

What should we know about the 2024 election?

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[00:00:00] Hi everybody. I'm Susan Yackee. I'm the director of the LaFollette School of Public Affairs. I'm thrilled to be here. I am not an election scholar, um, but I, I'm actually a bureaucracy scholar, so you know, all things for book management and public policy making is started my research cup of tea. But as a, the director of school, I do play a role in kind of thinking about what kind of public policy issues are driving the election.

[00:00:28] Um, both, you know, what do we think mattered bef what do we think mattered before and what do we know a little bit more about now that the election is over? And I, so I'm gonna cover a little bit of that today. Um, I don't think I'm gonna say anything that's gonna surprise you terribly, um, because many of you in this room are probably following these issues pretty careful too.

[00:00:48] I also wanted to talk just a little bit about, um, the fact that, you know, we're a really. Divided state, we, you know, we live in an incredibly purple Wisconsin, and we live in an incredibly purple country. And I think that was one of the things that, um, oh, if you look at the map, right, it looks pretty red and blue.

[00:01:07] It blocks, but you know, when we add it all up, we're, um, an awfully, awfully divided, uh, state. And, and I wanna talk a little bit about, um, just some small things, although I think probably meaningful things that the all schools did in advance of this year's election to try to get people, um, to start talking about politics again.

[00:01:27] Um, which is a, uh, maybe a lost a, so I wanna just talk about those two things quickly. Um, and then I'll hand it over to mine. Seemed so, um, you know, what were some of the policy issues that shaped the election this year? Um, you know, no surprise to folks in this room. It was the economy, economy, economy, but probably more than anybody thought voters were voting on the economy and primarily inflation, really front and center, both in Wisconsin, but also nationally.

[00:01:56] So at 35% of voters in Wisconsin said that the economy mattered most in deciding how to vote. Um, and that was trailed by, you know, issues. You know, um, like state of democracy, abortion, immigration and foreign policy. But really that economy and inflation is what stood out in Wisconsin. 52% of folks said that their financial situation was worse than four years ago.

[00:02:21] And if you compare that to nationally, 45% of folks nationally said that their financial situation was worse four years ago. So actually in Wisconsin here at, you know, that even larger and Wisconsin, 69.7% of folks said the national economy was not good or report health. So these are really strong. Um, um, again, nationally, 75% of folks said that inflation was either severe or moderate and was causing major hardship for them.

[00:02:55] Or 90% of voters said they were either concerned or very concerned about the costs of. Top of groceries, housing, and gas. And so these are, you know, these is where the wind was blowing. Some of our pre, we did a bunch of work, um, at the Leal School in advance of the election with Wisconsin Survey Center, uh, which is a wonderful surveying firm on campus, and they have this neat panel study of Wisconsinite, so it's.

[00:03:23] 3,500 Wisconsin Knights and they were selected, um, to make sure that we have geographic diversity across Wisconsin. And they also have a bunch of demographic, demographic characteristics that are, make them representative of Wisconsin as a state. And what's neat about them is that it is up panel that meaning that we go back to these same individuals, they're recruited into the sample.

[00:03:45] We go back to them about monthly to take their temperature on different topics, including public policy issues. And so, um, the June metrics, um, in that, the June pulse survey for that group of individuals was on public policy. And so we got to capture a bunch of their attitudes and actually compare them to some of their attitudes they've had in the same questions in the past.

[00:04:08] So that June survey was really highlighted, uh, the economy and it as well. So 87% of Wisconsin Republicans thought inflation was quite a problem, but that compared to 49% of Democrats. And so one of the things that we saw, what using this, this panel data was that, you know, some party divergence on that particular issue, which is interesting 'cause we did this ask the same question the year before and all, we had almost the same answer amongst Democrats and Republicans.

[00:04:38] So about 63% of Democrats and 62% of Republicans thought, um, inflation was an issue in 2023. So really that's an issue that could become somewhat, had some partisan split across as we moved into 2024. Um, you know, the Marquette law, the Marquette lawful, um, also was showing that Wisconsin Knight's, uh, you know, a huge chunk of Wisconsinites thought the news well.

[00:05:06] So, but one of the things that's interesting about some of those numerics is really how good the economy is actually really doing in comparison to how people are feeling about it. Um, and so if you take a look at some of the big economic indicators at the macro level in the US looks pretty good. GDP growth was pretty strong last year.

[00:05:30] Unemployment is near record lows. The inflation and pandemic recovery in the United States was one of the best in the world when you compare it. But it was just not people's lived experience that that was the case. And so here's a great just not between how ma, you know, macro economists that take a look at some of those big factors, just didn't quite compute with how people were feeling on the ground.

[00:05:55] Um, and you know, it's just, it, we, we saw this again and again in some of our outreach activities at the public school this past year. So we brought. We had a really interesting event in Milwaukee in advance of the election where we, um, partner with a local nonprofit and brought some of our faculty members who are, um, one's a macro economist and one is a consumer finance scholar.

[00:06:19] And they talked a little bit about the economy, kind of standard metrics, including some of these metrics that went pretty strongly, but also talked a little bit about inflation and how, you know, how challenging that is. And combined with them, we have some members of the community and community activists that were also talking about some of their lived experience.

