We all have the freedom of money-speech, but only the rich get heard.

By Steve Thorngate
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Last week's Supreme Court decision in *McCutcheon v. FEC*, which lifted aggregate limits on how much political donors can give, was not the most clear-cut conservative victory ever. Elected Democrats are officially unhappy, but their fundraisers won't mind the extra cash.

Yet the decision is clearly a setback for liberals—as distinct from Democratic party interests—and not just because other people don't tend to be rich people's top policy concern. The Court found that the government's "strong interest" in fighting real or apparent corruption is actually less strong (absent actual quid pro quos) than a citizen's First Amendment right to influence elections with great piles of money. The fact that most of us don't have the means to do this—and thus won't have the same voice as the wealthy few—is not a problem the majority is strongly interested in fighting. So this is among other things a win for the conservative preference for equality of opportunity rather than of outcome.

In other words, all citizens—not just the rich ones!—are free to exercise their right to money-speech as much as they want. If we find our voices aren't being heard, well, we might just need to talk richer. Equality of opportunity to let your money talk in an election means that democracy is preserved in theory, even if our system keeps stumbling toward oligarchy in practice.

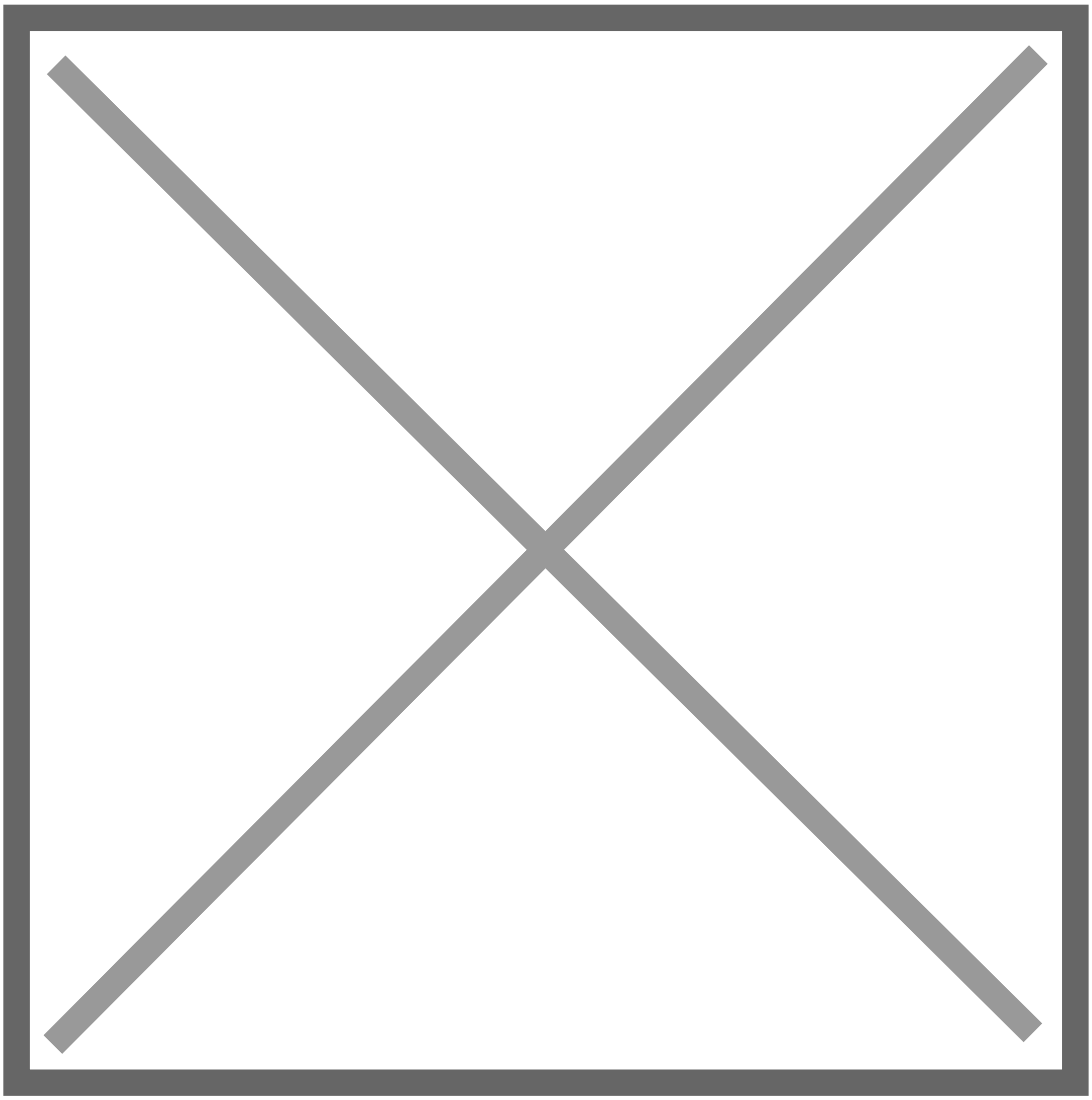
An emphasis on equality of outcome would ask instead how the role of money in politics actually effects the system's responsiveness to all citizens. And this week, researchers Martin Gilens and Benjamin Page have an answer: it's pretty responsive, but only if you're rich.

Gilens and Page's article comes out in the fall, but they published an abstract and preview on Tuesday [pdf]). Larry Bartels summarizes their main findings:

> The collective preferences of ordinary citizens had only a negligible estimated effect on policy outcomes, while the collective preferences of “economic elites” (roughly proxied by citizens at the 90th percentile of the income distribution)

> were *15 times* as important. “Mass-based interest groups” mattered, too, but only about half as much as business interest groups — and the preferences of those public interest groups were only weakly correlated (.12) with the preferences of the public as measured in opinion surveys.

Here, via Kevin Drum, is a graphical representation from the article preview:



To be clear, this research is most immediately about public policy, not elections. But as Bartels goes on to explain,

> Gilens and Page frame their study as a test of four broad theories of American politics: “Majoritarian Electoral Democracy,” “Majoritarian Pluralism,” “Economic Elite Domination” and “Biased Pluralism.” “Majoritarian Electoral Democracy,” with its emphasis on public opinion, elections and representation, provides the

> theoretical backbone of most contemporary political science (including mine). . . But Gilens’s and Page’s work makes that look like a bad scientific bet, wishfully ignoring most of what actually drives American policy-making.

Gilens and Page's work suggests that money already talks a whole lot louder than voting does. And the Court just went and gave money-speech more leeway in elections, too. That might be a win for First Amendment protections as the Court now sees them, for all citizens' opportunity to let their money do the talking. But in terms of outcomes, it's hard to see this being good for democracy.