THE BROOKINGS INSTITUTION

THE MARKETPLACE OF DEMOCRACY:

A GROUNDBREAKING SURVEY EXPLORES VOTER ATTITUDES

ABOUT ELECTORAL COMPETITION AND AMERICAN POLITICS

Washington, D.C.

Friday, October 27, 2006

MODERATOR:

MICHAEL MCDONALD
Visiting Fellow, The Brookings Institution

PANELISTS:

JOHN SAMPLES
Director, Center for Representative Government
Cato Institute

ANDREW KOHUT
President, The Pew Research Center

SCOTT KEETER
Director of Survey Research
The Pew Research Center

P R O C E E D I N G S

MR. MCDONALD: Today, the Brookings Institution presents a discussion in conjunction with the Cato Institute and Pew Research on *The Marketplace of Democracy*. It is a book project about which John Samples and I had discussions about a year and a half ago now, thinking about competition in the United States and what affects competition and what sorts of reforms might affect competition as well. The idea that we had was to bring together some scholars to write about competition, levels of competition, and the sorts of reforms that might affect it. We held a conference back in March at Cato, and we have an edited volume now out, *The Marketplace of Democracy*. It is probably the fastest turnaround on an edited volume in the history of edited volumes because our authors were so good that they were very diligent in turning it around. From March until August, we had a book out. We are very thankful for all of our contributing authors, and I will discuss some of them today and present just thumbnail sketches of some of the things that you can find in the book, which is, of course, available over at the Brookings Bookstore.

I have to, of course, thank John, and I also have to thank the Brookings staff and Cato staff who helped so much with this. Actually, Marge, she is sitting in the front row here, who helped raise some money for it which is always very important, and Bethany, who just came in, and Gladys, who I hope will show up eventually.

We actually did a really, really great job of fundraising. We raised money, I think, from six different organizations. Among those are Armstrong-Joyce, the JET Foundation, Carnegie, Thomas Anderson, and the Kerr Foundation. She did such a great job of fundraising, again, unusual circumstances, actually raising too much money. It is a really terrible situation to be in — to raise too much. So at the end of the project, after we had put the book out and had done a lot of the promotion like this event here, we had some money left over, I said: Do you know what we need? We need to do a poll on this, on competition, and what people think about competition and how it affects their interface with their government and what sorts of reforms might they be in favor of as well.

And so, I went to Scott Keeter over at Pew, who I will introduce more fully in a minute or so, and we discussed doing a joint project, and this is the culmination of where we are today. We did a joint project where they did a national poll, and I am sure Scott will talk more about the fundamentals of the poll in a minute. They did a national poll, and we helped. We supplemented that national poll with additional respondents in the competitive House races in current elections.

What we are going to do today is I am going to provide a background on competition from the book, from a couple of the authors of the book. Then I am going to hand it over to Scott and Andy, and then John and I will respond to that. Then we will open it up for questions from the audience.

So let me do some introductions here. Myself, I am Michael McDonald, and I am an Assistant Professor at George Mason University and a Visiting Fellow at the Brookings Institution. It is my second year now as a Visiting Fellow. I just keep visiting here. I got my Ph.D. at U.C.-San Diego, and I have taught at a few schools. I have been at Vanderbilt, the University of Illinois-Springfield, before coming to George Mason University.

Besides the book, *The Marketplace of Democracy*, I also have a wonderful book that will really enthrall you called *Numerical Issues and Statistical Computing for the Social Scientist*, and I have written many journal articles, most recently one for the *Georgetown Law Review* on re-redistricting and the legal framework for what we are going to see in the wake of the LULAC decision in Texas. I have written a few op-eds as well, and fingers crossed because it can always be pulled, but I should have an op-ed in the Outlook section of the *Washington Post* this Sunday.

John is the Director for the Cato Center for Representative Government, and he is really an authority on campaign finance, term limits, and other reforms that affect civic society and liberty. He is an Adjunct Professor at Johns Hopkins University. Besides our book, he has another book, which I am sure he is going to be telling you all about, called the *Fallacy of Campaign Finance Reform* that just came out. So he is another very busy person like myself. He has written three other books. He received his Ph.D. in Political Science from Rutgers University.

Scott Keeter is really instrumental in me being here as well in some funny ways because when I was initially at the University of Illinois-Springfield, I was looking for another job and Scott was Chair of the Department of Political and International Affairs at George Mason University and he was on part of that committee that hired me for the job there. In addition to teaching at George Mason, he has also taught at Rutgers and V.C.U. where he directed their survey research lab. Now, he is Director of Survey Research at the Pew Research Center in Washington, D.C. He has several books as well, most recently, his *A New Engagement? Political Participation, Civic Life, and the Changing American Citizen*, and three other books. He has published many articles as well. He works as an election night analyst for NBC, and he has been the Chair of the Standards Committee at the American Association for Public Opinion Research.

The person who really needs probably the least description for you is Andy Kohut, and he has a very long and distinguished career in public opinion. We are very lucky to have him here to talk about the poll. Andy, of course, is President of the Pew Research Center in Washington, D.C. He received an Innovator's Award from the American Association of Public Opinion Research, the main associative body for public opinion researchers, for founding the Pew Research Center. He has received accolades from his colleagues and peers for his work. In addition to being the President, he also acts as Director of the Pew Research Center for the People and the Press and the Pew Global Attitudes Project. He was President of

the Gallup Organization from 1979 through 1989, and in 1989, he founded the Princeton Survey Research Associates and then, of course, went on to put together Pew as well. He served as President of the AAPOR, the American Association of Public Opinion Researchers from 1994 through 1995 and President of the National Council of Public Polls from 2000 to 2001. He is a media expert as well. The list just goes on. He has been on NPR frequently and has written op-eds for the New York Times and other major journals and newspapers. He is the author of four books; *America Against the World* and *The Diminishing Divide: Religion's Changing Role in American Politics* is among those.

Now, that I have introduced everybody, I want to give you a background and then we will transition to the survey that Pew did. This is a background that is drawn from the book. I would like to give you a flavor of some of the chapters that contributing authors made to the volume that are very relevant to setting the stage for why we were looking at the competitive and non-competitive House races in this election cycle.

First, we had a contributing author, Gary Jacobson, from UC-San Diego. He really is the dean on Congressional elections. Among other things, he looked at the decline in competition and tried to piece it together. This is just one little snippet of that. This is the *Congressional Quarterly* calling of competitive elections from 1982 through 2006.

What is interesting here is at the beginning of redistricting decade, once

things get shuffled up some, you see an increase in competition. Then throughout the decade, you see a decline. Between 1982 and 1990, we started at a level of competition at 84, and then we declined to 41, and then we shoot up in 1992 where everybody is playing musical chairs, up to 103. 1994 is a big swing year; it is our last one prior to 2006. And so, we get elevated levels of competition even though it is a little bit smaller than 1992. Then in 1996, there are a lot of freshmen out there and we have a high level of competition as people sort themselves out. Then we see a steep decline after that.

What is interesting when we get to 2000 versus 2002 — I will speak a little bit more about this later — is that we did not see the increase in competition that we usually get from 1990 through 1992 when people shuffle their seats. We actually saw a decrease as far as *Congressional Quarterly* was concerned. Then in 2004, we saw an even smaller level. Now, we have had an increase back in this election as we have had a swing, but what is interesting when you look at 1994 versus 2006 is that we are only about half the level of competition that we were in this big swing election in 1994. By all rights, we should be at some sort of similar level of competition in this election if the only thing that mattered was just the national mood. There is obviously something else that is going on out there, and we will talk about that a little bit in more depth in a minute or so.

We had some contributing authors as well from Rochester and elsewhere on state legislative elections. This is a database that these scholars have put together

on extending the database on state legislative elections. We don't really know a lot about state legislative elections because the data is difficult to gather, but this team went out and collected that data. Not surprisingly, we know about levels of competition in Congressional elections, but when we look at state legislative elections, we see similar high levels of incumbency re-election rates as we do in Congressional elections.

