

Public Opinion and Collective Obligations

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Abstract This article attempts to identify the general principles that underlie public reasoning about collective obligations and that help explain when political parties can create new obligations or defend existing ones. I use these principles to President Clinton's unsuccessful attempt to create government health-care plan and attempts by President Bush to privatize Social Security. The success of a party in selling – or defeating – an obligation depends upon what people believe about the competence and capacity of government and the value of autonomy – choices made by each citizen; whether people perceive the obligation as providing floors or establishing ceilings by limiting choice or otherwise restricting opportunities for the better-off; and whether the program is more like insurance or more like welfare. A party's ability to maintain credibility with voters also depends upon whether party leaders can suppress issues that threaten intra-party elite pacts. When attempts to suppress “taboo” issues like “stem cells” or “black crime” fail, the party loses credibility with its voters and attempts to defend or sell obligations fail.

Keywords Obligation · Republican · Democrat · Social justice · Public opinion · Elections · Welfare

The presidential election of 2008 is a particularly critical election for deciding what our obligations to each other will be. Since neither party has a current president or vice-president competing for the nomination, and since there are also likely to be more voters dissatisfied with their parties than at any time since 1968, we can expect wide-open intra-party fights among

Democrats and Republicans. These fights will center on what government can do better collectively than what people can do individually through markets, what government should do for people at various times in their life, and how to determine priorities among competing obligations.

These contests are taking place at a time when alternate forms of news and information about politics—cable, internet, bloggers, etc.—are changing power structures within political parties. The changes in media, along with primaries, open up both parties to challenges—on the right and on the left within each party. These challenges will affect the ability of candidates and parties to build a national consensus and erode the power of politicians to control the political agenda and keep topics off the table that threaten elite pacts within the parties.

Politicians and parties do not introduce programs to educate the public or to build a consensus on what is good for America, despite pious claims to the contrary. They defend or promote obligations to renew and build constituencies, or to split the opposition. They renew and build the constituency for a program by persuading voters the program is good for the country. They split the opposition by finding programs that grass roots members of the other party support, but which the party elites cannot endorse without breaking elite pacts.

Behind the phrase “It takes a village...;” is an implicit assumption that, once upon a time, there was more sharing, more mutual concern, and more social capital, that villages were like extended families with extensive mutual obligations. While it is true that villages were the places that always had to take you in, to paraphrase Robert Frost, village policies were not more altruistic, generous or redistributive than is America today. Peasants were too poor to be romantic about their fellow villagers. Rather, villages were more like stock exchanges than families. Then as now,

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people had clear-headed approaches to developing viable policies and procedures for maintaining obligations within and between families. Membership in a village, like membership in a stock exchange, gave people a chance to practice their trade and benefit from rules and obligations that allowed for extensive interchange and cooperation and made possible insurance and welfare despite the ever-present concern about free riders and moral hazard.

Principled Pandering

The essence of coalition building and campaigning is transforming “What have you done for me lately?” into “What will you do for us?” Transforming unstructured and diverse interests into a single coalition, requires the aggregation of countless “I’s” into a few “We’s.” Successfully transforming the “I’s” into “We’s” depends on the public’s attitudes about what our collective obligations should be and how best to provide for them.

The single most important lesson I have learned from studying political campaigns is “never to tell people they are selfish and never to assume they aren’t.” People are aware of the willingness of politicians to pander and to make promises on which they cannot deliver. When other persons besides those who benefit from a program will know about their benefits, a critical part of selling the program is justifying it with principles that have public support. To paraphrase Aristotle, expressing the interests of the audience as universal truths brings moral justification to a policy. Wheat farmers readily accept that the government should feed surplus grain to hungry people around the globe and corn farmers just as easily accept that government should require the use of ethanol. For non-farmers, however, it took “Food for Peace” and “Energy Independence” to justify the programs as more than pork barrel boondoggles.

Here I lay out the general principles that I believe underlie public attitudes about collective obligations and that help determine the success or failure of efforts to defend or attack them. I suggest these debates will involve tradeoffs between providing floors below which no one should fall without imposing ceilings that limit the maximum benefits anyone can have for their own family. The distinction between insurance—evening costs over time—and welfare will also be central to these debates, as will beliefs about the competence and capacity of government and the value of autonomy—choices made by each citizen.

