

### SIMULATING THE CONSTITUTION, OR HOW TO UPGRADE POLITICAL DISCUSSION IN PRESIDENTIAL ELECTION YEARS

By **W. Phillips Davison**

Public opinion researchers are more than a little responsible for the sorry mess that was the 1988 presidential election campaign, as well as for the negative emphasis in the 1990 congressional races. Indeed, most of the theories and techniques underlying contemporary political campaign strategy are based on the professional literature of public opinion and communication research: how to identify attitudes that are likely to injure the opposing candidate and how to strengthen these attitudes; how to turn the press into a tool of your campaign; how to appeal to the least informed and least interested voters — the ones who determine the outcome of most closely contested elections. These are only a few of the techniques for manipulating the media and the public to which the findings of social researchers have made major contributions.

Campaigns for political office have more and more become duels between competing teams of political consultants and media advisors. The actual candidates and the issues are secondary. The show is a good one, and arouses widespread interest but less and less participation on the part of the public. Elections have become spectator sports. The major candidates are actors reading lines prepared for them by skilled consultants; the public has difficulty establishing what these candidates are really like. Important issues remain undiscussed. After the 1988 presidential campaign, large minorities told poll takers that they didn't think it would make much difference which party captured the White House, and that they had no idea how president-elect Bush proposed to deal with the huge budget deficit — generally recognized as one of the two or three major issues facing the country. The educational effect of the four month extravaganza had been modest, to say the least.

Disillusioned members of the public are not being unreasonable when they challenge opinion researchers with the reproach—"You got us into this miserable situation. Now get us out!"

Such challenges, although usually couched in more modulated language, have been heard since almost the earliest days of public opinion polling. An article published in 1946 under the title, "Do the Polls Serve Democracy?," reproached opinion researchers for not playing a more active part in educating citizens to make better

informed choices.<sup>1</sup> The author, a political scientist, charged that the polls "provide no mechanism on the popular level for promoting discussion, for reconciling and adjusting conflicting sectional, class, or group interests, or for working out a coherent and comprehensive legislative program" (p. 358). He concluded that "the polls are not concerned with, and provide no remedy for, the gravest weaknesses in the democratic process" (p. 359). It may be significant that this article was reprinted again and again in political science texts that appeared in subsequent years. The following proposal attempts to meet at least some of the author's criticisms by suggesting a way of using surveys to promote discussion, to lessen the impact of public relations tricks, and to focus attention on principal issues rather than on charges calculated to fan the fears and prejudices of the ignorant.

#### A Modest Proposal

Briefly, the proposed remedy envisages the selection of presidential "electors," who would choose a "president" in a procedure similar to the one called for in the US Constitution, as drafted in 1787. These pseudo-electors, chosen by respondents in public opinion polls, would, in addition to electing a pseudo-president, also discuss the qualifications of the candidates who presented themselves for nomination by the real world political parties, and would comment on the presidential campaigns conducted by the successful nominees.

Alert journalists would recognize the news values implicit in this situation. The "electors" would become prime sources of commentary in both local and national contests, their collective opinions would represent a significant political force, and some of them might well become pundits. Indeed, one could expect that several of these unofficial personages would be co-opted by political parties to run for office in the real world. If so, they would have to be replaced by other "electors."

This exercise is thus designed to provide a spectacle that will seize the public imagination, but a spectacle in which the principal participants will be intelligent citizens who are not afraid to comment on critical issues or to face unpleasant realities. Furthermore, these participants will enjoy considerable legitimacy, in that they will have been chosen by scientifically conducted polls, and will reflect the views dominant among members of major social groups within the public. The discussions among the pseudo-electors would in all probability deal with some issues that candidates in the real world would rather avoid. They would thus serve an educational purpose.

There is also a subsidiary purpose. Social researchers will recognize that the "electors" would constitute a remarkable panel, from which much could be learned about

politics, opinion formation and change, and social dynamics in general. Their discussions could provide a valuable source of data, and would add to knowledge about political processes.

### **Yes, But How Do We Choose These Electors?**

The original constitutional rationale for selecting a president through the use of electors — not by direct vote — is made clear in “The Federalist,” a collection of essays by several of those who were active in framing the basic law of their new country. They feared that sudden and violent passions, aroused by demagogic leaders, might promote strife rather than the rule of reason. The choice of electors, Alexander Hamilton argued in Paper #68, is less likely to arouse dissention “than the choice of ONE who was himself to be the final object of the public wishes.” In another paper, #71, Hamilton acknowledged that public sentiments should control governmental actions, but specified that this does not mean yielding to “every sudden breeze of passion” or the transient impulses aroused by those “who flatter their [the people’s] prejudices to betray their interests.” Electors were to be people whose judgment could be trusted and who would not be swept off their feet by campaign oratory.<sup>2</sup>

It would be impossible to replicate exactly an 18th century procedure for choosing electors, and this proposal does not envisage making an attempt to do so. Neither would we try to designate as many electors as are called for by the US Constitution—more than 500 electors today. Half that number would be enough. What is needed is a method that will reflect the spirit of the Constitution—that will provide for the selection of electors who are trusted and respected by major groups of citizens and who, above all, are regarded as having superior abilities to discriminate among candidates for political office. One would hope that the persons chosen would also be well informed and conscientious, although such an outcome could not be guaranteed in every case.