Now, it varies. There are three different lines here. One is for the lower chamber where we have single member districts and then another line for the lower chamber where we have multi-member districts and then upper chamber where we have single member districts. There are two states that have multi-member districts for the upper chamber that are left off because it is so variable. We see for all three of them, while there are slight differences among the different chambers, all of them are above 90 percent or so, average above 90 percent in the decade between 1992 and 2002.

When we look at open seats — this might be some of the reasons to what is going on here — we see very few open seats as a percentage, 30 percent or less. Then in 2002, not surprisingly — it is a redistricting year — we see an increase in the number of open seats.

But when we look at competition, this is a very generous definition. This is a definition of the percent of races that were won by less than 60 percent. Most people might put it at 55 percent, but the numbers become so small when you get

down into this range here. So they did this in terms of 60 percent. You see between 2000 and 2002, there really wasn't an increase in competition. We would have expected that as a consequence of redistricting. We actually didn't get it. So something odd is going on in state legislative elections that is worthy of explanation as well.

People look at levels of competition and say, well, there is no problem with lack of competition in general elections because we have primary elections and they can substitute for the lack of competition in general election. A group of MIT scholars have been collecting data on primaries since the inception of the primary back in the 1910s, and they find, not surprisingly, with everything else, there are declines in competition in primaries as well. These are over decades. When we look at the very first decade, primaries were doing something. They were serving as a conduit for competition in the very beginning of their inception, but since then, it seems that with politicians — these are for statewide races here and U.S. House races — we have seen that the direct primary has experienced declining levels of competition throughout these decades. So competition from primaries as a substitute for lack of competition in general elections just doesn't seem to be there.

Finally — and then I will turn it over to our esteemed colleagues from Pew — we had a couple of researchers from the University of Maryland presented some mapping of donations. These are just really cool maps. So I thought I would show them to you. These are the Republican donations by county. The darker colors are

higher levels of money, and the lighter areas are less amounts of money. When you contrast this with where the Democrats get their money, you see there is not a lot of difference. People go where the money is. And so, we have a contributing chapter.

This might actually be important for competition because we usually frame competition in terms of electoral competition. There is a competitive race for money as well. What this does is force the Presidential candidates to go to areas that aren't competitive. California and New York are not really battleground states, but the two Presidential candidates have to go there to raise money and do fundraising in those states. This is at least a way that for voters in these states, who might not otherwise have television ads and visits from the candidates during campaign stops, those candidates will still have to go to these uncompetitive regions to raise money.

With all of that, that serves as the background. For the reason why we are worried about competition and why we might be interested in looking at it, I would like to bring up Scott Keeter, and he will talk about some of the results from the poll that we did.

MR. KEETER: Thanks very much, Mike, and it is a pleasure to be here with you today.

I want to talk about the study that we did and are releasing today and my colleague, Andy Kohut, is going to give you a little bit bigger picture about the

election and some other findings from this poll and some larger perspective.

Does the name, Elbridge Gerry, ring a bell? Elbridge Gerry was a double founding father, if there is such a thing. He signed both the Declaration of Independence and the Constitution. He tried and failed but eventually got elected as Governor of Massachusetts and was instrumental in the redistricting there in the early 19th Century, and as a result of that, got himself immortalized in our political lexicon with the term, gerrymandering. I think the point here is that this question, this debate, this controversy about the drawing of district lines and about the presence or absence of competition or fair competition in elections is about as American as apple pie. It goes all the way back to the very beginning of the Republic. Given the long history, good lineage, if you will, of this particular debate and controversy, it seems a natural topic for people who are interested in politics to study.

Now, I should point out that the Pew Research Center does not take positions on issues and does not advocate for any perspective. We are here to give you just the facts and not to make a statement. But when Mike McDonald approached me and said that their project was interested in gathering some objective data about how the public perceives and views competition and what they think should be done about, I thought this was a natural for the Pew Research Center. We don't take positions on tough issues, but we are interested in tough issues and we don't shy away from them as topics to poll on. So that is why we are here today.

The survey that we conducted in association with Brookings and the Cato Institute was done just last week. The field period was October 17 to 22. We interviewed 2,006 adult Americans in the continental U.S. We were able, as a result of the collaboration, to over-sample people who live in competitive Congressional districts. We selected 40 districts based on the early October ratings by collection of the usual suspects, Charlie Cook, Stewart Rothenberg, Larry Sabato, the *Congressional Quarterly*, and the *New York Times*. The list of competitive districts actually expanded a bit since then. That happened really after we were able to draw this sample, but even taking those districts and putting them into the analysis that I am going to describe to you doesn't change the basic findings that I am going to show you. We ended up with a total of 528 registered voters in the competitive districts, and so the comparisons that we will talk about today are based on enough samples to be able to feel that they are reliable.

I brought copies of the press release today, and there were an adequate number for everybody. So I hope everybody picked one up because I am going to point you to some boxes in there as I describe the basic findings. The findings are pretty simple to describe.

First of all, there is a very low level of awareness of the debate about redistricting and this issue, despite the long lineage of the issue, despite the fact that it has been very much in the news with ballot measures in both Ohio and California last year, with the Texas redistricting that was undertaken by the

Republicans in the mid-decade. There is a very significant gulf between what people who are interested in this professionally think about it and what the general public thinks about it, which is they don't think about it. Moreover, there is not significant public awareness of the levels of competition in the elections that they face for the House of Representatives. I will show you some evidence for that. There is, however, awareness of the level of competition for statewide races, governorships this year and Senate races.

There is relatively little dissatisfaction with the process. That is largely a result, I think, of the ignorance of the process and the fact that people haven't thought about it very much, but nonetheless, given the opportunity to say that they are dissatisfied about the process, only 14 percent of the people we polled said that they were dissatisfied with Congressional redistricting.

There is a small majority, a bare majority, 51 percent of the public, who say that they are satisfied with the choices that they have in elections. That is up slightly from the same question being asked a couple of times over the past 15 years. It is not all that high, but significantly, it is not higher in places with competition than in places without competition. So there doesn't seem to be a correlation between how people feel about thee electoral choices that they have and how much competition there actually is, objectively speaking.

Finally, we don't find that the public has any kind of optimism about what would happen if there was more competition or that most people necessarily think

that competition is a good thing, given the way that we approach this. I will give you the evidence for this in a second. But it is not clear that this is necessarily an apple pie where you have large numbers of people saying, oh, yes, that is a good thing.

First of all, on the question of the levels of awareness, if you have the handout, you can just turn to the very first page of it. We asked the question: How much have you heard or read about the debate over how Congressional district boundaries are drawn in your state; a lot, a little, or nothing at all?

Half of the public say that they have heard nothing at all about it, and 38 percent say they have heard just a little; only 10 percent say they have heard a lot. That number does not vary across places that have more competition or less. I even took a look at the 125 respondents we have from Texas, and the numbers who say they have heard a lot about the controversy is not significantly higher than the 10 percent that we show for the sample as a whole. So this is an issue that is not registering deeply into the mind of the public.

Similarly, when we asked people who live in states that have more than one Congressional district — Who is in charge of redistricting? Is it election officials or is it a non-partisan panel? — 47 percent say they don't know, that is the box on the second page up there at the top, and 9 percent say a non-partisan and 44 percent say elected officials. A significant number of people get that right, but more people really don't know. There are relatively few people in this survey, far fewer

than 9 percent, who actually live in states where there is a non-partisan redistricting process. So there isn't a very clear awareness of exactly the mechanics of who ultimately holds the power in this process.

Now, to the question of whether people actually know whether there is competition, turn over to page three. What we have done here is we have taken our respondents, and we have sorted them according to their Congressional districts and according to their states. We used the ranking services that we used for the Congressional district coding to also sort people into competitive or non-competitive states for their Gubernatorial and Senate races. You can take a look there and see that in the House races, there is an indication that people who live in places with competitive House races are more likely to say, yes, this is going to be a close contest — 71 percent in those districts versus 55 percent in the districts that we rated as non-competitive.