[00:06:38] And it was really telling to have those two groups together. Um, and just how unbeliev, um, some of the community members and how incredulous really they were, uh, you know, at a stock market that is, you know, one of the highest it's ever been. And then what the, in comparison to this lived experience and you know, it's, I think it's, when we think about.

[00:07:01] Moving into the Trump administration and thinking about, you know, it's just that di dissidence between, you know, how quickly does, you know, a new President Trump start to talk about how this economy looks pretty darn good. Right? Um, even though it's probably gonna be the save economy that was been very criticized just recently, right?

[00:07:19] So, like, expect that turn, um, uh, pretty quickly. Um, you know, interestingly, a lot of, um, kind of more traditional democratic issues were either ignored by Harris as a candidate or just seemed less motivating to people. Um, so

take an issue like climate change, which according to this Wisconsin survey, this survey of 3,500 Wisconsinites.

[00:07:41] Um, that was taken this summer. You know, climate change was one of their biggest issues. Um, 75% of Wisconsin voters in that survey thought it was either quite a bit or, or a very large problem, but it was not a point of emphasis for, um, the Harris campaign at all. Um, abortion in contrast was heavily promoted by the Harris campaign.

[00:08:02] Um, but in terms of the exit polls only, it was only a top issue for about 16% of the voters, at least according to the Edison research call. Um, gun violence was another topic, that policy topic that scored really highly for democratic voters, and it was one of the highest, the highest ranked issues for democratic voters in the Wisconsin poll, but almost had zero coverage in the political campaigns.

[00:08:29] Um, similarly distribution of wealth and income. Um, not huge. Maybe some, but not as much of an emphasis for Harris and healthcare. You know, despite it being kind of unanimously an important issue for most Wisconsin, I guess, was not as much of an issue this year. Um, in comparison to some of the other topics, um, what did we learn overall is that the status quo is not working for a lot of folks.

[00:08:52] Uh, a whopping 30% of people want a total upheaval of the country. Um, that's pretty dramatic. Um, and 75% of people in the country feel that we're headed in the wrong direction, um, you know, amongst new voters, um, they were most impressed with Trump. Not new voters are voting for Trump more than voted, voted for Trump more than Harris, and that was a change from Biden.

[00:09:17] Could you

[00:09:17] elaborate on what you, a little, on what you mean by total upheaval?

[00:09:21] That was a survey question from the AP vote cast. Um, so the AP votes cast said that 30% of people on a total of feeble in how the country is run, and more than half said they wanted to see substantial change.

[00:09:34] So they didn't, the phrases in the eye of the,

[00:09:38] I guess so, yeah, I guess maybe like a lot of survey questions.

[00:09:41] Um, so that is sort of the, you know, that's a picture that many of, you know already. That's kind of what some of the public policy issues that were hot in this election. Um, and I promise the second half would maybe be a little bit more optimistic, and that is, you know, what can we, what might we do about it?

[00:09:57] So, um, you know, we're, we live in a very divided country. We live in a very divided state. So, um, in advance of this election, and similarly in the, over in advance of the last several election cycles, the schools tried to host people to have conversations about public policy topics. And in past years, and in some of the cases this year too, we held events where we brought scholars, like I mentioned, our scholars that went to Milwaukee to talk about inflation.

[00:10:24] And those were kind of more traditional panels where the scholars would talk about their research and they might take a few questions and, um, you know, not as interactive as they might be. But helpful. Um, this year in advance of the election, we decided to do something different. So we partnered with the Milwaukee Old School, partnered with the Milwaukee Journal Sentinel, and we hosted four, um, different community conversations across Wisconsin.

[00:10:48] We called it our Main Street Agenda Project. So we were in LaCrosse, not lacrosse. Uh, we were in La Crosse for a regular event, but we were in, uh, Eau Claire, Green Bay, Madison and Milwaukee for community conversations. And what we meant by that was we brought people together, we brought a total of about 350 Wisconsinites together across those four events, and we hosted them at, um, round tables like you would, um.

[00:11:14] Like a, a ho like Holiday inns or like, we go to a wedding reception, right? Round, round tables and each round table of, um, six to eight with Congrat nights and one trained facilitator, um, usually a local school faculty, staff or student. And so then those, all those facilitators are trained to be kind of non-partisan.

[00:11:35] Um, facilitators of the, of the tabletop conversation, every table had diversity across partisanship. So we knew what people's party was coming in, and so every table had Republicans, independents, and Democrats at them. And then there was a set of questions that the table wait, like you could, the facilitator could go through those questions or the table could take it a new direction.

[00:11:58] So I think every table was a little bit different. So the idea behind the event, it was two hours long. We served everybody dinner as part of the event was to

try to humanize the other. So in, in our world today, we live in our little bubbles where we kind of consume the same media as people that are the same party as us.

[00:12:18] We live in communities are largely the same party as us. We work in businesses or people are large, the same party as us. And we don't so much as run into people that we, that know and respect and other dimensions that's happened to be of the, of a different party. And because of that, um, one of the things we know about ourselves as humans is that it's very easy to put people in like other camps like, and is so easy to demonize people that we just don't know.