New Media, Inside Information and Agenda Control

New media have altered the way that collective obligations are exposed and maintained by making it easier for

small groups of politicians and activists to circumvent political gatekeepers and build their own constituencies. New outlets and new constituencies mean more challenges to existing political compacts and more rapid challenges to new compacts.

Accountability and transparency are at the center of democratic theory. The ways in which elected officials will be held accountable for their actions, in turn, depend upon which parts of their work are transparent. What can be observed limits how and when officials can be held responsible for their decisions. Consequently, parties and politicians try to control the agenda by limiting information available to the public and convincing the public that politicians know more and know best.

Controlling the agenda is a critical part of maintaining a political coalition. Politicians attempt to keep issues that would divide their party off the table and only work on issues that unite their supporters against the other party. In other words, party leaders succeed by getting their potential supporters to focus on why they dislike the other coalition and ignore the groups they dislike in their own coalition. Indeed, all that may hold a party together is a general agreement on who is the enemy; party unity, as the authors of *Voting* so eloquently stated, “need not be a unity with regard to the content of the issues, who is for or against what, nor need it necessarily be a unity of the importance of different issues. What unifies a great heterogeneous party is this: On those matters which are important or relevant or salient to particular voters in the same party, they are uniformly against the opposition...; Party members need not agree on specific issues; their unity is at a different level. Their unity lies in the fact that on something important to each, they share a common position of disagreement with the opposition...; they have, for one reason or another, the same opposition” (Berelson et al. 1954, p. 206).

The gap between information available to citizens and information available to politicians always gives political insiders latitude in deciding how the benefits of government policies will be distributed. This gives some persons an incentive to disseminate different, hitherto-unavailable news to change public awareness of the benefits of a policy, or to advance their political career. There is always an incentive for keeping some information away from citizens to protect existing elite agreements, and determine who profits from inside information. Elites fight to maintain rules that protect their pacts and benefits, but every time new media emerge the changes in information available to the public reorganize politics.

At the most basic level, the business of political parties is coalition-building, constructing a whole out of multiple parts that often desire different goals and payoffs. Every bill has collective benefits and private

benefits. Railroads bring railroad stations, national defense rewards defense contractors, border fences reward fence makers. There will always be alternate ways of providing the same collective benefits with different distribution of private benefits. So deal makers always benefit from allocating private benefits themselves, and presenting finished plans to voters, limiting the voters to accept or reject the final outcome at the polls.

As media proliferate, it becomes harder to limit the potential audience for news about a bargain or policy and keep it from the people paying the costs of someone else's concentrated benefits. The distinction between concentrated benefits and diffuse costs rests in large measure upon the lack of motivation to learn about the policy—or even notice it—among persons paying the diffuse, not easily perceived costs.

Every time a restriction on the flow of information is removed, formerly private aspects of legislation are made public. Elites want the concentrated benefits of a bargain to be known only to those who directly benefit from them, and for the persons paying the costs to know as little as possible about them. Representatives want farmers to know that they are hard at work defending their interests and cutting deals on their behalf. They do not, however, want the information accessible beyond their intended audience—private deals on behalf of farmers can constitute pork barrel and waste to consumers. And they do not want farmers to know when they sacrifice further benefits for farmers in return for contributions from agribusiness.

New media are neither inherently liberal nor conservative. Instead, they are intrinsically decentralizing, giving more groups opportunities to circumvent old gatekeepers, sharing formerly private information with additional people and broadening the spectrum of issues and approaches on the public's agenda.

While it is easy to credit—or scapegoat—conservative media like the Fox Network for the rise of the new right in the 1990s and the attacks on social programs, it was actually C-SPAN that changed the balance of power within the Republican party. Starting in 1984, when only one in ten households even had access to C-SPAN, Newt Gingrich began speaking during “special orders” at the close of each House session, a time when any representative could take the microphone, addressing a nearly empty chamber and a lone C-SPAN camera. While established politicians scoffed at C-SPAN's miniscule ratings, yet were willing to “go around the planet” to speak before five thousand people, Gingrich figured that there were always at least a quarter of a million tuned to C-SPAN. He gathered like-minded radical backbenchers to “jump the queue,” going over the heads of the Republican leadership to build their own constituency—and their own fundraising base—within the party.

