

Government and Public Behavior (Discussion)

Transcript of discussion held in Washington, DC, on December 8, 1997

LUCE: Thank you, Senator Bradley, and I'm sure your thoughts will give us a lot to talk about and discuss. Do you have questions, comments for Senator Bradley? Kathleen.

KATHLEEN HALL JAMIESON: Senator, I wonder what you make of the Kerry-Weld agreement in Massachusetts by which both sides voluntarily created a cap on what they would spend in the election, agreed to take any advertising that was aired on their behalf from outside groups against that cap if they couldn't keep the advertising out. Is there a model there within the structure that you're offering for an interim solution to the money problem in politics?

BRADLEY: Voluntary compliance in limitations is helpful. The story of that campaign, of course, is that in the end they violated it. They didn't live up to it, in my understanding. And so, you know, it's like in the course of a political campaign someone will suggest that we appoint three distinguished people to tell whether the ads are fair or not. And you'd be somebody from the League of Women Voters and someplace else and someplace else and that would go along just fine until your consultant comes in and says, 'Unless you put on this negative ad, you are gonna lose.' And then you have to decide—would you rather have the League of Women Voters issue a press release saying

you're not playing fair, or would you rather have your negative ad on moving your numbers in the right direction?

So I think that a genuine agreement by two candidates that was very solid, along the lines of what was done in Massachusetts, one that was abided by, would be a very positive development. But what it lacks, Kathleen, is the tension that is created when somebody doing it an old way confronts somebody doing it a new way. And if the new way wins, then that becomes the model. That's why I think that's better, but that requires somebody taking a very big risk with their lives and their political careers to try to counter what is the norm today.

JAMIESON: What about the model that was tried in Minnesota in the Wellstone-Boschwitz race which neither candidate technically signed into, but which was going to be a model in which the press, the candidates, the advertising community—everyone would agree to do politics differently. And my understanding is that Wellstone— although he didn't sign into the agreement, abided by it, in effect, by airing primarily advocacy ads. And in the end there's polling data to suggest that the electorate perceived that the advertising on behalf of Boschwitz hurt Boschwitz's chances for election where as Wellstone's advertising helped. If there a compact model that might work?

BRADLEY: That's an interesting approach. Of course, Paul's whole approach was grassroots, from the beginning of his political career, and so he knew that his strength was still there. Boschwitz did not have grassroots, only had media, and was essentially playing the media consultants' game, the one that he ran the time before when Paul ran a grassroots campaign but had a clever ad that caught people's imagination.

I think that as a model, that also is a positive development, if it's abided by. If it is abided only by one side, that side feels it's in its interests to do so. What you have to have is both sides deciding they're going to do something that they're not particularly in agreement with. That maybe it's not in their interest, but they're going to do it because of the greater good. Because they believe that the political process will be more responsive if they followed that.

LUCE: Jim Fishkin, did you have your hand up?

JIM FISHKIN: Not yet.

LUCE: Oh, OK. Excuse me. Next to you.

VERKUIL: Senator, what about the impact of Buckley vs. Valeo? You did talk about the problem of money in speech and the fact that it's not allocated in such a way as 'one person, one vote' might be. And certainly while we average \$17 a family or a vote, I guess you said, and that's not a lot of money, it doesn't seem to be getting us what we really want, which is participation. I guess it would have been a lot—because that's only half the eligible voters so...

BRADLEY: Mm-hmm.

VERKUIL: how about—can we do it—is there any legal approach that you think would work, even if it's legislative, would we have to face the Supreme Court?

BRADLEY: I think Buckley-Valeo is probably one of the most harmful Supreme Court decisions of the second half of the 20th century. I think that it is wrongheaded. I think that it equates money with speech. It says that a poor man's—or a rich man's wallet is the same as a poor man's soapbox. It flies in the face of one person, one vote. It leads to a situation where big money dominates, bigger money dominates more. Those who advocate free speech say that it should be, you know, open for anybody, but that's before you had to pay to get people to hear. When you have to pay to get people to hear, then you have to have the money in order to get on the air. And to argue that if you limit money you're limiting speech, I personally think is wrong.