But this number is a little bit misleading. While it certainly indicates that the message of the campaigns and the intensity of the campaigning is sending some kind of signal to the people, the number of people who were giving what we might call a false positive here is rather high — 55 percent in the non-competitive districts. That number is about the same in what we call safe Republican districts as it is in safe Democratic districts. In the safe Republican districts, one could argue that maybe that is a realistic assessment. Our poll released yesterday, based on these data, showed that the Democratic advantage in this election is reaching

pretty far into what were once considered to be safe Republican districts, but it also means that the safe Democratic districts are really safe and just as many people in the mid-fifties say their races are competitive as say this in the safe Republican districts. So there is a lot of misperception here.

There is, however, a pretty solid degree of perception of competitiveness in the statewide races. The other two numbers, sets of numbers in the box, show you that. In the Senate race in races that are competitive, 69 percent can say that it is going to be a close contest. In the non-competitive races, 55 percent say one candidate is heavily favored. You have basically the same pattern in the gubernatorial elections. So people are getting the message about whether there is a closely contested race at the statewide level.

Well, what do people think about the way redistricting is done in their states? As we said at the beginning, because of the low level of awareness of how it is done and the debate over it, it is not surprising that when given the chance, 70 percent of the public take refuge in the no opinion option when asked if they are satisfied or dissatisfied with the process: 13 percent say they are satisfied; 14 percent, dissatisfied; and 70 percent say they have no opinion. Democrats are more likely than Republicans to say that they are dissatisfied, but even there, you are only talking about a 18 percent to 11 percent difference.

Among those people who said that they are dissatisfied with the process, we went a step further and asked them to explain to us in their own words, what it is

about the process that they are unhappy with. About a third of those individuals gave us an answer that clearly indicated they understand the problem of gerrymandering in terms of this issue. It makes it an excessively partisan district. It is just for the protection of the incumbent. Some people mentioned majority-minority districts. They didn't use that term, but that was the concept, that the district is drawn in order to protect a racial minority. Then there were miscellanea of other responses, and a lot of people just didn't understand the question or hadn't really thought about it at all.

What about the choices that people have? Do people feel like they have reasonable choices in election, regardless of what is going on in terms of the machinery in the black box? If you look on page four, there is a box that shows you the question: Are you satisfied with the choices that you have in your elections this year? That makes reference to all of the elections that people have, and people could be thinking about different things in answering this.

What you see, at least comparing competitive House districts and non-competitive House districts, is that there actually is slightly more satisfaction with the choices in the non-competitive districts than in the competitive districts. I don't think that is a meaningful difference, but it certainly belies the notion that places that have more competition lead to an electorate that expresses more satisfaction with the choices, at least as the system is constituted today.

Finally, to the question of whether people would like to have more

competition? Is it a good thing? We didn't want to ask people: Is competition a good thing? It is at the heart of our market economy and our political system, but there are many pragmatic elements of it that we felt that we needed to probe, and it is a very difficult thing to get at.

We tried a couple of approaches to it. One of them was simply to ask people: When a politician faces tough competition for re-election, does it one, make them work harder to represent their district better, or two, does it make them focus too much on campaigning and fundraising at the expense of representing their district? 62 percent of the public took the latter option, saying that competition had this downside; 22 percent took the other option, saying that it made them actually work harder.

There is another way to look at this and that is to ask the question: Do you really want competition if you happen to be on the winning side? So we asked people: Who wins the elections in your area; mostly Democrats, mostly Republicans, or a mix of each?

What we found is that Republicans in areas where they said that Republicans win the elections expressed considerable satisfaction with that. Upwards of 70 percent said that was a good thing. You had the same picture with Democrats. Democrats who lived in places where they said that Democrats win most of the elections said that was a good thing, and Democrats in places where they saw Republicans winning most elections said it is a bad thing.

There are a significant number of people who say that elections are won by a mix of each party. Interestingly, Democrats, Republicans, and Independents are equally likely in that instance to say that having a mix of parties winning is a good thing. That constitutes actually about 27 percent of the whole sample. And so, there are people in the survey who are in places where they see a mix or what we might define as one result of an electoral competition to say that it is a good thing, but there are a lot of people, more people actually, who would prefer to see partisan alternatives or partisan outcomes as long as they are consistent with their own partisan position.

So that is a quick overview of the findings of the study as they relate to the question on the table today. Now, I will turn it over to Andy.

MR. KOHUT: Thank you very much, Scott. I just want to add my comments that we are very delighted to participate in this project with Brookings and Cato. This is a subject that is of interest to us, and we look forward to potentially doing more things like this.

I don't have much to say. Scott has done a pretty good exposition of what the survey found. I just want to maybe give you a couple of things that struck me as I considered the findings of the survey.

The first thing is that the public has much more concern about intense partisanship, negative campaigning, and the campaigning process and the extent to which their leaders are driven by the campaigning process than they do about

competition. You can see that very clearly in this question about what people said competition would do. Would it make their leaders work harder? Would it make them focus too much on campaigning? Not only do you get a three to one margin that it would have them focus too much on campaigning, it is a bipartisan opinion. There is no variance between Republicans and Democrats, and that is rare.

I think this is not too surprising, given the nastiness of political campaigns these days and how much negative campaigning is out there, and I think it is also not too surprising, given how much probably growing discontent there is with partisanship in the country and the lack of compromise. My guess is that what we will see over the next couple of years is greater calls for less partisanship and more cooperation. That probably won't be forthcoming if the polls prove to be accurate and the Democrats take more seats in the House. Our analysis suggests, and others as well, that it is mostly going to be taking seats from Republicans in Democratic areas, who tend to be the moderates. So the prospects for more cooperation might be smaller than you expect, and that could really create some significant backlash over time.

The second conclusion that I thought about when I read these results is that opinions about competition are going to be driven by the results of this survey. Now, if we don't have change that the public wants and expects, there is really going to be a clamor about competition. After all of the mass suicides by Democrats, then the next thing we will begin to talk about is competition. That

was a joke.

I think that the results of this election where people have such a head of steam about change will determine how they feel about this issue of competition.

The third thing that I come away with in looking at this survey and looking at the polls that we have been doing and others have been doing is that it is pretty darn hard to bottle up the will of the American people, and you can see it in so many ways. Scott referred to the surprising finding that there is a fair amount of competition in the "safe" Republican seats. In fact, the survey that we released yesterday showed that you have to go to districts where President Bush won by 60 percent or more to really get huge Republican margin in the generic Congressional ballot test that we conducted. There is a lot more competition, not only in places that are considered toss-up seats or competitive seats but also in some of these other places.

Also, think about how different the handicappers are thinking about this election than they were back in January. I mean, Charlie Cook, not to pick on him but he is clearly the most visible, said there would only be 28 competitive seats this year. He is now, I think, up to 55 percent.

The other thing is that I have a different reading, Michael, on the results of the trend line than you do because if you look at different data, not what the handicappers said but look at the actual election outcomes, you see a pattern that is a little different. I need my glasses to read this. Rhodes Cook counted up for us

that only 7.4 percent or 32 seats in 2004 were won by margins of less than 55 percent. That is pretty small. Back in 1992, it was as high as 111 really competitive seats if you focus on the outcome of the election as opposed to what the handicappers said. It sounds pretty bleak, but if you go back to 1988, according to Rhodes Cook, you had only 37 seats that were won by 55 percent or fewer.

So I think competition is something that comes and goes. I am not denying that it is more difficult, given safe seat redistricting, but I think that public opinion and voter opinion is pretty robust. I think there is a more cyclical nature to this issue of competition than was expressed by that chart, if you just look at the absolute outcome of the votes. In any event, I will stop by saying that I think we are going to see whether it is the landscape or the will of the people that determines how much the issue of competitiveness is a real one for us and for the American public.

Thank you.

