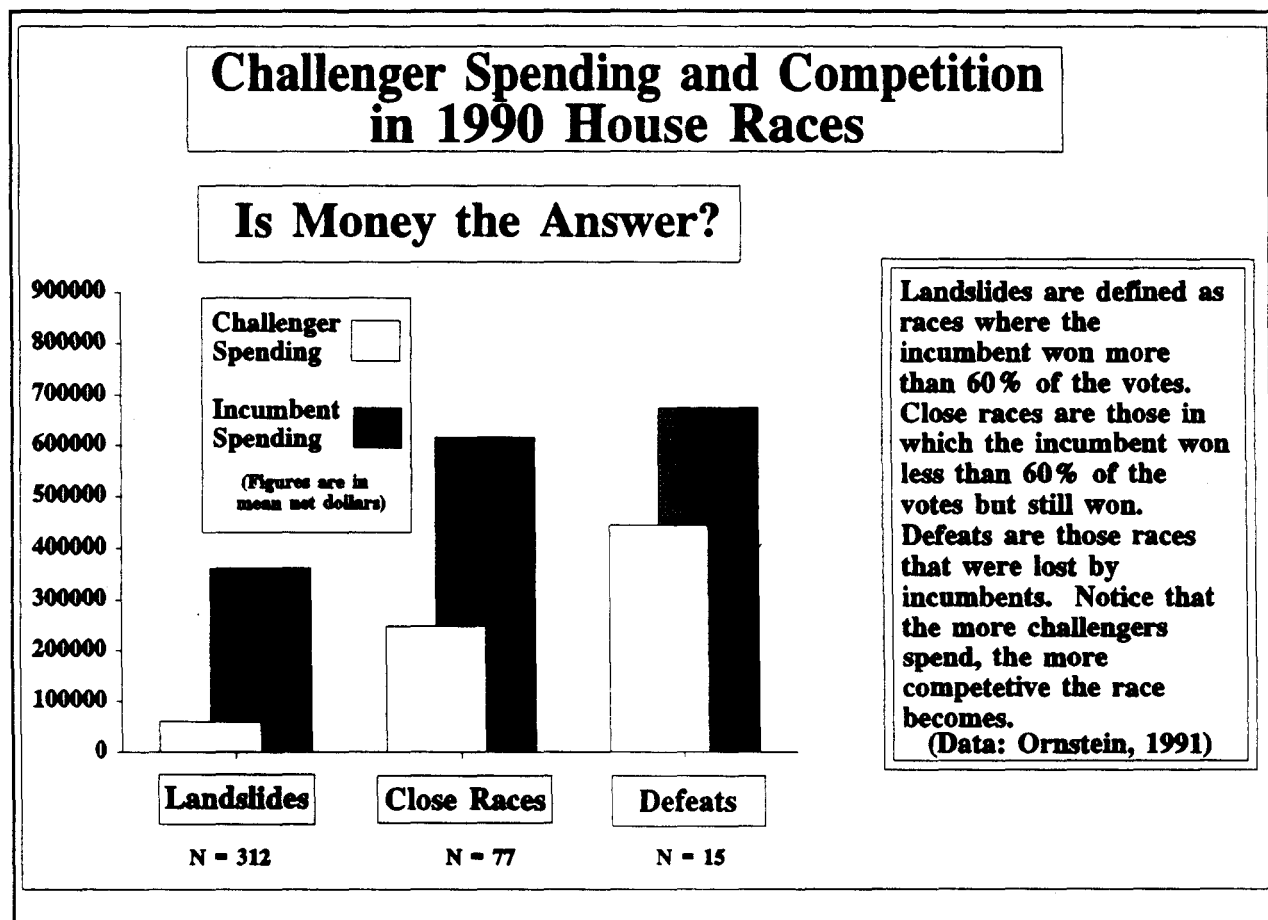


Figure 5.

discrepancy. First of all, let's take another look at the 1988 election results for House races. As I stated earlier, *Vital Statistics* put incumbents who ran for reelection into three categories: those who won by large margins, those who won close races, and those who lost (Ornstein, Mann, and Malbin 1991, 80-81). When the margins these incumbents won by is compared with the margin by which they out spent their challengers, an interesting trend appears (see Figure 5). Incumbents who won their reelection bids with 60% or more of the votes out spent their challengers six to one, with average expenditures of \$362,000 to \$61,000, for a difference of over \$300,000 (Ornstein, Mann, and Malbin 1991, 80). Those who won reelection with less than 60% of the vote out spent challengers by an even larger amount (\$615,000 to \$248,000 for a difference of \$367,000), but by a smaller percentage--they spent 2.5 times as much as their challengers. Even incumbents that lost spent more than their challengers, but the margin is about the same--\$674,000 to \$445,000, for a difference of \$229,000, or 1.5 times as much as challengers.

In assessing this data, it is important to keep two things in mind. First, of the 435 House races in 1990, incumbents in the first category were often unopposed or only faced token opposition. This accounts for the markedly low spending levels of the challengers they faced. Second, while it is apparent that incumbent spending is a function of challenger expenditures, it is also true that high incumbent expenditures are usually the result of political trouble and low favorable ratings. Furthermore, when an incumbent is in "trouble," the challenger's chances of raising money are much better because potential donors pay attention to polls. The problem is, though, that there were 406 incumbents who sought reelection in 1990 and only 23% of those won less than 60% of the votes, and overall, 96% of them won (Ornstein, Mann, and Malbin

1990, 59 and 80). Competition was almost nonexistent, and very few incumbents were in the kind of "trouble" that would have opened the door to challenger competition.

While it is beyond the scope of this paper to establish which is the deciding factor of competition--challenger money or a decline in incumbent image--it is important to keep in mind that both are important in races where incumbents actually lose.

Abramowitz argues that a challenger's ability to get information to the public and take on the incumbents image is directly connected to his or her ability to raise money (1991, 54). In fact, he argues

Electoral accountability requires effective competition. It is not enough to allow challengers to criticize the performance of incumbent officeholders. Unless challengers have the resources to communicate with the public, voters will not have the information they need to make an informed choice. . . . Political stagnation and one-party rule are the consequences of an electoral process which renders incumbents almost invulnerable to defeat (54).

He also points out that it is more important than ever for challengers to spend large amounts of money if they hope to beat an incumbent (51). According to his research, challenger spending is now the best indicator of competitiveness<sup>8</sup> in congressional races (44). Furthermore, he asserts that in addition to the increasing inability of challengers to keep up with incumbent spending (see Figures 3 and 4), challenger expenditures, dollar for dollar, now have less impact on an incumbent's margin in polls and election results than ever (52).

King and Gelman further contend that electoral responsiveness to challenger campaigns against House incumbents has decreased dramatically since 1946 (1991, 130). They attribute 30% of this decline in responsiveness directly to incumbency, while suggesting that the rest of the change may be due to the large

number of powerful candidates with vast resources who were drawn into congressional races after World War II due to the heightened desirability of elected office (130).

Even incumbents without vast resources, though, are able to raise large sums of money, which allows them to use the media and other means to have "repetitive persuasive communication with likely voters," which, according to Beaudry and Schaeffer, in their book *Winning State and Local Elections*, is the key to electoral success (1986, 2). Mann and Wolfinger also come to a similar conclusion. An incumbent's advantage in image can largely be attributed to the ability of incumbents to contact voters (see Figure 2) (Mann and Wolfinger 1980, 283). In order to contact thousands of voters, a candidate needs a sizeable amount of money. If these contacts can be made, though, images are planted and voting decisions are affected.

### **Incumbent and Challenger Campaigns**

Due to their decisive advantage in fund raising, incumbents generally have better organized, better run, and more effective campaigns. However, there are some disadvantages to being an incumbent. As I indicate in note number five on the Orrin Hatch story, some positions taken or votes cast as a member of Congress can have a negative impact on an incumbent's image. Furthermore, incumbents, to a large degree, are limited in their ability to project carefully crafted images of themselves through campaigns. While a challenger's "canvass" is blank, ready to be painted by creative consultants and campaign managers, the image on the incumbent's canvass is relatively complete, leaving only room for "touching up" (Scruggs 1991). Another factor which may hurt incumbents somewhat is the "throw the bums out" mood which is spreading throughout the American electorate.<sup>9</sup> Furthermore, voters receive

impressions of candidates from sources other than the candidate's campaign (see Figure 1), and more scrutiny is usually given to the incumbents record in the media.

Nonetheless, incumbents still enjoy a decisive advantage in campaigning. Researchers have concluded that this advantage does, in fact, impact voting behavior. In three case studies, Mann found that voters responded to campaign efforts to portray crafted images of candidates (1984). Voters were also found to be responsive to a campaign's efforts to characterize the opponent (Niemi and Weisberg 1984, 262-3). In these instances, the "political dialogue" of the candidates became part of the public's perceived image of them, and consequently, part of the rationale behind the choices made on election day.

One related aspect of a candidate's image which I have not addressed is job performance. According to ANES data from 1974 to 1988, when voters disapprove of the incumbent's job performance, they are more than three times as likely to vote for the challenger. However, only about 10% of voters polled stated that they disapproved of the incumbent's performance. Overall positive ratings of incumbents are common in preelection polls and exit surveys, and it is not easy for challengers to overcome these popular images. More ANES data shows that even when a challenger is rated as "hot" on the candidate salience thermometer, they only win 12% of the time.

The visibility of the challenger is an essential ingredient of competitiveness. When challengers wage competitive campaigns (mostly due to, for some reason, an increased ability to raise money), knowledge of both candidates increases and challengers do much better (Niemi and Weisberg 1984, 263). Conversely, incumbents have a clear advantage in obscure elections.

## PART IV

### The Stability of Candidate Images

The evidence which I have presented substantiates my model of candidate appeal and image. It also lends support to a model of voter decision making. There is considerable evidence supporting the idea that the more established a candidate's image becomes, the more difficult that image is to change. The conclusions drawn by researchers in this area supports the assertion that voters, upon receiving information about a candidate, filter the information through existing information, instead of viewing it objectively. This contributes to stable candidate images among voters. One possible way of thinking of voter imaging and decision making is illustrated in Figure 6. Because there is nothing obvious about this model, I will first explain my reasoning behind it.

#### The Voter Thought Process

Some recent studies of public opinion and voting behavior have focussed on the thought processes that people go through when they receive information and form opinions and images of candidates. Lodge, McGraw, and Stroh, all of The University of New York-Stony Brook, have developed an "impression-driven" model of voting behavior and opinion formulation (Lodge, McGraw, and Stroh 1989). Their model holds that "evaluations are formed and **updated** 'on-line' as information is encountered" (399). The implication of their assertion is that voters only selectively rely on the candidate information they have been exposed to. In fact, they argue that voters make judgements of the information they receive in light of the information that they have already taken in. Because voters perceive political information selectively, the "mix of evidence available in memory [about candidates] is a nonveridical representation

of the information to which subjects are exposed" (Lodge, McGraw, and Stroh 1989, 399). Voter choice, then, becomes a function of cognitive perception, which filters new information through existing beliefs and attitudes.

Further supporting evidence for this model is provided by Conover and Feldman who argue that, even though candidates are ambiguous and very seldom take strong issue stances, voters will often associate issue stances and ideologies with candidates (1989). Their contention is that voters, based on their individual political beliefs and minuscule candidate cues, *infer* the existence of these candidate stances (312). In other words, a voter's beliefs about the specific issue stances taken by candidates are more a function of the voter's inferences than of reality. Consequently, once images of candidates are formed, voters will view new information through the filter of those images. They will then make inferences about the newly encountered facts in order to bring them in line with their existing opinions.

Flanigan and Zingale also examine this phenomenon of voting behavior in their book *Political Behavior of the American Electorate* (1991). They point out that individuals are unwilling to accept facts that are contrary to their opinions or beliefs (145). Consequently, people have several defense mechanisms against "the potential dissonance represented by new information that conflicts with their existing attitudes" (145). These mechanisms include *selective exposure*, or ignoring pieces of conflicting information, *selective perception*, or misinterpreting the information or rejecting it by discounting the credibility of the source, *compartmentalization*, or not linking the new information with the previously held, conflicting attitude or opinion, and *rationalization*, or developing a false explanation for the new information in order to avoid the real one (145). Flanigan and Zingale also argue that

strongly held beliefs are more closely protected by these mechanisms than others; therefore, political views are fairly changeable. However, I point to their conclusion that "typically, individuals will change dissonant patterns in the easiest way" possible (145). Because of this tendency, it is likely that the longer an image of a candidate is held, and the more an incumbent is able to reinforce that image,

the more filters there are for new information to pass through. It, therefore, becomes harder to improve or attack that image, under normal circumstances, the longer they are held.