Now the only way you counter that is you have to either amend the Constitution, and you do that with an amendment that says quite simply that the Congress, states and localities may limit the total amount of money spent in a political campaign. Then there's an underlying law that determines what those limits would be. Or you have to go to some form of total public

financing. And that's the only other way that you could get around Buckley-Valeo.

In the recent bill that was before Congress, McCain-Feingold, which had many good parts, the opponents alleged, and I think probably they were right, that many parts of that would be found by a Supreme Court, particularly this one, in violation of freedom of speech. And, you know, whenever I argue this point, that we ought to face the constitutional question directly, people get very nervous. Amending the Constitution, you know, depends on your point of view. If you think that you can't amend the Constitution ever, well, then you don't have precedent on your side. Clearly, the Constitution has been amended and it's been amended precisely in situations when the democracy was not functioning properly. I mean, we gave African-Americans the right to vote by amendment. We gave women the right to vote by amendment. We had direct election of senators by amendment. And when you need to fix the way that democracy works, that's where you have to go to fix it.

And the threshold question is: Do you think the democracy's at such a stage of deterioration now that you resort to the constitutional amendatory process? And my own personal view is yes. If not, then, do public finance. And it's not as if the Supreme Court has, you know, the absolute corner on wisdom. There have been many other times in American history where the Supreme Court has made decisions that have been inimical to the long-term public interests of the country. It took 40 years—I don't know if all of you are more distinguished in the legal area than I—I don't know the exact ruling, but in the 1880s, when the Supreme Court ruled that a hardware store owner or a proprietor of a store could refuse an African-American from coming in to his place of business and getting either an ice cream cone or getting a hammer because that was his freedom of contract. He was making a contract with that individual citizen. And the Supreme Court said, 'Right. You can continue to do that.'

And it wasn't until the '60s when Thurgood Marshall argued that it was a violation of interstate commerce that the thing was overthrown. But that went from 1880 to the 1960s. And it seems to me that that's a long time to

wait for what is so obviously a right decision, and I don't see the Supreme Court moving on this issue. So how long do we want to wait with money dominating politics as much as it is now?

VERKUIL: Do you think it's worth, though, proposing legislation that would test the proposition in the court before you have to go through an amendment process, which is such an...

BRADLEY: Yeah.

VERKUIL: ...extensive burden.

BRADLEY: Well, sure, but you can't even get McCain-Feingold passed, which is, you know, just kind of the...

VERKUIL: Well, how can you get a—how can you get a—passed...

BRADLEY: ...essence of beginning.

VERKUIL: How can you get a constitutional amendment if you can't get a statute?

BRADLEY: I believe that a constitutional amendment will be very difficult. I'm just saying if you're honest, you've got to face the constitutional question first. If you're saying, 'When will you get campaign finance reform?' I don't think you'll get campaign finance reform until two conditions prevail. The first one is there has to be a grassroots movement. You know, a million signatures is a beginning in a country of 265 million people. That's not a whole lot, but it's a beginning.

VERKUIL: Mm-hmm.

BRADLEY: And the second thing that has to happen is you need some element of American power—in business, finance, the university community, the religious community—to come forward and say, 'We do not believe democracy is functioning now. We believe money is playing too great a role in our politics and we will put our names on the line behind campaign finance reform.' Now the experience has been, in our efforts, Al Simpson and

I, who are leading this effort to get the signatures—one Republican, one Democrat—that a lot of retired CEOs, we can get pretty easy. But to get anyone who's now in charge of a company has been exceedingly difficult.

VERKUIL: Well, you might get this commission.

LUCE: Karl and then Cass and then Larry. Karl Rove.

KARL ROVE: Full disclosure—I'm one of those evil political consultants. One observation...

