

Los Angeles Times July 17, 2003 Thursday

SECTION: California Metro; Part 2; Page 15; Editorial Pages Desk

HEADLINE: Commentary;

'Patriot Dollars' Put Money Where the Votes Are;

Give everyone \$50 to spend on the candidates of their choice.

BYLINE: Bruce Ackerman and Ian Ayres

BODY:

The phrase "money primary" was first coined in 1987, but it is now a powerful force in American politics. During the last election, George W. Bush's early fund-raising prowess swept most serious candidates from the field before New Hampshire held its first vote. Democrat Howard Dean is now the principal beneficiary of the emerging system, but his populist success should not disguise its elitist character.

The money that fueled last year's elections came from a tiny portion of the electorate. Only one-quarter of 1% of American voters gave \$200 or more in the 2002 election cycle. But their contributions added up to half of the total. Now that the McCain-Feingold law has increased contribution limits from \$1,000 to \$2,000, the balance of financial power will become even more top-heavy. Not only will the money primary favor well-organized economic interests, but wealthy ideologues of the right and the left also will have a field day.

Under the current system, candidates speaking for the concerns of ordinary Americans are disadvantaged. There is no guarantee that they will survive to the New Hampshire vote. As the money primary displaces the people's primary, the result will be a cycle of disillusionment. Primary voters will regularly confront an odd assortment of ideologues and apologists for special interests, but who will speak for mainstream Americans?

To break this cycle, we need to try something new: Give every voter a special credit card account containing \$50 that they can spend only on federal election campaigns. Armed with their cards, voters could go to local ATM machines whenever they liked and send their "patriot dollars" to favored candidates and political organizations.

About 100 million Americans went to the polls in 2000. If they also had a chance to go to their ATMs, they would have injected 5 billion federally funded patriot dollars into the campaign -- greatly diluting

the power of the private \$3 billion spent by all candidates for federal office during that election. It's a small price to pay to democratize the system.

Promising candidates will find new rewards by appealing to mainstream interests; they also will have a new incentive to stay in the race until the first round of primaries is completed. This is the time most Americans first take presidential politics seriously, and patriot dollars will enable them to have an effect on the rest of the campaign.

The patriot-dollar plan achieves equal opportunity without running the risks of more familiar reforms. Whenever reform laws try to restrict private money, two problems are created. Political debate is reduced: Less money means less speech. And the balance of power between incumbents and challengers is distorted. Office holders have public reputations generated by high visibility, and challengers need lots of cash to offset this advantage. So drastic restrictions on private funds allow incumbents to tighten their grip on office under the banner of reform.

Patriot dollars, by contrast, promise more speech and more political competition. New thinking is especially required now that the old system of public finance is in obvious disrepair.

Under McCain-Feingold, President Bush has already decided that he can raise more money privately than through the public funding system. Top-ranking Democrats may make the same choice. Worse yet, public support is at an all-time low, with only 11% of taxpayers contributing \$3 each to the system when they file their tax returns.

But April 15 is the wrong time in the electoral cycle to make such decisions. Patriot dollars would let every American decide when to contribute and would help create a personal connection between the voter and his own cause or candidate. As tens of millions vote with their dollars, their real-world demonstrations of citizen power would generate new support for the public finance system as a whole.

Patriot dollars are no panacea. They do not promise a political utopia purged of special interests. They simply would allow ordinary Americans to compete effectively with the rich, giving them a realistic chance to shape electoral debate long before they cast their ballots in November.

Bruce Ackerman and Ian Ayres are professors of law at Yale and

authors of "Voting With Dollars: A New Paradigm for Campaign Finance" (Yale University Press, 2002).