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## Two Cheers for Negative Ads

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*Winning isn't everything, it's the only thing.*  
—Vince Lombardi, Green Bay Packers

I completely respect Vince Lombardi. He was one of the greatest coaches in football history not because he was nice or fair but because he was committed to one standard: complete and total victory. His players responded to his toughness, devotion to winning, and his clear-cut awareness of the difference between victory and defeat. Indeed, Lombardi was great not simply because the very thought of defeat was unacceptable, but because he was able to instill this commitment into the hearts and minds of his players, who viewed the game of football as a struggle for ultimate victory.

The same is true for politics, particularly campaign politics, which is about winners and losers, victory and defeat, and communication between candidates and citizens. Negative ads and attack ads often bring out the worst in the candidates, given that the imagery in each of these very different advertising styles may be off-putting or even unethical. This chapter establishes the differences between certain types of campaign advertisements and details the strategic political use of negative and attacks advertisements in campaigns, contends that negative campaign tactics and attacks benefit the electoral

process, identifies the thin line between attacks and lying, examines the use of attacks and negativity in the 2002 midterm elections, and analyzes whether or not the campaign system should incorporate reforms for decreasing the negative tone of campaigns and elections.

While candidate reliance on negative and aggressive campaigning is nothing new, the barbs have grown more nasty over the years. Are attack ads and negative campaigning really that detrimental to the electoral process? Are they reflections of the competitive nature of high stakes politics that is essential to citizen participation in the electoral process? Prevailing research demonstrates that despite warnings from political scientists, elected politicians, and journalists, negative campaigning and attack ads not only work to a great degree, they help to inform the voting public of the personal and political qualities of the candidates and their stands on the issues. It is time for political scientists and students of electoral politics to acknowledge their usefulness in campaigns for Congress and the presidency.

### The Strategic Use of Political Advertisements

On the whole, political scientists tend to differentiate between three types of political advertisements. *Issue* or *contrast ads* illuminate the candidate's position on the issues or may highlight positive aspects of his or her campaign. *Negative ads* emphasize legitimate contrasts between the candidates on the issues, partisanship, or ideology in a highly critical yet justifiable fashion. For example, candidates may charge one another with being too liberal or conservative on the issues or too weak on certain policies. Attack ads are the product of deceptive and aggressive tactics that assail opponents on the issues or zero in on personal weaknesses and liabilities (Kolodny, Thurber, and Dulio 2000; Pfau and Kenski 1990).

The subject of this chapter is mainly concerned with negative and attack ads. It is believed that when a candidate highlights the negative aspects of his or her opponent or attacks them in a congressional or presidential campaign, the political effect is mostly negative. This is driven by the prevailing assumption that negative ads and attack ads are a powerful disincentive to vote and participate in the electoral process. It is also supported by the supposition that such ads are more easily remembered by citizens than more positive issue ads, and that attacks are always misleading and illegitimate (Elving 1996; Johnson-Cartee and Copeland 1991; Luntz 1988). This does not appear to be the case. Take President Reagan's 1984 ads against Democratic nominee Walter Mondale. The Republican ad in which Reagan's

strength on foreign policy is compared to a bear, with the hint that Mondale would be weak in dealing with the Soviets, was much more memorable than the more touchy-feely "Morning Again in America" ad.

Citizens and even candidates often confuse negative ads with attack ads and use the terms interchangeably (Bode 1992; Bullock 1994; Elving 1996; Garramone 1984; West 1993). Attack ads focus in on personality and character flaws and use illegitimate means to contrast the candidates on the issues, whereas negative ads use justifiable tactics to establish these contrasts. Effective negative ads can actually educate the voters on the issues and provide them with clear choices on election day. According to William Mayer, "negative campaigning provides voters with a lot of valuable information that they definitely need to have when deciding how to cast their ballots" (Mayer 1996, p. 441). Even more, the use of negative ads in campaigns and elections has a significant public policy component. For Mayer, "the information and analysis embodied in negative campaigning are also valuable on their own terms, for they tell us something extremely relevant about the choices we are about to make" (Mayer 1996, p. 442).

With respect to negative ads, Robin Kolodny, James Thurber, and David Dulio conducted a survey of political consultants and found empirical evidence suggesting that negative ads do not degrade the electoral process or cause citizens to stay at home on election day. The researchers observe that the majority of negative ads contain relatively more accurate information about the candidates than issue ads, which tend to gloss over the issues and present rosy scenarios. While roughly 75% of consultants contend that attack ads and negative TV advertisements contribute to voter cynicism throughout the campaign season, they claim that conventional mass media and journalists and incumbent's poor policy performance in office does more to elevate levels of public apathy and disenchantment with the political process (Kolodny, Thurber, and Dulio 2000, p. 56).

Surprisingly, the use of attack ads, which employ controversial tactics to put forth misleading or false information to the voters, are usually lumped into the same category as negative ads that contain accurate information about a candidate and the issues. Roughly 94% of consultants held that making and issuing bogus statements about opponents clearly violate legitimate standards of campaigning and should not be confused with reasonable negative ads (Kolodny, Thurber, and Dulio 2000).

While they violate standards of legitimacy, cases of unethical and quasi-ethical attack ads are numerous throughout American history. The Declaration of Independence was nothing more than a long attack ad

against the British monarch, King George III. The declaration's author and political consultant, Thomas Jefferson, accused the king of being a "tyrant, unfit to be the ruler of a free people." His litany against the ghastly king is relentless. For example, Jefferson describes the king in the following terms: "He has refused. He has dissolved. He has obstructed. He has abdicated. He has plundered." The Declaration of Independence set a nasty precedent for American campaigns and elections. Twenty-four years after Jefferson teed off on the king, in one of the first attacks in a presidential election, the Federalist-leaning *Connecticut Current* warned readers that if Thomas Jefferson defeated President John Adams, "murder, robbery, rape, adultery and incest will be openly taught and practiced" (quoted in Paletz 2002). Even Abraham Lincoln dabbled in attacks. In the 1854 Illinois U.S. Senate election, Lincoln accused Stephen Douglas of being "if not a dead lion at least a caged and toothless one." Douglas countered by calling Lincoln a "ghoul," "lunatic," and "traitor" (quoted in Paletz 2002).