BRADLEY: I can tell, you know.

ROVE: ...and then a question. Yeah. Which side, do you think?

BRADLEY: I think there are good political consultants and bad political consultants.

ROVE: First an observation. I wish I was as optimistic as you seem to be about if politics is conducted in a different way, it will be a model that will be accepted, because there are lots of campaigns that are run in a positive way. Tom and Jim and I think Kathleen may have seen parts of one in '94—Bush against Richards. He never ran a negative ad. She virtually never ran a positive one. She spent \$17 1/2 million. He spent \$12 1/2 million. She's a popular incumbent. He wins. But I don't think anybody's going to derive any big model from that.

My question, though, is about money. Adequate—you raised two very interesting points, it seems to me. One of this question of adequacy. It's not a question of always having to have more throwaway, it's do you have enough throwaway? So it's a question of risk capital. Is there political risk capital on any side?

And then you raised a point about the poor fellow stuck in the boiler room making lots of phone calls. It strikes me that there's a qualitative difference between the life of a candidate who runs in a state like Texas where there are no limits and pretty significant disclosure requirements and a candidate in

any state who's running under the federal limits where it comes in a \$1,000 chunk. The federal candidate spends virtually all of his or her time stuck in the back room. In states where there are no limits or where the limits are significantly higher and PACs and individuals are placed on an equal basis, candidates spend a lot less time, in my opinion, chasing after the almighty dollar.

BRADLEY: Mm-hmm.

ROVE: And they do have a tendency to have—it strikes me again anecdotally—greater opportunity for political risk capital. People who donate because they like their views or like their character or have some—so I'm wondering, we've gone through this whole series of steps and each one of these steps in the federal system has created a new series of problems.

BRADLEY: Mm-hmm.

ROVE: And if we might not be better going back to a system and solving the original problem that we were dealing with, which was unreported large sums of money, and see if that might relieve the the endless chase for money.

BRADLEY: You mean, full disclosure?

ROVE: Yeah, full disclosure, more rapid disclosure...

BRADLEY: Right.

ROVE: ...a requirement of disclosure of, you know, not just simply best effort to report occupation, principal place of business, but a requirement that it be over a certain amount—every \$100-plus contributor has to have that information or you can't...

BRADLEY: Right.

ROVE: ...accept the money.

BRADLEY: Well, full disclosure you should have. But if you stop at full disclosure, you will then have a situation where you fully disclose that your

campaign is totally financed by corrupt interests, but your opponent has no money to tell anybody about that. So full disclosure does not get to what you said in, you mentioned your first point, which is people having adequate resources—doesn't get to that. And if you have disproportionate resources, that's the problem. So I think it's a beginning but it's not—it's not the answer.

What I would do if I was being a venture capitalist here, in your word, if I was basing it all on just an idea. I would suggest that you have a system where you finance the election, not the candidates, because that then gets to parity. Where you would allow contributions and you'd set the limit of \$5,000, \$10,000, whatever, to a US Senate race in Texas—you can put the number even higher. But that money would then be equally divided on Labor Day between Republican, Democrat and qualified Independent. And that would be all the money in politics. And if you did that, you would then have each side with enough fire power to make their case. And you would not have one side with the ability to demolish somebody else because of a disproportionate amount of money.

I think that you could then go at the issue, which was my second point, which is the so-called independent expenditures or the special interest money, and say that if the television—you could deal with the special interest independent expenditures on the airwaves— by saying that if a station took an ad from an interest group, that it would be required to provide free 30 seconds' rebuttal for the opposing view. And you would then have either a point-counterpoint or you would have the special interest groups not dominating the airwaves. And candidates then not planning as a kind of back-strategy to have the special interest groups do all the dirty work, while you do only positive political campaigns. I think those would be ideas that are worth considering.