The way voters perceive candidates and make voting decisions about them, then, can be thought as illustrated in Figure 6. Notice that the incumbent/challenger variable is prior to all of the means through

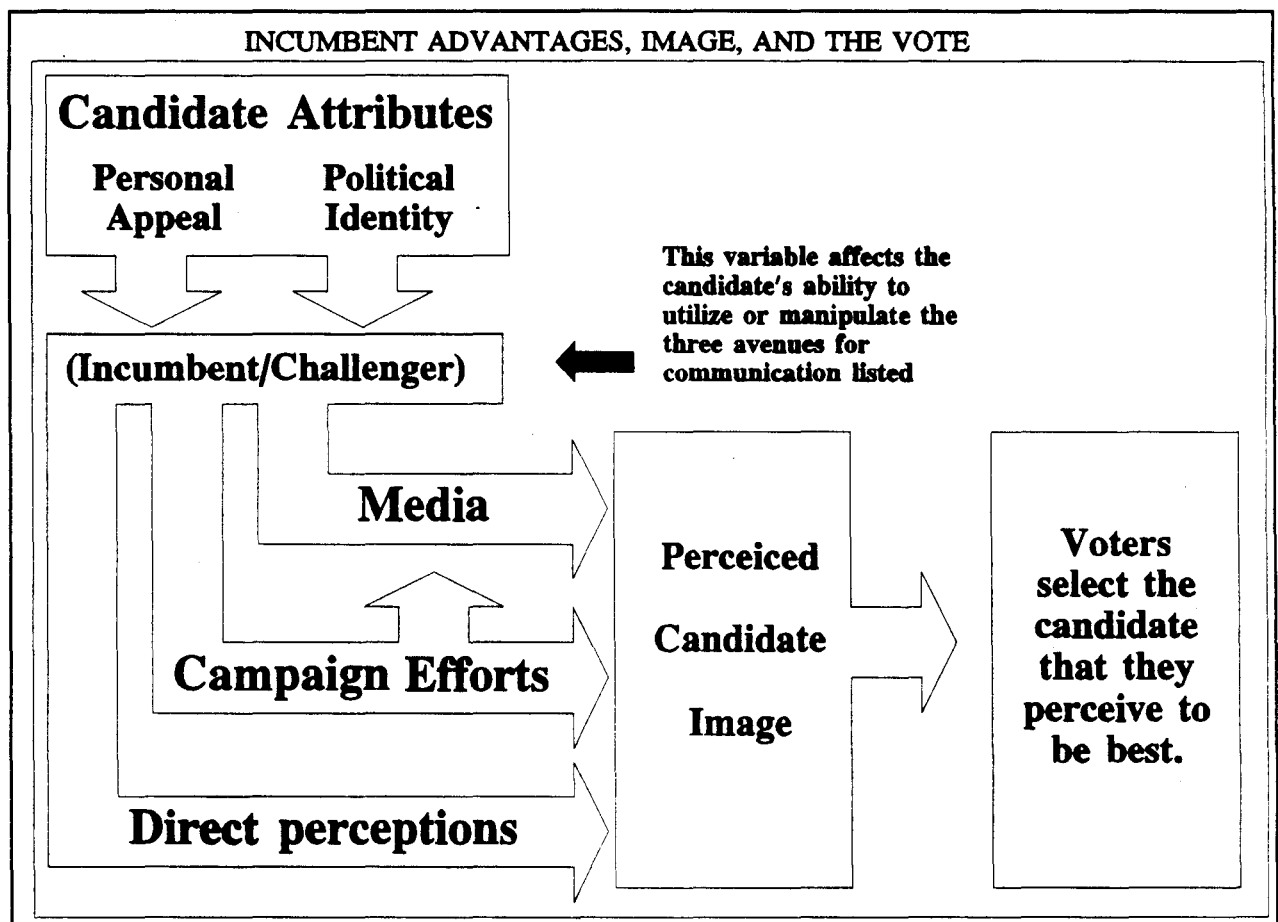


Figure 6.



which voters receive candidate images. The model also takes into account the fact that campaign efforts are not solely aimed at directly influencing voters but also at influencing the way the media projects the candidate's image.

## PART V

### Conclusion and Recommendations

Competition is a thing of the past in congressional elections. No longer does the United States of America have a citizen legislature where men and women go, for a turn, to serve as representatives of the people, and then return to their constituencies and allow others their "turn." While some arguments can be made in favor of the professionalization of Congress, both fiscal and electoral accountability have gone out the back door as incumbency has dead-bolted the front door. Abramowitz was right. Electoral accountability does demand competition; but incumbents are working harder than ever, with higher rates of success than ever, to make sure that competition doesn't resurface.

In response to a seemingly unresponsive, incumbent dominated electoral process, American voters have become caught up in a populist "throw the bums out, reelect no one!" sentiment. Three states have now placed term limits on their state office holders. Oklahoma's voters passed a ballot proposition in November of 1990 that limits the terms of state legislators to a total of twelve years (Moss 1990). In the same year, California's Proposition 140 won the support of voters, thereby limiting the terms of state assemblymen to six years and state senators to eight. It also eliminates legislator pensions and slashes \$60 million from the state legislature's operating fund (Uhler 1990, 1).<sup>10</sup> In Colorado, 71% of the voters approved a measure setting an eight year limit for state elected officials. Moreover, it also limited the terms

of the state's members of Congress to twelve years (Moss 1990). A similar measure was narrowly defeated in the state of Washington in November of 1991.<sup>11</sup>

While the idea of term limits on the members of Congress is overwhelmingly popular, it might cause more problems than it would solve. In an article in the *Washington Post National Weekly Edition*, Ornstein argues that there isn't an "easy way to take arrogance and excessive ambition out of politics [and] bring enlightened amateurism back to governance" (1991a). Limiting terms, he asserts, would only fill members of Congress with more "corrupt ambition," as they begin campaigning for the Senate the day they enter the House, or begin "cozying up" to lawyers and lobbyists in order to secure jobs for themselves after their limited number of terms had expired. Magleby points out that term limits would essentially increase congressional terms to the newly limited number of years (1991). This would become the reality, he contends, because most candidates will opt to wait until their chances of winning are the greatest--they will wait until the incumbent is forced to retire so they can run for an open seat.<sup>12</sup> Magleby further contends that term limits would make the larger states even more powerful in the House. One of Ornstein's best arguments against term limits is that the power of the members of Congress in general, not just that of the small states, would be diminished, and the other branches of government and the massive congressional support staff would gain power proportionately (1991a).

While all of these assertions are enough, by themselves, to cast doubt on the viability of the call for congressional term limits, I believe that there is an even better argument against them: they are anti-democratic. George Will was only partially right when he said that "incumbents are entrenched by democratic choices" (Will 1991, 236). If voters don't know what all of their choices

are, democratic decisions are impossible. Instead of limiting the choices of voters then, moves should be made to expand them by instilling competition in congressional races.

## Recommendations

If term limits are not the answer to solving the problems of incumbent domination, we must turn elsewhere for a solution. As Ornstein concludes, not only would term limits "sock it to" incumbents, but they would sock it to the rest of us too (1991a). The aim of political science, in my estimation, is not to merely understand politics, but to offer solutions to problems that will better the human condition. My recommendation, however, is not a "quick fix," but a long term solution that is in agreement with established principles of American democracy and republicanism. The real need lies in putting competition back into congressional races. One of the best ways to do this would be to finance campaigns with public funds.

Most challengers never raise enough money to break the threshold of visibility, which is evidenced by the low number of voters who were contacted by challengers and who recognize their names. If the playing field were to be leveled at least where fund raising is concerned, challengers might fare much better. Incumbents would still enjoy numerous advantages, but there would be some semblance of competition. In his aforementioned article on competitiveness in House elections, Abramowitz presented a model which simulated the 1984 House races as if there were publicly financed elections. He concluded that as many as forty-five incumbents could have been defeated (1991, 52). The problem though, he points out, is that the level of competition wasn't reached in his model until each candidate was allotted \$800,000. Members of Congress would be hard pressed to give that much money to any

one who decided to challenge them for their seat. Furthermore, selling such an idea to the tax-paying public would not be an easy task. In light of these obstacles, Abramowitz suggests a system of public financing where candidates who can first raise \$200,000 would then be eligible for matching funds from a public campaign pool, similar to the way presidential elections are financed (52).

This idea may be far from perfect, but it appears to be the best alternative. At the same time, without other reforms, like a balanced budget requirement for the national government and some changes in the seniority and committee systems of Congress, the impact of public financing might be limited. Many opponents of public financing further argue that the scales would still be tipped heavily in favor of incumbents. I agree. Public financing alone will not solve all of the problems this nation faces; however, it would certainly be a step in the right direction.

## NOTES

1. While there was an increase in the number of voluntary retirements from the House during the 1970s, in the year in which that decade saw the most retirements--there were 49 in 1978--there were still incumbents in 86% of the 435 races. See *Vital Statistics on Congress, 1991-1992*, pg. 60.

2. When voters are asked to give the names of the candidates running for office, they are often unable to. However, when asked if they recognize the candidates' names, they usually do. They can also then assess the traits of each candidate.

3. Duke was an active neo-Nazi during the high school and college years and was the grand wizard of the Ku Klux Klan in 1975. He now asks voters to forget these "tiresome references" to his past and accept him as a candidate for low taxes and less government. (See the November 18, 1991 edition of *Newsweek*.)

4. Since 1974, the number of pieces of franked mail has doubled, and even tripled in given years. The highest

number of mailings was in 1984 when 924.6 million pieces were franked at the cost of \$117.3 million (Ornstein 1990, 139 and 160).

5. Such tactics can amount to nothing if a representative of senator takes an opposing position somewhere down the road. Hatch did just that in the Clarence Thomas hearings and his favorable ratings among women dropped overnight.

6. Obviously, a scandal or revelation of improprieties can quickly destroy any candi-date's image.

7. Banks and Kiewiet define a weak candidate as one with little or no prior political experience or exposure.

8. Abramowitz later incorporated Congressional Quarterly's 7-point scale, in which congressional districts are ranked as "Safe Democrat," "Safe Republican," or

somewhere in between, into his model for determining competitiveness and found that there was virtually no difference in the resulting calculations.

9. See Tod Lindberg's "Putting Incumbents on Notice," in *Insight*, 8 October, 1990, p. 64.

10. The California measure was contested and subsequently upheld in the Supreme Court (Ornstein 1991a).

11. For a complete explanation of the Washington proposal, see Timothy Egan, "Campaign on Term Limits Breeds Unusual Alliances," *New York Times*, 31 October 1991, A1.

12. This argument is supported by the research of Banks and Kiewiet. See page 22.

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# **The Dynamics of Negative Political Advertising: History, Thematic Designs, and Effectiveness**

by  
Erik J. Bolinder

*During the last decade, political observers have marked a trend in political advertising toward more negative attacks on opponents. Many of these attacks have been criticized as untrue, unfair, and sometimes unethical. Many journalists have started analyzing the advertising campaigns as much as the candidates themselves. Major newspapers such as the Los Angeles Times and Washington Post have devoted daily columns to the analysis of negative political advertisements during a campaign. This report examines the dynamics of negative political advertisements by exploring their history, thematic designs, and effects on voting behavior. Although most political experts agree that negative political advertisements may be an effective tool in winning votes for the sponsor, the reverse, or the boomerang effect, is possible. This report also demonstrates the possibility of such an occurrence by examining negative political campaigning in the 1990 race for Congress in Utah's third congressional district.*

## **Introduction**

Throughout our nation's history, politicians have often engaged in negative political campaigning. Even the respected and highly revered George Washington was attacked and distressed by stories that he was a dolt, a thief, and a philanderer who offered his beautiful slave woman to Mount Vernon's visitors. Upon winning the race for the presidency and entering the White House, Thomas Jefferson said, "I am the target of every man's dirt" (Pfau and Kenski 1990, 5).

The emergence of newspapers in the late 18th century--some owned and operated by political party leaders themselves, and most openly endorsing specific political views--fueled the development of negative political campaigning. The newspapers became the "voices of the political party that controlled them" (Johnson-Cartee & Copeland 1991, 4). Abraham Lincoln was attacked in his campaigns as an ape and depicted in political cartoons as a clown and a fiend. During the 1884 presidential campaign, Grover Cleveland survived vicious newspaper attacks and

political cartoons that claimed he fathered an illegitimate child (Pfau and Kenski 1990, 5).

The development of electronic media in the 20th century raised the level of negative political advertising to a new high. Radio and television opened up a new and larger audience for candidates, especially on a national level. As Pfau and Kenski point out, "those new channels of communication were viewed as more potent vehicles for political persuasion and for transmitting negative messages" (1990, 6).

The first television campaign advertisements were aired during the 1952 presidential campaign. A Madison Avenue marketing consultant, Rosser Reeves, produced commercials for Eisenhower and the Republican Party. Reeves, already well known for his success in selling Anacin and M&M chocolates through television commercials, used the same principles that worked so well for those products to sell Eisenhower as a candidate. Reeves narrowed the campaign to three major themes: the Korean War, corruption, and rising taxes. Just as he stuck to simple themes in his product commercials,

Reeves had Eisenhower recite simple statements centered around one of the three themes for each commercial (Diamond and Bates 1988, 56).

During the early years of television, few negative political advertisements were featured. However, the Eisenhower campaign aired one of the first: an antiwar statement. "Two soldiers are pictured discussing the meaningless [sic] of war on a Korean battlefield, and when one is suddenly killed, the other futilely charges the enemy while an off-camera voice booms, 'vote Republican!'" (Sabato 1981, 169). Negative advertisements became far more institutionalized on television during the 1964 presidential campaign:

It produced the most famous, and possibly the most effective, negative political commercial ever shown, a message that was so controversial that the Johnson campaign pulled it after one showing. The so-called 'daisy' spot...introduced the sights and sounds of spring surrounding a little girl picking flowers. It ends with a vivid nuclear explosion as President Johnson intones off camera about the stakes in the presidential election (Pfau and Kenski 1990, 7).

Today, negative political advertising has become commonplace among local, state, and federal campaigns. Estimating that a third of all television spot commercials in recent campaigns have been negative, Sabato says increased negative advertising is the single most obvious trend in campaign communication (1981, 165). Over 450 million dollars were spent in the 1986 House and Senate races and over 50 percent of that amount was on negative political advertising (Johnson-Cartee and Copeland 1991, 3). To understand why this proliferation of negative political advertisements is occurring, one must look at the dynamics of today's negative political ads. This report will discuss the thematic designs and use of negative political advertisements, examine the effectiveness of negative ads on voting behavior, and study the possibility of

the boomerang effect resulting from negative political campaigns by examining the impact of negative campaigning on the 1990 race for congress in Utah's third congressional district.

### Definitions

An understanding of the term "political advertisement" in the context of this discussion is important. A political advertisement may be defined as a message supporting a candidate or issue that has been paid for by the campaign or supporters of the candidate or issue. Political advertising generally falls into the following four basic categories:

1. Polispots - Television and radio commercials that run from 1 to 5 minutes in length.
2. Newspaper Ads - These range from tiny classified in rural weeklies to full page displays in big city dailies.
3. Direct Mail - Mass mailings of computer generated letters carefully targeted to prospective voters.
4. Vertical Media - This is campaign paraphernalia like bumper stickers, buttons, yard signs, banners, key chains (Young 1987, 66).

Most of the research used in this report focusses on the analysis of the first category: polispots.

The term "negative political advertisement" should also be defined. Kaid and Johnston offer an appropriate definition:

Negative ads and positive ads are generally distinguished by their relative emphasis on the sponsoring candidate and his or her opponent. Negative ads focus on criticism of the opponent, while positive ads focus on the 'good' characteristics, accomplishments, or issue positions of the sponsoring candidate (Kaid and Johnston 1991, 53).

## Thematic Designs

The negative political advertisements of today have increased in complexity and sophistication from just three decades ago. As shown in Table 1, Johnson-Cartee and Copeland identify a number of standardized-thematic designs that have emerged in negative

political campaigns (1991, 72). Five overarching thematic designs are considered: being your own worst enemy, the people against you, transfer, us against them, and disparagement humor. A variety of subcategories are also listed.

