

THE HARD QUESTIONS

Votes for sale

Reformers have long worried about the role of money in politics. So did George Washington Plunkitt, the boss of Tammany Hall. The problem with money in politics, he said, is that there's never enough to go around.

This time, there has been plenty to go around. The presidential campaign alone has cost \$800 million. Is that too much? By one measure, it's a bargain. In the weeks just before Election Day, Americans spent \$2.5 billion to celebrate Halloween. That we spend three times as much on candy, costumes and pumpkins as on our most solemn civic ritual is good evidence against the proposition that the people know best how to spend their money.

The real problem of money in politics is not the amount spent but the influence it buys. It's not exactly patriotic sentiment that motivates Philip Morris, AT & T, the Association of Trial Lawyers, and the Teamsters to contribute millions of dollars to the candidates and parties. Not surprisingly, neither major party has made campaign finance reform a serious issue this election year.

Bob Dole has tried to capitalize on revelations that the president accepted money from Indonesian banking and real estate interests. And the Clinton campaign has been calling attention to a Cuban sugar magnate who has given generously to the GOP and who benefited from Dole's defense of sugar subsidies. But lost in the volley of charges and counter-charges is the larger question of principle: If foreign money corrupts democratic politics, what about domestic money? What difference does it make whether our political deliberations are distorted by Indonesian banks, Cuban sugar empires or American tobacco companies? Why sell our elections to any moneyed interest, foreign or domestic?

Across the political spectrum, reformers have proposed measures to reduce the power of money—spending limits, free television time, the closing of loopholes that allow massive contributions to be funneled through the parties, the elimination of political action committees. But even the debate over these proposals, itself too dangerous for Clinton and Dole, leaves untouched the

deeper corruption that afflicts our campaigns: the politics of self-interest. After all, if it is wrong for moneyed interests to bribe politicians with campaign contributions, isn't it also wrong for politicians to bribe voters with campaign promises directed squarely at their wallets?

Some bribes are more explicit than others. In Plunkitt's day, ward heelers distributed money, meals and favors to bring their people to the polls. In our day, it is more respectable to buy votes wholesale than retail. When casino promoters sought passage last year of a ballot measure to allow casino gambling in the state of Washington, the measure provided that 10 percent of the profits be paid to those who voted in the election. Opponents of the measure complained that the proposal constituted a bribe, but the other side argued that a portion of casino profits often goes to state governments. The Washington measure simply cut out the middleman and offered the money directly to the people.

In the early 1980s, the Supreme Court considered the case of a candidate for county commissioner in Kentucky who promised, if elected, to lower the commissioner's salary. His opponent charged that the pledge violated a state law barring candidates from offering constituents a financial inducement for their votes. The court rejected the challenge, ruling that the promised salary reduction did not constitute a bribe. But its opinion displayed the moral confusion at the heart of the politics of self-interest. A state "may surely prohibit a candidate from buying votes," Justice William Brennan wrote. "No body politic worthy of being called a democracy entrusts the selection of leaders to a process of auction or barter." Brennan asserted, but did not defend, a sharp distinction between buying votes and appealing to voters' self-interest. Our "tradition of political pluralism" assumes "that voters will pursue their individual good through the political process," he wrote. Personal benefit "has always been, and remains, a reputable basis upon which to cast one's ballot."

But what, really, is the moral difference between a politician who buys votes and one who panders to economic self-interest? Both offer a financial reward in exchange for a vote. If it is disreputable to sell my vote to a party boss for \$500, why is it reputable to cast my vote for the sake of a \$500 tax cut?

Consider three possible, but ultimately unconvincing, attempts to distinguish the \$500 bribe from the promise of a \$500 tax cut (or other benefit):

(1) *The tax cut (or benefit) comes from public funds, whereas the bribe comes from private funds or party coffers.* But this makes the tax cut worse. At least the casinos in Washington state were offering their inducements from private profits, not state funds. If the voters must be paid off, better it be done with private money than with taxpayer dollars.

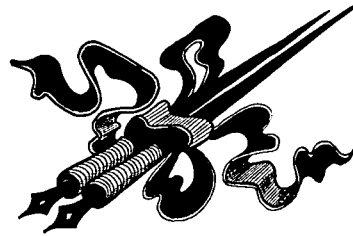
(2) *The campaign promise may not be kept, and so will exert a lesser influence on voters than an outright bribe.* But this suggests, perversely, that the moral superiority of the

campaign promise rests on the fact that the politician who makes it cannot be relied upon to keep his word. In any case, if voters are skeptical that the promise will be kept, they can simply assign it a value that reflects their degree of uncertainty. A promised \$500 tax cut with, say, a 50 percent chance of being enacted would be worth \$250. It wouldn't be any more justifiable.

(3) *The campaign promise is public and available to all, but the bribe is secret and offered only to certain people.* But many campaign promises (to cut taxes or to dispense benefits) are also targeted at particular groups, or at least have highly differential effects. In any case, if bribes are wrong because they are offered to some and not others, why not universalize them? If votes could be bought and sold openly, the secrecy would fall away and everyone would be free to sell at the going rate. The \$800 million now squandered on bumper stickers, lawn signs and attack ads could go directly to the people.

The reason none of these distinctions succeeds is that they share the assumption, familiar in our time, that the purpose of democracy is to aggregate people's interests and preferences as accurately as possible and translate them into policy. According to this theory, citizens are consumers, and politics is economics by other means. If this theory of democracy is right, there is no good reason to prohibit the buying and selling of votes. If, on the other hand, we want to retain the idea that citizenship is something money can't buy, there is good reason to reconsider the version of democracy we practice these days.

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