[00:12:49] We don't understand. And so the idea behind events like this, these kind of dinnertime conversations is to humanize the other. So bringing people together to prove that we can still kind of talk across difference in respectful ways and we weren't sure what to expect. Um, we weren't sure. We trained all of our nonpartisan facilitators to deal with major conflict, yelling, fighting.

[00:13:16] We, we alert, alerted the local police that we were called. I mean, we, like, we really had no idea. We knew this was important work. We feel like it's important work. Um, and we knew that to move to evidence-based policy makings, which is the goal of the Laal school, that we can't get there unless people can talk to each other about potential solutions.

[00:13:38] 'cause we can't comp, we can't compromise, we can't, we can't get to policy until we talk to each other. This is our way, sort of trying to dis facilitate that. And it turned out to be just awesome. On the hit. We had these incredible events, um, where we actually, so unlike events like this normally where people self-select to come, we actually selected and invited particular people.

[00:14:02] And so, um, and tho so those people did not know each other in advance, but many of them really made interesting relationships with each other. We found all these circumstances where people like were exchanging telephone numbers, we got hugs. People were hugging each other after the event. Um, you know, not every, it wasn't all roses, but many people came up afterwards and said how refreshing they thought it was to hear from somebody that's different that they, that they didn't, they didn't change their mind, but they know, they know and understand better now why somebody else feels the way they do or they, they didn't before.

[00:14:38] Um, so it's super, um, super neat, uh, events for the Laal School. We were really excited to host them. And one of the pieces that's, um, important for a, you know, big research university like Wisconsin is we, we did all these outreach events

and we were, they were a, we hope, really great value, but we're also studying these events.

[00:14:57] So there's a whole research, there's a randomized controlled trial research. Design that underlies these events. So we'll be able to, at the end, um, say something about whether these re, these, these events actually change people's short term or moderate term attitudes as well as things like work choice.

[00:15:14] So we're really excited about the work. Uh, we think that's most is very valuable, but we'll also be able to learn something, um, from it on the other side. And with that, think I'll go. Thanks. Thanks. Thank

[00:15:25] you, Susan. All right. Mike the floor is yours. What should we know about 2024?

[00:15:33] before and after and during? I warn everybody, my voice is going from talking too much the last seven days.

[00:15:41] So, um, so I'm Mike Wittenwyler. I'm a lawyer who, basically, I'm an attorney for the professional political industry, so you can hate me for all the text messages you get, the billboards you see. I basically represent everybody but the candidates and the parties. So I have groups on the left, groups on the right.

[00:15:59] I just help move mo move money around the country to influence elections, that's all. Um, and so the people I do work with are the Super pacs, the 501 C fours, the political consultants who represent them, um, lobbyists, trade associations. Again, anybody who's in the business of politics, direct mail firm, pollsters, we run the gamut.

[00:16:25] And, um, you know, I think of what my five takeaways from the election are. I mean, the, the one that to be, and, and I, and I. Sentiment person, but democracy works. Um, democracy works really well and our elections work really well. 90% of the elections in America, we knew who the winner was the next morning we knew 90% of the elections.

[00:16:51] We had an answer as to who won by Wednesday morning. And we all got up, we all went to work. We all started our day. I was at the Badger hockey game on Friday night when they started playing the national anthem and it kind of moved me that here I was standing at a hockey game on Friday night with an arena full of

people at the coal center of disparate political views, singing the national anthem together.

[00:17:16] And I was at the Bucks game on Sunday and it was the exact same thing. Yeah, I attended too many events. Democracy works. And you know, for many people it was a great outcome. For many other people, it was not a great outcome. And I'm a cynical person who's been around many cycles, and you have, sometimes you win, sometimes you lose on both sides and you pick up yourself off the mat and you get up and that's the next fight.

[00:17:42] What's the most important thing for our country is that we can have elections, and elections come. Elections go, you know, I hate to disappoint everybody, but we're gonna have a Department of Public instruction and a Supreme Court race. So Charles will be asking you questions sued, and you'll be getting advertisements and mailers soon on those races that are coming up in the spring.

[00:18:05] Um, so that, so that's kind of my first takeaway is democracy works and democracy works well. I still think, and hopefully the government will get around to this, we should be putting more money into elections. Um, I think we underfund. And I'm not talking the campaigns, I'm talking the electoral systems, the training that we're giving our clerks, the security systems that we're giving our clerks.

[00:18:30] Um, there are great stories like outta Whitewater, if any of you have people who were students at Whitewater complaints about how they had understaffed polling places. And the clerk will tell you they just couldn't get enough individuals to work the polling places down there. So they couldn't split the polling books the way they did it.

[00:18:47] They, they had students voting until 10 o'clock, I think it was 10 or 10 30 because they just couldn't get everybody processed who the polling places in Whitewater. Um, so the more of an investment we would make in our elections, I think it's very important for us to be doing that. Um, figuring out ways to just improve the overall process will go a long way.

[00:19:10] Um, the second takeaway I'd have from this election is there was no shortage of money on all sides. You know, I, I was, um, I was shocked. I was amazed at how much money there was this cycle on both sides with candidates, with outside groups. But then my third takeaway is you run out of things to do with that money.

[00:19:34] And I was working with organizations who literally ran out of things to do with the money that they had. Many groups that ended up with money in the bank just because there was no more digital to buy, there was no more streaming service to buy. There's only so many billboards, robocalls, um, text messages.