New Media and Elite Pacts

Elites also try to keep topics off the agenda that threaten the bargains that hold their coalitions together. Coalition building is premised on differential salience, people who care passionately about one issue gaining support for their issue by giving their support to people who care passionately about another issue. Many of the compromises that are made in creating and maintaining a party would not be accepted by voters if they knew about them or understood their consequences, so the logic of coalition maintenance pushes party elites to attempt to control the agenda and keep some issues below the radar.

When parties change policies it will shift the status of politicians in the party. In particular the politicians who have taken strong stands on an issue always stand to lose power and popularity if a party changes its priorities or positions. If their supporters would approve the new policy but they have railed against it, they may still oppose the change to avoid looking weak or unprincipled, depending upon whether they oppose or accept the change.

The so-called “wedge issues” are issues that address topics party leaders are trying to keep out of politics because the reputations and standings of parts of the political elite depend on supporting their long-standing positions, while keeping voters with the party might require changing the party's position.

Concessions to religious leaders that the party will block stem cell research or concessions to minority activists and civil libertarians about sentencing, rehabilitation, and police procedures, are an inevitable part of coalition strategy. When the compromises become salient, however, such concessions, while defensible on philosophical or political grounds, do not resonate with the wider public. Both compromises will be seen as failure to honor collective obligations. In each instance, a collective benefit of which the government is widely seen as the appropriate provider—health and public safety, respectively—has been sacrificed for the benefit of a few.

When a party cannot defend a policy, elites resort to the same defense put up by Burke in his famous “Speech to the Electors of Bristol”: Politicians ought to make decisions based on what the voters *should* want, not necessarily what they explicitly *do* want, or, in another words, we know what is good for you; trust us and don't ask questions. One way they try to stifle debate is invoking morality, making a topic beyond the pale of civilized conversation. When a party is trying to keep health and public safety off the agenda, however, it is harder for them to sell other collective obligations. If they cannot talk straightforwardly about a salient issue of health or safety, how can their promises about new programs be trusted either?

As the number of media outlets grows, it becomes increasingly difficult for party elites to suppress the information sources in government or among their own backbenchers. As information becomes more accessible, the diffuse costs of a policy are no longer as diffuse and the original bargains may not be tenable. All over the world, for example, as a free press develops, it becomes harder for political elites to protect industries who endanger drinking water, or pharmaceutical companies whose products have negative side effects.

Fast Money, Slow Voters and Elite Pacts

The combination of primaries with the internet and cable create an additional level of complexity for candidates trying to build a coalition that can get a majority of voters in November. It exacerbates the conflict between fast money and slow voters, on one hand, and creates difficulties for party elites attempting to maintain elite coalitions by rendering issues taboo.

Both parties have challenges from “backbenchers” making powerful claims on parts of the party coalition that will respond quickly to new issues or opening up of old taboos. Democrats focusing on dealing with global warming may alienate minority and working class voters on whom gasoline and utility costs weigh so heavily. For years, stem cell research for the Republican Party was just as taboo as was black crime (aka “Willie Horton”) in 1988. Now, Republican battles over stem cells—a no-longer taboo topic—have already divided the party in several states, as well as fights started by backbenchers over immigration.

Fast money for passionate minorities complicates the possibilities for those candidates with the best pre-campaign odds for gaining nomination. Anyone with a reasonable chance of getting their party’s nomination tries to avoid positions on the far left or right that make it harder to reach 50% in November. With the Internet, a small-state governor with no political organization, Howard Dean, raised more money faster than any previous candidate on the basis of a single issue—opposition to the War in Iraq. Without an intense minority and a strong clear stand on that issue, Dean would have gotten nowhere. The money and passion that got him a plurality of Democrats in a few short months—*in the year before the primaries*—by championing total opposition to the war made it harder for Dean to ever get beyond the single issue passions on the left. As the late Paul Tully said of George Bush in 1992 when he turned the Republican Convention over to the religious right, “The closer Bush gets to 40%, the farther he gets from 50%.”