And if—the case of Bush vs. Richards—well, I mean, you know, if—as you said, somebody ran a positive campaign vs. a negative campaign, according to what you've said—I wasn't there—and won. Great. But the question is—was

that then championed as a model? And is he willing to do it in the next race? And did he build on that victory by telling people why?

I remember Claiborne Pell ran for—I don't know—his sixth re-election to the Senate in 1990. And he ran against a very attractive, very competent Republican woman, Claudine Schneider. And Claiborne was told, 'Unless you put negative ads on TV, you're gonna lose.' Claiborne said, 'I'm not putting negative ads on.' He didn't put negative ads on; he won. Did the press talk about that aspect of it at any length at all? No. But they sure talked about the negative ads that were run in other campaigns. So you need a little balance as well, in order to promote the right behavior.

LUCE: Cass.

CASS SUNSTEIN: Yeah, short of getting the Supreme Court to overrule Buckley, which is not likely in the short term, though possible in the relatively short term—a lot of people have suggested that...

BRADLEY: Wait, wait, wait, wait. I haven't heard that one before. It's possible in the relatively short term?

SUNSTEIN: Yeah. There...

BRADLEY: What's—what's the case and what's the short term?

SUNSTEIN: Ten years. There are four justices out of the nine who've expressed dissatisfaction with the line of argument and the other five, it's not clear. There's only one justice, I think, maybe two, who were sitting on the court at the time of Buckley. And the court has overruled at least five or six of its relatively recent decisions in the last decade. So I wouldn't give up on Buckley, especially if people generally continue to express dissatisfaction with that.

BRADLEY: If you were passing a law that you wanted them to rule on, what would be the contents of that law?

SUNSTEIN: Well, I think to go narrowly along the lines that Congress is now thinking about, to maybe discipline corporate contributions, which the court has indicated receptivity to, or maybe do something like McCain-Feingold, see what the court does about that. A constitutional amendment is very difficult. So I think strategically the thing to do is for Congress to chip away at Buckley.

BRADLEY: You see, but Buckley says you cannot limit total. None of these get to that question.

SUNSTEIN: Not quite. Buckley says you can limit campaign contributions but not expenditures.

BRADLEY: Right. You can limit...

SUNSTEIN: And...

BRADLEY: ...the amount an individual can contribute but you cannot limit the total amount of money spent in the campaign.

SUNSTEIN: Expenditures.

BRADLEY: Right.

SUNSTEIN: Right.

BRADLEY: Expenditures, what you spend.

SUNSTEIN: But four—four justices say they don't believe that line makes any sense.

BRADLEY: Right.

SUNSTEIN: In fact, the other five haven't spoken to it.

BRADLEY: No, but what I'm saying is wouldn't you want a case that challenged that point...

SUNSTEIN: Yes.

BRADLEY: ...as opposed to having, you know, 55 other issues...

SUNSTEIN: Yeah.

BRADLEY: ...which you have in congressional legislation when you're trying to deal with this issue at its fullest content. And I would suggest, having heard you, that a local ordinance, such as the one in Cincinnati, I think, that says that there will be a limit on the amount of money that a councilman can spend on his race for council or her race for council, is an interesting way to challenge, I think.

SUNSTEIN: Well, I think we're in general agreement...

BRADLEY: Good.

SUNSTEIN: ...that going after Buckley in the relatively short term, which is to say a decade rather than two years, makes sense. But what I wanted to ask about really was short of doing that...

BRADLEY: Mm-hmm.

SUNSTEIN: ...a lot of people have suggested as a supplement or alternative to attacking Buckley, requiring networks to provide free airtime for candidates. It's a little like the idea you suggested about free reply time...

BRADLEY: Right.

SUNSTEIN: ...and some people have suggested that in addition to something like a two-hour free airtime for candidates requirement, there be a condition on receipt of the free airtime that the candidate, himself or herself, would have to speak, and also that the candidate, himself or herself, would have to speak...

BRADLEY: Mm-hmm.