[00:19:52] There's just. Only so much you can do with this. Um, I mean, I know, so my wife made the mistake. She was out of the country and she missed the August election. So she didn't vote in August for the first time. She had missed an election in like five years. We had no less than 50 people at our door making sure she remembered to go vote.

[00:20:13] Right. Because they couldn't figure out why she didn't vote. No, exactly. So, and, and half of them were volunteers. The other half were paid canvassers who were just, it was their job to make sure this one individual voting. I have a friend in Waukesha County, he has two children, um, who neither one of 'em goes to school in Wisconsin who had a constant stream of people trying to show up.

[00:20:37] Mm-Hmm.

[00:20:38] Why? Because they were an 18 and a 20-year-old male who both lean Republican. They were trying to make sure both of 'em got out to vote and, and my friend said every time they came to the door he explained they're not gonna be back till Thanksgiving. They already have absentee ballots. Please stop coming.

[00:20:55] And they would still keep coming to the house, of course. So even with all this money, there's just only so much you can do. Um, I think, I think, you know, when I look at candidate recruitment is key. I would say that's the fourth kind of takeaway. If you look at elections around the country as to candidates who won and who lost picking your candidates is key.

[00:21:21] And this has always been kind of the adage that you know, what the background of the individual is makes such a difference. And as much as we say we don't like career politicians, we vote for people we know and we typically vote for people who work their way up. They run for city council, they get on the school board, then they run for Congress, whatever it may be.

[00:21:41] We like to see that. Candidate candidate identity really matters. When you look at some of the races around the country where a Republican won elites Democrat seat in Congress, or a Democrat won elites Republican seat is because of

who the candidate is. And they pulled out a wing in New York because they had worked the locals, they knew the connect, they had the connections.

[00:22:04] Um, you know, I look at like Andy Kim, who won a US Senate seat in New Jersey. He is all about identity and who he was and what his message was. That candidate that got him through the primary and got him through the general, uh, you know, I, I somewhat think that that's what, uh, you know, Larry Hogan never had a chance really of becoming a senator of Maryland, but he made it a close race because of candidate recruitment and who he was.

[00:22:29] So picking the people who run for office really matters. The last thing, also a trite thing to say, but every vote counts. You look at the number of close elections. You look at all the different places where it mattered. There's a very good article this morning by Gilbert, the journals where he talks about the Baldwin election and he talks about how she outperformed how she would lose rural counties in Wisconsin, but she didn't lose him by as much as Harris did.

[00:22:59] And that trickled little vote all across the state added up to a margin of victory for it because every vote counts. And you know, and I also think with Senator Baldwin, you know, and so, so the last politician I worked for before I became a lawyer was Russ Weel. And I worked for him on his very first campaign and I was his campaign manager on his second campaign he lost in 2010 because he lost in a cycle where Tea Party Republicans nationwide swept that year in 2010.

[00:23:32] Feal lost. Harry Reed won. Harry Reed beat Sharon Eng at Nevada that year. Why did Harry Reed won? Because he carried the water for the mining industry. He carried the water for the gaming industry. He was in touch with the people of Nevada. Why did Tammy Baldwin win this time? Because she carries the water for every trade group in the state.

[00:23:52] Find a trade association in this state who didn't endorse Tammy Baldwin, whether it was the realtors, whether it was the Farm Bureau, whether it was WMC, who kept their mouth shut the day that Eric Humpty announced. Where was Tammy Baldwin at a WMC event in Beloit with a manufacturer? Mm-Hmm. She deals with business groups and she knows how to bring the fork back, and she has the benefit of having Ron Johnson.

[00:24:19] As the other US senator who won't do it. So she gets to meet all these businesses across the state. And I went to dinner, I went to dinner about a week ago with three people who told me they were voting for Trump and Baldwin. They exist

not in Craig Gilbert's article does a great job of explaining and so group of people who could fit into probably the silky, but they exist in Wisconsin.

[00:24:42] And, and so those people, you know, that makes a difference when people see that. Um, but anyway, every vote counts. That's my last one.

[00:24:51] Uh, just a quick question. So on the Baldwin race, there's been some discussion about, um, the other candidates that the third party candidates, right? And, and yeah. When in 2016, 1 of our neighbors was very happy to vote for Trump in the primary as a, as a means of getting Trump on the main ballot and losing Clinton.

[00:25:10] That was the theory, right? So how much of that I. Posturing before the elections, you know, if you can sort of shed some light on all that.

[00:25:16] So the one thing, and um, I, I haven't taken the time to look at the numbers, but I had somebody tell me on Thursday that the overall vote for third party candidates in America was down this cycle from where it's at historically.

[00:25:34] I mean, you know, Wisconsin is a state. I mean we, 20% of the state voted for us Perot. Mm-Hmm. I mean, if you go way back to 1992, Ted Thompson got I think 11, 10, 11% of the vote in the state of Wisconsin. So we have a history of voting for independence. If you look at the presidential time Presidential this time, did Kennedy get more votes than Stein did Kennedy?

[00:26:01] I can't remember who got more votes. Did Kennedy or Stein get more votes? Stein did, I think. Yeah. But it was, I mean, the amount of third party, I printed it off.

[00:26:11] Mm-Hmm.