In an aggressive 1948 campaign, summed up by the legendary phrase "Give 'em hell, Harry," President Harry S. Truman took to the rails to cross the country on a whistle stop campaign against Republican challenger Governor Thomas E. Dewey of New York. Throughout the campaign, Democrats combined legitimate negative campaign tactics with unethical verbal attacks on Dewey via highly dramatic public speeches. At the same time they were referring to the "Do Nothing Republican Congress," Democrats described the bland Dewey as looking like the "groom on the wedding cake." In order to protect his lead in the polls, Dewey responded by following an extremely cautious course. Rosser Reeves, the advertiser who would later create the 1952 "Eisenhower Answers America" presidential campaign theme, pleaded with Dewey to film some negative political commercials accusing Truman of being soft on Communism. While only roughly 500,000 homes had televisions, Reeves argued that careful ad placements in key districts could make the difference in a close race. Dewey, not expecting a close race, dismissed the idea. While Truman's election was a surprise, his combination of negative tactics with aggressive assaults on Dewey led to his comeback. Dewey's failure to respond proved that being warm and fuzzy does not translate into victory. However, the 1948 election was the last hurrah for a style of campaigning that would become increasingly rare in the television age.

Television has blurred the line between legitimate and illegitimate campaign tactics and has caused candidates to increasingly go on the offensive. The first case in which television was used to deflect attacks was in 1952

by Dwight Eisenhower's running mate Richard Nixon. In September of 1952, Nixon's spot on the Republican ticket as Eisenhower's vice president was threatened by unproved accusations of a secret fund set up by Nixon's business associates. In response to calls from fellow Republicans that he step down, Nixon broadcast a direct appeal in an informal speech airing after the popular Milton Berle Show. In what became known as the "Checkers" speech, Nixon detailed his family's finances and denied accepting gifts of any kind, except for a dog named Checkers, who was given to their daughter by a Texas fundraiser. As a result, Eisenhower and the Republican Party were swamped with telegrams urging that Nixon stay on the ticket. By playing the victim, Nixon brilliantly tugged at the electorate's heart strings and turned the attacks into a strategic win. In a related example, the 1960 televised debate between Vice President Nixon and Democratic candidate and U.S. Senator John Kennedy demonstrated that personal charm and charisma can be important variables in an election. The more physically attractive Kennedy was greatly helped in the first debate when he squared off against a tired and sick Nixon. While radio listeners felt Nixon had done better, TV viewers clearly favored JFK.

One of the first televised attack ads came four years earlier in the 1956 presidential election rematch between incumbent President Dwight Eisenhower and Democratic challenger Adlai Stevenson when Democrats again attacked Republican Vice President Richard Nixon. Playing on voters' fears about the health of Eisenhower, who had recently suffered a heart attack, Democrats produced a TV spot in which an announcer asked, "Nervous about Nixon? *President* Nixon?"

One of the most famous attack ads took place during the 1964 contest between Democratic President Lyndon Johnson and Republican Senator Barry Goldwater. Goldwater had the habit of making provocative "shoot-from-the-hip" remarks. Building on Goldwater's well-known hawkish views, the Democratic public relations firm of Doyle, Dane, and Bernbach (DDB) developed a devastating attack ad, which did not even identify the Republican candidate. The Democratic TV spot began with the camera on a little girl alone in a field counting, "One, two, three" as she picked petals off a daisy. She then looked up as the camera moved to her face and the screen went black. A man's voice was then heard counting, "Ten, nine, eight" and a nuclear weapon detonated. As the bomb blossomed into its mushroom shape, President Johnson spoke: "These are the stakes, to make a world in which all of God's children can live, or to go into the dark. We must either love each other, or we must die" (see Paletz 2002, 78). DDB's appeal was

suites to a Johnson campaign that sought to remind voters of the administration's work fighting poverty and providing Medicare, while also capitalizing on fear of Republican opponent Barry Goldwater's views on nuclear weapons. Goldwater never recovered and Johnson was elected president.

Probably the most reviled, yet successful, attack ad was the 1988 Willie Horton ad, which was produced by current Fox News chief and Republican political consultant Roger Ailes for Vice President George Bush against Democratic opponent Massachusetts Governor Michael Dukakis. Although the ad was not officially produced by the Bush campaign, it described how Dukakis's support for "Democratic criminal justice weekend furloughs" for murderers resulted in a Maryland couple being held hostage by an escaped convict who raped and tortured his victims (Constitutional Rights Foundation 1996). The ad was factually correct in that Dukakis did support the furlough program, but the furlough program was installed by Dukakis's Republican predecessor Francis Sargent. The ad, which ran for roughly a month without a response from Democratic strategists, resonated with the voting public, which began finding credibility in Bush's theme that "America can't afford the risk" of a Dukakis presidency (Feder 1996; Paletz 2002). Other Republican ads against Dukakis proved equally as effective. For example, one ad showed Dukakis looking uncomfortable riding in a tank while a running list of the governor's opposition to key military programs appeared on the screen and was read to viewers. In effect, the attack ads defined the Dukakis campaign on the issues before the Massachusetts governor defined himself (Paletz 2002). Dukakis did run colorful and interesting attack ads against Republican vice-presidential nominee Dan Quayle, which played upon the public's lack of confidence in Bush's running mate, asking viewers if they had confidence in a potential Quayle presidency should Bush become ill. However, the ad was too little, too late in the campaign.

Along these same lines, during the 1990 U.S. Senate campaign in North Carolina, Republican strategist Alex Castellanos wrote and produced an ad effectively termed "Hands" for incumbent U.S. Senator Jesse Helms against challenger Harvey Gantt, whose support of affirmative action had been identified on surveys as an unpopular position. The controversial "Hands" ad featured a close-up shot of two hands, one white the other black, holding a letter and crumpling it as a narrator says, "You needed that job, but they had to give it to a minority." Helms surged ahead of Gantt and cruised to reelection.

According to Professor Kathleen Hall Jamieson, negative ads and attack ads do not, on the whole, taint campaign discourse. In fact, Jamieson notes that when used in combination with advocacy ads, negativity and attacks help voters distinguish between candidates (Jamieson 1992). The problem occurs when any ad—attack or negative—obviously misleads voters, especially those not dealing with issues or policy. False inferences, distorted records, half truths, or outright lies are what drive cynicism up and turn voters off. Jamieson refers to Clinton's use of visual techniques in the 1996 presidential election as a case in point. Democratic campaign strategists reinforced policy attacks on Republican U.S. Senator and challenger Bob Dole (R-KS) in black and white, with the goal of portraying Dole as too old and his policies as old fashioned (Jamieson, Waldman, and Scherr 1998). While Dole's age may have been a legitimate issue in the campaign, the insinuation that his age could produce antiquated policies was not.