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### Thematic Designs of Negative Advertisements

#### Being Your Own Worst Enemy

- Your Ad in Their Negative Spots
- Your Political Gaffes
- Your Political Experience
- Your Political Character
- Your Flip-Flops on the Issues
- Your Past Promises and Pitiful Performances
- Your Voting Record (Actual Voting or Whether You Voted)
- Your Choice for Vice President
- Your Decision Not to Debate

#### The People Against You

- The Voters Turn Against You
- The Home Constituency Turns Against You
- The Party Faithful Reject You
- Your Own Party Primary Opponents Attack You

#### Transfer

- Your Comrades and Supporters
- Events that Happened on Your Watch
- Historical Comparisons
- Paid Political Help

#### Us Against Them

- The Cowboys vs. The Yankees
- Us Against Foreigners
- Class Warfare
- The anti-Washington Mentality

#### Disparagement Humor



**Being Your Own Worst Enemy.** Sometimes political candidates become their own worst enemies when their opponents use their past performances or words against

them. A candidate's record, character, and important decisions often become the targets of attack. Even the lack of a past performance becomes suspect. A candidate is sometimes criticized for the fact that he or she has little political experience for the office he or she is seeking.

**The People Against You.** From time to time almost every candidate will encounter a degree of rejection from those perceived to be on the same side of the fence--usually the same political party or the same geographic area. Attack statements made by opposing candidates in the same party during primary campaigns are often used against a candidate. Negative statements may also be made by those living in the same hometown or state as the candidate. An opposing candidate will sometimes capitalize on this rejection and attempt to make it look like even the opponent's closest allies are turning against him or her.

**Transfer.** The character of a candidate's supporters may sometimes be a liability. If groups or individuals who are unpopular or have unaccepted views support a specific candidate, this fact may be used against that candidate as an attack on the candidate's own views or character. This technique is called transfer. This approach may also be used to tie the candidate to a negative event that occurred during his or her term in office like a depression, a war, or an outbreak of civil unrest even though the candidate may not be specifically responsible. Furthermore, if a candidate resembles an unpopular personality from our history, an historical comparison may also be made.

**Us Against Them.** The us against them approach may often be compared to the David and Goliath story. A picture is often painted of a candidate siding with an immense, threatening bully from the outside. Perhaps this is most often accomplished by painting the opponent as a Washington insider with big bucks who cares more about his or her status inside the beltway rather than the welfare of the people back home. This approach sometimes pits the working class against the upper class or rural folks against "city slickers." In industrialized areas like Michigan or Ohio, candidates have used their opponents' relationships with foreign industrialized countries like Japan as a threat to their own security and well-being. The us against them approach always depicts one candidate as the home team (and often the underdog) and the opposing candidate as the outsider.

**Disparagement Humor.** A candidate may use humor to attack his or her opponent's intelligence, voting record, or honesty. Disparagement humor is defined as humor that "disparages, belittles, debases, demeans, humiliates, or otherwise victimizes" others (Johnson-Cartee and Copeland 1991, 122). Disparagement humor has a long history in American politics stemming back to early political cartoons depicting candidates with exaggerated distinguishing physical characteristics. Research indicates that the most popular strategy in negative ads appears to be humor or ridicule (Kaid and Johnston 1991, 60) often combined with another thematic design.

### Using Negative Advertisements

A basic understanding of how negative political advertisements are designed leads to two more important questions: when are they used and who uses them the most? Kaid and Johnston analyzed 830 television spots from eight presidential campaigns to examine the answers to these questions. Findings from

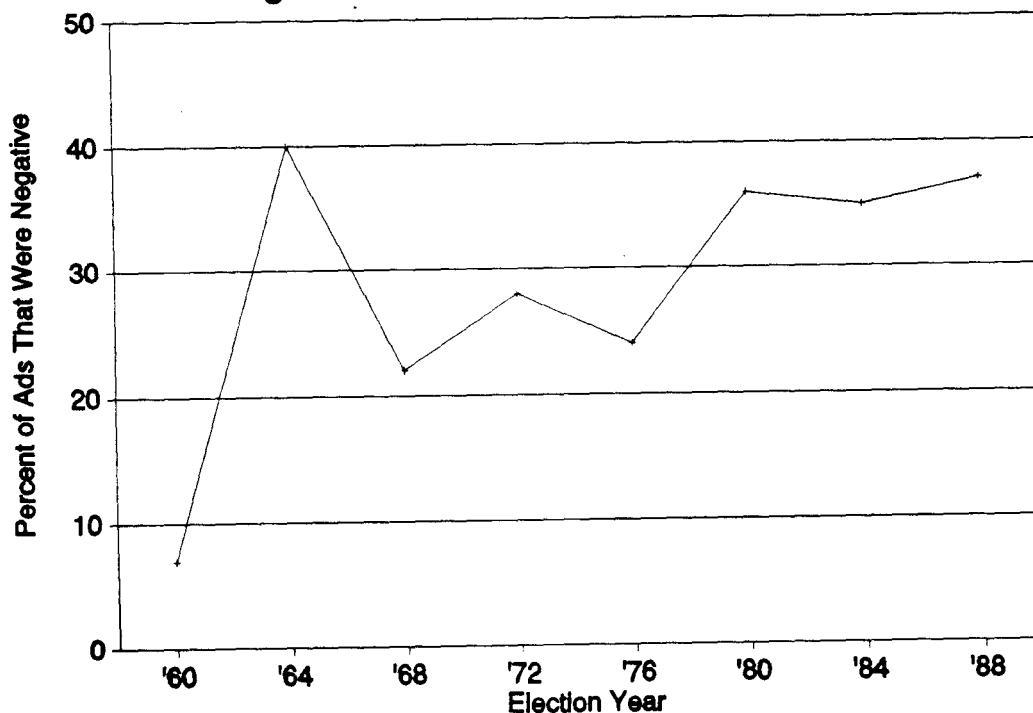
their study dispel some of the conceptions of the use of negative advertisements.

Although many have charged that negativism drastically increased during the 1988 election cycle, Kaid and Johnston found that the level of negative advertisements in 1988 was the same as that of the two previous years (1991, 57). As shown in Figure 1, the 1964 election year still holds the record for the amount of televised negative advertisements. After that year, a steady increase over time in negative advertising has taken place.

Kaid and Johnston also found that neither incumbents nor challengers have a monopoly on the use of negative political advertisements (1991, 58). As shown in Figure 2, the use of negative political ads are very similar between these two groups.

Sometimes one political party will blame the other for excessively using negative advertisements. Kaid and Johnston found that no strong relationship exists between political party and the use of negative ads (1991, 58).

**Figure 1**  
**Negative Televised Presidential Ads**



Source: Lynda L. Kaid and Anne Johnston. "Negative Versus Positive Advertising in U.S. Presidential Campaigns: 1960-1988," *Journal of Communication* 41 (Summer 1991): 53-64.

As shown in Figure 3, Democrats have used only slightly more negative political ads than Republicans.

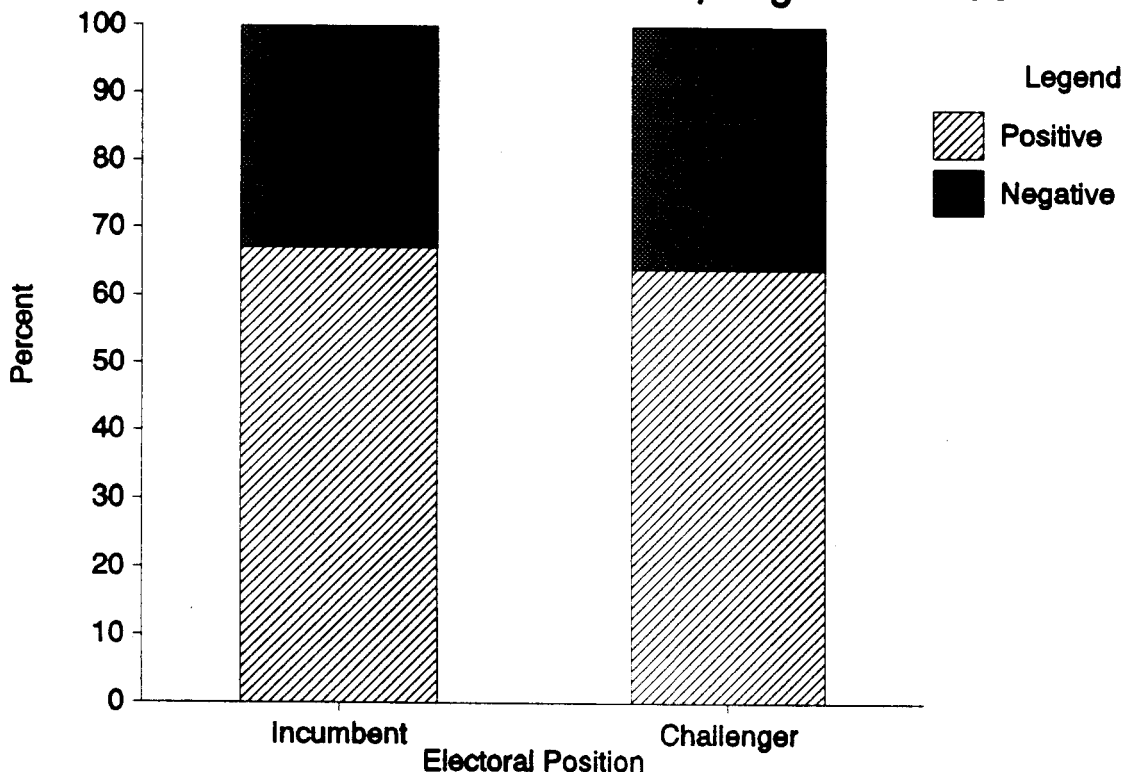
Kaid and Johnston also studied the difference between the appeals of negative and positive advertisements (1991, 59). They found that, contrary to critical opinion, negative ads did not rely much more on emotional appeals than positive ads. As shown in Table 2, emotional appeals were used in 89 percent of all negative ads and in 86 percent of all positive ads. Additionally,

negative ads contained logical appeals more often than positive ads, but positive ads were more likely than negative ads to use ethical appeals.

### The Effectiveness of Negative Ads

Determining the effectiveness of negative political advertising on voting behavior is hindered by the limitations of studying the effects of political advertising

**Figure 2**  
**Electoral Position In Pos/Neg Ads 60-88**



Source: Lynda L. Kaid and Anne Johnston. "Negative Versus Positive Advertising in U.S. Presidential Campaigns: 1960-1988," *Journal of Communication* 41 (Summer 1991): 53-64.

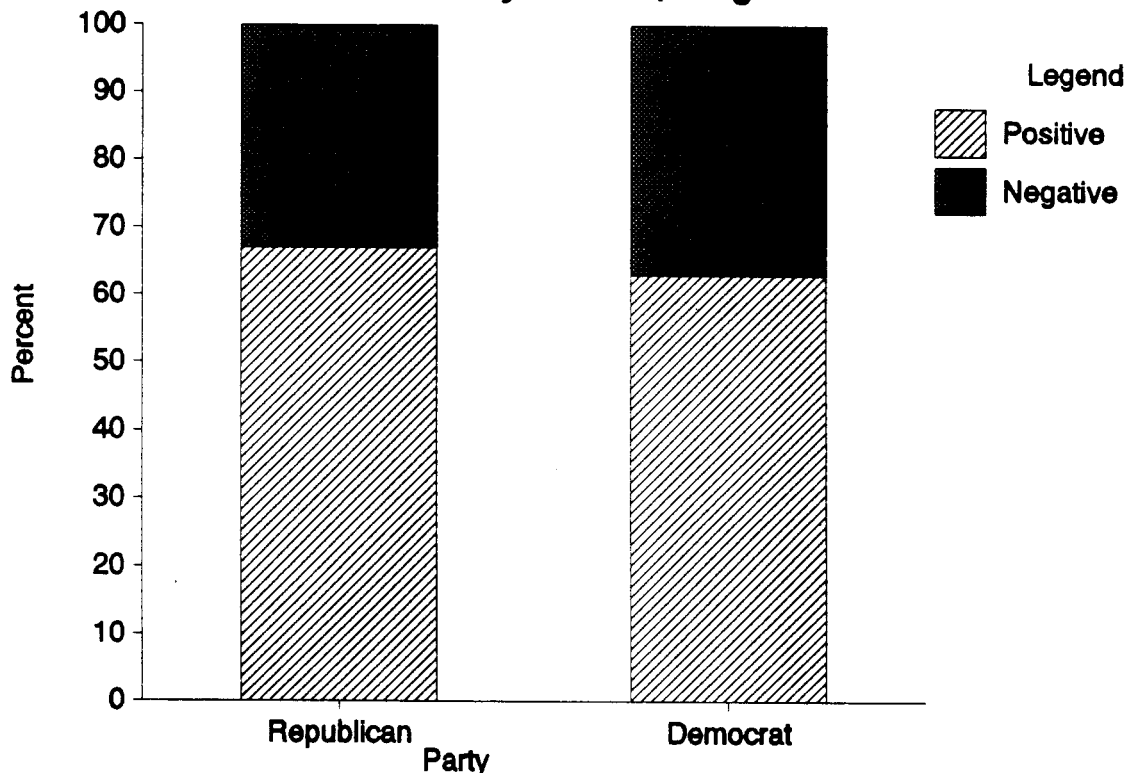
in general. Because so much simultaneous activity occurs during a campaign, it has been difficult to isolate the effectiveness of one specific activity like political advertising. The effectiveness of political advertising on television is still largely undetermined:

Kay Israel did a 1983 study of the existing academic literature on political advertising and found little that went beyond the standard textbook conclusion offered by Bernard Berelson of the University of Chicago in the pre-

television 1940s. Berelson wrote that 'some kinds of communication on some kinds of issues, brought to the attention of some kinds of people under some kinds of conditions, have some kinds of effects.' For this cautious adagio we are tempted to say to Berelson, 'Thanks a little' (Diamond and Bates 1988, 351).

More conclusive research suggests that people pay attention principally to messages that reflect their preexisting views (Diamond and Bates 1988, 351). For example, those who have already chosen to vote for Bush are the most attentive audience for Bush campaign

**Figure 3**  
**Political Party in Pos/Neg Ads 60-88**



Source: Lynda L. Kaid and Anne Johnston. "Negative Versus Positive Advertising in U.S. Presidential Campaigns: 1960-1988," *Journal of Communication* 41 (Summer 1991): 53-64.

ads. Conversely, those who oppose Bush are less attentive to a Bush ad or will listen to the ad, argue with it in their minds, and then reject it.

In the case of political campaigns, the "some kind of people" (as previously mentioned by Diamond and Bates) the experts say they are trying to reach are those who are not highly partisan or who have not decided on a candidate:

Campaign specialists function on the basis of their research, which suggests that highly

partisan individuals are best reached by direct mail or limited circulation print advertising, whereas television ads are most effective with the body of the U.S. electorate who are not partisan and are thus *persuadable* (Kern 1989, 6).

