STUDI

parlamentari e di politica costituzionale

Abstracts of Articles

Luciano Bardi, Enrico Calossi Obama's election as a realigning election?

This article analyses the 2008 US Presidential election. In particular an attempt in made in it at assessing whether the election has indeed marked a significant electoral realignment as was suggested in commentaries. The article starts with a conceptual definition of dealignment, realignment, and realigning elections as well as with an illustration of some historical examples of realigning elections. It then proceeds to a) an analysis of electoral trends in Presidential elections from 1972 to 2008 through a study of the popular vote, electoral college votes and states won by candidates; b) an assessment of congressional electoral results and seats allocation since 1972.

As a result of this analysis rather surprising conclusions are reached. The data in fact does not seem to confirm the rather widespread view that there has been an evident Republican predominance since Ronald Reagan's election in 1980. Actually the strong success in that and in other consequent Presidential elections was not matched by equivalent victories in the congressional ones. As a result in the last forty years the Republican Party has simultaneously controlled the Presidency and the Congress only between 2000 and 2006. Also the contention that the 1994 elections sanctioned a lasting realignment in favor of the Republican Party is not confirmed by the data. At best one can say that 1994 marked a temporary democrat dealignment, whose impact was very soon offset by favorable trends triggered by Bill Clinton second Presidential victory in 1996. In view of the lasting effects of such trends it is possible to affirm that Obama's victory in 2008 is the culmination of a process and not an extraordinary event capable on its exclusive merits a dramatic party realignment.

CARLO ANGELICO

Obama and the political communication

During his presidential election campaign, Barack Obama profoundly changed the style of political communication in the Usa. Exploiting new media, he was able to reach different strata of the multiethnic American electorate.

Today Obama's health care reform represents one of the toughest problems he has to face. To implement the reform of a system that leaves 46 million Americans uninsured, Obama has to overcome not only political obstacles but also ideological and historical ones. In order to understand the communication strategies he uses to carry out this task, I have analyzed some passages taken from his speech on September 9th 2009 to Congress on the need to overhaul health care. During this speech Obama uses a negotiation approach developed by the Harvard Law Department to find a mutually shared outcome. This approach involves addressing the aims and goals of all the negotiating parties through creative and collaborative problem solving. This means negotiators can look for new solutions to the problem that will allow both sides to find common ground and at least partially win in a positive sum game.

ALESSANDRO VOLPI

Obama's remedies to face up to crisis: liquid assets and rules

In comparison with economic crisis explosion, begun in United States during summer 2007, President Obama's administration put into act some formulas featured by great pragmatism alien to strong ideological statements. His first move has been addressed to guarantee liquidity to the market through the bank system, saved from bankrupty and cleaned up from its toxic assets.

This strategy cost was very high and as consequence of it Federal Debt registered a colossal increase that was not considered a real danger by President Obama so that he admitted the possibility for Federal Reserve to finance it by new paper money issuing. The third element that characterized President Obama's action has been based upon bringing the "risk notion" into more realistic bounds in order to reduce process fluctuation. These reassures as a whole was aimed, above all other things, to bring reliance back to savers and investors and avoid a downright market's "death".

ELETTRA STRADELLA

Electioneering communication and freedom of speech. "Hillary the Movie" in front of the Supreme Court

As amended by §203 of the Bipartisan Campaign Reform Act of 2002 (Bcra), federal law prohibits corporations and unions from using their general treasury funds to make independent expenditures for "electioneering communication" speech or for speech that expressly advocates the election or defeat of a candidate.

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This is the main legislative reference of the case, moving from the fact that in January 2008 Citizens United, a nonprofit corporation, released a documentary (Hillary: the Movie) critical of then-Senator Hillary Clinton, a candidate for the Democratic Party's Presidential nomination and, anticipating that it would make Hillary available on cable television through video-on-demand within 30 days of primary elections, it produced television advertisements to run on broadcast and cable television.

The article focuses on the case, analyzing the sentence of the Supreme Court, delivered on the 21st of January 2010 and overruling Austin v. Michigan Chamber of Commerce, and it examines the role of the First Amendment with respect to the guarantee on political communication. Moreover, the case fosters the study of the relationship between politics and money in the field of political communication, with particular interest on the problem of the role of corporations and unions in funding political electoral campaigns in Usa.