This does not mean that purely negative ads are not problematic, especially because it is easy for the voters to misinterpret their messages. The most challenging negative ads are those that are factually accurate but seen by the viewer as out of context. Take, for example, the 1994 midterm congressional elections. One of the dirtiest and most expensive was the California U.S. Senate election between Democratic incumbent Dianne Feinstein and Republican challenger Michael Huffington (Brack 1994; Wolf 1994). After trading legitimate barbs on the issues, Huffington was called a hypocrite for ranting about illegal immigration while employing an illegal immigrant in his home while Feinstein was smeared as a "career politician who will say or do anything to stay in office" (Wolf 1994, p. 1A). Another example was the Virginia U.S. Senate race between incumbent and accused philanderer Democrat Charles Robb and accused liar and Republican challenger Oliver North. Republican ads asked, "Why can't Chuck Robb tell the truth?" while Democrats responded with "Vote your hopes, not your fears" (Wolf 1994, p. 1A). Widespread use of morphing technology, which produces a seamless transformation of one image into another, occurred in 1994 in televised ads. Democratic candidates were morphed into President Clinton and Republicans into Congressman Newt Gingrich (R-GA). However, morphing was more effectively utilized by Republican congressional candidates, who supplemented such technology with effective policy attacks. A generic ad run by the Republican National Committee attacking the "Clinton Congress" featured a woman claiming, "I just don't trust Bill Clinton" (Wolf 1994). A slew of Republican ads in the days before the November elections maintained that select House and Senate Democrats cast

“the deciding vote” for President Clinton’s deficit reduction measure, which included tax increases. Democrats countered by accusing Republican candidates of promoting a \$2,000 cut in Social Security benefits to recipients. In reality, Republican ads on tax increases and Democratic ads on Social Security, while relatively accurate, were both out of context (Brack 1994; Elving 1996; Feder 1996; Wolf 1994). Vice President Al Gore, not Democratic congressional incumbents, cast the deciding vote in favor of the deficit reduction bill, and most Republicans, fearing a backlash from seniors, did not consent to most cuts in Social Security. Ethics aside, attacks on the White House were successful as Republicans assumed control of both the House and Senate and devastated Democrats in many gubernatorial elections.

Other researchers dismiss the adverse effects negative ads and attack ads have on the American political system as a whole. Lau, Sigelman, Heldman, and Babbitt contend the prevailing claims about the detrimental effects of such ads on voting and democracy are baseless (Lau et al. 1999). They also reject the popular notion that negativity is responsible for prevailing levels of public apathy and voter apathy. Quantitative analysis demonstrates that “the effects we observed for the ‘unintended consequences’ measures are too small in magnitude and too mixed in direction to provide empirical support for heated claims that negative ads are undermining public confidence and participation in the electoral process” (Lau et al. 1999, p. 859). While not concluding that the attack ads and negativity are directly linked with electoral success, the researchers affirm there is at present no significant support for the argument that such tactics harm the electorate.

John Theilmann and Allen Wilhite contend that there are actually two forms of campaigning that directly impact the electorate (Theilmann and Wilhite 1998). The first type examines the impact of negativity and attacks on voting and public opinion, while the second looks at incentives available for candidates to go on the attack. They contend that formal theory has a significant role to play in explaining the reasons why candidates decide to run negative ads and attack ads. According to the authors, “game-playing models appear to be a useful way to think about campaigns, and the decision to use positive or negative advertising” is a highly strategic one (Theilmann and Wilhite 1998, p. 1060). There is also a partisan variable at play here, as Republican candidates are more willing to utilize attack strategies and negative tactics than are Democrats. While Democrats are certainly willing to go on the offensive and use attack ads, their research suggests that in tight races, attacks seem to be more effective with voters and more frequently implemented by Republicans (Theilmann and Wilhite 1998).

On the whole, negative ads have proven to be highly successful when used strategically and effectively. If these ads are really that harmful to the citizenry, then we should stop and think about the alternative. Positive or issue ads that portray candidates in a glowing light ultimately downplay important differences, gloss over the substantive importance of the issues, and are more detrimental because they fail to inform the voters of necessary policy choices (Elving 1996; Finkel and Geer 1998). According to Professor Ken Goldstein, “we should not necessarily see negative ads as a harmful part of our electoral system. They are much more likely [than positive ads] to be about policy, to use supporting information and to be reliable” (Goldstein 2002). We therefore need to rethink the causal nexus between negative ads and public distrust of politicians and declining rates of voter turnout.

### How Negativity and Attacks Benefit the Electoral Process

When examined in terms of effectiveness, one should realize that both negative ads and attack ads really work; this is the sole reason why candidates use them and why high-priced political consultants produce them. If the ads are accurate, the voters are more drawn to the candidates. Besides, according to most political consultants, negative ads and attack ads go through a more rigorous process before they are released to viewers than issue ads (Elving 1996; Luntz 1988; Sabato 1981; Theilmann and Wilhite 1997). Fred Steeper of Market Strategies Inc., who ran the Bush Sr. polling operation in 1988, claims that “attacks and negative ads are better researched than positive ads? Everyone knows that if you run a negative ad and are called on it, it will hurt your campaign” (quoted in Feder 1996, p. 21).

Regardless of the ad, they can be true or false, mostly true or mostly false, or sometimes true and sometimes false. In other words, if they come in the form of electronic ads they are open to interpretation by the viewer or the listener. If an attack is accurate and embarrassing, opponents will label it negative or claim to be the unfair victim of an attack. In reality, when a candidate says his or her record is being tarnished and distorted, she usually means voters should not be distracted by her stand on the issues or the ways in which she issued roll call votes and endorsed legislation (Mayer 1996). Take ads run by Republican candidates in the 1996 primaries. Bob Dole accused Steve Forbes of attacking him for being a Washington insider for over 35 years and for supporting a number of tax hikes. However, his

voting record in the U.S. Senate demonstrates he did vote for several proposals to increase the income tax, and his over 35 years in Washington is wholly impossible to dispute (Feder 1996). If a candidate fails to reveal the truth or even to acknowledge it, opponents must make them accountable and responsible (Kolodny, Thurber, and Dulio 2000).