SUNSTEIN: ...for a minute or two minutes, minimum. Do you have a reaction to that kind of proposal?

BRADLEY: So now you're going to control content of speech?

SUNSTEIN: No. No content.

BRADLEY: Well, did you—did you have to... Oh, just the—the length of time. OK. Well, I was a part of a group with Walter Cronkite and John McCain in the presidential race of 1996 to get the networks to give each of the candidates on alternating days blocked three-minute periods at prime time, 9:00 every night. They would have a three-minute—one night it would be Dole; the next night it would be Clinton; the next night it would be Dole; the next night it would be Clinton. The networks, realizing . . . the networks just absolutely refused. And some that then responded said, 'Well, we're gonna give additional coverage on our public service—you know, we'll expand "Meet the Press."' Or, 'We'll give both candidates a chance to make their statement at this hour.'

In other words, which was at an hour when none of them were—when this network was not making money, and another network would pick another time when it wasn't making as much money. The point is, nobody would watch. In a world where you have 100 channels, somebody's out there watching and they see a presidential candidate on and they can watch, instead, MTV, or some other sta—they tend to pop this—they tend to pop to another channel. But you have a better chance if you block on all of the major networks. If you've got the major over-the-air networks and you got about three cable companies, you would be able to capture the bulk of the TV audience on that night for that kind of debate. I think that would be a good thing.

The problem is the public airwaves you can get at because— although the networks would argue that you're taking their property—it is a license and you can, I think, probably require them to give a certain amount of time. I think that would be positive. Then it would be free. Because that's the bulk of what the money is spent on. So I would support that.

LUCE: Larry—and then Martin and then I think we'll finish up on schedule.

BRADLEY: Or, if you want me to, I'll try to answer shorter.

LUCE: OK. Larry. No, I think everybody's enjoying your answers.

LARRY LESSIG: I was intrigued that you began with Jefferson. Jefferson was a revolutionary and I'm a little bit interested in...

BRADLEY: And he was very maligned, too, by the newspapers.

LESSIG: Yeah, well, I'm very—I'm a little bit interested in how revolutionary you are here. You said that you support a constitutional amendment. There are two ways to amend the Constitution. One has to go through Congress; and one doesn't go through Congress. One goes—states call for a convention and then the convention proposes an amendment.

LESSIG: Now Jefferson wouldn't have laughed at that. Jefferson would have embraced something like that.

BRADLEY: No, I think...

LESSIG: At just the time when the existing political system was the cause of the failure. Now you've described this system as the cause of the failure. Paul makes the point—how can you ever pass an amendment if you can't pass a bill? The answer is you can't. So if you can't pass an amendment unless you pass a bill, why isn't the approach to go through the states to try to get some independent structure to propose an amendment to the Constitution?

BRADLEY: Well, you probably know better than I, but I think that probably Jackson would have been more accepting of a constitutional convention than Jefferson, although Jefferson obviously participated in the most important constitutional convention. And, as you know, that was a way for people to have a voice until those constitutional conventions began to raise troubling issues. And as soon as they began to raise troubling issues, they were kind of squelched. So basically the question is: Are we going to leap from the 1830s and '40s into the 1990s and 2000 with constitutional convention?

I, personally, am not prepared to do that with an open-ended agenda. If, as we learned, in the late 19th century when the commissions began to narrow agendas of constitutional conventions—and they became toothless tigers—you could narrow the agenda so that you would have only as the issue of debate financing of political campaigns, that could be a very creative idea. But you'd have to narrow the agenda to allay the fears of everybody who thinks you were going to rewrite the whole Constitution. And there is historical precedent for doing that.

LUCE: Martin and then Lani.

MARTIN SELIGMAN: Senator, during the Gilded Age, the effect of money on American politics was not only who ran for office and who got elected, but also it corrupted the legislation that occurred, it corrupted the appointments that got made to appointed positions. Your argument today was compelling that the effect of money on politics is major on who runs for office and who gets elected, but are you also saying it affects the legislation and who gets appointed, or are there sufficient other buffers to protect the American people in that regard?