MR. MCDONALD: Thank you very much, Andy, and I share most of what you said there because I was just really stunned when I looked at these results as they were coming in the last couple of days, at how much disconnect between what the pundits think in terms of competition and what the public thinks in terms of competition. I really had expected to see some sort of pattern there in the competitive House races where the people living in uncompetitive races would

have known that there wasn't competition and yet, they did not seem to know that. I don't know if it is due to lack of attention by the media on these things, that there is not enough information out there for people to be aware of levels of competition. They know that they have seen maybe a commercial or they have gotten a direct mailer, and so they have some level of awareness that there is a candidate out there and maybe competition for them is enough that there is a contest. I don't know.

There is something that has to be explained there. I think when we start really delving into this data a little bit more to see why people think these things. Maybe we are going to be able to tease out some really interesting results. This is really just a first cut of this. I am really looking forward to getting hold of the individual data and start doing my political science sort of analysis on it.

I will just back up real quick. I believe you said 1988 was the year for Rhodes Cook, yes, and that is absolutely true. What tends to happen is during these, when you first get the shakeup after redistricting in 1982 or 1992, you see this increased level of competition. Then as people sort themselves out, you see these declines in competition over time as the mismatched incumbents either retire or are defeated. We have seen that everywhere except in 1994 and 1996 where we had our last big national tide toward the Republicans which shaped things up as well. Then once things sorted themselves out, we saw a decline. What is really interesting is between 2000 and 2002, the actual decline in competition at least as far as the handicappers saw it.

I think there is something else that is really interesting going on here, too, and I think you picked up this, Andy. We haven't seen a national tide towards the Democrats or the Republicans since 1994. So our elections have been stagnated essentially since 1994. Without that sweeping motion of a tide one way or another, the campaigns focus their resources into these marginally Democratic or marginally Republican seats. That is their best target opportunity in an election without a national tide. They go after the Republican sitting in the Democratic seat or they go after the Democrat in a marginally Republican seat, and we get turnover and we get this polarization as a consequence of targeting these moderates that are sitting in these competitive races. What we have really been missing in American politics since 1994 is a swing.

I hope that you are wrong. I hope that you are wrong that it is going to be the marginal Republicans who are moderates that are going to be swept out of office. I hope that a couple of those survive. What I hope is that some of the Republicans sitting in some of these marginal Republican seats are defeated and we get some moderates replacing them, and then inevitably we are going to get a swing back. If anything, we have learned in American politics, eventually, one way or another, the other party is going to have their day. When that happens — maybe it will be 2008 or 2010 — some of these people who aren't representing these moderate Republican districts very well, if they are too liberal for their district, they will be knocked out and we will get a replacement there. Maybe

some moderate Republicans will win in some of the moderate Democratic seats out there. As long as we have this sweeping motion back and forth, we may have some restoration of a middle within our democracy.

I think the real winner in this election, one way or another, at least I am hoping, is going to be moderation, not so much the Democrats. Whether or not they win control or not, my hope is that is what happens.

MR. KOHUT: The only point I wanted to make is the reason why we didn't have a bounce back after the tide of 1994 was what happened in that election was a correction in and of itself as there was a greater match-up between the conservative pro-Republican instincts of the South and other places that swept Democrats out of office. In a sense, 1994 itself was the correction. You weren't going to have a correction to a correction.

MR. MCDONALD: Absolutely, yes, I agree fully.

I did want to highlight some of the other authors, so that we can tease you a little bit more about the book because it is more than just about competition. It is also what affects competition.

We had Nathanial Persily from the University of Pennsylvania provide a legal framework of competition, especially after the decisions in LULAC and in the Vermont campaign financing which I believe John will talk about a little bit as well. I myself am going to talk a little bit more about redistricting in just a minute.

For term limits, we had Bruce Cain and Thad Kousser look at term limits

within state legislatures where we still, yes, believe it or not, we actually have term limits for a significant number of state legislatures out there.

In campaign financing, we had two pairs of authors look at campaign financing and public financing, especially in the states of Arizona and Maine, and now we are going to have Connecticut come online in 2008 with public financing of their state legislative elections. We have a lot of experiments out in the states. We don't have as many experiments that are going on at the Federal level. When we look at redistricting, term limits, and campaign financing, we do see a lot of variation between state legislatures. That is why this database that the group from Rochester and Florida State put together on state legislative elections is going to be so important to our understanding of what is going on at the state legislative level because these reforms that are happening are happening there rather than at the national level.

Then we had Paul Herrnson from the University of Maryland talk about minor parties and John Matsusaka — well, actually, this is incorrect — from the University of Southern California, talk about initiatives and their effect on competition.

Just a few things here, competition varies. Some of the general findings that collectively the authors find are that competition varies among level of office. Gubernatorial elections are very competitive and it doesn't really seem that reforms affect gubernatorial elections because they are so competitive. You get

very high quality candidates running there. They are non-ideological. They are more about filling potholes than they are about big issues of wars in Iraq and things like that. So you get Democrat Governors in Montana and Republican Governors in Massachusetts. We see a lot of competition there, and so the reforms need to be tailored to the level of government that is suitable for the reform.

These reforms can sometimes have perverse effects on competition. You get these clean elections laws encouraging candidates to run in races where they really, when you look at the underlying partisanship of the district, have very little chance of winning. While some of them do win, don't get me wrong on that, what we see are high levels of contestation in these states. When you calculate the overall percent of margin of victory, you actually see lower levels of competition, depending on which way you want to frame the question. If you want to look at it in terms of the number of contested seats, you will see an increase in competition. If you look at it by margin of victory, you are going to see something else.

You can also create perverse incentives as well where term limits actually encourage candidates to sit out an election, waiting for the incumbent to be term-limited out of their seat. An otherwise vulnerable incumbent may not be challenged directly, and a challenger may wait until the next election.

Reform recommendations here are that when we look at it, it is a very complex system and there is no magic bullet that is going to solve everything. I think that is also showing up in some of the polls, in the Pew poll, where people

are more concerned that competition has a negative effect in terms of campaigning and raising money than it does in actually making the member work harder to represent their district. So, perhaps, the way to solve that, if you will, is to look at campaign finance reform which I know John will not want to talk about so much here. He may not be in favor of all campaign finance reform, let me put it that way, but he will talk about it in a second. Maybe you need a package. Maybe you need something more than just redistricting reform. You need to couple it with some other sort of reform that is going to lessen the effect of incumbents needing to raise lots of money for those races.

You only get one chance to get it right. Often, these initiatives are being passed in these states. You only really get one chance to put an initiative forward, and so it is important to get the initiative correct the first time you do it. Arizona is a good case of this and something that I am very familiar with. I worked for the Arizona Independent Redistricting Commission, and the Commission did not really live up to the reformers' dreams or visions because it really didn't think fully through all of the criteria that the Commission was going to have to work with. They had hoped competition was one of the criteria, but they put it at the end of everything else, and these other criteria conflicted with competition, and they ended up not getting competition as a result. You have to think very carefully about the reform before you put it forward because it is going to be very difficult now to go back into Arizona and do another redistricting initiative in that state.

Finally, what really came out of Arizona, too, and my experience there is that you need to consider combining these state constitutional amendments with statute. That way, you don't hardwire something in that you may regret later on down the road.

I just want to talk very quickly about redistricting and set up the problem with competition. If you can imagine a 50-50 state where you could draw four districts where there is an even division between Democrats and Republicans within those four districts, you could get four competitive districts and you get an expected number of seats because there would be a toss-up in each race of two. Now, you could do a bipartisan gerrymander where Democrats and Republicans divide the state equally and create two very safe black or colored or shaded districts and two unshaded districts, and you get another expected value too. The bonus here is that these are very safe seats compared with these seats. So the incumbents would generally like this rather than this framework. Then if you were a party, you can do this sort of framework where you could put slices of Democrats or Republicans into each district, and you create one very safe district, and you can actually win all three districts.

The real point of this is incumbent protection and partisan gerrymander, neither one of these favor competitive districts. You are either going to have very safe districts or for the partisan gerrymandering party, they will have slightly less safe districts than they might under the incumbent protection plan, but these

districts are not at all going to be competitive in any sense.