According to conventional wisdom, voters are often annoyed and confused by negative and attack ads, especially when candidates twist and distort the issues and embroil themselves in the trivial elements of politics. Yes, America's political environment has grown increasingly more negative and the number of attacks has escalated; however, attacks and negativity are not limited to paid campaign commercials. Conflict and entertainment are a powerful combination that attracts the attention of the viewing and voting public.

In fact, infotainment happens to be one of the primary reasons why candidates and consultants increasingly use negative messages. In *Going Negative*, Stephen Ansolabehere and Shanto Iyengar argue that negative attack ads are subverting democracy by polarizing the electorate and reducing voter turnout, particularly among nonpartisan, independent-minded voters (Ansolabehere and Iyengar 1995). Advocates of heavier federal regulation of political campaigning are using this premise to support a reform agenda that includes campaign-spending limits, greater federal censorship of broadcast messages and even the elimination of paid political ads altogether (Brack 1994).

Unlike conventional political science examinations into political advertising that relied upon voter polls, Ansolabehere and Iyengar based their findings on controlled scientific experiments. Although there are many methodological weaknesses in any ad-testing project and findings must always be viewed with some skepticism, this one produced a number of interesting conclusions. Supporters of the reform agenda should carefully weigh two of the authors' conclusions that contradict widely held misconceptions about political commercials. First, voters get useful information from negative ads with strong and overt negative themes. *Going Negative* even found that attack advertising is not "a pack of lies" and that "advertising on the issues informs voters about the candidates' positions and makes it more likely that voters will take their own preferences on the issues into account when choosing between the candidates" (Ansolabehere and Iyengar 1995, p. 21).

Second, the authors concluded that attack ads are more persuasive than manipulative, as they stimulate the electorate to at least talk about the candidates, the party system, and the issues. Exposure to advertising, they con-

cluded, is directly linked to political party affiliation and ideological disposition. "Individuals for whom the potential for manipulation is presumably greatest—those lacking a sense of party affiliation—are, in fact, the least likely to be persuaded by political advertising" (Ansolabehere and Iyengar 1995, p. 21).

As one observer claims, *Going Negative* also does not make an adequate distinction between different types of overtly negative ads and attack ads (Fauchaux 1996). Negative ads can be informative and educate the voters about the impact of opponents on policy and are carefully screened for accuracy. Attack ads can be dishonest, false, or just slanderous. To categorize these ads together and pronounce one verdict on the entire pile without regard to these critical differences is akin to falsely assuming that all politicians are crooks or all journalists liberal.

In this atmosphere, blaming negative ads alone for widespread voter cynicism is a knee-jerk diagnosis. It is a simplistic way of explaining why some citizens do not turn out to vote in congressional and presidential elections. Research has demonstrated that public disaffection with government and politics stems from the perception of the political system as dishonest, self-serving, and inept, not from negative political ads (Finkel and Geer 1998). Candidates who promise change in issue or even contrast ads and fail to deliver ultimately create more voter alienation than do any amount of negative ads, since they are raising the bar of public expectations to the point where the public is guaranteed to be disappointed and cynical. Citizens vote because they care about important issues or because they have an affiliation with a political party, not because the candidates are not being nice to one another on television. Therefore, to blame negative ads and attack ads, which are run mostly during a campaign or election, for rising levels of cynicism and apathy would be to ignore other potential negative forces, such as electronic and print media, sitcoms, film, and literature. Should we blame *Saturday Night Live*, Jay Leno, and David Letterman simply because they poke fun at and negatively portray our elected leaders during and between elections?

As research has shown, negative ads and attack ads do not appear as causal forces that constrain voter turnout and citizen participation. Attacks and negativity reinforce a public cynicism that already exists (Capella and Taylor 1992; Finkel and Geer 1998; Martinez and Delegal 1990; Wattenberg and Briens 1999). Moreover, attack ads may irritate the voters enough to move them to the polls (Bullock 1994; Kamber 1997). Attack ads and negativity are healthy for campaigning if for no other reason than the need on

the part of voters for solid information so they can make choices among partisan alternatives (Kahn and Kenney 1998; Mayer 1996).

On a grander scale, Professor Robert Putnam contends that rising public cynicism and civic disengagement since the 1950s are due largely to the combined social impact of the automobile, suburbanization, residential mobility, career changes, fewer marriages, more divorces, rise of the service sector, decline of the manufacturing base and labor unions, fast food, and, of course, television (Putnam 1993 and 2001). To make the simple argument that attack ads and negative themes in contemporary presidential and congressional elections, which have been with us since July 4, 1776, contribute to an apathetic voting public is to ignore the social transformation of America since the late 1950s.

Candidates should not consent to media, academic, or even public demands to give up negative campaign tactics or even attacks simply because they are not nice. Besides, as the research cited here suggests, in the end, attack ads and campaign negativity do not contribute to lower voter turnout. Therefore, the real trick is to hit and weaken the opponent without hurting your own image and message. Remember, some of the most masterful and creatively designed attack lines in the history of campaign politics, to a certain extent, informed the voters. "There you go again!" Ronald Reagan chided the hapless President Jimmy Carter. "It's the Economy, Stupid," was used by Bill Clinton to irritate President George Bush. "I don't resent attacks. My family doesn't resent attacks. But Fala does resent attacks," FDR claimed, using his Scottish terrier to annoy and destroy his adversaries (Faucheux 1996). Before indicting all political attacks the way some now do and banning them from TV sets and radios the way some propose, consider what politics would be like without them: boring, bland, and unattractive.

Even attack ads, including the most vicious ones, do not delegitimize electoral politics. They are an essential component of a healthy electoral system that makes candidates accountable to the voters because they make politics interesting to the public as a whole. Issue ads can lie, distort, and mislead as openly as negative ones. The job of citizens is to make independent and informed judgments based on their own analysis and knowledge. It is not negativity that is the problem, as it is too easy for media pundits and political scientists to blame how the message is conveyed without blaming the message itself.