BRADLEY: I'm saying we don't know. That's what I was saying today. There's no way you can tell whether somebody voted for this special interest boggle on the tax bill because he got, the guy who raised \$100,000 for him called him on the phone or because he truly believes in the—ah—"completed contract" way of accounting. You know? And that's the problem. And so the—the short answer is you don't know.

I would go back because you raised the late 19th century—I mean, when I was in high school, I once wrote a paper on the election of 1896, which, of course, was the first modern campaign, between McKinley and William Jennings Bryan. And it was run by Mark Hanna, who was the first modern political campaign manager and the first media meister. And he basically milked the wealthy and the financial world that wanted to keep the gold standard and with that money deployed people and pamphlets in 40 different languages all over America while McKinley sat on the front porch in Canton, Ohio, and

entertained guests of people from around the country that were given free trips by the railroads to hear him pontificate on the subject of the day.

Now there was a person in that campaign named Teddy Roosevelt, who Hanna, being smart, had trail the boy orator of the Platte. So the young police commissioner from New York trailed the boy orator of the Platte all over America when he made his pitch against the gold standard and Teddy Roosevelt would follow with just as dynamic, just as evocative, with just as good a set of metaphors, and refuted. And after the election, because of his great effort, he was invited by Hanna to a special lunch in New York City at a very special club where all of the major financial players were going to be thanked.

Teddy Roosevelt was so appalled by what he saw that he called for the Congress of the United States to appropriate equal amounts of money for each political party and no other money in politics. So all I'm proposing is that we follow in the Progressive tradition of Teddy Roosevelt and at the beginning of the 21st century, complete his agenda first proposed at the beginning of the 20th century. All right.

LUCE: So we know it's not Jefferson, it's Roosevelt. Lani.

LANI GUINIER: When you talked about the way in which candidates spend their time, you said that they basically do three things. They spend their time raising money or raising more money; they spend their time hiring and talking and working with consultants and convening polls; and they spend time commissioning 30-second advertisements. And my question is: Even if you were to take out...

BRADLEY: I said that's how the money was spent.

GUINIER: OK. You also said political parties have become conduits for money and not bringing people together at the precinct level and involving them in politics and that candidates spend more time with those who could help them raise money than they do with those with whom they're supposed to be representing. If you take money out of politics, and I certainly agree that

we need to do that, how are you going to change the way that candidates or politicians spend their time and how are you going to engage the voters and bring them back into politics? Taking money out of politics clears the way...

BRADLEY: Mm-hmm.

GUINIER: ...for a new kind of politics, but I don't think it solves the problem...

BRADLEY: Mm-hmm.

GUINIER: ...because even if you have the networks showcasing the two or three major candidates for president at the same time and they are speaking over the heads of the voters, or speaking to the press, which is...

BRADLEY: Mm-hmm. Yeah.

GUINIER: ...focused on the horserace, they're not really engaging the voters. And so I think my question is...

BRADLEY: Mm-hmm.

GUINIER: ...on some level we have taken the market model from the marketplace and imposed it on politics, and in a market-driven political battle where we're treating candidates as if they are products and it's marketing and...

BRADLEY: Mm-hmm.

GUINIER: ...that's why the consultants and the polls are so important because it's all public relations and you're trying to essentially sell a product who's the talent or the...

BRADLEY: Mm-hmm.

GUINIER: ...candidate. How does removing money from politics resolve that fundamental structural issue...

BRADLEY: OK.

GUINIER: ...which seems to be at the root...

BRADLEY: Mm-hmm.

GUINIER: ...of the problem?