The easier it is for candidates whose only chance of getting the nomination is mobilizing passionate minorities,

the harder it is for the others to stick to positions that less passionate and engaged, slower to respond, voters would also accept. John Kerry, for example, would not have had much-noted inconsistencies in his Iraq War votes were it not for the ways he responded to support for Howard Dean at the beginning of primary season. Dean faded fast, but Kerry’s swerve left lived on.

Fast money, like the new media, is neither inherently right-wing nor left-wing. It comes from passionate groups within either party who see a chance to circumvent the leadership and push their own policies—whether or not they increase the chance for the party to win the White House. The next Howard Dean could be a conservative championing even higher border fences, or opposing increases in the deficit. Or it could be a Democrat championing major increases in carbon taxes. It can come from within the party or from outside. Whatever its origin might be, fast money challenges the party leadership by offering alternative visions to the electorate that undermine the basis of the elite bargain.

Decentralized media, the internet and fast money complicate the balancing act party leadership does to maintain their coalition, and keep groups focused on issues where they oppose the other party and looking away from issues where they oppose groups in their own coalition. When intense minorities demand visible policy concessions, this complicates the party’s effort to position itself vis-à-vis the electorate at large, taking centrist positions that are broadly acceptable in and of themselves and that also demonstrate the party is not captured by extremists. This emphasizes the importance of elite bargains that can be justified publicly.

Government Competence

When voters evaluate proposals, the competence of government for the specific proposal is always an issue. In general, voters look to government for security and do not believe government is efficient, that it can do things cheaper than private companies.

The easy—and wrong—explanation for distrust in government is conservative—today—or liberal—in the 1960s—attacks on government. Declining trust in government, for example, was long blamed for the decline in voting since the 1960s. In fact, there has been no decline in actual turnout since 1972. Trust affects whom and what people vote for, not whether they believe in government action.

Anyone trying to promote a new collective obligation or defend one under attack must be able to show that the government can perform efficiently. The failures of FEMA following Hurricane Katrina were so critical because people associate government so strongly with security. Even the

least politically interested citizens pay more attention to government when there has been a disaster so that politicians spend an inordinate amount of time preparing for them or responding to them. Steven Merksamer, the chief of staff for California Governor George Deukmejian, noted candidly: “My biggest fear always was of not being prepared for a major disaster—and one thing about living in California is we have them. How they are handled can make or break elected officials...; We spent a lot of time drilling for disasters. We would have mock prison riots, mock earthquakes—eight-hour drills when we would practice making decisions, several times a year.”

While government is associated with security it is not associated with efficiency. It is true—yet unknown and possibly not credible—that Social Security is one of the most efficient programs possible. Yet in 1993, Stan Greenberg polls for President Clinton showed that “no one believed that a government health-care plan could ever save money.” Later, Ira Magaziner concluded of his efforts to devise and sell the Clinton plan, “People will trust the government to guarantee them security. They will not believe that the government can control costs.”

This belief in government inefficiency also helps opponents of gun control make their case against new gun laws. In the 2000 election the Republicans argued that, before new laws should be passed, the old laws should be enforced. Enforcing existing laws giving mandatory jail time for committing a crime with a gun trumped new laws restricting access to guns.

Floors versus Ceilings

In country after country, when ordinary people, in experimental situations, were asked to choose principles that will govern the distribution of income in a group or society, they choose the same principles. The very important experiments on ethical principles devised and run by Norman Frohlich and Joe Oppenheimer, along with the replications, show that people decide upon a *floor* below which no one should go and leave inequality and the gap between the highest earners and the floor to be determined by the distribution of talent, work ethic, chance, etc. There was little support in any country for *ceilings*, limits upon the maximum any person could earn, in order to provide a higher floor for others.