### The Thin Line Between Attacks and Lying

Attacks and political lying can promote an image of strength for candidates. In a highly colorful manner, Democratic candidate Mike Freeman described his Republican opponent as a "A blow-dried bellhop to the rich" in the 1998 Minnesota gubernatorial election (McFeatters 1998). While he admitted to borrowing the colorful description from Ted Mondale, who was defeated in the Democratic primary, Freeman claimed he believed in campaigning in the style of "Minnesota nice" (McFeatters 1998). While Democrats succeeded in framing themselves as the party of the middle class, in the end it did not matter for Freeman or his Republican opponent, since independent candidate and former wrestler and actor Jesse Ventura was victorious. Similarly in Georgia, a Democratic candidate for governor was annoyed that his primary opponent voted against the Equal Rights Amendment in 1975 and opposed the state lottery in 1980 (McFeatters 1998). In doing so, Democrats positioned themselves alongside the prevailing wave of popularity surrounding the lottery program's ability to finance college tuition at Georgia state universities.

Being colorful is certainly not a tactic of late-twentieth-century campaign politics. In 1948 President Truman compared his opponent, Thomas E. Dewey, to Hitler, Mussolini, and Tojo. His crowds yelled "Give 'em hell, Harry," taking this as his feistiness (Feder 1996). Certainly Richard Nixon could creatively fight with brass knuckles. When he ran for the Senate against Helen Gahagan Douglas, one of his leaflets referred to "The Pink Lady" and was colored pink and listed her liberal voting record. The color pink implied she was a pale version of "red" Communists. Gahagan, married to actor Melvin Douglas, was a Hollywood leftist and not conspicuous for her opposition to communism. Nixon's leaflet was fair and accurate only if you think there's something "soft" about the relationship of left liberals to Communism (Paletz 2002).

Take for example Harry Truman's description of the charges against Alger Hiss as a "red herring," and Dean Acheson, after Hiss was convicted: "I will never turn my back on Alger Hiss." If he had said, "I won't kick a man when he's down," he would have gotten away with it, but he didn't. In fact, Acheson was a tough anti-Communist, and he deserves credit for NATO and the Marshall Plan, but the Republicans were playing hardball. Still, Joe McCarthy went too far when he spoke of "20 years of treason" and was unfair, if roguishly funny, when, at the Republican convention, he referred to "Alger, I mean Adlai, Stevenson" (Paletz 2002).

There is a difference between launching attacks and straight out lying. One of the great campaign liars in recent memory is former Vice President Al Gore, whose whoppers in the Democratic nomination phase of the 2000 presidential election were obvious but successful. In one of their New Hampshire debates, Bill Bradley accused Al Gore of lying. Bradley stated, "When someone says something that isn't true, it can be out of ignorance. But you, Al, know what is true and what isn't, and you are telling untruths." Quite brilliantly, Gore turned this around and projected himself as a victim of Bradley's negative campaigning: "Now, Bill, I have never accused you of lying, and I never will. I had hoped to keep our disagreements to a discussion of the issues." In effect, Gore "caught" Bradley attacking him by avoiding the question of his own lying (Hart 2000). For example, in Iowa the Gore campaign ran TV ads claiming that Bradley had opposed flood relief for Iowa farmers. In fact, Bradley had voted for it, while Gore, as vice president, had not cast a vote. Gore also lied when he said that he had "always" been a supporter of *Roe v. Wade* and abortion rights; he had opposed abortion when he was a congressman, and he had scored high on the right-to-life index. During his years in the House, he had an 84% positive record, according to the leading antiabortion estimate.

However, the continuation of Gore's whoppers into the general election demonstrated that lying can add to the strength of the opponent. While computer programmers at the Pentagon must have quietly chuckled when Gore claimed to have personally taken the lead in making the Internet available to the public, George W. Bush's chief spin doctors Karl Rove and Karen Hughes used it to define Gore as a distrustful and dishonest candidate who sees himself as "the father of the Internet." Other examples of Gore's lying strengthened the image of Bush as the candidate who would reestablish honesty, trust, and respect in the Oval Office. When Gore claimed that the young Harvard couple in *Love Story* was based on Tipper and him, its author Erich Segal emphatically denied it. In the first presidential debate, in order to look presidential, Gore claimed he was in Texas with FEMA Director James Lee Witt in managing federal relief to disaster victims. Rove and Hughes hammered Gore for lying, not only because Gore never went to Texas on such a trip, but because it was Governor George W. Bush who actually accompanied Witt. Gore spent more of his time trying to spin his whoppers and less time defining himself on the issues.

Accusing a candidate of lying may be construed as an assault on character, but if he or she is lying, it is perfectly legitimate to point it out, as Rove, Hughes, and Bush were ultimately successful in doing in 2000. Lincoln once

labeled the "Peace Democrats" as copperheads (poisonous snakes indigent mainly to the southern United States). Indeed, for the preservation of the Union, the northern Peace Democrats were dangerous. Union General George McClellan ran against Lincoln as a Peace Democrat in 1864 and might have won if Sherman had not obliterated and razed Atlanta by November. For decades after the war, Republican candidates "waved the bloody shirt" by accusing the Democrats of treason. Until 1948, the South was solid territory for Democrats.

### Negativity and Attacks at the Midpoint: Terrorism, War, and the 2002 Elections

In the run-up to the 2002 elections, new questions arose about whether the tone of campaign advertisements would soften, given that the nation was still reeling from the September 11 terrorist attacks on the World Trade Center, the Pentagon, and the terrorist-caused crash in Western Pennsylvania. Political ad experts held that September 11 and the worsening economy could lead to never-before-seen uncertainties that might significantly alter campaign tactics (Booth and Balz 2002). In the months prior to November 2002, the question was whether a kinder, gentler advertising climate would prevail (Teinowitz 2001, p. 1).

For Republican incumbents and challengers, security was the preeminent issue simply because a Republican president was in the White House on September 11. According to Bush pollster Matthew Dowd, "Now we have a new issue that we didn't have before Sept. 11, a dominant issue: homeland security and fighting terrorism. You can't avoid the elephant in the room. We don't yet know if it will fill the landscape, but it will have to be dealt with going forward" (quoted in DeFrank 2002, p. 23). Greg Stevens, who handled Arizona Republican Senator John McCain's presidential race in 2000, stated "There is no question that the overarching theme of security will be hugely important" (quoted in Fenn 2003, p. 22). It was clear that Republican candidates were banking on the notion that national and homeland security issues would also limit Democratic attacks on the White House, thereby weakening negative campaign efforts to link the economic recession to President Bush (Seelye 2002).