Perhaps politicians are addicted to using television advertising in campaigns because it enables them to reach thousands and even millions more people than they otherwise could. But why use negative messages? As Ehrenhalt indicates, although the effectiveness of political advertising in general is still

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TABLE 2

Appeals in Positive and Negative Televised Ads for Presidential Campaigns, 1960-1988

Appeals Used	Positive Ads (n=588)		Negative Ads (n=242)	
	n	%	n	%
Logical	391	66	175	72
Emotional	507	86	215	89
Ethical	438	74	135	56

Source: Lynda L. Kaid and Anne Johnston. 1991. "Negative Versus Positive Advertising in U.S. Presidential Campaigns: 1960-1988. Journal of Communication 41 (Summer): 53-64.

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in question, most experts agree that negative messages are more influential than positive messages:

While there is room for argument about whether negative ads will damage the political system in the long term, there is no argument about their short-term impact, they work and they win elections. Voters pay attention to them (Ehrenhalt 1985, 2560).

Democratic pollster, Mark Mellman explains the success of negative political ads as follows:

One of the fundamental facts of psychology is that negative information is processed more deeply than positive information. People say they hate the stuff, but that's not the point. The point is, they absorb the information (cited in Pfau and Kenski 1990, 3).

The sophistication of both the thematic designs and the technology itself has added to the effectiveness of negative ads:

More politicians, including incumbents, are inclined to use negative and comparative message strategies, partly because they know that some consultants can demonstrate which messages work and which don't, and partly because they know that their opponent has the same strategic opportunity and technology at his or her disposal (Pfau and Kenski 1990, 4).

The conclusion that negative political advertising is more effective than positive political advertising is rarely argued. However, negative ads could still have undesired effects. Using negative advertising strategies could be a "damned if you do and damned if you don't" situation.

### **The Boomerang Effect**

One of the undesired effects of negative political advertising that has been researched and documented is the boomerang effect:

Negative political advertising may achieve its intended effects, but it may also produce boomerang effects. A strong attack on a candidate, if perceived by the audience as untruthful, undocumented, or in any way unjustified, may create more negative feelings toward the sponsor, rather than toward the target (Garra more 1984, 251).

The 1990 race for Congress in Utah's third congressional district may provide an example of the boomerang effect. Since its creation in the early 1980s, the third congressional district has maintained the reputation of being one of the "nation's most Republican congressional districts" (Barone and Ujifusa 1991, 1253). Election results from the past decade substantiate that reputation. As shown in Table 3, voters from Utah's third congressional district voted overwhelmingly in favor of Republican Ronald Reagan over Democrat Walter Mondale in the 1984 presidential election and in favor of Republican George Bush over Democrat Michael Dukakis in the 1988 presidential election (Barone and Ujifusa 1987, 1207; 1989, 1233).

Results of the past four congressional elections prior to 1990 also show a heavy domination by the Republican party. As shown in Table 4, the smallest margin of victory between Republicans and Democrats in these races occurred in 1986 when Republican Howard Nielson received 67 percent of the vote and Democrat Dale Gardiner received 33 percent of the vote (Barone and Ujifusa 1987, 1208). Nielson received 77 percent of the vote in 1982 and 75 percent of the vote in 1984 (Barone and Ujifusa 1985, 1363). In 1988, Nielson received 67 percent of the vote while his opponent, Democrat Robert Stringham, received only 31 percent of the vote. Election results like these led experts to believe that the congressman elected in 1990 to replace retiring Nielson would "surely be chosen in the 1990 Republican primary" (Barone and Ujifusa 1989, 1233). Why then were the results so completely

different in the 1990 race for Utah's third congressional seat? Democrat Bill Orton beat Republican Karl Snow by almost as large a margin as the Republicans have been beating the Democrats--Orton received 58 percent of the vote while Snow only received 36 percent. These results may be linked to the negativity of the campaign.

Polls conducted by Bardsley and Neidhardt Incorporated (of 300 registered voters, margin of error +/- 5.7%) and

reported in the Salt Lake Tribune November 4, 1990 showed Snow leading Orton in September by 43 to 31 percent with 26 percent undecided. By the middle of October, Snow still led by 50 to 35 percent with 12 percent undecided. But, by the first day of November Snow's lead shrunk to 44 percent over 38 percent for Orton with 14 percent undecided--a race too close to call.

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TABLE 3

Vote for President in Utah's Third Congressional District  
By Candidate's Political Party (General Election)

Party	1984 Vote		1988 Vote	
	n	%	n	%
Republican	153,584	77	140,110	69
Democratic	43,293	22	60,118	29

Source: Barone, Michael, and Grant Ujifusa. 1985. The almanac of American politics: 1986. Washington D.C.: National Journal.

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The race was characterized as by far the most negative campaign in the history of the district and perhaps the most negative in the history of Utah politics. Most attacks between Snow and Orton occurred during October:

Neither candidate will emerge from the campaign unwounded. Orton was questioned about tax penalties he owed on a vehicle he brought to Utah from Oregon years ago. Snow has been plagued with allegations about

the depth of his involvement with penny-stock swindler Michael Strand (Adams 1990, 1B).

Despite the negative campaigning and the fact that Snow's lead was dwindling, local analysts still predicted the usual Republican victory:

Snow [will win]--not by an avalanche--but comfortably, and Orton's political career is over almost before it began. Scandal aside, it is the most Republican district in the nation (Lythgoe 1990, 1E).

TABLE 4

Utah's Third Congressional District Campaign Election Results 1982-1988

Election	Candidate	n	%
1982 general	Howard Nielson (R)	108,478	77
	Henry Huish (D)	32,661	23
1984 general	Howard Nielson (R)	138,918	75
	Bruce Baird (D)	46,560	25
1986 general	Howard Nielson (R)	86,599	67
	Dale Gardiner (D)	42,582	33
1988 general	Howard Nielson (R)	129,951	67
	Robert Stringham (D)	60,018	31

Source: Barone, Michael, and Grant Ujifusa. 1987. *The Almanac of American Politics: 1988*. Washington D.C.: National Journal.

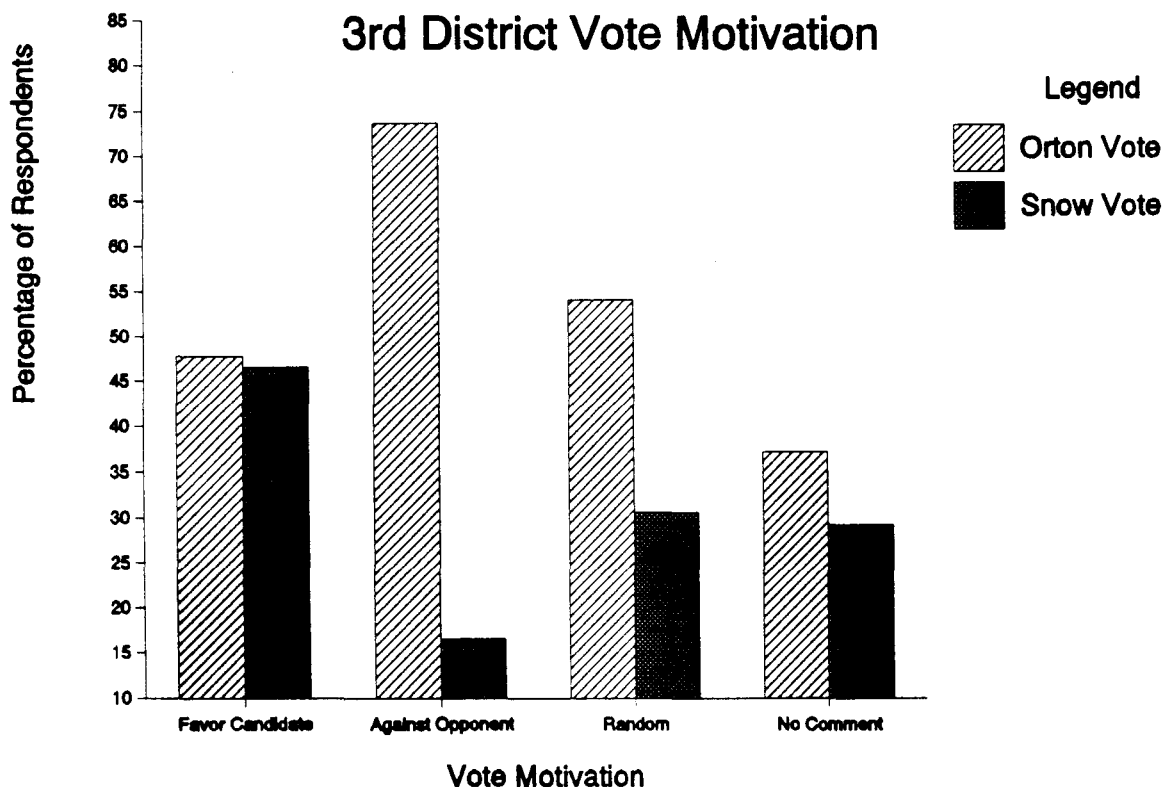


During the last days of the campaign--two days before the election--supporters of Snow added more fuel to the campaign's negative fire. They placed an ad in the *Utah County Journal* showing a picture of Karl Snow with his large family next to a picture of Orton, who is single. Captions under the respective pictures read "Karl Snow and his Family" and "Bill Orton and His Family." Some experts say Snow was "hurt" by the placement of the ad (Barone and Ujifusa 1991, 1253). Orton himself said the ad backfired on Snow:

People called saying they could not vote Republican after seeing that ad. I think it was a miscalculation on their part. They thought that would destroy my campaign by alienating me from the voters. It didn't work (*Salt Lake Tribune* 1990, 2A).

That advertisement, along with the negative nature of the campaign from the beginning, may have led would-be Republican voters to abandon their party loyalty and vote for Orton.

## Figure 4



Source: 1990 KBYU/Utah Colleges Exit Poll.

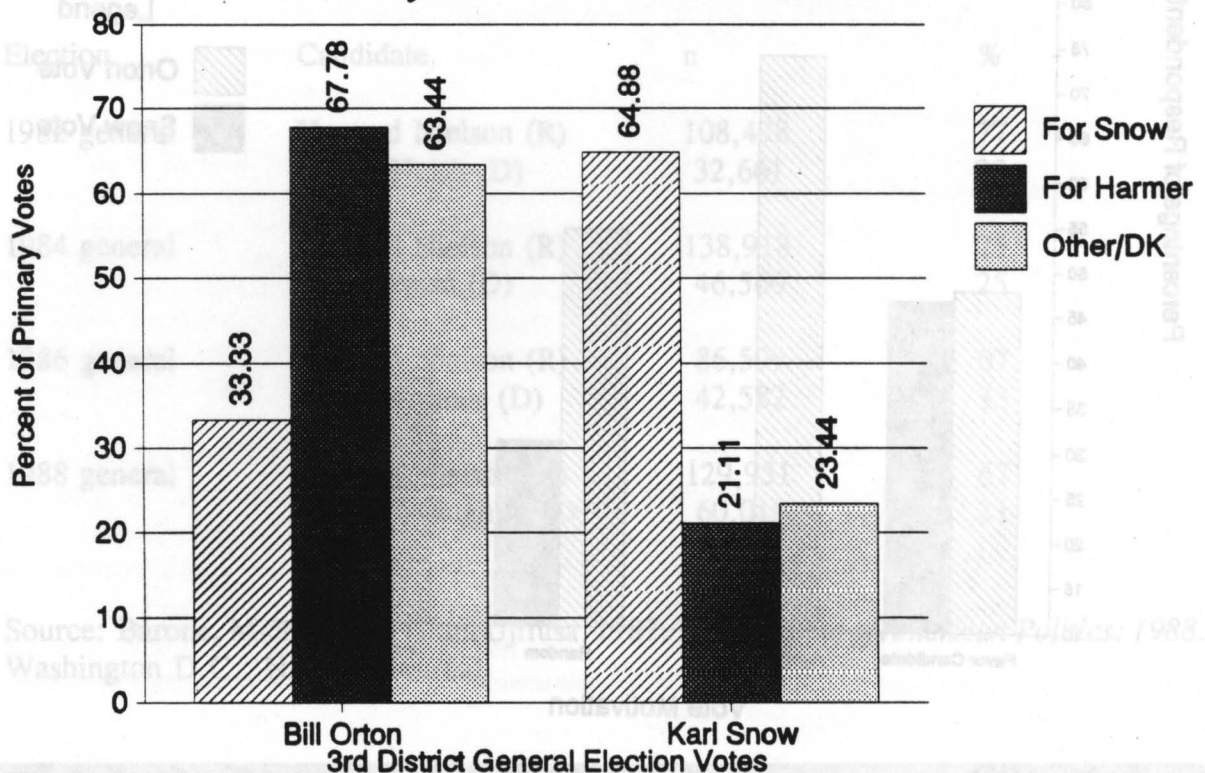
A comparison of the results in the 1990 third congressional elections to all the other elections in the district's history alone would seem to indicate the strength of the boomerang hypothesis. However, an analysis of voters who voted in the primary and general election prove its existence even more solidly. As shown in Figure 4, the 1990 KBYU/Utah Colleges Exit Poll indicates that a large percentage of those who say their vote was a vote against the opponent voted for Orton. Conversely, a much smaller percentage of those who voted for Snow said their vote was a vote against Orton.

The fact that 74 percent of those casting protest votes--a vote against the opponent--were for Orton and against Snow indicates a strong disapproval of Snow as a candidate.

There was also a substantial amount of defections among those who voted for the two Republican front runners (Snow and Harmer) in the Republican primary election. As shown in Figure 5, the 1990 KBYU/Utah Colleges Exit Poll indicates that 33 percent of those who voted for Karl Snow in the primary voted for Orton in the general election and 68 percent of those who voted

TABLE 4

**Figure 5**  
Primary Votes in General Election



Source: 1990 KBYU/Utah Colleges Exit Poll.

for John Harmer in the primary voted for Orton in the general election.

Although it may be difficult to show a direct causal relationship between the Snow family ad and the outcome of the general election in the third congressional district, the race has been characterized by two distinct descriptions: the amount of negative campaigning was far greater than ever before and the results were completely different than ever before. Polls conducted before the placement of the Snow family ad made no indication of a landslide victory for Orton. The negative tone of the campaign together with the Snow family ad could have had the most effect on those in the category of "undecided" in the polls prior to election day and those who's decisions were not solid.