So when we look actually at the number of competitive districts, looking as a percent of the two-party Presidential vote between redistricting cycles, we see some of what Andy was referring to as this cyclical change that is going on in the South where we see increasing levels of competition in Presidential elections and we see a change increase actually before and after 1970 and 1972 in the number of competitive districts, partially as a shift in apportionment of Congressional districts to the South. You get that in 1980 and 1982.

Then in 1990, something changes. We don't get this change between redistricting cycles. We actually get a slight decrease in the number of competitive districts between 1990 and 1992.

There is something going on between 1992 and 2000, so there is some change going on, geographic change within the districts.

Then between 2000 and 2002, we see a real decline in the number of competitive districts, and this is what I and many other people who want to reform the system are most worried about, that is, what happened between 2000 and 2002.

This has some real important consequences on this election as well. This is a distribution of Presidential votes within these districts. Then what I do is I sweep. I put it hypothetically at 50-50 percent, and then I sweep across, adding 1 percent or subtracting 1 percent to that Presidential vote. This is a technique that people do who study electoral systems to create what are biased and responsiveness. Bias is

at what point you need to win 50 percent of the seats.

This is the Republican vote share within the districts. Republicans only need 45 percent of so of the vote in order to win 50 percent of the seats. Democrats start the election behind by the way in which the partisans have been distributed to the districts, and that is really because of four partisan gerrymanders in Ohio, Michigan, Pennsylvania, and Florida. Then you add in what happened in Texas as well where we went from a Democratic gerrymander to a Republican gerrymander. Between the unshaded is where we were in the 2000 cycle and then afterwards, this is what happened. There was a shift as part of these gerrymanders in these four states or five states now in the Republicans' favor, so that they need less of a vote in order to win a majority control of the House of Representatives.

Then what is interesting, too, is what you see right when you get above 50 percent. If the Republicans won 50 percent of the vote, they are going to win somewhere around 57 percent of the seats. Now, this is hypothetical. This doesn't think about incumbents and other things. When you move the Democrats further in the Republican direction, you see very few additional seat gains. What is going on here is there are very few competitive Democratic districts out there compared with Republican, and that is actually a very efficient way of distributing votes. You want to pack in, as I showed you in that slide previously. You want to pack in all your Democrats into very safe seats and efficiently distribute the remaining among Republicans that are somewhat safe but fairly safe districts. This is why

when you look here; you see this kind of flattening out right over 50 percent.

Now, this has some very important implications for this election. Not only do the Democrats start at a disadvantage, the previous slide shows that there are very few competitive seats out there. So the Democrats, in order to win, are playing on a tilted playing field, and they need to do very well in some of these Republican-leaning districts out there in order to take control. Whether or not the system is broken is going to be resolved by whether or not the Democrats in this political environment, which is somewhat like 1994, whether or not the 51 seats that the *CQ* says are competitive, is going to be enough. Are they going to be able to overcome the structural advantage of the partisan distribution of votes into the districts out there? Are they going to be able to overcome that in order to take control of the House?

I agree; I hope that the system is not broken, and I hope that there is some responsiveness in the system. But if there isn't, if, in this really bad political environment, Republicans still maintain control of the House, then I think we are going to have to reevaluate whether or not this system truly is broken.

With that, I will hand it over to John who will talk a little bit about campaign financing.

MR. SAMPLES: Thanks much, Michael.

Mike didn't tell you, but he is, in fact, as you might have guessed, one of the leading experts in the country in redistricting and those kinds of restrictions on

competition as well as on voting. In fact, I would urge you all to go to his site at George Mason, which has a lot of useful information about voting. The way you do that is go to Google and enter Mike McDonald or Michael McDonald and voting. Now, you have to enter the voting because if you don't do that, you get the guy from the Doobie Brothers.

MR. MCDONALD: Just do voter turnout.

MR. SAMPLES: I can see that about half of you are saying: Who the hell are the Doobie Brothers? You can ask Mike about that afterwards.

I also want to thank a few people: Ashley March here from Cato, she has worked incredibly hard on this project for us.

Bob Faherty, the publisher of Brookings Institution Press, was here earlier. Indeed, Brookings Institution Press has a fabulous reputation, and Mike and I got to see why in producing this book in three months.

I also want to thank my friend, Pietro Nivola. Pietro is the head of the Governance Program here at Brookings. I have known him — we are getting to almost 20 years now, Pietro. He was tremendously supportive right from the first moment that Mike and I talked to him about this and supportive throughout in helping to identify donors and giving us ideas about how to do the project. We appreciate that much.

If Bob were here, he would say that every good author takes his book with him everywhere and shows it to the people. So I am going to be a good author

right now. This is the *Fallacy of Campaign Financing Reform*, my new book. It is appearing with the University of Chicago Press.

I have to say, going into my topic today, campaign finance has a bad reputation in the sense of not only about corruption and all of that but also as being boring as hell. It is about numbers. It is more like accounting in one way or another. When I began to study it, what I found and what this book is about and what I want to talk about today is campaign finance is about everything. It is about everything. It is about regulation. It is about deciding in what kind of country to live in a way. It certainly has big effects and can have big effects on various kinds of election outcomes and certainly electoral competition. So look for the book at Amazon or at your local bookstore.

Despite what Mike said earlier, I am a critic of campaign finance regulation, but I want to talk about in terms of electoral competition as it were the sunny side and the dark side of campaign finance regulation, the good and the bad from the point of view of electoral competition, or at least the potentially good side. The first part I want to talk about is normal campaign finance regulation, the kind we see at the national level, and this is usually going to be some kind of restriction on entry and the use of money in election. On the other hand, I also want to talk about subsidies, that is, public financing, most of which is done at the state level. That is what our book is about in part, a couple of the articles, about how you might vote in more competition through public financing.

Let us begin with the dark side, and then we will turn to the light side. The dark side, I think, can be understood by looking at a particular case in this election, and I want to focus on one that is involving one of the House sponsors of what was called at the time McCain-Feingold and is now called the Bipartisan Campaign Reform Act of 2002, Christopher Shays. Now, Chris Shays is a Republican. He is from Connecticut, and he is essentially in one of those districts that Mike mentioned, that is, he is in a district that is, at best, 50-50 from a Democratic-Republican point of view. He is in a district in which he will probably be, perhaps this year or eventually when he retires, replaced by a Democrat and that will probably be a Democratic district for some time to come.

I looked at the number of people and, in thinking about McCain-Feingold, it was important that there be a lot of Republicans that supported it. It couldn't be a partisan campaign bill because the Democrats didn't have majorities. They needed about 20 percent of the Republican caucus in the House and about 20 percent in the Senate. They got that.

I looked at the 20 percent in the House that voted for McCain-Feingold and BCRA and compared it to the 80 percent of the Republicans that voted against it, and I found out this interesting thing that I think tells you something very important about certain kinds of campaign finance regulation. The Republicans who voted for McCain-Feingold were very much like Christopher Shays. On average, they came from districts where President Bush in 2000 had received about

49 percent of the vote. The ones who voted against it, the Republicans, the 80 percent, on the average, came from districts in which Bush received about 57 percent, 58 percent of the vote.

Now, that suggests to me that what was going on in McCain-Feingold was they had put together a partisan group, Democrats, who 90 percent supported campaign finance regulation — maybe against their interest and I am going to turn to that in just a second — and 20 percent of the Republicans, about 40 Republicans that were in trouble all the time. So why would they vote for campaign finance regulation?

In political science, we have all earned to think about Congress this way from David Mayhew: Everything concerns reelection. The way of the office, the people that are in the office, everything; you can explain everything according to re-election prospects. So maybe that is why those 20 percent of Republicans voted for McCain-Feingold. Maybe it makes it easier and therefore restricts competition.

Let us go to Chris Shays. I wanted to talk a little bit about Shays is in trouble. He is a 12-term incumbent, and he is in deep trouble. He is running behind now or he is running even with Dianne Farrell who is a Democrat in Connecticut.