While Democrats contended that security was an issue candidates would discuss, they hoped it would not be the deciding issue on the minds of voters. Instead, they suggested the deciding issue would likely be the economy and the federal budget deficit, issues they believed were fair game for

blaming the Bush White House (Postman and Pflieger 2003). Frank Greer, president of Greer, Margolis, Mitchell, Burns, & Associates, contended that his political consulting firm's polling shows voters are still concerned about issues that were there before September 11, including education and health care, but are now much more worried about the economy: "Democrats have a message on the economy—helping unemployed workers, raising the minimum wage—that will play strongly" (Teinowitz 2001, p. 1).

According to Mark Mellman, Democratic Party pollster and head of The Mellman Group, while there is concern about terrorism, there is not a lot of difference between the parties on security issues. Instead, the big question is not just the state of the economy, but which party will get blamed for the recession and the deficit. According to Mellman, "The bottom-line fact is this president was in very deep trouble before Sept. 11. The terrorist attacks improved Bush's standing, but now we're in reality, and the problems that bedeviled him before Sept. 11 are reasserting themselves" (Teinowitz 2001, p. 1). As the results of the midterm elections proved, Democrats failed to establish a nexus between Bush and America's economic woes or even attack him on economic issues (Postman and Pflieger 2003). They even contributed to their own demise in 2002, namely in the U.S. Senate race in Minnesota when Democrats transformed Senator Paul Wellstone's funeral into a national media event and campaign rally for the replacement candidate, former Vice President Walter Mondale, who was defeated by Republican Norm Coleman (Keen 2002).

While the effect of the issues remains open and the results of the election strengthened Republican congressional control, it was thought that political advertising would be headed for certain change in 2002, since that was the first major election since September 11. According to Professor Ken Goldstein of the University of Wisconsin, the closer November approached, the nastier the campaigns became. He describes Campaign 2002 in the following manner: "In July, more than 70% of ads were positive. By early November, that number had dwindled to fewer than 50%. A dramatic change developed in early September in the days before and immediately after the 9/11 anniversary, when more than 90% of the spots aired were positive. Just days after the anniversary, campaigns across the nation rapidly reverted to airing negative television" (Goldstein 2002). Furthermore, consistent with previous midterm elections, the closer the race, the nastier and more negative it became. In races deemed noncompetitive, roughly 70% of political advertisements were categorized as positive, whereas in competitive races, 51% of ads were positive (Goldstein 2002). Goldstein's research reveals some

interesting numbers in congressional races where less than 50% of candidate or political party ads were positive (see Table 3.1).

Table 3.1: Top 10 Negative Races (Post-9/11)

State/ District	Positive Count	Negative & Contrast Count	% Positive Airings
NY -1	0	387	0
CA-18	59	803	6.84
IL-Gov	999	5713	14.88
NV-03	651	3127	17.23
AL-Gov	3306	14554	18.51
IN-02	1445	5933	19.59
NJ-Senate	1170	4453	20.81
NH-Senate	1793	6806	20.85
WI-Gov	1856	6765	21.53

Source: Ken Goldstein. "One Billion Dollars Spent on Political Television Advertising in 2002 Midterm Election." *Final Report on the 2002 Election by the Wisconsin Advertising Project* (December 5, 2002).

Nastiness reigned even after the November elections. In the run-off U.S. Senate election in Louisiana between incumbent Democrat Mary Landrieu and Republican challenger Suzanne Haik Terrell, each candidate ratcheted up the negativity and attacks. Louisiana's open primary system requires a winner to get at least 50% in the general election; otherwise, the top two finishers face a runoff. After Landrieu's 46%, Terrell came in second with 27%. She and her two major Republican challengers got more than half the votes on election day. With an almost fifty-fifty Democrat-Republican split, the stakes were high and negativity the norm (Randolph 2002). For example, in a television debate Terrell accused Landrieu, who supports abortion in certain circumstances, of losing her Catholic faith. Landrieu has said Terrell, the state elections commissioner, would be nothing more than a rubber stamp for Bush. "Every time Haik Terrell opens her mouth she supports Bush. The question is not who will support the Republican agenda the most, but who will support Louisiana," Landrieu spokesman Rick Masters maintained. And Landrieu effectively played the victim: "My attacks haven't been personal. I have been personally attacked, my faith, personally maligned. At least I have not attacked her children and her family." Terrell was put on the defensive as a result of Landrieu's ability to play the victim. (Randolph 2002, p. 1). In the end, Landrieu edged out Terrell

to keep her seat, preventing the Republicans from ending 120 years of Democratic control of U.S. Senate seats from Louisiana.

Not only are high-stakes campaigns embroiled in negativity and saturated with attack ads, both the Democratic and Republican national committees are distributing more and more soft money to those state parties seen as most competitive. For example, in New Hampshire, the Republican Senatorial Campaign Committee sent \$2.5 million to state Republicans, and the Democratic Senatorial Campaign Committee reported \$1.9 million in soft money had been channeled to state Democrats. According to Steven Weiss of the Center for Responsive Politics, "Clearly you wouldn't expect that from a state the size of New Hampshire.... It shows that these elections are being closely watched by the national parties. The stakes are very high." (LeSage 2002, p. 23)

This has changed since the Bipartisan Campaign Reform Act of 2002 (BCRA) went into effect shortly after the November elections. While the act forbids political parties from raising or spending soft money, in 2002 congressional campaigns were determined to spend all their soft money before election day. In total, political parties, candidates, and interest groups spent about \$1 billion on television advertising for the 2002 midterm congressional elections, racing to use up reserves of soon-to-be-banned campaign contributions. Spending on congressional races was close to \$320 million, almost twice as much as in 1998, the last midterm elections. The \$1 billion in advertising included just over \$420 million spent on governors' races and the rest on local races and statewide referenda. In competitive Senate races since September 11, 2002 (one year after the terrorist attacks), Democratic candidates, interest groups, and the party spent more than their Republican counterparts, the report found. Again, televised and radio advertising grew increasingly negative as the campaign season moved on, especially in the most competitive races, the report found. The Democratic and Republican parties spent heavily after that; both parties spent \$41 million on more than 65,000 ad spots (Goldstein 2002). Goldstein claims that money donated from specific groups, namely the United Seniors Association (pharmaceutical/business and industry), the AFL-CIO (labor union), and the Florida Education Association (education/teacher's union) funded most of the negative ads in highly competitive races (see Table 3.2).