A relationship does appear to exist between the negative campaign in the third district and the vote against Karl Snow. However, too many limitations also exist to use the race as definitive proof of the boomerang theory of negative political advertising. Several other independent variables may have affected the outcome of the election: the negative tone of the Republican primary, Republican party infighting, the personalities of the two candidates, the platforms of the two candidates, and the conservative views of Orton despite his partisanship. Direct empirical research of voter reaction to negative advertisements would need to be conducted to prove the boomerang theory.

The timing of the Snow family ad could also have been a big factor in the outcome of the election. Based on their observations, some professional consultants suggest the following:

a wave of negative ads/ frequently reduces the attacker's poll standing a few points. But those numbers nearly always bounce back within a few days. Meanwhile, the target of the attack loses considerably more support--and that slip-page lasts much longer (Johnson-Cartee and Copeland 1991, 14).

There were not a "few days" to make up for what may have been lost ground from the placement of the Snow family ad.

### Conclusions

Although their use has changed over the course of our history, negative political advertisements have always been a part of our political system. This will probably remain true in the future. The craft of developing negative political advertisements--with their many thematic designs and strategies--has evolved into somewhat of a science. However, determining the true effects of negative political advertisements--or political advertisements in general--is still the greatest challenge to political practitioners and communication researchers.

Experts do agree that when it comes to basic messages, which is the goal of most political advertisements, a negative message is usually remembered more than a positive message. So as long as politicians feel the need to advertise their candidacy, the use of negative political advertisements will continue and perhaps escalate. But, negative ads will sometimes cause negative effects. What the sponsor says about the opposing candidate, if it is perceived to be untruthful or unfair, could backfire on his or her own success in a campaign.

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**National Rifle Association**  
**VS**  
**House of Representatives and Public Opinion:**  
**A Case Study in Interest Group Power**

by  
Doug Goodman

*Single-issue interest groups can be a concern in the United States. At times they represent the interest of a minority of the population. The National Rifle Association is one such group. The NRA opposes any type of gun-control legislation, even if the legislation is supported by a majority of the population. In September 1988, the House of Representatives defeated a popular guncontrol amendment to the Omnibus-drug Bill. At the time the House defeated this amendment, public opinion was strongly in favor of it. This paper is a case study of the power of interest groups. Specifically, the topic is how the National Rifle Association's powerful lobbying efforts against the Brady amendment caused its defeat.*

**NRA vs. the House of Representatives and Public Opinion**

The two major political parties in the United States work to influence public policy. However, they are becoming weaker and weaker as time passes and interest groups are filling the void. Allan Cigler and Burdett Loomis argue: "The weakness of political parties has helped to create a vacuum in electoral politics since 1960, and in recent years interest groups have moved aggressively to fill it" (1991, 20).

In 1988, the National Rifle Association (NRA) exerted its power in Congress. They lobbied against a popular gun-control measure, the Brady amendment, which was attached to the Omnibus-drug Bill (drug bill). The amendment would have established a mandatory seven-day waiting period before the purchase of a handgun. The National Rifle Association's powerful lobbying efforts against the Brady amendment caused its defeat.

**Interest Groups**

Mancur Olson, Jr. addresses the subject of interest groups by saying, "group interests

and group behavior are the primary forces in . . . political behavior." Olson continues, "group interests rather than individual interest seem to be the fundamental force in lawmaking" (1968, 118). This is evident not only in the defeat of the Brady amendment, but the defeat and passage of many bills on Capitol Hill.

The National Rifle Association is an interest group or pressure group. According to well known political scientist, David B. Truman, an interest group is:

Any group that, on the basis of one or more shared attitudes, makes certain claims upon other groups in the society for the establishment, maintenance, or enhancement of forms of behavior that are implied by the shared attitudes (1955, 33).

In 1787, one of the framers of the Constitution of the United States, James Madison, also defined pressure groups. He called them factions. Madison could see the dangers that factions or special interest groups could have on people and governments. In Federalist, No. 10, Madison defines factions as:

*A number of citizens, whether amounting to a majority or minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of the other citizens, or to the permanent and aggregate interests of the community* (1987, 46, emphasis added).

## National Rifle Association

In his book, Interest Groups in the United States, Graham Wilson describes the National Rifle Association as conceivably the most powerful single-issue interest group in America. The NRA has successfully stopped "any effective gun control." Even with the assassination attempt on President Reagan and the assassinations of the Kennedy brothers and Martin Luther King, there are hardly any federal regulations controlling the purchase or use of guns (1981, 104). The NRA is the primary reason for the lack of effective gun laws.

The National Rifle Association, with its 2.8 million members, is a special interest group or pressure group that seeks to promote Americans' right to bear arms. According to Wilson, roughly 25 percent of the NRA's members do not even shoot guns. They join because they support the right to bear arms (1981, 105). One tactic the NRA uses well is that they try to represent every proposed limitation on firearms as an assault on the right to bear arms (Cigler and Loomis 1991, 391).

## Gun Control

In 1791, Americans added the Bill of Rights to the Constitution. Included in the Bill of Rights is the second amendment. This amendment, some argue, guarantees the citizens' right to bear arms. Detroit Police Chief, William L. Hart, explains that this amendment to the Constitution was important, because in 1791 there were no police departments and many people had to hunt for their

own food. Today, however, police departments are in virtually every town and people do not have to hunt for their food because of the accessibility of grocery stores. Chief Hart infers that because of this, there are no longer compelling reasons to guarantee the right to bear arms (1988, 32).

Crime rate in the United States is high. Each year thousands of people are victims of violent crimes resulting from handguns. According to the Uniform Crime Reports, since 1980, violent crime has risen by 11 incidents per 100,000 inhabitants (U.S. Department of Justice 1990, 48). During the four years between 1985 and 1989, the homicide rate in the United States has risen by 10 incidents per 100,000 inhabitants. During the same four years, there were almost 92,000 homicides, and 45 percent of those homicides occurred with handguns (9). Handgun usage occurs not only in homicides, but also in assaults, robberies, and suicides. Handgun use also injures and kills thousands of people accidentally each year.

Charles Orasin, President of Handgun Control, Inc., compares the United States to other countries and shows the high homicide numbers in the United States as compared to other countries. He compares New York City to London, both having a population of about 7 million people. In 1986, there were 1,582 homicides in New York City, compared to sixty-seven in London. He also compares the number of homicides in Chicago to the number of homicides in Toronto, in 1985. During that year, there were 666 homicides in Chicago compared to sixty-one in Toronto. Orasin continues by saying:

Data compiled from foreign nations for 1983 shows that handguns were used to murder 35 people in Japan, 8 in Great Britain, 27 in Switzerland, 6 in Canada, 7 in Sweden, 10 in Austria, and 9,014 in America (1988, 13).

There is a large difference between the number of homicides in the United States and the number in other countries. There must be a reason for the discrepancies in cities with the same population base. Professors Sproule and Kennett give a partial explanation for the high homicide rate in the United States. In their article, they compare homicide rates in Canada, which has strict handgun laws, to homicide rates in the United States, which does not have strict handgun laws. Their evidence overwhelmingly illustrates that handgun control does reduce homicide rates (1989, 245-51).

### Defeat of the Brady Amendment

On June 30, 1988, the House Judiciary Committee approved a controversial handgun provision. The amendment calls for a seven-day waiting period before the purchase of a handgun (Lawrence 1988, 1839). This amendment is called the "'Brady amendment,' after James S. Brady, White House press secretary wounded in the 1981 assassination attempt on the President" (1840).

The attachment of the Brady amendment to the drug bill concerned the NRA. Wayne LaPierre, executive director of the NRA's Institute for Legislative Action (ILA), commented on the Brady amendment by saying that the bill "is a major issue." LaPierre added, "It's the federal government imposing its views on the states" (1839).

Nadine Cohadas reported in an article that the gun-lobby, mainly the National Rifle Association and Gun Owners of America, geared up for plans to strike the seven-day waiting period from the drug bill (1988, 1904). Defeating the Brady amendment was the major priority of the NRA. The NRA would spend millions of dollars and mobilize thousands of faithful letter writing members to defeat the Brady amendment. In his essay, Paul Johnson says that the NRA has the resources to lobby strongly against the amendment. In 1987, the

NRA's Institute for Legislative Action--its congressional lobby group--spent \$9.6 million or 15 percent of the total NRA's expenditures (1991, 42).

The NRA uses its magazines, American Rifleman and American Hunter, to get the word out to its members and to start its campaign against the Brady amendment. In 1988, the American Rifleman, alone, claimed a circulation of about 1.4 million readers (National Rifle Association 1988, 95).

As part of the NRA's strategy, in the August 1988 issue of American Rifleman it attacked two similar bills. The targets were Senate bill S.466 and House bill H.R.975, also known as the Metzenbaum/Feighan bill (National Rifle Association 1988, 56). These two bills were the forerunners to the Brady amendment; their content and language were similar to that of the Brady amendment. The attack on these two bills leaves the reader to believe that they and the Brady amendment are one in the same. The NRA even refers to the Brady amendment in its magazines as the Metzenbaum/Feighan/Brady amendment (1988, 56).

In its articles and advertisements, the NRA exaggerated the contents of the Brady amendment. The NRA's article mentioned the Brady amendment to the drug bill, but mingled parts of S.466 and H.R.975 with it. The NRA reports:

Proponents of the "waiting period" provision say states that already have "waiting periods" or permit systems are exempt; however, the bill would require duplication. New Yorkers who need permission from a judge, for example would also need permission from a local police chief with a seven-day wait. S.466 and H.R.975 as introduced (unlike the Feighan amendment to the drug bill . . . ) would apply not just to dealer transfers but also to private transfers—including gifts from parents to children—giving local law enforcement the power to decide whether to disapprove the transfer. These bills would put the government in the middle of every handgun transfer in America. And there would



be no right of appeal, no legal redress in federal law for arbitrary or illegal denial. (National Rifle Association 1988, 56)

In this article, the NRA gave the impression that in addition to the seven-day waiting period and background check on potential handgun buyers, the Brady amendment would call for a waiting period on all gun transfers and a national gun registration. To illustrate this point, the NRA placed a full page advertisement calling for the stop of "the waiting period gun registration scam" (National Rifle Association 1988, 56-7).

In 1989, the Congressional Research Service (CRS) analyzed the NRA. The CRS received complaints about the NRA misstating the facts about gun-control legislation. The NRA tried to lead gun-owners into thinking the government would confiscate their guns (Biskupic 1989, 3313).

In response to the attack on the NRA's advertisements and articles, Wayne LaPierre justified the NRA's actions because of the wide scope of legislation, proposals and amendments each bill faces. The NRA "collectively characterizes the 'types' of bills that might come up." LaPierre continues by saying that the NRA does not use bill numbers in its advertisements. He also says that they make them as accurate as they can, "given that those bills change. And we don't know what kind of floor amendments we have to face" (3313).

Besides the advertisements and articles in magazines, Biskupic says that the NRA astounds lawmakers on both sides of the gun-control issue by mobilizing its grass-root membership (3313). Representative William J. Hughes (D-NJ), describes the NRA as: "A lobby that can put 15,000 letters in your district overnight and have people in your townhall meetings interrupting you" (3313). Ronald Hrebenar and Ruth Scott say that the NRA can "generate a half million letters to Congress within three days" (1990, 103).

The NRA, through its numerous mailings, vocalized the interests of anti-gun control advocates in congressional districts. Arkansas Representative Beryle Anthony, Jr., Chairman of the Democratic Campaign Committee, said that many members of the House wanted to vote against the NRA but did not because of "the unpleasantness to which the member would be entertained back home" (Berke 1988, A32).

In his essay, Paul Johnson says that during the fight against the Brady amendment, the NRA more than doubled its political expenditures (1991, 39). An article in the New York Times, by Richard Berke, says that the NRA out-spent the largest gun-control lobby by more than a seven to one margin. Berke also reports that the NRA spent nearly \$3 million to defeat the Brady amendment. This cost included mailing three letters to each of its 2.8 million members pleading with them to contact their representatives and urge them to vote against the Brady amendment (1988, A32). This illustrates the determination the NRA has to promote its single-interest policy of the right to bear arms.

Michael Isikoff, a reporter for the Washington Post, reported on the letter sent to NRA members in opposition to the Brady amendment. In the letter, the NRA said: "If this measure becomes law, government bureaucrats will spend millions and billions of your tax dollars investigating you and other honest citizens." The letter continued, saying that those who sponsor the bill, "want the police to visit your home before you can buy a firearm" (1988, A2). A letter like this, no matter how much it is exaggerated, excites people against the legislation. In turn, they contact their representatives speaking out against the Brady amendment.

The NRA targeted others besides its members in its fight against the Brady amendment. The article says that in addition to the NRA's mailing three letters to its nearly

3 million member organization, it also targeted 20 members of the House using radio advertisements to get their support (A2).

Richard Berke reports, in contrast to the large amount of money spent by the NRA, Handgun-Control, Inc. (HCI), the main gun-control lobby, spent \$250,000 to promote the Brady amendment. Most of the money paid for newspaper advertisements (A32). Furthermore, the NRA, in its magazines, publicized news conferences and interviews with police officers speaking out against the Brady amendment (National Rifle Association 1988, 58). This shows a split in the weak coalition between HCI and various police organizations.

Congressional campaign contributions can also have an effect on the way members of Congress vote. The National Rifle Association's Political Action Committee (PAC), called the NRA Political Victory Fund (NRA-PVF), contributed to congressional campaigns during 1988. The NRA reports, "[i]n the 1988 general elections, the NRA--PVF spent an estimated \$3.9 million for communication with members, direct campaign donations or for independent campaign expenditures." The NRA-PVF was directly involved with 1,360 campaigns in 1988 (1990, 1). According to Fred Wertheimer, president of Common Cause, PACs create "an obligation for our elected officials to serve PAC interest, first and foremost" (1983, 43). There is no doubt that NRA-PVF contributions influenced some members of Congress to vote for the NRA.

After all of the money and hours spent by both sides of the gun-control issue, the Brady amendment finally reached the House floor for debate and action. Christine Lawrence reports that the Rules Committee allowed a rule considering an amendment to the Omnibus-drug Bill by Representative Bill McCollum (R-FL). The amendment would be the same one that failed in the House

Judiciary Committee in July. It would strike the seven-day waiting period and appoint the Attorney General to develop a system to check for felons trying to buy handguns (1988, 2290).

The Washington Post reports that the McCollum amendment split the Democratic leadership in the House. House Majority Leader, Thomas Foley (D-WA), and Democratic Whip, Tony Coelho (D-CA), both supported the amendment and voted with the NRA (Isikoff 1988, A2). With the leadership voting with the NRA many democrats also favored the initiative.