In choosing a floor below which no one should go people in countries as different as the US, Canada, Japan, China, Russia and Poland show consistent moral principles that differ radically from the ideals of both John Harsanyi and John Rawls. Harsanyi predicted that people would act to maximize total income, which would mean no floors and no ceilings and give ethical standing to having no floors—

and no redistribution. Rawls’ “difference principle” would make the floor as high as possible meaning there would be maximal redistribution and a ceiling on what anyone could make until everyone was raised. In experiment after experiment in country after country people debated where the floor should be—accepting there should be a floor, and seldom paid any attention to ceilings or the possibility that there should be no floors.

Republican opponents of universal programs like health-care often charge that these plans are “one size fits all.” This phrase brilliantly evokes worries about both ceilings and limitations on choices. The Clinton Healthcare was defeated in no small measure because opponents of the plan were able to convince people that there would be a ceiling on how much medical care they could get for themselves, that they would be limited to getting what everyone else got. They did this by arguing that there would be fewer choices available to people under this plan. This also played to worries about government competence as well, for it was often coupled with charges that the government would pick doctors or plans for people, imposing ceilings in the guise of limiting choice. As Uwe Reinhardt, a Princeton health economist later noted “No one understood this, but the average American patient would have had more choice under the Clinton plan [than they have without the plan].”

Insurance versus Welfare

The difference between providing floors and pushing for egalitarian solutions is reflected in the important distinction people make between insurance and welfare. Welfare implies a one-way transfer of assets, redistribution between “the haves” and “the needy.” Insurance implies an averaging out over good fortune and bad fortune, or over good years and bad years, or over a lifecycle. The logic of insurance and the logic of floors are entirely compatible. It is when welfare, or a push for egalitarianism, are promoted that it is hardest to sell the plans.

Voters are intuitively aware of the ways that “moral hazard” is a fact of life and are wary of programs that do not protect against this—as exemplified by concern in inflationary times for welfare queens, drug addicts, unmarried mothers, etc. This is awareness of the temptations of moral hazard, not only racism and the suspicion that “those kinds” take advantage of others. It is also why people are more willing to help others after natural disasters or epidemics when there is no obvious question of shirking.

The Clinton line used often in 1992 expresses this principle clearly. “Welfare,” he said, “should be a second chance not a way of life.” This acknowledged that good people can have bad years, and that the temptation to shirk was present for all. In that campaign, furthermore, the best

answer to the charge that Clinton was a typical tax-and-spend Democrat was the reply that he had promoted workfare and moved thousands of people into jobs from welfare roles. A belief in the importance of work, in other words, reassured people that he was aware of moral hazard, and the ways that welfare could erode the work ethic.

Social Security

Social Security is alive and well. The appeal of changing the program and the defeat of those attempts speak to the importance of floors and also to the ways that personal choice attracts younger workers. Overall, four out of five Americans say that Social Security has been a good thing for America. The belief in an obligation to provide a floor is not gone in America, and has changed little since the great depression. Then, as now, people believed in floors without minimal support for redistribution and very little support for ceilings on what people could earn or how much they could work.

The brilliance of President Bush's plan in the 2000 campaign to create individual investment accounts was that it offered young people choice and individual investment opportunities, addressed fears about the future viability of the program and never directly attacked the existence of the guarantee. The program did, of course, threaten the future of SSI but that was not why it was so initially attractive before voters learned more about the ways that diverting new money into investment accounts meant that same money could not pay benefits to current retirees.

In other words, the SSI program is in trouble only to the extent it is not understood. President Clinton had already proposed, in his second term, a plan to put some SSI funds into a market index fund. This was perceived as an inefficient federal government making investment choices for people they could make themselves. When voters were asked in the Republican polls whether they preferred government investing in the market or allowing people to do it themselves, by 3–1 they favored putting it in the market themselves rather than letting the government do it for them. The ways that this would threaten the floor were not obvious to people but the ways the government was “one size fits all” were apparent.

Americans, particularly younger Americans would like to have private SSI accounts so that they are protected against government inability to pay them in the future. That does not mean that they are willing to cut off current retirees or reduce their benefits in order to start private accounts with the money that flows from them to retirees. Most Americans oppose changes in Social Security that would reduce benefits for everyone or in any way threaten the floor. As a 2005 Pew Survey noted: “The only

proposals that receive majority support are those that would concentrate costs—or benefit reductions—on the wealthy. By roughly two-to-one (60–33%), most favor collecting Social Security taxes on all of a worker's wages, rather than just the first \$90,000 earned each year.” If necessary to preserve the floor, three out of five would give less to the well off, but there is little support for ending any guaranteed floor for the retired.