Table 3.2: Top 10 Interest Group Spenders on Paid Television Ads

Interest Group	Cost (millions)	Count
United Seniors Association	8.7	15098
AFL-CIO	3.6	5616
Americans for Job Security	1.5	2125
Emily's List	1.3	1166
Sierra Club	1.2	1730
Florida Education Association	1.1	2669
Michigan Chamber of Commerce	0.69	855
Planned Parenthood	0.66	355
Club for Growth	0.56	1574
American Medical Association	0.55	1449

Source adapted from: Ken Goldstein. "One Billion Dollars Spent on Political Television Advertising in 2002 Midterm Election." *Final Report on the 2002 Election by the Wisconsin Advertising Project* (December 5, 2002).

Soft money is politically useful for the candidates, especially incumbents, because it allows them a certain degree of cover and protection in attacking opponents. Professor Michael Dupre of the New Hampshire Institute of Politics and St. Anselm's College contends that soft money supplies candidates with the protection of having interest groups go negative for them without doing it themselves. "They may make the snowball, but they want someone else to throw it. Soft money throws the snowball for them" (quoted in LeSage 2002, p. 23). Professor Andrew Smith, director of the University of New Hampshire's Survey Center, adds that because of the soft money-negative ad linkage, there were more political advertisements in 2002 than ever before. "There's so much negativity and money dumped into the race. Typically you don't see this volume until the last week (before the election). Since there are so many different political ads coming out, it makes it difficult for those lesser-known candidates who don't have a lot of money to get their message out" (quoted in LeSage 2002, p. 23).

Under the 2002 BCRA, interest groups such as the Chamber of Commerce or the United Auto Workers can run issue ads, but they will have a limited time frame in which they can do so. The new reform law also states that ads from outside groups are prohibited within 60 days of the general election and within 30 days of the primary. This restriction was challenged before the Supreme Court by a coalition of legislators in *McCormell v. Federal Election Commission*. However, on December 10, 2003, the Court upheld

major portions of the BCRA. Specifically, the Court banned national officeholders or candidates from using soft money and upheld regulations on state parties that spend soft money on federal election activity. The Court also issued broad controls on the linkage between ads and soft money by prohibiting parties from transferring or soliciting soft money for politically active, tax-exempt groups, banning state candidates from spending soft money on public communications that promote or attack federal candidates, requiring that individuals disclose their spending on electioneering communications to the FEC, and issuing new Federal Communications Commission requirements for candidate disclosure, better known as the “stand by your ad” provision. The Court also defended the BCRA’s definition of “electioneering communication” as a broadcast advertisement mentioning a federal candidate, targeted at their electorate, and aired within 30 days of a primary or 60 days of a general election (See *McConnell v. Federal Election Commission*, December 10, 2003).

Would the elimination of soft money mean we would witness less negative, more positive campaigns? The answer is no. The BCRA does not establish actual binding restrictions on the candidates themselves running negative ads and attack ads and sets no real limitations on the use of hard (regulated) money by corporations and unions in support of so-called issue-related ads. As stated by Smith, “there may be fewer ads (in the future), but the ads will not go away” (LeSage 2002, p. 23). Who’s to say that regulated money from citizens and political action committees (PACs) will not fund negative political ads well into the future? The 2004 presidential and congressional elections are still open season for negative ads and attacks by both candidates and interest groups.

It was also thought that the outpouring of patriotism (Americans displaying flags on their cars, houses, or shirts) following the September 11 terrorist attacks would elevate voter turnout, yet turnout in the 2002 congressional primaries was a mere 17%—no better than four years before and only half that of three decades ago. Turnout on election day was 39.3%, significantly below what it once was, although this was a scant increase of 1.7% from the 37.6% who voted in 1998. It is likely that an estimated 78.7 million registered voters cast their ballots in the 2002 midterm with 121 million staying at home (Center for Voting and Democracy 2002). No doubt, ordinarily Americans share responsibility for their lapse in participation; it is always easier to leave the work of political participation to others.

### Do We Really Need Reforms?

What, if anything, should we do about negative campaign tactics and attacks in our campaigns and elections? The incumbency advantage renders any real attempt at putting limits on attack advertisements on a specific level, and negative campaigning in general, almost impossible. As stated by Professor William Mayer, “Any move to limit negative campaigning, in short, would add just one more weapon to the already formidable arsenal with which incumbents manage to entrench themselves in office” (Mayer 1996, p. 452). Besides, in close races, attack ads allow incumbents to go on the offensive in order to pull away from challengers. Moreover, challengers must be able to rely on attack strategies if they are going to make campaigns competitive and in turn have a shot at dislodging the incumbent. This of course depends on the degree of success with which incumbents and challengers use negative campaign tactics and attack ads.

Take, for example, efforts by the Maine state legislature, which passed in 1996 a statewide Clean Elections Act that was originally passed as a referendum. The law was designed to limit the number of attack ads used by PACs and to decrease the incentives for candidates to use other negative campaign tactics, such as legitimate ads with contextual questions. On the whole, the legislation was intended to give candidates the option to run without incurring political debts to specific donors and to avoid making personal judgments of opponents (Porter 2002). Quite ironically, the law actually contributed to the harsh negative tone PACs injected into a number of state and local elections in November 2002, leading legislators to amend the legislation. In essence, although soft money contributions dropped, hard money and bundling tactics increased, resulting in an increase in the number of negative and attack ads.

On the issue of money and ads, the decision by the U.S. Supreme Court to uphold the BCRA may not be enough to head off a mad dash for large contributions from corporations, labor unions, and wealthy individuals as Democrats try to catch up with Republican fundraisers. The decision could render Maine’s clean election measure, as well as other state efforts, null and void (Porter 2002). However, reaction on both sides of the campaign finance debate was muted because the complexity of the decision made it difficult to determine the full scope of its impact.