On September 15, 1988, the McCollum amendment came to the House floor for a vote. The Congressional Quarterly Weekly Report reported that the House adopted the McCollum amendment 228-182 to strike the Brady amendment and seven-day waiting period from the Omnibus-drug bill (Congressional Quarterly, Inc. 1988, 2620).

After the defeat of the Brady amendment on the floor, Cohadas reported the following, "[Representative Edward] Feighan and Sarah Brady sought to find a silver lining in their defeat." They pointed out that the vote on the McCollum Amendment illustrates a strong concern for background checks before the purchase of a handgun (1988, 2565).

According to national polls, there was more than just a strong concern for background checks. Most of the nation favored the seven-day waiting period at the time of the vote. A Gallup Poll survey taken after the defeat of the Brady amendment, shows that at the time 91 percent of the population favored the seven-day waiting period (Gallup and Newport 1990, 34). This illustrates that the members of the House of Representatives gave in to the pressures of special interest groups, rather than representing their constituents.

Hazel Erskine says, "It is difficult to imagine any other issue on which Congress

has been less responsive to public sentiment for a longer period of time" (1972, 456). She continues by saying that Congress has not been a leader in gun-control or even followed public opinion. Since the beginning of modern polls, in 1938, no fewer than two-thirds of the nation's population favored gun-control or some type of supervision (455).

Though most Americans favor the seven-day waiting period, Congress will not pass it. Carol Greenwald describes why Congress is afraid of passing gun-control legislation:

The strength of potential electoral influence is revealed in the gun control paradox: over two-thirds of all Americans favor gun control legislation, but it never passes Congress because [of] the National Rifle Association [and] its electoral power. "Elected officials sense that the anticontrol voters mobilized by the gun lobby are apt to engage in a kind of bullet voting, and deciding their voting preferences on the basis of the gun question alone" (1977, 63).

Along those same lines, Representative Tom Tauke (RIA), addresses the NRA's campaign contributions and its grass-roots mobilizing techniques by saying, "I think a member recognizes that a \$1,000 contribution is not going to make much of a difference in the outcome of a political race." Tauke continues, "But if 5,000 people are mobilized in opposition, that can obviously be a threat to re-election" (Berke 1988, A32).

Finally, the NRA used timing and the election season to defeat the Brady amendment. Charles Mack writes about how satisfying a legislator's constituency is most important in getting re-elected. However, this usually means going along with the opinions of a few well organized, active, and vocal groups. He illustrates this by saying:

The public at large may or may not share the views of the National Rifle Association, for instance, but it will not be a tenth as expressive

about gun control as are local gun owner (1989, 123)

With election Tuesday less than two months away, a representative would rather not deal with a few angry vocal constituents.

According to Graham Wilson, there are 60 million gun owners in America. Their votes are more of a deterrent to guncontrol legislation than that of the NRA (1981, 105). However, recent polls show that an overwhelming majority of gun owners favor stricter gun-control legislation. 78 percent of those polled favored registration (Gallup 1990, 38). It would seem to follow that most gun owners would favor a seven-day waiting period. If the majority of the people are in favor of stricter handgun control, Congress should follow suit.

## Conclusion

At times, special interest groups pressure Congress into making policy against public opinion as the NRA did with the Brady amendment. However, this policy making under pressure from special interest groups could be a detriment to society as Senator Hugo Black says:

Contrary to tradition, against the public morals, and hostile to good government, the lobby has reached such a position of power that it threatens government itself. Its size, its power, its capacity for evil, its greed, trickery, deception and fraud condemn it to the death it deserves (Cigler and Loomis 1991, 3).

Money spent by the NRA gained them their victory. Michael Isikoff sums it up by saying that at the defeat of the Brady amendment, the NRA re-established itself as one of the most feared and powerful lobbies in Washington. The NRA campaign against the Brady amendment cost them millions of dollars plus the nearly 10 million letters mailed nationwide. The lobby campaign overwhelmed

the coalition of gun-control advocates and police (1988, A2). The case of the NRA illustrates that interest groups play a major

role in formulating public policy. Sometimes, as in this case, the policy was overwhelmingly against public opinion.

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# Soviet Third World Policy Dilemmas and Settlement of the Cambodian Conflict

by  
Deven Ogden

*The recent resolution of the Cambodian problems that have lingered since after World War II are generally looked on as the product of American and Chinese action. However, Soviet policy also had a significant impact on recent developments. By encouraging Vietnamese withdrawal from Cambodia and by dramatically reducing foreign aid to Cambodia, the Soviet Union was able to exert influence on Cambodia to settle the deeply rooted problems of the country.*

For decades Cambodia has been the cold war battleground of the Soviet Union, China, and the United States who have been the advocates of the various Cambodian contingents. Vietnam, one of the Soviet's most dependent clients, invaded Cambodia in the last weeks of 1978, ousting the genocidal Khmer Rouge from power. Yet, supported by the Chinese, the Khmer Rouge were able to maintain a significant resistance force to fight a civil war that has only recently come to a cease-fire. To complicate matters, the US revived two non-communist Cambodian resistance factions in protest to the Vietnamese invasion. In 1982, these two factions--led by Prince Sihanouk, former head of state of Cambodia during the 1950s and 60s, and Son Sann, Sihanouk's former prime minister--joined with the Khmer Rouge in the resistance effort against the Vietnamese-installed Heng Samrin regime.

The Cambodian civil war raged on for years until finally, in 1989, Vietnam surprised the world by announcing that it would withdraw all its troops from Cambodia by 1990. In fact, it was in September of 1989 that Hanoi claimed that all its troops had indeed withdrawn. What Vietnam had been to the US in 1973 when the US withdrew its troops, Cambodia was to Vietnam in 1989--Cambodia

was Vietnam's "Vietnam." Since the withdrawal, the parties have made significant progress toward a comprehensive peace settlement in the region. All four factions have agreed to an enhanced UN involvement in the settlement. The United Nations will play an unprecedented role as it will dismantle the Phnom Penh government and replace the bureaucracy with its own personnel and peacekeeping troops until UN-supervised elections democratically empower a new neutral government.

When the UN first proposed its comprehensive settlement, the Hun Sen government in Phnom Penh strongly opposed it as it highly disadvantaged his government. As late as December 1990, Hun Sen expressed his contempt for such an imbalanced plan:

The Prime Minister said that his government will never consent to the presence in Cambodia of a large UN peacekeeping force and will not agree to replacing the present administration with a "UN transitional authority," much less to dissolving the legitimately functioning current government before elections are held, which is essentially what the opposition is seeking (Vinogradov 1990).

Hun Sen continued to make such protests throughout the various negotiations in 1991.

Yet on October 23, Hun Sen signed the peace treaty that set into action the very operations he vowed he would never consent to.

Several explanations have been given why Vietnam decided to unilaterally withdraw its troops and why Phnom Penh conceded to the UN operation. Most of the analyses focus on the US and Chinese involvement in the crisis and the effects of their foreign policy. US and Chinese policies focused on isolating Vietnam and Cambodia politically and economically and supporting the resistance forces in an attempt to compel Vietnamese withdrawal and compromise in peace negotiations. However, most of these studies pay little attention to the significant role played by the Soviets in influencing Vietnam to undertake an Afghanistan-like withdrawal. While the resistance movement and the isolation and pressure imposed by the US and China have certainly been major factors bringing about the Vietnamese withdrawal and the resulting peace process, they are not the only factors. The Soviet's role in influencing the Vietnamese withdrawal and Phnom Penh's cooperation in the peace process will be the focus of this study as a contributing explanation.

Many find it unthinkable to believe that the Soviet Union would undermine its own client state by encouraging it to cooperate in a peace settlement that would almost certainly eliminate it from power or at least diminish its power profoundly. However, considering the political, economic, and social changes that have had such a profound impact on the Soviet Union since 1985, a dramatic change in its foreign policy can also be expected. In fact, the Soviet Union had been experiencing severe dilemmas in the Third World for some time. Gorbachev is responsible for many policy reforms which were undertaken to deal with these dilemmas which fall into two categories: economic and political.

The chronic economic decline in the Soviet Union has affected its foreign policy in that the Soviets can no longer afford to sustain the massive foreign aid programs it had once implemented in the Third World:

The Soviets had learned that counterinsurgency problems in Angola, Ethiopia, Cambodia, and Nicaragua exacerbated risks of getting involved in a client state, meant sinking excessive investments into unsteady political systems, and--consequently--worsened economic problems within the world socialist system (Goodman 1991, 52).

Gorbachev formally recognized the problem with his government's foreign aid program by issuing a decree on July 24, 1990 mandating major foreign aid reforms. Though the Vietnamese withdrawal had already taken place by the time Soviet aid was cut, it had been foreseen for some time and had been a considerable threat for Vietnam and Cambodia to depend solely on the Soviet Union. It became clear that they would have to bring about political and economic changes that would allow them to integrate with the free market economies of the world. Vietnam's occupation of Cambodia and the continuing factional stalemate was, of course, a major obstacle to this objective. Politically, the Soviet Union had suffered greatly in Asia and elsewhere for Vietnam's occupation of Cambodia. The conflict threatened to increase a US presence in the region, strengthened Sino-US ties, and eliminated any chances for improved relations with ASEAN, the US, and China. The entire political environment was very dismal for the USSR's broader strategic objectives:

The Soviets found themselves at a disadvantage in Asia as China normalized relations with the United States and Japan...The USSR, for the most part, was excluded from the diplomatic activity and burgeoning economic development of the region, perceived by Asian states as a



European power with threatening military assets in the Pacific (Goodman 1991, 107-8)

It is the economic and political disadvantages that provided the incentives for the Soviet Union to take such a provocative policy stance in pressuring Vietnam to withdraw and allow a political settlement to take place in Cambodia. The focus of this study will be on these incentives and the impact they had on Soviet policy, how that policy was implemented toward Vietnam and Cambodia, and how it contributed to the eventual Vietnamese withdrawal and the progress toward a comprehensive settlement between the warring Cambodian factions.

### **The Cambodian Conflict**

The Cambodian conflict has dragged on for decades and therefore has a large number of significant events that have shaped it over the years. It is a very complex conflict with divers actors, as can be attested to by the fact that at the 1991 Paris Conference where the peace treaty was finally signed, the four Cambodian factions were accompanied by 18 other countries who were integral participants to the negotiations. To be able to understand and analyze the conflict and the Soviet Union's role in that conflict, a review of the events and actors that shaped it will be necessary.

During France's occupation of Indochina, students from all three colonies were able to study in France. In the early 1900s, communism was the ideological fashion in France, and the Indochinese students were automatically attracted to this anti-imperialistic ideology. The most prominent of these communist students was Nguyen Ai Quoc, a Vietnamese activist who later became known as Ho Chi Minh. During the 1920s, Ho "worked as a Communist bureaucrat in Moscow and elsewhere. Then, on February 3, 1930, he met with other Vietnamese

students and intellectuals in Hong Kong to organize the Indochina Communist Party (ICP)" (Isaacs et al 1987, 18). The Soviet supported ICP was active in Cambodia as well, but was mostly supported by Vietnamese Cambodians. This was the beginning of Soviet involvement in Cambodia.

1941 was a significant year in Cambodia for two important events that took place. First, the French picked the next king of Cambodia, and the 18-year-old Norodom Sihanouk (the great-grandson of King Norodom) ascended the throne. Later that same year, France was invaded by Hitler's army. With the French administration of Cambodia in disarray, Japan invaded and occupied the colony, but allowed the French administration to continue operating. When the Japanese surrendered in 1945, King Sihanouk declared independence. However, when the Allied occupation forces left Cambodia, they restored control of the country back to the French. The Cambodian people, and especially Sihanouk, felt betrayed by the West.

In Vietnam, after Ho Chi Minh had already declared independence, the country was restored to French rule. When Ho had declared independence, he made very strong solicitations toward the US, but was disappointed when the US allowed France to resume control of the country. The result was the French-Indochina War which the French lost to Ho's Vietminh forces in a humiliating defeat in 1953 at Dien Bien Phu in Vietnam. Both China and the Soviet Union had supported the Vietnamese in the war against the French. The USSR provided some \$365 million in aid while Chinese aid totalled nearly \$460 million. However, it was probably because of China's extensive aid that Vietnam began seeking additional dependence on the Soviets:

The massive support that the Chinese provided to the Vietnamese exacerbated the dilemma of their relationship with China. The Vietnamese Communists perceived that revolutionary debts

can be weapons of exploitation in the hands of the Chinese which made it necessary for them to seek compensating support from the Soviet Union" (Buszynski 1986, 151).

At the same time, King Sihanouk was leading his "Royal Crusade for Independence" in Cambodia. Through some shrewd political manipulation, Sihanouk was able to eliminate his opponents to become the prominent nationalist leader and obtain the country's independence from France.

### **Sihanouk and Communist Insurgency**

Sihanouk set up a neutral government so as not to alienate either communist or Western powers. The prime minister, Penh Nouth stated in 1953: "Although we are not communists, we do not oppose communism as long as the latter is not to be imposed on our people by force from outside" (Basu 1987, 15). In fact, Cambodia tried to maintain good relations with both China and the Soviet Union at the beginning of their disputes. However, it was clear that China played a much more significant role in Cambodia. It is during this period, however, that communist insurgencies began taking place in Cambodia--the Khmer Rouge started their guerrilla activities against the Sihanouk government.

At the time Cambodia gained its independence, the Khmer Rouge made up only a small rag-tag organization. They had been supported by the Soviets and trained by the Vietnamese. However, at the Geneva Conference on Indochina of 1954, the Soviets provided for a withdrawal of Vietminh troops from Cambodia. The Soviets generally considered the Cambodian communists too insignificant among the Indochinese communists (Basu, 1987, p. 15).

As the Vietminh withdrew back into North Vietnam, most of the old-guard of the Cambodian communist party went with them. But the younger and more reactionary re-

mained to continue the insurgency. This younger group, headed by Saloth Sar (later known as Pol Pot), Ieng Sary, and Khieu Samphan who had been fellow students in France, formed a new party in 1960. As a result of their disillusionment of Vietnam and the Soviets, this reorganized Khmer Rouge sought China's support, and when Sino-Soviet relations disintegrated, the Khmer Rouge sided with the Chinese. On the other hand, the Soviets had always strongly supported Ho Chi Minh, and so when the split occurred, Vietnam naturally went to the Soviet side.

The Geneva Accords of 1954 divided Vietnam into North and South, but required elections the next year to reunite the country under a democratically elected government. However, the Diem regime in the South refused to comply, and the US expressed its support by funneling aid to the government. As a result, the Vietminh set out on a crusade to unite the country under communism by force, and thus the Vietnam War began.