[00:26:13] What do we do? We got, yeah, so from 49.7% Harris, 48.8, and then it drops down to Kennedy at 0.5%, which I don't think we've seen a third party candidate in Wisconsin for president finish at less than 1%.

[00:26:33] I mean, I, I can't recall the last time what, what I also found amazing about it is the libertarian came in behind Kennedy Stein, and then you had Chase Oliver. The, the, the one thing that shocks me too about the election is that Randall Terry got 4,000 votes in Wisconsin. Randall Terry is the Constitution party candidate.

[00:26:53] Randall Terry is the only person in this race who could say he truly is a hundred percent pro-life. If you are a true believer. In, you know, making abortion illegal. Randall Terry is your candidate, and only 4,000 people in the state decided to vote for Randall Terry. Um, and then the Senate race, right? It was Phil Anderson, the Independent, or Phil Anderson was the libertarian got 1.3% in the US Senate race.

[00:27:26] So 42,000 votes. So the Libertarian in the US Senate race got 42,000 votes, whereas Chase Oliver got 10,000 votes. I don't know what that says about why the Libertarians were more willing to vote for Harris or Trump, but they were to vote for Hub Deer Volvo. Um, and then Tom Legger, the other candidate got the 0.8%.

[00:27:50] What was spine?

[00:27:52] Spine Stein got 12,000 votes 0.4%. Again, just, I mean, nothing, people did not vote for third party in Wisconsin, like they typically do.

[00:28:04] Yes. I think you mentioned that there was a lot of money spent on the election in Wisconsin. Are you able to comment about what fraction of that money stayed in Wisconsin and what fraction might have gone outta state or out of the country?

[00:28:17] What do you mean stayed in Wisconsin? Well, the money spent. Yeah. When you, uh, campaign decides to spend money on an election, we hear about that in the news. Does that money typically stay in the state paying people who live in the state? Oh, I see what you're saying. Or is it somehow pass through the state and go elsewhere quickly?

[00:28:34] You mean like the economic impact or how much it actually ends up in Wisconsin? Well, so the people who benefit the most are always, if you have a Wisconsin broadcast license, um, I don't know what the ownership is anymore of Wisconsin television and radio stations. How many of 'em are actually Wisconsin owned versus owned by some syndicate?

[00:28:57] Um. Same with our newspapers, although most people don't advertise their newspapers, you know, probably the place where it has the greatest economic impact in Wisconsin are all the canvassers. Right. Um, the printing that gets done in the state, maybe. It's a great question. I've never looked at the economic impact of dollars that stay in the state.

[00:29:18] You know, for better or for worse, we are an export state when it comes to political, um, advisors. So if you ever wonder why so many political consultants around this country have a Wisconsin background, it's 'cause they all get trained here and then they go elsewhere. So there's a running joke in our office where they always ask me, how do I know this person?

[00:29:39] And even though they're a consultant in Montana, I can do six degrees of separation to the state of Wisconsin. And this is where they once worked on a race, so. Right. Thank you. Yes.

[00:29:51] It's a question for greater, but what, what, I mean, you're there, but how are, what are you doing? What's your part in this? Of just keeping track of what things are doing?

[00:30:00] So what, what do I do every day?

[00:30:02] Yeah. I mean, how do you,

[00:30:04] so that's a great question. So,

[00:30:07] I mean, you know, all this stuff. Oh,

[00:30:08] you should know. Yeah. Oh my God. So if you ask me what I spent my October doing, I was chained to my computer. So I review between 102 hundred ads per day to make sure they're compliant.

[00:30:21] No third party independent group will put a communication out without the content being reviewed by a lawyer. So whether it's direct mail, whether it's video, whether it's screaming. So I spend a lot of time reviewing content. I deal with complaints as they come in. Um, you know, we, we, we have, everybody loves to say that something is defamatory right before an election.

[00:30:44] And then I get to get into an argument of the other side of, it's not defamatory. Um. So it's, it's a lot of that making grants to organizations. So, um, we, we could really get into the weeds here, but, but, so there are all these calculations we do when we're moving money around. Mm-Hmm.

[00:31:03] And

[00:31:04] we're watching these ratios.

[00:31:06] And so we spend a lot of time on the phone with the bookkeepers and the accountants at October, making sure we're not exceeding our limits of how much we're transferring to different organizations. So if we move too much money into Wyoming, all of a sudden I have to register as a Wyoming pac. So I wanna keep it at 40% in Wyoming or in Arizona.

[00:31:25] I wanna make sure I don't hit PAC status. So there's, so we keep these spreadsheets and we're watching with the bookkeepers how much people are spending in all different places, because if one group is spending too much, we then substitute it and bring in money from a different group and make transfers around.

[00:31:42] So it's a lot of.

[00:31:44] Spreadsheets and you have to create entities to do all this. Right, right. And register and maintain and all that. So

[00:31:50] most of that gets done during the odd year. Right? Right. So, so during the odd year you plan ahead, but for example, I had a client who called the first week of October who had a zero budget and all of a sudden had \$20 million.

[00:32:03] And so we had to create four super backs, three C fours. I think we created an unregistered S 47 the first week of October just to put this

[00:32:12] money and I that 20 million. What do you think they have to spend just to maintain the, the legal entities and pay the lawyers and account even by that

[00:32:21] million dollar budget?