I want to compare what Chris Shays' role would be like or is like with BCRA and what it would be like without McCain-Feingold. Think about that just very briefly. It is a very closely contested race. There is a lot of money up there

now. Both of the parties are going to spend about a million dollars in the district. IN general, though, in the nation, party fundraising by the Democrats is expected to be about one-fifth — one-fifth of what the Republicans will raise, the DNC versus the RNC. In other words, the Democrats are going to be limited. Even though they are putting in a significant amount of money, they are limited in the kind of money the party can bring to bear in the Shays race. They say, well, what about these 527s, these outside groups that have attracted so much attention in 2004? They are having trouble raising money, and they are not involved in Chris Shays' race. There are a couple of so-called 501c4s, non-profit groups, that have done very minor things up there that probably will hurt Chris Shays a little but not much.

There is this context where there is a fair amount of spending, Shays is in trouble, but this election is the election Chris Shays has been preparing for and prepared for in voting for and supporting McCain-Feingold. In most cases, he can pull through on incumbency advantage. The wave election that is going to sweep him out to see is here, and he is still alive. He is still alive. He should be dead by now because he is in the wrong district in the wrong place in the wrong time.

He is alive because, if you think about the world that would have existed before McCain-Feingold, the Democrats had raised enormous amounts of soft money that went to party building and party expenditures. So did the Republicans, but those numbers were about even. The Democrats, at this moment, had McCain-Feingold not passed, would not be going around taking out bank loans because

they can see the possibility of 41 seats. They wouldn't have James Carvel going to donors and saying: Mortgage the house; give me the money; this is a once in a generation attempt to take over the house and change the course of American political history. They would have had something in excess of $400 million in soft money to spend by the party on races like Chris Shays race and Chris Shays would be dead.

I think that is pretty clear, and I think it explains a great deal of why those 41 House members voted for McCain-Feingold to get rid of both party soft money and I should say also what came to be called electioneering communications which were essentially just a lot of ads and Get Out the Vote efforts, very critical of incumbent members of Congress. Chris Shays would be facing an onslaught of those even greater than what he is going to face, and most of them would have been funded by labor unions, had McCain-Feingold not existed. But it does exist, and he is not facing any of that. He may survive.

So I have often wondered: What the hell was Daschle thinking about having 90 percent turnout in the Senate for McCain-Feingold? This is the moment where we may find that the Democrats made a gigantic error in 2002 in supporting McCain-Feingold. We will have to see.

It is a huge wave. What I think is probably certain is the wave is going to be smaller than it would have been without McCain-Feingold, and certainly Democrats would have had enough money to contest strongly those 41 seats that

are in play. What may happen is we had this sort of underlying function where there is a wave and a great deal of dissatisfaction and Democrats just have deprived themselves of enough money to act on it. That may be the result, and you will see a 20- or 16-seat turn instead of what might have been a 41-seat turn.

So you see what campaign finance regulation does. It prevents entry. It prevents competition. It makes things harder. It doesn't just outlaw people from doing things. It makes it harder to bring the money to bear. It makes it harder to raise money and has partisan and anti-challenger effects.

Let us turn to the good side, the potentially good side of public financing, that is, the notion that you could enhance competition, and political scientists have known this for some time. What is important is not how much money the incumbent has so much as how much money challengers have. So you could increase electoral competitions between incumbents and challengers by giving money to challengers.

Now, one reason I think public financing could have potentially competitive effects is that Congress has never passed it, right. It is also more complicated. It is also not very popular, as I will talk about briefly. Strictly speaking, that is not true. In 1991, Congress did pass public financing of Congressional races. We have long had public financing of Presidential races. But, in 1991, it was passed with the notion that George H.W. Bush would veto it. The interesting thing was — it is not well known — the public financing law that passed in 1991 had no financing

mechanism. In other words, there was no way to raise money to fund the bill. Then you had just a symbolic law. So really Congress has never done anything like this. That suggests it might actually cause more competition.

In the current election, Proposition 89 in California is a full public financing bill. It offers large subsidies to candidates. One of the things that goes with public financing is that you often get much lower private contribution limits. In the Governor's race, for example, with Proposition 89 in California and the private contribution limits, in other words, public financing has to be voluntary. You can't just outlaw private contributions to elections in the United States, at least not yet.

What you have to do is give people the choice. What usually comes with it is if you are going to run a private race with private financing, you lower the contribution limits and make it harder to raise money, so that people will go into the public finance system. In the Governor's race in California, for example, the private contribution limits are about 20 percent of existing limits. It is also paid for a tax — T-A-X, not attacks but maybe both — on corporations in California. I want to turn to all of that.

It makes sense that there would be increase in competition. We had a couple of people, very talented individuals in this book, look at public financing. Ken Mayer of the University of Wisconsin looked at a similar bill to Proposition 89 that has passed in Arizona. What he found was that in the first couple of elections after, and right at the moment it is very consistent because in the time series that

the public financing in Arizona enters, what you see thereafter is a reduction, a noticeable reduction, in incumbent re-election rates and margins of victory by incumbents. So that counts on the side that says, yes, if you have a full supported public financing or a much stronger one, you might see a reduction in incumbent reelection rates. I should say it was still above 60 percent or was still pretty high re-election rate, but there was a strong effect.

Jeff Milyo and David Primo looked at a broader data set of public financing in gubernatorial elections from post-Buckley 1978 to the late 1990s, and what they found was that there was no effect on the competitiveness of the races. In a sense, what we find is that we don't know yet.

There was an earlier study that actually Brookings was associated with distributing by Mike Malben and Tom Gaius that looked at a lot of different kinds of public financing in the states and found that there was more entry of candidates in some ways but that not a lot of effects on overall competitiveness with incumbents.

The public financing literature, I guess, is underdeveloped, you would say. Many literatures are. It is an interesting point that will studied and will have to be studied more. It is a very strange one in a sense that with term limits in our book, we don't find what you might expect, which is increases in competitiveness. It may well be that it doesn't work quite as much as one might think.

We probably won't be able to study California, though, because Proposition

89 is probably not going to pass. The public polls show that about 61 percent oppose it and would vote against it, and the private polls, I understand, show that it is worse than that. One thing that we have seen over a long period of time is that public financing is actually not very popular. There is a fair amount of evidence of that. One important piece of evidence, I think, bears on the polling we have done here, that has been done here by Pew. If you look at Proposition 89, you notice that, as I said, it is funded entirely by a tax on corporations which is somewhat misleading but still clearly there is a separation between offering benefits to the public through Proposition 89 and imposing the cost on a subset of the population.

Now, that is an interesting problem because Proposition 89 is expected to cost $200 million a year in subsidies. So you are going to inject $200 million in taxpayer spending into the system through candidates. That works out because I went to Mike's web site — which I really did, actually — to find the number of eligible voters in California. I was able to determine $200 million a year works out to about $9 per eligible voter in the State of California. There something going on that is strange here when the people who put up Proposition 89 are really saying, mostly they are saying, frankly, that this will end the corruption of California. That is their major argument. But they are probably also saying that it will make it more competitive, and you might even expect, on theory, that it would make California elections more competitive. What they are unwilling to say to the public is that we are going to give you these benefits and it will only cost you $9 a year.

The reason that anybody does something like this is because they think if you tell people it is going to cost $9 a year, they will vote against it for sure.

That is a curious kind of outcome, I think. Part of it is explained by the Pew polling. I think people don't perceive the system as highly uncompetitive. If they don't, then it becomes, I mean in California, they came out of the redistricting deals and said in public: We protected all the incumbents. If it has not gotten through to the public, then the major card that public financing might be willing to play and be able to play and charge $9 a year for is that we can make the system more competitive, perhaps. There are other problems, I think, but the larger problem with public financing is the public perceives it and sees it as a problem, not of competition, not of corruption but rather of the uses of public spending. That is always going to be problematic, I think, for public financing.