BRADLEY: I think that first of all, the candidate would have more time. There would not be time spent... It does not—when people ask me, you know, in a kind of thumbnail, 'What's wrong with politics today?' I say, 'Money, media.' The third thing is politicians who speak from their core convictions as opposed to from focus group phrases and the point is if you have equal amounts of money, then I believe you have to risk rallying people more by what you say in terms of their lives, than you do if you have a disproportionate amount of money, can take a false issue and magnify it with all the marketing you've said, so that people feel you are addressing the real issues.

I think if you had an equal amount of money, you'd find more politicians who are willing to take a chance with their core convictions.

GUINIER: Why?

BRADLEY: Well, because you then have to mobilize people— you can't use the tricks.

GUINIER: Why?

BRADLEY: Because my assumption here is that—and my model—if you had people checking off on the income tax return, there wouldn't be a whole lot of money, and therefore you couldn't do the repetitions on the TV. And you'd have to use it yourself to try to get out what you really thought about the issues. Maybe I'm wrong. But I think the money begins with—as you correctly point out, that does not change the hesitancy on the part of politicians to speak from their core convictions. And, you know, the answer to that is—the only answer to that is the model of somebody who does it a different way that's then imitated.

LUCE: Calvin.

CALVIN TRILLIN: I'm sorry. I thought we were ended.

LUCE: No.

TRILLIN: Let me ask quickly—let me just ask one quick question: I've always thought that the idea of full disclosure is a joke. I mean, we know what Archer Daniels Midland gives, whatever. So what? I mean, who does anything about it? I'm wondering sort of—what sounds like a kind of a kooky idea at first but it's been in a couple of op-ed pages, whether you think there's anything to it or not, of going the opposite direction. That is, setting up a system that you can give as much money as you want, but no, it'll be given through some central authority that masks it so that the politician can't find out who's given what.

BRADLEY: Yeah.

TRILLIN: Have you read that stuff or do you take that seriously at all or...

BRADLEY: I haven't read it actually but it sounds similar to what I just suggested with one addition, and that is, money is contributed to a pot and then that pot is divided. Now I'm flexible on the limits. If, you know, somebody who's made a lot of money in the booming '90s wants to finance the presidential campaign or all the Senate races by giving \$30 million that'll be divided equally among Republicans and Democrats.

TRILLIN: You mean, just 'cause he's a good citizen?

BRADLEY: Right, I mean, just 'cause he's a good citizen and whatever.

GUINIER: Yes, that's right.

BRADLEY: I think there should be some...

TRILLIN: You have more faith in good citizens than I do.

BRADLEY: I think there should be some limitations.

TRILLIN: Right.

BRADLEY: But the idea of having it—the thing I would add to the proposal that...

TRILLIN: Right.

BRADLEY: ...you've made is into a common pot, then split equally among both candidates.

TRILLIN: Right.

BRADLEY: And that is resisted by people.

TRILLIN: I can imagine.

BRADLEY: Because people say, 'Me? I don't want to contribute to Jesse Helms.' Or, 'Me? I don't want to contribute to Ted Kennedy. I want to contribute to my guy.' But that ignores the current reality where the incumbent has a tremendous advantage. Senator Helms, for example, had \$17 million in his last re-election. His opponent had \$5 million. So if you were cons—Ted Kennedy does not have any problem raising money. The incumbent that's been there a long while doesn't have the problem. If you want to equal it out, then there's a chance, a fighting chance that people would have to battle on the strength of their ideas.

JUDITH RODIN: I think we should conclude it. Thank you.

BRADLEY: Thank you.

RODIN: Now I have to figure out how to lower this. This is actually embarrassing. I think we've had a very interesting conversation today and it really does show the power of these ideas as we start to really wrestle with them. Tomorrow we will take on the fourth institution, that is the military. And tonight we'll have a conversation with Justice Stephen Breyer about the role of the courts, which actually Senator Bradley has set us up well for. We will then begin tomorrow to really talk further about how to move these, not only conversations but the issues, the action-items, the recommendations

that are being made, out to a broader public. And I look forward to those conversations with you. With that, the meeting today is adjourned. Thank you.