[00:32:22] You would say your legal fees are? Well, it depends on how many communications you run.

[00:32:28] Mm-Hmm.

[00:32:28] But I would say you would probably set aside a hundred thousand dollars for compliance. You're gonna have annual tax returns with an accountant. Yeah. And, and some of it depends on whether you do what we call pop-up organizations versus, um, continuing entities.

[00:32:43] So a lot of things we set up knowing they're gonna disappear the week after the election. And those, we do bare bones, we can do 'em down dirty, cheap.

We create them, they disappear. Others are gonna stay around forever. Planned Parenthood, league of Conservation voters.

[00:32:58] So do people hire you to do this or what's the

[00:33:01] Yes.

[00:33:02] Yeah. Yeah. Your employee. He's the guy. Yeah. That's all I do all day and people out

[00:33:09] and

[00:33:10] I have good

[00:33:10] guys and the bad guy.

[00:33:12] Well, they're all good guys. Love it. I mean, I am, I am the purest to the First amendment. I am a purest Exactly. And then, and free speech. I, I think there is nothing better in this company country than competitive elections and people speaking.

[00:33:29] And as long as there are voices everywhere, Uhhuh, I think we're a good, healthy, Mm-Hmm. You know, place to live. As soon as you tell me that, you know, people are being silenced, then I have a problem. Yeah,

[00:33:39] totally.

[00:33:40] So. You must be exhausted. I know, I know. And the biggest problem is, is this Friday is a tax deadline.

[00:33:50] November 15th is a tax deadline for nonprofit organizations. So the election ended Tuesday, Wednesday, I got dumped. The, all these tax returns to review that need to be filed on Friday. I

[00:34:02] that Thank you for coming to us. Yeah.

[00:34:07] I've got about 30 people who help out. So yeah. One of them non-lawyers who read books and things.

[00:34:12] This

[00:34:13] is, this is terrific. Yeah. Let's, let's give his his voice a rest and question. There's, yeah. We'll, we'll get back to questions. Yeah. And let's have Rick, uh, jump in and then we'll have more questions. Do you want, do you want some water?

[00:34:24] No, I'm good. Okay. I got cough drops some my,

[00:34:26] okay. All right, Rick.

[00:34:30] Okay. The floor is yours. Okay.

[00:34:32] Um, my name's Rick Esenberg. I am, uh, president, founder of the Wisconsin Institute for Law and Liberty. Uh. Which is, um, an organization based in Milwaukee. It is a litigation center and a think tank. And we say that our mission is to promote, uh, the public interest and individual liberty, uh, constitutionally limited government and the rule of law and, uh, the maintenance of a robust civil society.

[00:35:02] Um, our organization, uh, is generally characterized as conservative. Um, I accept that characterization, although in recent years, I'm also find myself increasingly, uh, compelled to ask when someone calls us that. Well, what do you mean by that? Mm-Hmm. Uh, because I, you know, I was thinking about what I would talk about here to, to you folks, and, um, uh, we don't do what Mike does.

[00:35:33] Uh, we do not get law advocate for against candidates. We don't represent candidates. We. We are a 5 0 1 C3 organization. We don't play in the elections. Uh, we can't play in the elections, uh, because, uh, of our tax status and because people who make donations to us can deductible in their tax returns. Uh, we do sometimes do things that are adjacent to politics that have to do with the rules of the game, but we generally would be doing those in odd number of years.

[00:36:02] We, we, the closer the election comes, the more we don't wanna have anything to do with it. That's for the candidates. That's for my, that's not for us. Um, but, um, I wanna talk a little bit about, um, how the election or how the election might be viewed from somebody, from my perspective, right? Which is, uh, on the one hand, uh, it's right of center.

[00:36:27] Um, on the other hand, um, it is substantially disaffected from where the Republican party is today. Um, I am what is known by some people in the conservative world, part of the dead consensus. I am a reaganite, classically liberal

conservative and, uh, but that's not where the Republican party is today. So how do we react to an election like this?

[00:37:02] Uh, uh, which, you know, from my perspective, I I, I used to, you know, uh, when Joe Cardine had the show in public radio in the morning back, I, I used to go on it from time to time and I, I have this memory of going on there in 2016 and what I've said to her is, you know, my team did not make the playoffs this year.

[00:37:24] And, uh, it's now 2024. We've had two subsequent elections and. I think I can say that my team has become the New York Jets of preside politics. We are officially in a playoff drought about what happened. And I have a couple of takeaways. I always like to use a prop, uh, because one of the things, and we associate a little bit with doing some election, um, integrity work.

[00:37:53] Uh, but, uh, uh, one of my takeaways is that I hope we can now have an intelligent conversation about questions of, uh, election integrity and whether or not there is voter fraud. Uh, because, um, I've spent the last eight years hearing from people telling me that they will not let Trump win. They will not let Trump win.

[00:38:20] Well, I don't know whether they fell asleep or what happened, uh, but, uh, uh, uh, Trump won. Uh, we actually, my organization did a review of the 2020 election, uh, uh, back in 2021. This came out in December of 2021. Uh, my, uh, excuse me. My development director requires me, she requires me to say, uh, every time I speak about this report, I that I need to tell people that, you know, the Wall Street Journal called this, the best editorial board called this, the best report on the 2020 election that had been done at the time it was released.