To conclude now, one has to say that there are anti-competitive elements strongly in campaign finance regulation. There are potential pro-competition elements. We are not sure that those work out. I am a scholar. We always call for more research. There has got to be more research. IN theory, it makes sense there would be more competition. We may get a chance to do more about that, but right now, we have a very mixed picture.

The real problem, I think, over time is that while you and I as citizens might want more electoral competition and what Scott was talking about, maybe even that is up in the air. Maybe people care more about having partisan success than

they do about competition. Electoral competition is a kind of public good. It may be something that is really good for all us, but it may be something that nobody wants actually. So we have to work our way around that and perhaps deal with that reality.

I think the real concern is that certainly the parties, incumbents in any Congress, Democrat or Republican, are not going to have much incentive or much desire to have real electoral competition because remember David Mayhew; the whole point is re-election.

Thank you very much.

MR. MCDONALD: Thanks, John.

Why don't we open it for questions for just a few minutes? If you could, just identify yourself when I call upon you. Go ahead.

QUESTIONER: I do have a question for Professor Samples.

You say that the 20 percent in the House of Republicans who supported McCain-Feingold did so essentially out of self-interest. How does that tally with the fact that their speaker at the time was saying that a vote for McCain-Feingold would be Armageddon for the Republican party and how does that tally with the notion that sometimes even elected officials do things that they think are right, not just what necessarily services their self-interest?

MR. SAMPLES: Well, I think my assessment is consistent with the idea that when there is a contradiction between incumbent interest and partisan interest,

that incumbents will do what is in their favor. Obviously, in retrospect, Hastert's comment about Armageddon was a little over the top, and they were certainly trying to get them to vote, but they voted against their party or what was understood to be the party interest at that time.

The second point about voting for the public interest is hard to sort out, but let me bring another piece of data to bear on the question of partisanship, public interest, and so on, and what members of Congress do in voting on campaign finance issues. Let us take the 527 issue. The 527 issue was an issue that flipped, that is, it was conceived in 2004 that 527s were a big Democratic plus. Democrats were against regulation of 527s. Republicans, on the other hand, were in favor of it and introduced legislation to eliminate 527s in 2005. When that came to a vote, about 15 percent of both caucuses in the House voted against their party, that is, Democrats had always been for campaign finance reform, that is, regulating these unregulated 527s. When their party interest and incumbent interest pointed the other way, 15 percent of them voted against regulation, against campaign finance reform. On the other side of it, about 15 percent of the Republicans, who had always been for freedom of speech, who had always been against regulation, voted to get rid of 527s.

I found it very discouraging because I would like to think as you do that there are people who stand up, whether it is freedom of speech or anti-corruption, that a lot of them are there to work on those ideals, but the empirical reality is that

15 percent on these campaign finance issues, at most, really are working on freedom of speech or anti-corruption rationales.

QUESTIONER: What do you think about this proposed reform of citizens' assemblies to deal with types of conflicts of interest which are underlying reasons that there is lack of competitive elections? Elected officials don't have incentive to make their own elections more competitive.

They have now done them in British Columbia. The Netherlands is doing one, and Ontario. There is a proposal in California, which is a little closer to some of your concerns because you are dealing with redistricting and campaign financing and that citizens assembly proposals which I think may go up as an initiative in the next year or two in California. So what do you think about that as a way to deal with some of the problems you have described?

MR. KEETER: It gets around one of the problems that reformers have which is you put forward a reform and it is immediately attacked by one of the two parties, if not both of them. In California and in Ohio, both cases, you had that. In California, Governor Schwarzenegger was putting forward a reform that his right didn't really agree with, and so he was getting pushed back from both the Democrats in the state and his own base. Then you go to Ohio. The reformers were not only aligned with the Democrats, and the minorities within the state were not on board with the reform, and the Republicans were against it as well. So these reforms tend to have a partisan component to them, and it is difficult in that

environment to get a reform passed if it has some sort of smell of being partisan.

A citizen commission might be the way to get around that because then it is truly coming from citizens. A transparent process where the citizens were involved in coming up with the reform might get around that. That might be a strong signal to voters. That is my take on that.

QUESTIONER: My name is Miriam Owen.

Because so much time is spent in raising money, especially on the Federal level, and I know that the Supreme Court said that there could not be limits. I guess I don't know exactly what there could not be limits on, what campaign money. I would like you to explain to me why the British system of each candidate could only have a certain amount of money, why that doesn't work, why the Americans feel that is not a good way of doing it.

It seems to me that if people who could not afford to run who would be good candidates for many of these offices but couldn't run because they would have to spend so much time raising money and probably wouldn't be able to make money, if there was a cap and everybody could only spend a certain amount of money, that would bring in better candidates that probably would not come in otherwise. I know that the Americans are against this British way of doing it. I just was wondering if you could just explain a bit to me, why.

MR. KOHUT: I am not sure the Americans are against it. I am not sure that you would have polling on spending limits. I don't know what that is. I don't

recall. The Supreme Court is certainly against it. Let me give you an example why and the origins of spending limits in American politics and in Congress.

Spending limits is sort of a modern era of campaign finance which begins in 1969 really and leading to the 1974 law. In 1968, Eugene McCarthy toppled a sitting incumbent President by spending money, unlimited sums. He had no limits on how much he could raise or anything. In New Hampshire, he spent a huge sum for that time which was a quarter of a million dollars. George Wallace ran and upended the Democratic Party; ran third party, the most successful third party post-war candidate; ran on small undisclosed contributions; used television; broadcast in about 12 states. Finally, Richard Nixon won the election with a lot of television money in it. In February of 1969, it was introduced and eventually passed in Congress, spending limits specifically on broadcasting, on television and radio. Before that, campaign finance proposals were all about modifying some of the limits about disclosure and so on. 1968 happens, and in 1969, you get and eventually pass spending limits.

You would have spending limits in five minutes from Congress if the Supreme Court would permit it. Why? Because if I am an incumbent and you are a challenger and we both have the same low level of spending limits, I am going to win every time. Gary Jacobson's work, that man in our book, has shown that is the case, that the spending limits would be set at levels that would assure incumbent success.

I think with the British System, that is another country. They can do as they wish. The United States in the Supreme Court, liberals and conservatives, have understood that money doesn't equal speech but money is so tied up with speech through regulating it. You regulate entry into the political system, and there is a profound conflict of self-interest in which members of Congress are both the referees and players in the election game. And so, that is why we don't have spending limits.

QUESTIONER: I have a follow-up.

In Britain, is that the problem, that the incumbents always win? I mean I don't know if you know anything about the system. Is that the problem, the incumbents win because there are spending limits?

MR. KOHUT: Well, they have very long-lived governments. The other thing is there are comparability problems because they have proportional representation, much stronger parties, and so on. I guess I would say that the differences are such that I am not sure it is a good comparable case.

MR. MCDONALD: They do have single member districts, but they have a non-partisan redistricting commission that draws the line. Maybe that also plays a role in there.

I would like to ask a question of Scott, if I could. One of the things you highlighted somewhat in the report in your talk, but you didn't really point out to the people, is on page 11, the question about is it a good thing or a bad thing. You

can actually get the numbers. I would like you to point to that.

The modal response looks like it is a good thing that you get a mix of each party wins elections. I was curious why you had come to the conclusion that most people favor not having a mix of Democrats and Republicans.

MR. KEETER: If you are looking at the top line numbers at the back, if you take the data and you break it out by the partisanship of the individual and then you tally up the numbers of people who fall in each of these little, small groups: Democrats living in places where Democrats win and who say that is a good thing, and Republicans who live in places where Republicans win most of the things and say that is a good thing, and then the opposites of those where partisans are living amidst the enemy and don't like it. That tallies up to be more people who say that there is a mix of each party winning elections and that it is a good thing.

What we can't know from the question is whether or not the people who are "living with the enemy" and say that it is a bad thing that the other party wins all the time would automatically say: Well, I would rather be in their shoes and always win. Some of them would feel that way, of course, but some of them might also say: It would really be better if we had a mix and an opportunity for things to move back and forth.

