



How campaigns promote the legitimacy of elections



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ABSTRACT

Why do people see elections as fair or unfair? In prior accounts, evaluations of the election depend on people's candidate preferences, where supporters of the winning candidate tend to call the election fair while those on the losing side feel it was unfair. I argue that perceptions of election fairness reflect not just the election outcome, but also the campaign process. Using a set of multilevel models and data from the 1996–2004 American National Election Studies, I explore the consequences of campaign experiences in shaping people's evaluations of the fairness of a presidential election. I find that as campaign competition increases, people are less likely to translate their feelings about the candidates into their evaluations of the election. Rather than alienating citizens, competitive campaigns mitigate the effects of prior preferences in a way that promotes the legitimacy of elections.

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Elections are central to democracy. They are the main route by which people signal their preferred policy directions to politicians. While people might write letters to legislators or lobby officeholders, it is mainly by voting that people communicate with their government (Verba et al., 1995). It is through elections that policy representation is achieved, as a result of both electoral turnover and the constraints imposed by the promise of future elections (Stimson et al., 1995). Indeed, most definitions of what makes a political system democratic require the presence of free and fair elections.

While elections are clearly important to democratic regimes, how important are free and fair elections to citizens? After all, even in elections with record turnout, a third of eligible voters in the U.S. sit the contests out. Others participate out of a sense of duty or obligation rather than an interest in politics or strong concern about the outcome. When asked whether they would like to be more active and engaged citizens, many say no (Hibbing and Theiss-Morse, 2002). Yet how people feel about the electoral process matters for the political system. Procedurally, elections

serve as rituals that mobilize support for government (Ginsberg and Weissberg, 1978; Rahn et al., 1999). When elections are seen as unfair, people lose confidence in government, feel less efficacious, and the legitimacy of the political system is threatened (Anderson et al., 2005; Anderson and LoTempio, 2002; Banducci and Karp, 2003; Clarke and Acock, 1989; Nadeau and Blais, 1993). Those pessimistic about election fairness are more open to changes to the design of the political system, less likely to vote, and more willing to work outside of the political system via protest (Anderson and Mendes, 2006; Banducci and Karp, 1999; Birch, 2010; Rose and Mishler, 2009).

Given the importance of public confidence in elections, on what grounds do people evaluate the quality of presidential elections? I explore how people decide whether an election is fair or unfair. While there is a specific level of fairness to each election, there is not perfect agreement in people's perceptions of the fairness of an election. In the eyes of the electorate, judgments of the fairness of an election are at least partly subjective. As the polls close on Election Day and the vote counts emerge over the evening, people find themselves on either the winning side or the losing side. Evaluations of the fairness of the election follow the same divide, where those on the winning side perceive

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a fair process and those on the losing side are pessimistic about the process. While some report an election as very fair, while others viewing the same outcome are less convinced.

Prior accounts emphasize the importance of election outcomes for appraisals of fairness, but give limited attention to the consequences of campaign experiences. Building off arguments of procedural justice that show that the nature of the process matters more than the direction of the outcome in determining fairness, I argue that what happens before Election Day should also shape how people evaluate the electoral process. Campaign seasons are lively and contentious times for citizens. People give their time and money to political pursuits. They engage in campaign debates with neighbors, coworkers, friends, and family. Even those not interested in the campaign are confronted with advertising, news coverage, and competing campaign appeals. I argue that the sum of these campaign experiences will affect how people evaluate the fairness of the election.

Using multilevel modeling and responses from the 1996, 2000, and 2004 American National Election Studies, I explore why some people are more likely to perceive an election as fair than others. I find that the competitiveness of the campaign helps close the gap between how electoral winners and losers appraise the fairness of the election. When people live in competitive campaign environments, they are less likely to translate their feelings about the candidates into their assessments of the election process. As competition increases, winners are less likely to exaggerate the fairness of the contest, and fans of the defeated candidate are less likely to call the election unfair. In this way, elections themselves can act as institutions that shape views of electoral legitimacy, via the competitiveness of the preceding campaign process. In principle, competition is seen as normatively desirable, as candidates present rival platforms with the hopes of boosting voter engagement and securing public support. In practice, we worry that competition will induce conflict, animosity, disagreements, and polarization. These results suggest that competition tends to promote the legitimacy of elections rather than alienate voters and erode public confidence.

1. Appraisals of electoral fairness

Americans strongly support elections as a democratic institution. Ninety-five percent agree that politicians should be selected by majority vote (Sullivan et al., 1982). When asked why America has prospered over the past century, 97% say free elections are a reason for America's successes.¹ But while people appear to nearly uniformly support elections in principle, they are more pessimistic when it comes to how elections are practiced. When asked whether they feel that U.S. elections are free and fair, 57% of Americans agreed and

¹ Eighty-six percent cite it as a major reason and 11% cite it as a minor reason. These results are based on a telephone survey of 1546 respondents conducted April 6 – May 6, 1999 by the Pew Research Center for the People & the Press.

43% disagreed.² Americans also tend to be more pessimistic about the fairness of elections than many people elsewhere in the world (Wattenberg, 2003). According to the Comparative Study of Electoral Systems, the relatively uncontested 1996 presidential election ranked lower in perceived fairness than elections in thirteen other countries, including Romania, Mexico, and Spain. The 2000 presidential election ranked even lower, where appraisals of election fairness were higher than ratings in only a handful of countries – Peru, Japan, Hong Kong, and South Korea.

In explaining this pessimism about the fairness of elections, one culprit is sour grapes. When the campaign ends and the votes are counted, people's reactions to the election divide across partisan lines. Those who favored the winning candidate see the election as fair, while those who supported the losing candidate negatively assess the fairness of the election (Anderson et al., 2005; Birch, 2008; Craig et al., 2006; Rose and Mishler, 2009). Winners can look forward to seeing their preferred policies pursued, while losers face the sting of defeat as well as the peril of seeing the opposing platform implemented. When the electoral process generates an undesired result, post-election attitudes are marked by cynicism and negativity, where electoral losers are less likely to support the outcome of the contest, feel less efficacious and trusting, and are less satisfied with democracy than those who favored the winning candidate (Anderson et al., 2005; Anderson and Guillory, 1997; Anderson and LoTempio, 2002; Banducci and Karp, 2003; Clarke and Acock, 1989; Nadeau and Blais, 1993; Rose and Mishler, 2009). The translation of partisan preferences into appraisals of the process implies that winners and losers will polarize after the election, divided about their feelings about government.

While there is a risk that those on the losing side could reject the election result as illegitimate, sentiments of trust and system support can act to interrupt this. Trusted institutions can grant legitimacy to unpopular decisions (Gibson, 1989; Gibson et al., 2005). In 2000, in the wake of the *Bush v. Gore* Supreme Court case, the Court maintained relatively high ratings even among those unhappy with the decision, in part because of people's strong positive prior evaluations of the Court (Gibson et al., 2003). Even if people do not receive their desired outcome, their inclination to challenge the election results will be inhibited by feelings of legitimacy about the processes and institutions that produced the outcome.

2. How people determine whether an election was fair

By these accounts, people are guided by their prior beliefs in appraising election results, where the perceived fairness of the election depends on the direction of the outcome and general confidence in the political system. But does the nature of the campaign that precedes the election have any role in how people evaluate the outcome? Studies of procedural justice suggest that the character of the

² This is from a Gallup survey conducted June 29 – July 3, 2005 where 504 respondents were interviewed.

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