In theory, our pseudo-electors could be chosen by conducting polls in states, but this would involve substantial expense and could turn into an administrative nightmare. A more realistic procedure would be to conduct polls—all coordinated from a central point, although not necessarily administered by the same organization—within the geographical regions into which the United States is customarily divided by opinion researchers. The universe to be sampled would consist of all those who are considered likely to vote in the upcoming election. Currently available techniques for predicting turnout are far from perfect, but they would provide sufficient precision for the proposed exercise.

Polling would be conducted in several stages. This is

because most respondents would find it difficult, without opportunity for prior discussion and thought, to mention one or more names of persons whom they would trust to choose a United States president. The first stage, therefore, would consist of smaller surveys conducted within each region. An interview in one of these preliminary surveys might look something like the following:

**Interviewer:** *As you may remember from school, the original United States Constitution said that the president would be chosen by a small group of people from each state, who were called “electors.” Citizens weren’t allowed to vote directly for a particular candidate. Instead, each state was represented by a group of electors. If you had to select two or three people from this part of the country to choose a president, who would they be?*

**Respondent:** *I dunno. Perhaps the fellow who writes a column in our local newspaper. He seems to know a lot about politics, and I usually agree with him. The Reverend Smith down at the church might be another. Also, my brother-in-law, who used to work in Washington....*

In most of the preliminary polls, it is probable that few names would be agreed upon by more than 5 percent of the respondents; and many names would be mentioned only once or twice. In order to generate a short list of candidates for “elector,” the survey directors should select for inclusion on the ballot those nominees who best satisfied the criteria mentioned by respondents in answer to an open-ended question about desirable characteristics. In addition, the survey directors (assisted in each region by a bipartisan or multipartisan advisory board) could “draft” a few persons who appeared to exemplify characteristics that respondents had specified. The preliminary ballot would thus consist of three categories of names: those that were above the cut-off point (perhaps 5 percent), those chosen from the list below the cut-off point, and those “drafted.”

After ascertaining that all nominees would be willing to serve, if chosen, the survey directors would then release the preliminary ballot to the press, along with a story explaining the purpose and the methods of the survey. The news release would also invite additional names for inclusion on the ballot if supported by petitions with at least 500 verifiable signatures. At this point political parties in some areas, seeking to pack the ballot, might nominate wheelhorses who could be counted on to “vote right,” but this wouldn’t be a problem. Indeed, it probably would promote discussion, a major goal of the enterprise.

If the ballot is not overly long, following the addition of nominations stimulated by the press release, it could then be submitted to a full sample of the region’s population. An overly long ballot would have to be pared down

## The Polling Business/Davison/continued

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by showing it to a second subsample and dropping names that received the fewest choices. Whatever its length, the final ballot would be presented to respondents with a question substantially as follows:

**Here's a list of people from this part of the country who have been mentioned to us as being well informed about political matters. If you had to choose two or three people from this list to represent you in a presidential election, which ones would you choose? That is, suppose you couldn't vote in the next election yourself, which two or three of these people would do the best job of voting on your behalf?**

Each name would be accompanied by a 30 to 40 word biographical identification, which the interviewer could read to the respondent if necessary.

Tabulation of these responses would yield the names of "electors" from each region. These names would be published promptly, and the fun would start.

Presumably, the pseudo-electors in each region would want to meet one or more times before formally making their choices for president and vice-president. They might also wish to correspond or hold telephone conferences with "electors" in other regions. They might decide to solicit suggestions from the public. It would be fascinating to see what happens. They would not, however, be allowed to set their own calendars. The rules for the exercise would designate a date by which each region would have to announce its selection, and this date should be well before the time that the political parties in the real world nominate their candidates for the White House.

### **Electors Then Play A Role in the Real World Election**

Having elected a "president," those persons chosen by the polling process would have discharged their duties

as "electors." They would then become a panel, in the sense in which this term is customarily used in opinion research, and could be polled repeatedly on issues raised during the presidential campaign. They could also raise issues themselves. By this time, many of them would have been recognized as legitimate newsmakers by journalists, and they would be approached for interviews. One might hope that the views of these "electors" would play a significant part in public debate, and that the media would be less dominated by the antics of political consultants. One might hope further that US voters, on entering their polling places on primary days and on election day, would be able to make better choices.

How much would this procedure cost? Direct costs to polling organizations might amount to as much as a couple of million dollars, although the bill would be less if some organizations were willing to donate their services in whole or in part. Even if the cost ran higher, the tab would not be excessive. Alexander Hamilton and James Madison, to name two Americans who knew the value of informed discussion as well as the value of a dollar, would certainly regard the money as well spent.

<sup>1</sup>Ranney, John C., "Do the Polls Serve Democracy?," *Public Opinion Quarterly*, Vol. 10, No. 3, Fall 1946, 349-360. To acknowledge that Ranney has a point is not to deny that polls contribute to the functioning of democracies in other ways. This has been noted by numerous scholars, most recently by Albert H. Cantril, *The Opinion Connection: Polling, Politics, and the Press* (Washington, DC, Congressional Quarterly, 1991): "In sum, polls contribute to the give-and-take of politics by acquainting one constituency with the points of view of others, by reminding all constituencies of the prevailing view among the public at large, and by making the public integral to competition among political interests (p. 238).

<sup>2</sup>This discussion is taken largely from Francis G. Wilson, "'The Federalist' on Public Opinion," *Public Opinion Quarterly*, Vol. 6, No. 4, Winter 1942, pp. 563-75.

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