Even though we do have a high degree of partisanship in the United States as exemplified by the fact that over 90 percent of Democrats say they are going to vote Democratic in the upcoming Congressional elections and slightly fewer

Republicans say they are going to vote Republican, the intensity of partisan feeling in most elections is not tremendously high because politics is not nearly as central to most of the public's daily lives as it is for those of us in this room or here in the Washington area who think about politics all the time. As a result of that, people are much more tolerant of the idea of not having their party win all the time than maybe these 65 and 70 percent numbers that I cited suggest.

So I think I agree with you in spirit. I don't think you can quite get the numbers from this set of questions, but there is certainly the indication here. I took it as a very interesting thing that 60 percent or more of Democrats, Republicans, and Independents who live in places where there is a mix of each party winning say it is a good thing.

MR. MCDONALD: We have time for just one or two more questions.

QUESTIONER: Dave Garrison, here with Brookings.

Scott, two questions for you; one is more of a technical question. You surveyed registered voters, if I read correctly.

MR. KEETER: We did a general public sample of 2006, but many of these questions are based on registered voters, particularly the ones asking about the level of competition in this particular race that they are looking at.

QUESTIONER: So my question is a lot of people are registered to vote but don't vote, a shockingly large number actually.

MR. KEETER: Right.

QUESTIONER: Registration has gotten somewhat easier. You will get it with your driver's license.

I am just curious as to if you focused on a subset of the registered group, on those who actually vote, whether you would have gotten different responses on some of these questions which were probing to the extent to which they had real working knowledge to what the heck was going on. That is my first question.

The second one is one that perhaps we won't know until we see exit polls. Isn't it possible that on this particular round, in this election, that there are national issues at work affecting bi-election in which normally we think national issues don't play very much of a role? There is no Presidential candidate after all, but isn't it at least possible that the issues of the war and some of the related aspects of that may be providing an overlay here that is introducing a different factor and could change the calculation about what may be taking place out there? It strikes me that it is at least possible that might be at work and would change the explanation for why we have what appear, as you guys have been describing, more contested races than we might otherwise expect.

MR. KEETER: Yes, very good questions, both of them; to the first one, we even see on many of the questions that we have based here not on registered voters but on the general public, when you compare registered voters and the general public, even carving away that quarter of the public that is not registered to vote, you see significant differences in the level of familiarity with these issues. We are

still talking about very low levels, but there are higher levels among registered voters. I think then if we cut them to our likely voters which we have the ability to do because that was the subject of yesterday's release, my guess is you are exactly right; you would find greater levels. I don't think you can cut this in any way that is going to get you up to very high levels of awareness or familiarity with the controversies or knowledge of the process in the states, but it would not look as dire or grim in terms of the point of view of the reformers with that restricted electorate.

I think that is an interesting question for analysis because there is also an argument to be made, and I can't make arguments for reformers, but I think that some people would say there are people who are not registered and are disconnected from the political system precisely because the system is not responsive to them. The causality seems to be running in both directions.

To your other point, this is the first time that this set of questions has ever been asked, to my knowledge. We did a pretty exhaustive search. This is such a complex topic. It is very difficult for pollsters to write questions that are not so off-putting to people and so arcane that they just hang up on you and say: I don't know what you are talking about; please start speaking English again. So we really cooked this up from scratch to try to plumb these issues in a way that really would be understandable to people, and we haven't had a lot of time to analyze them.

I am making two points here. One is that this is an experiment of one. We

are doing this at this point, and this election is unusual as Michael demonstrated with his discussion about the national waves and so forth. Some of our findings might be very different if we were back in 2002 or 1998 as opposed to 2006.

The second point is specifically we might see that, when asked if there is competition, if there is going to be a close race in your House district, there may be people who really don't know there isn't a close race but they are very plugged into the buzz about how seriously angry Democrats are and how there is this national mood out there that is really going to hurt the Republicans. They are answering about the zeitgeist more than about the specifics of their races. Now, it doesn't make their answer right, but it makes it more understandable. It makes them seem less like they are deluded.

MR. MCDONALD: One last question, I will take it from the back.

QUESTIONER: I just have a theory. Maybe I will reflect my age here. I used to teach the American voter in the olden days, and this presented what, for a long time, was a definitive view of the American electorate: A very low cognitive capacity and about 90 percent of the electorate thought the Commies had something to do with fluoridation or what not; 10 percent had some minimum capacity to link events; I think was it 3 percent of the total electorate or maybe 3 percent of the 10 percent had ever engaged in politics in any direct way or whatnot. Has anyone ever challenged? Has there been a follow-up? Are these findings still sound?

Then to just throw in another one; I remember a seminar with V.O. Key, and I think perhaps not too many here can say that. V.O. said, and this was just before he published his *Public Opinion and American Democracy*, he said, if there is one thing that you take from this course or you take from your graduate education, please make it that there is no such thing as public opinion in the sense it is something out there that is objective and that you just have to be smart enough to tap it. Public opinion is a process of interaction between rules and ruled. I think when we have gone down this road of tapping every little wrinkle and perturbation of opinion, we have forgotten that this is an interactive thing that is shaped by the leadership, the elites that speak to the electorate.

MR. MCDONALD: Boy, did you come to the right place.

MR. SAMPLES: Can I say one thing and then Scott can respond?

MR. MCDONALD: Please, go ahead.

MR. SAMPLES: I agree with you that most people are not tuned into these debates, but in some states, we have had initiatives on the ballot and voters are being offered these choices of whether or not they want to reform the system. It is informative for the reformers to know whether or not people actually perceive these issues and reform solutions to be connected to what they really care about.

On one hand, I look at these results and I think there is a lot of work for reformers to do. On the other hand, I look at it and I think in similar ways to what you are thinking, which is: Wow, some people actually knew how the redistricting

process works in their states. They can't name three Supreme Court Justices and they knew at least something.

On one hand, I am disheartened. On the other hand, I am heartened that we have at least some level of knowledge out there, and the task that is in front of reformers may not be as insurmountable as it might first appear when you look at the poll results.

Maybe Scott has some thoughts as well.

MR. KEETER: I think that is a very, very fine question, and the level of envy for you having had the opportunity to study with V.O. Key is extremely high at this moment because I think I learned everything I know from V.O. Key. Some from Andy but since he is not here, I don't have to say too much about that.

I believe V.O. Key also said something else which is that voters are not fools, and that was really part of your point, that there is this echo chamber of what leaders say to people in the voting public shapes what they think and that it comes back. There is a reciprocal process.

In my own work on what people know about politics, I think the original numbers that are in the American voter are much too pessimistic about both the cognitive capacities of the public and the degree to which they do pay attention. What is problematic is the degree of a skew in terms of class and other aspects of people's personal power. There are a lot of people in the United States who pay very close attention to politics, but they tend to be people who are well educated

and relatively close to the centers of power, however one defines them. There is a way in which the levels of awareness and consciousness about issues reinforce the distribution of power that is already in the system.

I would hope that nothing I said about the public and its perceptions about these issues which are in some ways very profound and important, in other ways, very arcane, is taken to be demeaning of the public. I don't believe that the people are fools.

MR. SAMPLES: I will have to report Scott to Yale University Press because not only did he not hold the book up but he didn't even mention the name of the book which is *What Americans Know about Politics and Why It Matters*. It is paperback, available at Amazon or at your local bookstore probably.

MR. KEETER: Thank you, John.

MR. SAMPLES: It is a very good piece of work and, in fact, can be considered the definitive piece of work.

What I would add to that is from campaign finance, I think sometimes you see things persisting over long periods of time. There is a lot of evidence that people don't know much about campaign finance or campaign finance law, but you do see persisting strong majorities that favor both something called campaign finance reform over time and you also see similar majorities, depending on how you ask the question, have doubts about public financing. To me, because those things have persisted over 20 years or more, that suggests there is some underlying

reality there that isn't easily changeable.

MR. MCDONALD: I think that makes an excellent summary for all of us. Thank you very much for being here and thank you to our panel.

* * * * *