[00:39:01] What did we include? We concluded that, uh, on the one hand we concluded that there were ways in which the 2020 election, the way it was run, did not comply with the law and was not as secure as it should have been. However, we also concluded that we could find no evidence that, uh, that Joe Biden did not get more votes than Donald Trump in Wisconsin.

[00:39:22] I. In 2020 and we'll leave it. We, we looked, we spent a year looking for this evidence. We did, meaning we, we actually had to bring in a bunch of lawyers. For the most part. We actually had to bring in people who could do math. Uh, you know, because most of us, you know, two plus two is about as far as we go.

[00:39:42] Uh, but we run in, you know, we, we have, we have a research director who ran a bunch of correlations. We did polling, we examined samples of ballots,

we did heat maps because, uh, you know, I think that the reality on the ground is that, um, to a certain level, it's possible. It's possible to cheat in an election, but to do it at scale, and by scale, I mean in, in a large enough number that would affect the outcome of an election, particularly a statewide election, is very, very difficult because you are either gonna have to involve too many, so many people and somebody will talk.

[00:40:19] Which is why all conspiracy theories are basically bunk. And, uh, my editorial comment. And the second is that, uh, you would create an anomaly somewhere. They, you might not, it might not be easy to capture what had happened, but there would be something that didn't look right in the results, uh, if you were gonna do fraud at that scale.

[00:40:44] So I spent, you know, we put out this report. I, I spent a lot of time hearing from people who tell me all sorts of stories about this happened that happened. They have a whistleblower saw this, uh, you know, they did some analysis, which shows that, and, you know, we check it out. Most of it doesn't check out.

[00:41:02] And so, uh, what I'm hoping is that we can have a more intelligent conversation about this. I mean, I have my criticisms of, you know, people who are left to center when they talk about this issue. Um, you know, election security is not voter suppression. Uh, you know, Georgia was not Jim Crow 2.0, they had a frenzy of voting in Georgia this year.

[00:41:24] Under those rules, uh, I'm hoping that we can return that conversation into the very boring conversation that it should be. It is not about the forces of dark and the forces of light. It is about, uh, making trade-offs, uh, so that we can arrive at, you know, some mutually agreeable place where we can see that it's hard to cheat, but it's easy to vote.

[00:41:50] Uh, second thing, uh, from my perspective, uh, it's been interesting to see, um, the realignment of the Democratic and Republican parties. Um, I don't know if it's a, you know, I think, you know, political sciences just will say, well, it's not really a realignment, because it hasn't really changed. Parties are still split, you know, even halfway down the middle.

[00:42:10] But, but different people that are voting for them. I, I live in, uh, ua, Wisconsin. Uh, most of the time that I've lived in Mewell, Wisconsin, it was Ruby red. Uh, uh, you would not see a sign for a Democratic candidate. They are now all

over the place. And, uh, the community I live in has become, uh, purple and, uh, uh, and, and you, you see that when you look at the exit polls, right?

[00:42:36] That, that, uh, it was, it was kind of amusing to watch all the ads that might help these guys run. Uh, uh, they were sort of making believe that this was the 2000 election and it was the rich corporate people against, uh, you know, the, uh, and, and it really isn't that way anymore. And you can see that based on how people vote.

[00:42:57] And it's been amazing to me to watch this. 'cause again, while we don't do politics, we're adjacent to politics. And how many people that I thought basically agreed with me, didn't agree with me? And not only did they not agree with me about things like. Limited government separation of powers checking executive power.

[00:43:19] It's a big emphasis of ours. We, we think that the executive branch has become way too powerful and it needs to be, uh, we need to reinstate our separation of powers and, and the Congress needs to do more than it does to today. Uh, how, how many people that I thought were kind of on the same side really weren't, and, and I, I became to realize this when I was speaking at a Republican event once, and one woman said to me, I don't trust you.

[00:43:48] Now, why didn't she trust me? Like I'm an organization. I, I'm the head of an organization that, you know, conservatives love. I mean, I go to conservative events and, you know, I just, I, I got people, people love our group. Um, it's because they don't trust people like me. They don't trust people that, uh, went to.

[00:44:12] Elite schools who have law degrees, uh, they feel that these people don't care about them. Uh, and, uh, and uh, I I, and this is where populism always comes from, it comes from a sense that some people have, they've been excluded. Uh, and so there, there definitely has been change. And who supports Republicans?

[00:44:33] And that has started to change what the Republican Party, uh, stands for. Uh, it, and the question that I have is, will the Republican Party continue to be, can it continue to be a limited government party when it's voters? It's the IT core group of its support is increasingly, uh, working class voters, uh, who now I.

[00:45:02] They have a different view, I think, of what the government should do from them than has been sort of, uh, the, the traditional democratic view. I mean, I, I think they're interested in social justice, but they're interested in social justice from

a different perspective. They seem to see it as, uh, a government assistance is not something that's bad, but it's also something that you have to earn, right?

[00:45:24] You have to be deserving of it in a particular way. And we can argue about whether that's right or whether that's wrong, but, uh, how will that change, uh, the Republican party? And then if that's true, will the United States have a limited government party anymore? And I would argue that it ought to have that, right.