Democrats, in particular, are now at a disadvantage as a result of the soft money ban because they are not as proficient at raising more strictly regulated “hard money” as Republicans. In the 2002 election cycle, for example, the Republican National Committee raised \$164 million in hard money

and \$114 million in soft money. The Democratic National Committee raised \$67 million in hard money, \$94 million in soft. Political analyst Charlie Cook contended that “The cold hard facts are that in the 2002 cycle, the Democratic committees raised almost as much ‘soft,’ now illegal-to-party-committees money as Republicans did. But the Republican committees raised almost twice as much hard money as the Democratic Party committees. Although Democrats decried the influence of dirty soft money in politics, they were more hooked on it than Republicans were. Democratic election lawyers warned their legislator-clients of the implications of these reform efforts” (Cook 2003, p. 1023).

The University of Virginia Project on Campaign Conduct proposed forcing the candidates into signing codes of conduct—no personal attacks on other candidates; no use of language or images that define other candidates based on race, sex, or personal characteristics; and no questioning another candidate’s honesty, integrity, or patriotism. The project issued a survey report in July 1999, which revealed that “an overwhelming majority of respondents supported the idea of candidates adopting voluntary guidelines on campaign conduct such as a code of ethics (96% supported the idea) or limits on campaign spending (90%). Support for laws requiring candidates to adopt a code of ethics and limit spending was also around 90%” (Project on Campaign Conduct 1999, p. 2). The Project also believes that voters believe negative, attack-oriented campaigns are unethical, threaten the electoral process, decrease voter turnout, and produce leaders who are unethical (Project on Campaign Conduct 1999).

However, reports from the Annenberg Public Policy Center at the University of Pennsylvania concluded that negative ads sometimes have more substantive information about policy than personal “I’m-a-great-guy!” or “everything is great!” ads (see <http://www.appcpenn.org/issueads/>). Therefore, a code of conduct is not likely to be effective, since candidates, especially incumbents, who spend millions of dollars are too desperate in the waning hours of a campaign not to try a tactic that has been proven to work. As Vince Lombardi once said: “Winning isn’t everything, it’s the only thing.” The bottom line seems to be that we’re doomed to watch more attack ads in the future. In other words, instead of setting ourselves up by thinking that candidates will avoid negativity, we should devise better strategies for digesting the relevance of the messages and information provided in the attack ads. Forcing candidates to be warm and fuzzy is no practical solution to negative political advertisements, which may or may not be problems in the first place.

Besides, being nice is inconsistent with prevailing mass media tactics that only encourage negativity. For example, the Advisory Committee on the Public Interest Obligations of Digital Television Broadcasters released a report in December 1998 recommending that TV stations air five minutes a night of “candidate-centered discourse” in the 30 nights preceding all elections. Such discourse allows candidates time to advance their policy positions and to define their positions on issues in the absence of an opponent. The committee found that candidate-centered discourse is largely ignored by mass media outlets and that broadcasters, who control the most widely used medium for political information, have permitted campaigns to be dominated by paid ads rather than free candidate discourse (Alliance for Better Campaigns and Annenberg Public Policy Center 2000).

More specifically, the amount of candidate-centered discourse provided by a typical local station during the height of primary season was just 39 seconds per night. The amount of candidate-centered discourse provided by ABC, NBC, and CBS during the month preceding multistate primaries on March 7, 2000, was an average of 36 seconds per night. As political fundraising continues to set records, the volume and cost of political advertising on television have also risen to record levels. In the first four months of 2000, stations in the nation’s top 75 media markets (covering approximately 80% of the national population) aired 151,267 political ads at a cost of \$114 million, according to research conducted by Power Television, an ad monitoring service, for the Alliance (Alliance for Better Campaigns and Annenberg Public Policy Center 2000). The numbers indicate that being nice simply does not pay as it becomes a disincentive for candidates to avoid airing attack ads and unprofitable for media outlets to turn down requests to run political advertisements.

### **Conclusion: Why We All Love Negative Campaign Advertisements**

This chapter has attempted to provide at least a tentative answer to the question of why negative political advertisements benefit candidates. We have witnessed here how negative ads and attacks also benefit the citizenry. Many political scientists have endeavored to show that the harshness of our campaigns threatens the processes by which we choose our leaders. They worry that bitterness and animosity turn our campaigns into political showmanship and make governing more tenuous. While there is some merit to this, it denies the very foundation upon which all of politics rest—

conflict and power. By expressing political animosities, negative advertising might, quite indirectly, be helpful.

Citizens are asked to perform many sacrifices in a constitutional republic, for example, paying taxes, fighting in wars, dealing with inept and incompetent political leaders on both sides of the aisle, and obeying laws and policies put forth by groups for the benefit of special interests at the expense of the public interest. Our constitutional republic has survived because citizens are, and have always been, willing to put up with the blatant and sometimes shameless expression of political ambition. This is the very reason why this is the best way for citizens and leaders to settle their disputes. Put simply, the ways in which we choose our leaders have worked because we have been able to channel our political conflict via messaging.

Why then is so much energy devoted to criticizing attack ads and negative campaign tactics? The answer is that political scientists and other observers misperceive them as causal variables on election day, when in fact, attacks and negativity merely reflect the contentious nature of politics since the founding of the nation. If Americans are really cynical about politics and detached from the political system, then we need to point to greater social and political trends in America that have contributed to rising public apathy, such as those highlighted by Professor Robert Putnam.

Consider the following two points. First, negative advertising helps to express resentment, whether it is directed at candidates and government from citizens and groups or from candidates to their opponents. Second, negative advertising reflects the divisions citizens have on the issues and public policy. By limiting the political use of attack ads in campaigns, candidates and citizens are forced to agree on the concepts and matters that drive their political interests.

Negative advertising brings political conflict into our homes, relationships and marriages, businesses, colleges and universities, and places of worship where political conflict exists in other forms. Such conflict helps us to express the realities of our own divisions. In the end, this should be seen as a good thing. Yes, the tension, zeal, sourness, and hostility of congressional and presidential campaigns are scary for some, but so is everything else in political and social life. This is the very reason why most constitutional republics have not stood the test of history. If we deny the existence of political disagreements and clashes or the means by which to express them peacefully through attacks and negativity, we deny citizens the very choices they need to make intelligent and informed decisions. In doing so, we further deny that politics are about conflict, struggle, and power—not peace,

harmony, and joyfulness. In a convoluted way, negative advertising guarantees that popular sovereignty is alive and well and that our leaders in one way or another need us to justify governance.

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