Taboos

Intra- and inter-party fights over obligations cannot be analyzed without relating them to taboos that help political elites maintain coalitions. “Willie Horton” and black crime—in 1988—and stem cells and related issues about life and death—currently—become politically contentious when party elites cannot openly discuss what is on the minds of *their own voters* without disrupting the informal elite pacts that preserve comity and coalitions within their party.

When Vice-President Bush, an opponent of affirmative action, was asked in 1986 how privilege and his family legacy shaped his life he did not defend benefiting from privilege or deny there were benefits from being born to wealth and power. Instead he calmly insinuated that the question itself was morally unacceptable. “People who work the hardest even though some have a head start will usually get ahead,” he said, and “...;to see it otherwise is divisive.” This is a classic case of trying to keep an uncomfortable topic off the table by rendering the topic morally suspect, or taboo, a violation of civilized norms.

William Horton became the poster child for Republicans attacking Governor Mike Dukakis of Massachusetts for being soft on crime. Out on furlough from a Massachusetts jail, he held a couple hostage, stabbing the husband multiple times and repeatedly raping the wife. Horton was black, and very scary looking in the mug shot used in the attack ads. When “independent” ads attacked Dukakis for not being willing to change the furlough program to exclude murderers, his campaign was unable to respond to the ads—which, of course, added to their credibility and power.

For years after these ads were condemned by liberals as purely racism, as if crime, drugs and the issues related to “inner city” crime were irrelevant compared to racial injustice and the injustices of the criminal justice system. Many white Democrats, therefore, did not believe Democratic candidates would cope with their fears about drug-related crime. Whether police were racist or not, whatever the sociological basis of crime and poverty, they felt their legitimate concerns about crime were not being addressed (and so did many African-Americans and Hispanics).

In 1992 Bill Clinton criticized a well-known African-American singer in person, in front of Jesse Jackson at a

Jackson led convocation. Souljah's lyrics included the line "If black people kill black people every day, why not have a week and kill white people?" Clinton's riposte—obviously aimed to gain national attention—was that her remarks were "filled with a kind of hatred you do not honor...;If you took the words 'white' and 'black' and reversed them, you might think David Duke was giving [her] speech."

Clinton broke the taboo against talking about black crime with those remarks and managed to hold the African-American base of the party and regain the confidence of many white who could not otherwise trust him to deal with crime. Instead of trying to protect elite comity he gambled that he could talk about the issue without breaking the coalition. As he elaborated a month later: "She obviously believes that the system values white people's lives over blacks. I think that is the point that she was trying to make. What we ought to do is find a way to talk to each other across racial lines and not make it worse. I thought [her] comments made it worse."

When Clinton made these remarks, Reverend Jackson first denied the validity of the exchange for a presidential campaign, arguing it was "beneath a president" to deal with popular culture, without saying that Clinton was wrong: "If one leaves the honored position of competition for Presidential leadership and comes down to the level of debating rap artists and sitcom shows, one will have missed a great opportunity to change the course of our country."

Two years later Jackson himself acknowledged the validity of dealing with crime among young black men: "There is nothing more painful to me at this stage in my life than to walk down the street and hear footsteps and start thinking about robbery, then look around and see someone white and feel relieved."

Until Jackson and other black leaders decided they could acknowledge that minority crime was a legitimate issue without losing their personal constituencies, Democratic candidates had to risk splitting the party to appear credible enough on crime to compete with the Republican Party. The Republican Party faced similar choices on stem cell research. For the "right to life" elites within the party, and the religious and moral activists leading the pro-life demonstrations, impeding research on stem cells, opposing euthanasia and denying that anyone has a right to terminate life were as important as opposing abortion. Many other Republicans, however, were comfortable with a party that opposed abortion and uncomfortable with a party that opposed medical research backed by prominent scientists.