Before long, the Vietnam War spilled over into Cambodia. As Vietminh transported supplies to the Vietcong along the Ho Chi Minh Trail through Cambodia, South Vietnamese troops (often accompanied by US troops) began several incursions into Cambodian territory. US bombing campaigns in Cambodia were soon to follow. These bombings were not confined to the jungles, but were carried out in central population centers as well. Moreover, US bombing campaigns in Cambodia exceeded the magnitude of the US bombings in Iraq.

The Cambodian people blamed Sihanouk for not being able to stop the bombings. Subsequently, civilians in the country side became more sympathetic to the Khmer Rouge, and the communists were able to make some very strategic advances. Sihanouk's cabinet began to doubt his ability to resolve the crisis, so on March 18, 1970, while Sihanouk was on a diplomatic visit abroad, the defense

minister, Lon Nol, staged a coup and deposed the prince.

Sihanouk's main enemies during his years in power were the communist insurgents. Yet only a few days after the coup, Sihanouk announced the formation of the United Front with the Khmer Rouge to oppose the Lon Nol regime. Considering Sihanouk's anti-communist past, it is difficult to understand why he allied himself with the Khmer Rouge, his former enemies. Betrayed by his own cabinet and by the West, Sihanouk really had no one else to turn to. All of these events forced him closer to the Khmer Rouge who had immediately begun wooing the prince upon his being ousted. Sihanouk later would join with the Khmer Rouge again in 1982 in a coalition government that would represent the resistance to the Soviet-backed Heng Samrin regime.

For several more years, Soviet involvement in Cambodia would be limited until the Vietnamese invasion in 1978. However, several important events led up to the invasion, but which exceed the scope of this study. Following Sihanouk's ouster, the Lon Nol regime controlled Cambodia from 1970 to 1975. That corrupt regime, however, was displaced by the brutal Khmer Rouge which controlled Cambodia up until the Vietnamese invasion. Details of these two governments will not be discussed in detail here because the Soviet Union had little influence with either regime.

The pro-US Lon Nol government--the Republic of Cambodia (RC)--was quickly recognized by the US, and a river of US aid gushed into the country. The Khmer Rouge immediately began a major offensive against the Lon Nol government, starting a bloody, five-year civil war that left millions of Cambodians homeless. US bombings in Cambodia continued until 1973 when the US began to pull out of Indochina.

Khmer Rouge troops managed to capture the countryside and beseege Phnom

Penh by early 1975. On April 17, the Lon Nol government surrendered to the Khmer Rouge. Once in power, the Khmer Rouge established the government of Democratic Kampuchea (DK). The Khmer Rouge instituted brutal Marxist agrarian reforms, and only a few days after they captured Phnom Penh, they emptied the city and forced its residents into the countryside to work on state forced-labor farms. The Party set out to purify society from "corruption," especially religion and Western institutions. Schools, libraries, and ancient Buddhist temples were destroyed. All forms of Western technology were deplored and forbidden including televisions, radios, trucks, and even farm tractors. All were destroyed or abandoned. Power sources and even water and sewage systems were destroyed. Currency, markets, and financial institutions were abolished and industries were abandoned.

A program of autogenocide was implemented aimed at the intellectual, merchant, and elite classes who were considered unreformably corrupt. Even people who simply wore glasses were murdered. Children were stripped from their parents and sent to work on youth farms where they were indoctrinated and forced to hard labor. Over one million people were killed by starvation, disease, and mass execution. Large interrogation and torture centers were set up where hundreds of thousands were systematically murdered. During the Khmer Rouge days, some 400,000 Cambodians fled to Vietnam and Thailand. The magnitude of the slaughter and devastation caused by the Khmer Rouge is hard to comprehend.

Part of Pol Pot's plan to restore the ancient Khmer glory was to reclaim its ancient territory of the Mekhong delta in southern Vietnam. Pol Pot called for the "liberation" of southern Vietnam and heavy fighting on the Vietnamese border began as Khmer Rouge troops launched numerous cross-border raids.

Over 500,000 Vietnamese were forced to leave their homes because of the fighting (Mysliwiec 1988, xxi). In response to these continued attacks over three years, and with Soviet approval, Vietnam invaded Cambodia and ousted the Democratic Kampuchea government on December 25, 1978. The fact that these border attacks took place, and therefore, that Vietnam's invasion of Cambodia was provoked, is not well known. Throughout the following years, the Soviet Union would continue to profess the legitimacy of the Phnom Penh regime and would engross itself in massive aid to Vietnam and Cambodia.

### **The PRK and the CGDK**

In January 1979, the Vietnamese, with Soviet backing, established the communist People's Republic of Kampuchea (PRK) with Heng Samrin as president and Hun Sen as foreign minister (who in 1987 became prime minister). Heng Samrin and Hun Sen were, as were many officials of the PRK, former Khmer Rouge officials, but part of a faction that remained loyal to Vietnam after the split. Both had been regional officials in the DK, but took part in an unsuccessful uprising against the Pol Pot regime in 1978, before defecting to Vietnam.

Later in 1979, a new guerrilla force opposing the PRK was formed: the Khmer People's National Liberation Front (KPNLF), headed by Son Sann, one of Sihanouk's former ministers. Thailand supported the non-communist force and armed its troops. In another two years, in 1981, Prince Sihanouk returned from China and united several small pro-Sihanouk resistance factions into the Sihanoukist National Army (ANS) and founded a political organization that would control the army--the United National Front for an Independent, Peaceful, and Cooperative Cambodia (FUNCINPEC).

In 1982, with pressure from the US and China, the two non-communist factions joined with the Khmer Rouge in an uneasy coalition in opposition to the PRK and Vietnamese occupation forces. The coalition was named the Coalition Government of Democratic Kampuchea (CGDK) reflecting the dominance of the Khmer Rouge which has consistently had more than twice the number of troops as the two non-communist factions combined. Sihanouk became the president, Khieu Samphan (Khmer Rouge) became the vice-president, and Son Sann (KPNLF) became the prime minister. Though all three factions were under the presidency of Sihanouk, they each retained their autonomous nature. The coalition was given the DK's seat in the UN.

In 1985, a full-force Vietnamese offensive overran all of the resistance bases within Cambodia, and the CGDK forces along with 250,000 civilians were forced across the border into Thailand. Eight enclosed camps were set up near the border within shelling range of the Vietnamese army, each under control of one of the CGDK factions. In September, the Khmer Rouge announced the retirement of Pol Pot in order to bolster waning international support. Though it was clear that Pol Pot still controlled the faction, to their satisfaction they were able to get what they wanted. Following the 1985 Vietnamese offensive which nearly disabled the resistance, the US Congress debated the issue, then approved a substantial non-lethal aid package to the CGDK.

### **The Beginnings of Reform**

For the Soviets, 1985 was a landmark year with the arrival of Gorbachev to power and the commencement of perestroika and glasnost. Gorbachev began to reevaluate Soviet policy in the Third World, especially Afghanistan, Vietnam, Cambodia, and Angola. The costs of maintaining sponsorship of these

movements had severely drained Soviet coffers and limited its political objectives in other areas. Gorbachev set out to resolve these long term conflicts with the anticipation that the "withdrawal from Afghanistan in addition to the Vietnamese withdrawal from Cambodia and Cuban withdrawal from Angola will pay dividends throughout Southwest and Southeast Asia, the Middle East and Africa" (Goodman 1991, 116). Gorbachev had a specific plan for Cambodia which he felt would end the conflict once and for all:

The type of settlement Moscow envisioned in 1985, however, was a non-aggression pact between Indochina and ASEAN. The war in Kampuchea [Cambodia] would then end because ASEAN and other outside parties would cease aiding the Cambodian opposition groups. Vietnamese forces would withdraw from Cambodia, but the Heng Samrin government would remain in power. Moscow would not even consider the possibility of its sharing power (Katz 1989, 51).

In 1986, Nguyen Van Linh became the head of Vietnam's Communist Party and in the spirit of Gorbachev's reforms began trying to end Hanoi's international isolation, mainly caused by the Cambodian conflict. In 1987, Hun Sen, the PRK foreign minister, was appointed to the post of prime minister. He undertook some dramatic reforms of the country, and before he had been in office a year he had led the country in an abandonment of Marxism and in a new pursuit of a market economy. However, he maintained the single party rule and close ties with Vietnam. In April 1989, the PRK changed its name to the State of Cambodia (SOC) reflecting its abandonment of socialism. Hun Sen's reforms have improved the country's conditions immensely and have resulted in the SOC gaining considerable legitimacy in the eyes of the Cambodian people. Many nations such as Australia began expressing to Hun Sen that their governments would like to recognize the

SOC as soon as it complied with UN resolutions, namely, withdrawal of all foreign troops and permitting UN-supervised elections.

Soviet efforts to persuade Hanoi and Phnom Penh to undertake a withdrawal just as the Soviets had done in Afghanistan did not have much success until 1987 when Hun Sen agreed to participate in talks with the resistance. This move was highly praised by Moscow as an adoption of a reconciliation policy which Moscow approved heartily (Duncan and Ekedahl 1990, 155). By this time, Soviet policy had made a major compromise. In May 1987, at a dinner for Linh, Gorbachev stated that the Cambodian problem:

can only be solved proceeding from the highest interests of the Cambodian people and their legitimate right to shape their destiny themselves, on the basis of *the unification of all their national patriotic forces*. (Katz 1989, 51-52, italics added).

For the first time, the Soviets conceded to allow power sharing among the four Cambodian factions as part of the settlement. This is evidence that the Gorbachev leadership had reduced its commitment in defending the pro-Soviet regime in Phnom Penh. "As in Afghanistan, the cost to the Soviets of propping up the regime no longer appear[ed] worth the effort" (Katz 1989, 52).

Soviet Foreign Minister Shevardnadze visited China in February 1989 and came to a momentous decision. The Soviets agreed that Vietnam would unilaterally withdraw its troops from Cambodia with no conditions. In April, Vietnam and Cambodia announced that Vietnam would start immediately to withdraw its troops and called for an end of foreign military aid to all sides and for an international control mechanism to supervise withdrawal and the end to foreign aid (Duncan and Ekedahl 1990, 156). This meeting came as a precursor to the Paris Conference on Cambodia which took place in July 1989.

The objective of the Paris Conference was to negotiate the formation of a coalition government and to create an international control mechanism that would verify troop withdrawal and the end of weapon supplies from outside sources and to monitor democratic elections. The Conference failed on several issues, but mostly because China, the US, and ASEAN demanded a comprehensive settlement while Phnom Penh refused to include the Khmer Rouge in an interim government. In addition, Vietnam was nearly finished with its withdrawal from Cambodia, and the resistance was anxious to see if it could attain a military victory. One member of the Sihanouk delegation summed up the conferences' failure by stating:

We are deadlocked here because the military situation is not decisive. If there is no result on the battlefield, there is no result at the negotiating table...Hun Sen thinks he can still win the war. That is why he has made no concessions. When he is weak, he will negotiate (United Nations Association 1991, 52).

In September 1989, Vietnam finished withdrawing all of its troops from Cambodia, leaving the 45,000 troop SOC army and a poorly equipped militia behind to fend for itself against the 70,000 resistance guerrillas. This withdrawal was conducted unilaterally, without UN-supervision as a UN resolution passed in 1988 required. The resolution required that the withdrawal be done under UN supervision and within the framework of a comprehensive settlement. Once Vietnam completed its withdrawal it requested a UN team to come to Cambodia and verify that a complete withdrawal had taken place. The UN refused to do so unless it was within the framework of a comprehensive settlement. The withdrawal of Vietnamese troops has not been verified to this day.

After the withdrawal, CGDK forces experienced moderate success in a military

offensive against the SOC. Large chunks of northwestern Cambodia came under resistance control. However, most of the success was achieved by the Khmer Rouge who began forced repatriation of refugees into the newly controlled areas:

From the murky claims and counterclaims, it was difficult to pinpoint precisely what appreciable gains had been made by any of the four factions by the end of the dry season in May 1990. Three conclusions seem valid: The Khmer Rouge had given added proof of their superiority on the battlefield, when they cared to demonstrate it, and were building up their political and administrative infrastructure inside Cambodia; the noncommunist groups seemed somewhat better organized and more effective militarily than in previous years but were tainted by their association with the Khmer Rouge and had limited capability to affect events on the ground; and although the SOC armed forces had not collapsed under the CGDK's military pressure, they were nonetheless hard pressed to fend off attacks from a variety of quarters. These were some of the realities that had implications at the negotiating table. (United Nations Association 1991, 54)

### **Development of a Comprehensive Political Settlement**

One of the first peace proposals for the Cambodian conflict was presented in 1981 after the International Conference on Kampuchea. ASEAN proposed a comprehensive settlement--ironically--very similar to the one that was finally adopted ten years later. The proposal involved UN-supervised disarmament of all Khmer factions, Vietnamese withdrawal, and free elections involving all four factions. However, at that time, both China and the US opposed any proposal that would include the PRK in any power-sharing agreement or that would in any way allow the Vietnamese-installed government any legitimacy. The Soviet Union, Vietnam, and the PRK also rejected the plan because they opposed any role for the Khmer Rouge. Since then, several

proposals have been offered, but all have been rejected mainly over this issue of power-sharing. China and the US would not accept a power-sharing role for the PRK; Vietnam and the PRK would not accept a power-sharing role for the Khmer Rouge; and Sihanouk, China, and the US would not accept a settlement without a role for the Khmer Rouge. The result has been a stalemate in which no peace plan could succeed until there was a substantial compromise.

The Australians drew up a detailed draft proposal offering several configurations for an enhanced UN role in a comprehensive settlement. The Australian proposal recognized that the central challenge to a peace settlement was the issue of power-sharing between the factions until a new government could be elected. Therefore, the Australian proposal provided for the UN to create an international control mechanism that would involve a peacekeeping force and UN administration of the country until a newly elected government could replace it. In the meantime, no single Cambodian party would be able to determine the country's destiny. It provided for important issues such as how to implement a cease-fire, how to run free elections, and how to ensure a politically neutral administration in the transition period. Shortly after Evans announced the Australian proposals, the five permanent members of the Security Council adopted the issue onto their agenda.

On January 15-16, 1990, the five permanent members of the Security Council, including the Soviets, met in Paris to examine the Australian proposals and write up a plan based on its suggestions. The permanent five draft included the formation of a Supreme National Council (SNC), a quadripartite body made up of representatives from each of the four factions. The SNC would be the repository of Cambodian sovereignty, hold the seat at the UN, and function in a delegative

capacity to the transitional authority. However, this draft plan did not specify the scope of UN involvement in the administration of the government.

In a communique issued by the permanent five at their January 1990 meeting, they stated that "all Cambodians should enjoy the same rights, freedoms, and opportunities to participate in the election process" (United Nations Association 1991, 56). This statement and the exclusion of the usual pledge regarding a "non-return to the universally condemned policies and practices of the recent past" indicate that the Khmer Rouge were given full license to participate in the proposed elections. This may have been a "realistic acceptance that the Khmer Rouge must be allowed to compete in elections so that their (presumed) defeat would allow China a graceful exit" (United Nations Association 1991, 56).

At first, Vietnam and the Hun Sen regime strongly opposed any such UN intervention that would violate its sovereignty and disregard its claimed legitimacy. However, the Soviet Union was their main source of subsistence, and the Soviets had fully participated in drawing up the UN plan. The Soviets obviously became concerned that the Hun Sen government would not agree to a settlement that the Soviets had a hand in writing (Vinogradov 1990). With continued pressure from the Soviets, the Hun Sen government yielded and agreed in principle to the UN plan.

The five permanent members of the Security Council met again in March 1990 and outlined the scope of involvement which the UN was willing to take. This proposed international control mechanism was to be called the UN Transitional Authority of Cambodia (UNTAC). It proposed that the SNC would delegate to UNTAC all necessary powers to administer the government, but would be consulted by and give advice to UNTAC. UNTAC would be headed by a

special representative of the Secretary-General who would be given considerable powers over Cambodian territory in order to protect the Cambodian people from economic and social discrimination and protect their fundamental rights.

Japan invited the Cambodian factions to Tokyo on June 5, 1990 in order to decide on important issues of the settlement, particularly the makeup of the SNC. Despite a Khmer Rouge boycott in protest over a diplomatic formality it did not approve of, the remaining parties were able to come to a decision on the SNC. It was agreed that the council would be made up of 12 representatives, six from the SOC and six from the three resistance forces (two each).

In July 1990, US Secretary of State James Baker announced a major policy reversal. Due to increased pressure at home, a realization that the Khmer Rouge could possibly return to power, and the increased legitimacy of the Hun Sen government, the US retracted its recognition of the resistance coalition and opened talks with the SOC and Vietnam. Though this surprising reversal of US policy was popular in the US and other Western countries, it outraged the ASEAN nations who accused the US of trying to pull the rug out from under its friends. On August 6, the US held its first talks with Vietnam on Cambodia, and then in September 6 with the SOC.

Through continued and difficult negotiations, the Cambodian factions finally came to an agreement on the UN plan. Then on September 20, 1991, the Security Council adopted resolution 668 showing unanimity and support for the proposed expanded role of the UN in Cambodia. General Assembly resolution 45/3, adopted on October 15, 1990, showed the full support of the Assembly for Security Council resolution 668.

During 1991, several events took place making significant progress towards the signing

of the peace agreement. A cease-fire finally was implemented between the factions in May, but both sides accused each other of violations. In a meeting in June, all members of the SNC agreed to an indefinite cease-fire and to stop accepting foreign arms. In July, Sihanouk resigned from his post as head of FUNC-INPEC to become the neutral leader of the SNC. A significant decision was reached by the SNC in August in which it was decided to disband only 70% of current military forces and put the remainder under UN control. In September, the SNC resumed meetings in New York where its members agreed to a compromise system of elections providing for proportional representation that would allow each faction places in the Parliament based on its share of the popular vote. Finally, on October 23, 1991, the Paris Conference on Cambodia was reconvened and the UN peace plan was signed by all four Cambodian parties and 18 other involved nations ending more than 20 years of civil war.

### **Soviet Incentives for Concession**

Examining the events and the involvement of the Soviets in the Cambodian crisis, a major shift of policy has been identified where the Soviets began exerting pressure on Vietnam and Phnom Penh to settle the dispute. Most significant has been the Soviet's position as a permanent member of the UN Security Council and as a co-writer of the UN peace plan. Though Phnom Penh fervently resisted at first, it has conceded to Soviet pressures and has accepted the settlement. A closer look at why the Soviets have made this policy change is warranted.

According to Kolodziej and Kanet there are five main constraints to Soviet expansion in the Third World:

1. Developing countries have an increasing ability to resist subordination and



- to manipulate the Soviets for their own advantage.
2. The Soviets have been checked by the economic and military power of the US and its Western allies.
  3. Divisions within the socialist camp-- notably the Sino-Soviet split.
  4. Receding relevance of the Soviet model to many Third World countries.
  5. Scarce economic and technological resources commanded by Moscow to project its power and purposes abroad (1989, xiii-xiv).

Developing countries have increased their ability to resist subordination, not only to the Soviets, but any country that might pose a threat. Small Third World countries have taken a very aggressive posture in international organizations, particularly the UN. Through bloc voting, the Third World has been able to bring about several programs such as the UNDP that directly favor their particular needs and often conflict with the interests of the Big Powers. Not only have they been able to protect themselves from subordination, but they have been able to attain many objectives at the expense of the industrialized countries (Bennett 1991, 291). In the case of Southeast Asia, Vietnam has been able to take considerable advantage of the Soviet Union. Vietnam's isolation from the rest of the world made it so that it could only trade with the CMEA countries. Its trade with the Soviets was highly imbalanced and the Soviets gained little more than an ideological victory in the aftermath of the US-Vietnam War.

Though the Soviets have been able to move into Vietnam after the US pulled out, the US military presence in nearby Philippines and elsewhere remained a continual threat to Soviet expansion in Southeast Asia. The economic power of the US and its allies has been a considerable constraint on Soviet expansion in the region. The isolation of Cambodia and Vietnam by Western and ASEAN countries has impoverished Indochi-

nese economies which have stagnated and lacked significant development.

As was discussed above, the division between Soviet and Chinese communists caused a multitude of problems for the Soviets in Indochina. Its current dilemma in Cambodia is a product of that conflict with the Khmer Rouge in the Chinese camp, and the PRK in the Soviet camp. However, since 1989, relations between the Soviets and China have warmed considerably. Their joint agreement in Beijing that Vietnam would withdraw from Cambodia and that all foreign military support to the Cambodian factions should end was a landmark decision. The fact that the Soviet's made most of the concessions is an indication that the Gorbachev government is anxious to wrap up this drawn out conflict and move on to more productive pursuits.

The Third World perceives the Soviet Union as ideologically bankrupt. Marxism-Leninism is not widely perceived to apply to the conditions of developing countries today. In addition, the economic problems that the Soviet Union is facing at home has made it a non-model of economic development that is encouraging Third World countries to look for other models, mostly that of the US and the NICs. The rapid economic development that occurred in the Soviet Union in its happier days has all but ceased. Its inability to adjust to the needs and impulses of the day has plowed its economic system into the ground. This, obviously, is what the developing nations are trying to avoid, not replicate.

Probably most significant of all these issues is that scarce economic and technological resources have become more scarce than ever in recent years and have eventually concluded in the breakup of the Soviet Union. Faced with this economic turmoil which has impacted even Moscow, the Soviets can no longer afford the expansive aid commitments to developing countries. In fact, this has been a rising concern of the Soviets for some time

and a major reevaluation of Soviet aid commitments and practices have been undertaken. On June 13, 1990, the Supreme Soviet adopted a resolution instructing the Council of Ministers "to work on cutting back the amount of aid we give" (Arefyeva 1990). Arefyeva, a columnist for *Izvestia*, summarized the debate concerning the Supreme Soviet's resolution by stating:

I'd like to congratulate the Deputies on an important step toward glasnost....At the same time, however, one can only regret the fact that the question had been posed so narrowly and deals only with the volume of aid. For the problem is not one of volume...The essence of the problem lies elsewhere--namely, in the thrust and objectives of our aid...We should be talking about a full review of our aid policy, which would in turn lead to a reduction. At any rate, provided we base our reasoning not on ideology, as in the past, but on humanitarian considerations and sober economic calculation (Arefyeva 1990).

This was followed by a decree from Gorbachev on July 24, 1990:

In implementing measures to further expand economic cooperation with developing countries, it is to base this cooperation on the principles of mutual benefit and mutual interest, guided by international norms and practice. It is to proceed from the premise that economic aid must be provided with due regard for our country's real capabilities (Gorbachev 1990).

When the head of the socialist countries department of the USSR Council of Ministers' State Foreign Economic Council, V. Demchuk, was asked about Gorbachev's decree, he responded by saying that the main countries in concern were Cuba, Mongolia, and Vietnam. "Take Vietnam, for example," he said. "One can cite a good many costly projects that were taken on without proper consideration, resulting in the squandering of a lot of money" (Romanyuk 1990). Vietnam possibly represents the largest aid package the Soviets offer. It is estimated that Vietnam receives over \$1.2

billion per year, a large portion of which goes to their military (Duncan and Ekedahl 1990, 154).

With the recent breakup of the Soviet Union, continued aid to Vietnam and Cambodia is clearly at risk. However, in the years leading up to the union's collapse, it would not have seemed likely for the Soviets to consider abandoning Indochina. Even so, it was obvious that the Soviets were anxious to reduce Indochina's dependency upon Soviet resources, and tried to do so by three methods. First, the Soviets tried to encourage more efficient use of its aid and prompted Vietnam and Cambodia to pursue market economies. Second, in order to reduce Vietnam and Cambodia's dependency, the Soviets have tried to facilitate the integration of Indochina into the booming economic structure of the ASEAN nations and make them eligible for international loans. And third, in an attempt to improve their image in the region, the Soviets have reduced their military presence in Southeast Asia with a huge reduction of troops and navy at Cam Ranh Bay in Vietnam.

Previous to Gorbachev, the Soviets underwrote the Vietnamese invasion of Cambodia. Soviet-bloc aid provided the Phnom Penh regime with more than three-fourths of its budget. Recently, the Soviets began cutting aid to Cambodia: "The USSR and Eastern European states are cutting economic aid to Cambodia and introducing 'pay-as-you-go' exchanges and loans payable in hard currency" (Goodman 1991, 180). This changing-the-rules-of-the-game will make a serious impact on Cambodia. Though Hun Sen had originally rejected the UN peace settlement, the plan provided for a commitment of some 22 nations to aid Cambodia in its reconstruction efforts--a very attractive offer considering the fact that the Soviets could no longer be counted on. With the breakup of the Soviet Union after the attempted coup in August 1991, the SOC realized that a perma-

ment cessation of Soviet aid was imminent and it would have to make major concessions and accept the UN plan which offered its only hope of survival.

Other factors responsible for the Soviet's eagerness for Vietnam and Phnom Penh to resolve the conflict through the UN plan are: 1) the Soviets could not foresee any military solution to the problem, 2) US-Sino relations were strengthened against the Soviet Union largely because of the Cambodian conflict, and 3) the conflict prohibited rapprochement with ASEAN which Moscow saw as crucial for both the Soviet Union and for Indochina's integration into the regional and global economy.

Considering the Soviet Union's wider international objectives and its current economic vulnerability, Moscow knew it would have to depend on international support. This put military intervention of any sort out of the question. The hope of SOC troops obtaining a military victory on their own was not realistic after the fighting in 1990 ended in stalemate that slightly favored the resistance. The only alternative was a peaceful settlement.

Poor Sino-Soviet relations had for years hindered Soviet objectives in Asia, especially when the US joined with China on the Cambodian issue. For the last two decades, no Asian country would want to increase Soviet presence for fear of antagonizing the Chinese. In 1989, Gorbachev made some strong overtures to China by unilaterally meeting three of Beijing's conditions for reconciliation: withdrawal from Afghanistan, Vietnamese withdrawal from Cambodia, and unilateral Soviet troop reductions on the Sino-Soviet border (Goodman 1991, 110).

In 1987, Gorbachev sent a strong message to ASEAN nations that it was committed to rapprochement. For the first time ever, a Soviet Foreign Minister (Shevardnadze) visited Thailand and Indonesia. The visits were for the purpose of finding a solution

to the Cambodian crisis, which was used as the campaign for rapprochement. Soviet objectives with the ASEAN states has been to:

enhance its political image, increase its economic participation in the region's rapid growth, facilitate the political and economic integration of the communist countries of the region into regional affairs (in order to reduce their reliance on Moscow's largesse), and improve the environment for its own strategic objectives (Duncan and Ekedahl 1990, 157).

With a resolution to the Cambodian conflict, the Soviets would be able to pursue these objectives. Especially now with the breakup of the Soviet Union and the economic crisis they are facing, the Soviets more than ever will need the support of ASEAN, the US, China, as well as the rest of the international community. Thus, the Soviets have continued to encourage and provide incentives for Hanoi and Phnom Penh to submit to the provisions of the UN peace plan.

### Conclusion

For years, the Cambodian conflict has been a complex skein of contradicting interests and violent confrontation. The Soviet Union stood opposed by the US and China who each supported different Cambodian contingents in this very "international" civil war. But since 1985, significant moves were made by Hanoi and Phnom Penh which allowed for a comprehensive settlement to take place. First, Vietnam withdrew all its troops in 1989. Then in 1991, Phnom Penh agreed to sign an unprecedented peace treaty ending the two decades of violence.

Most of the analyses focusing on the recent developments of the Cambodian settlement have centered attention on the policy implemented by the US and China and its impact on the decisions of Vietnam and

Cambodia. However, they have neglected the fact that the Soviet Union, since 1985, has played a major role in influencing those decisions. The Soviets encouraged a Vietnamese withdrawal from Cambodia, reduced their aid to both countries, and undertook a campaign to integrate them into the region politically and economically.

The central incentive for the Soviets to encourage a speedy settlement was its economic concerns. The devastating economic decline in the Soviet Union made it incapable of attending to its former Third World commitments. The Soviets closely reexamined their development aid programs and instituted some sweeping reforms. Vietnam and Cambodia, who depended mostly on the Soviet Union for their survival, realized that their economic aid was in jeopardy and that they must end their

international isolation in order to avoid disaster. When the attempted coup in the Soviet Union resulted in its breakup, Phnom Penh realized its aid would be ceased and it would have to depend on the wider world for its survival. Thus, it would have to come to terms with the UN comprehensive settlement.

On October 23, 1991, Phnom Penh and the Cambodian resistance factions signed the peace treaty and initiated the huge UN operation that will dismantle the Hun Sen government and operate the country's key ministries until a new coalition government is elected through UN-supervised elections. Several challenges to the UN operation still lie ahead, but with unanimity in the UN Security Council, chances are greatly improved that the operation will be successful and that peace will finally be restored to the war-torn country.

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