Stem cells were a taboo topic for the Bush White House because, for all their "glamour" and the hope they held out for medical breakthroughs, they were anathema to many religious leaders no matter what their promise. Friends of Nancy Reagan, who became committed to stem cell

research after her husband, former President Reagan, was diagnosed with Alzheimer's disease put a referendum to provide financial support for the research on the California ballot. When they went to visit Karl Rove at the White House and ask for his help, Rove tried to dismiss claims about the potential for stem cell research as morally suspect without having to deal with the facts directly. The first thing he told the men was "It would be really bad if you got people's hopes up."

As support for stem cells grew in the country, elite arrangements in the Republican Party made it impossible for the Bush White House to adapt, even with Nancy Reagan quietly lobbying for research support. The case of Terry Schiavo, a young woman who had been in a coma for 15 years, tempted the Republican leadership into an extreme and highly visible position which their own party regulars would not support.

Terry Schiavo had cardiac arrest in 1990 and, after ten weeks in a coma, entered a persistent vegetative state (PVS). In 1998, her husband went to court to get her feeding tube removed. Her parents objected and the various court hearings and appeals continued into 2005.

In 2002 the Life Legal Defense Foundation gave support to the parents and drew national attention to the case. The next year, Florida Governor Jeb Bush supported legislation giving him authorization to override the courts and keep her on a feeding tube.

The case became a water cooler, talk-show national media circus in 2005 after the courts turned down the final appeal by Schiavo's parents. Republican majority leader Tom Delay pounced on the issue to strengthen Republican pro-life commitments with a series of unusual congressional maneuvers—all of which were overturned in federal courts. The Republicans debated subpoenaing Ms. Schiavo so that she would be under federal witness protection. Instead they rushed through the "Palm Sunday Compromise" a special bill passed in a most unusual Sunday session on Palm Sunday to give her parents special standing to move their case into federal courts. The federal courts denied their appeals and the feeding and Ms. Schiavo died.

While Schiavo was in her last month, Senate majority leader—and doctor—Bill Frist announced his professional medical opinion, based on a review of video tapes and a conversation with a neurologist who had seen Schiavo 2 years earlier, that there was not enough information to say Schiavo was in a vegetative state. Republican Senator Rick Santorum flew to Florida to file court papers on her behalf and also held a successful fundraiser among pro-life Republicans. After Schiavo died an autopsy showed her brain had withered to half its normal size and that brain deterioration had destroyed her vision.

During the last congressional battles an aide to Florida republican Senator Mel Martinez wrote a set of pro-life

talking points that were later leaked. This legislation, he wrote, “ensures that individuals like Terry Schiavo are guaranteed the same legal protections as convicted murderers...;” it was good politics because “the pro-life base will be excited the Senate is debating this issue” and (Democratic) “Senator Nelson of Florida has refused to co-sponsor the bill.”

In fact, the incident was a text-book case of imperial overreach. The attempt to intervene and prevent family members from quietly allowing someone to die backfired badly and gave moderate Republicans more courage to buck the party elite and push support for stem cell research. In a late-March 2005 CBS poll two-thirds of respondents thought Schiavo should be allowed to die, and three-quarters supported the right of a family member to allow a patient in a coma to die. Further, among those who supported the right to die, by four to one respondents said it should be a spouse, not the parents who make the decision.

What We Owe Each Other

What we owe each other depends in large measure on what politicians can convince us we owe each other. The obligations politicians will choose to promote, and the ways that others will attack them depends upon how the obligations threaten or strengthen party coalitions.

The success of a party in selling or defeating an obligation is determined by what people believe government can credibly do, whether people perceive the obligation as providing floors or establishing ceilings by limiting choice or otherwise restricting opportunities for the

better-off, and whether the program is more like insurance or more like welfare.

Each party has taboo topics that elites attempt to keep off the agenda with moral claims about the legitimacy of the topic. As they maintain elite silence on topics like black crime or stem cells they lose touch with the opinions of their base. When this happens attempts to defend obligations are apt to fail because the party cannot control its voters—as happened to the Democrats with crime and the Republicans with the right-to-life movement.

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