[00:45:46] I, you know, Jonah Goldberg always says that he's not a libertarian, but he thinks that in every meeting there should be a libertarian where the government is deciding what to do. There should be a libertarian who's in the room who will say, why should we do anything at all? Right? And that person may be wrong, but it's a perspective that, um, is helpful and it needs to be, uh, heard.

[00:46:11] And so I wonder, uh, where we, uh, uh, where we will sit. And, and that is of course, of great interest. The other thing of course, that's happened is that our expectations and assumptions around it turn out, if I think completely flipped. Uh, the Republican party has, not intentionally, but through this whole process of the ascendancy of its populace, um, has become a party, uh, that does best when turnout is high.

[00:46:41] Uh, and I, you know, I, I, Trump drives me crazy. Like, like, so if any of you like wanna think, well, I've got this conservative guy in the room, um, I can rail against Donald Trump. Save your breath. I agree with you. Uh, but, uh, but it, it became increasingly apparent this year that I think that at least in part, or maybe just by some kind of lizard brain thing, uh, Trump, Trump says stuff that will bring out people who rarely vote.

[00:47:15] Yeah. Right? It, you, you, you have disaffected voters and you can't get them out to vote by saying, well, I believe that the border is out of control. Here's my five point plan for returning control. This is how we should have reformed asylum law. They're not gonna come out and vote if you say that, but if you say they're eating the dogs and they're eating the cats, then those people will come out to vote.

[00:47:36] And apparently that strategy worked, but it hurts Republicans or Republican adjacent candidates. Uh, in midterm elections or off year elections in particular. 'cause they don't come out to vote anymore. Right. Republicans and conservatives thought they used to love the spring election cycle. Right. We can elect people, do the Supreme Court because it turned out low and, you know, our guys, our people go out and vote.

[00:48:02] Well, not so true anymore. Like the, the lower turnout elections are very, very difficult. And it will be interesting to see what, how that affects, uh, uh, in particular affects the judiciary in a state like Wisconsin that elects its justices. Um, the other thing I wanted to say, uh, that, you know, because, um, because they have a lawyer and, and largely at this point in my career, an appellate lawyer, uh, we, uh, I think that, uh, in 2016 Trump was able to hang on and attract a lot of the traditional conservative base, uh.

[00:48:43] Because of that list of Supreme Court potential, Supreme Court justices, he, he put out, he basically outsourced selection of judges to the Federalist Society. Mm-Hmm. Alright. The Federalist Society is a conservative lawyers organization. You may hate the Federalist Society. I love the Federalist Society.

[00:49:01] Mm. Uh, uh, I, uh, and, um, but I always said in 2016 that Trump will do this until he realizes that the judges he appointed are not gonna let him do whatever that he wants to do. Because these are people who like, believe in the separation of powers, checks and balances. I mean, this is one of, you know, uh, their core doctrines.

[00:49:25] And of course, that's exactly what happened when we had litigation, you know, in 2016, there's a lot of judges that Trump appointed that wouldn't buy this stuff. And, and, and the big case that Paxton filed outta Texas, you know, which was supposed to, uh, uh, uh, you know, uh. Facilitate what, uh, the, the Trump team is trying to do, uh, at the end of, uh, after the 2020 election, uh, you know, the Supreme Court, uh, as, as we, uh, like to say in the law, the Supreme Court na dogged that case, right?

[00:49:58] This said Nzo, no, no, no, no, no, no, you don't even have standing to do that. And then later on killed the independent state legislature theory, uh, which it was, uh, advanced. And so the, the boarding is, and I don't know that it's true, that, uh, Trump has fallen out with Leonard Leo, who was the president of Federalist Society.

[00:50:19] He doesn't do that anymore. But, uh, you know, still very involved in that thing. And if, from a person of my perspective, once again, sort of, you know, classically liberal, not, not liberal in the Democratic platform sense, but kind of in the sort of, kind of the way that term is understood, like really everywhere else in the world, it certainly was understood in American that way in the 19th century.

[00:50:42] Uh, I don't know what we're gonna get, right? I have no idea what we're going to get. Uh, I don't presume that, um, that it's going to be what it was before. And the question is whether or not, uh, uh, the Republican Congress was not fallen on a lot of the federal society, uh, whether they're gonna stand, uh, up to him because there is this, from my perspective, this kind of, uh, uh, disturbing, uh, tendency on the part of, uh, people on the right, um, to be somewhat sycophant when it comes to Trump, because that's what he, that is the price that you must pay.

[00:51:25] And I will tell you however, because I do talk to a lot of, uh, you know, people who are conservative, um, you know, particularly, uh, because of, 'cause they run a nonprofit and we have to raise money, uh, people in the donor class. I would say that, uh, they all voted for Donald Trump and they don't like him.

[00:51:44] They don't like him at all. I was at a meeting, uh, a month or two ago, well it was longer than that, uh, with a bunch of, uh, very prominent Wisconsin conservatives. Not gonna say who they, who they were, but you know, their names probably a people all politics. And uh, and one guy got up and said, alright, here we are.

[00:52:06] You know, there are 20 some of us around the room, uh, big Republicans. How many of you like Donald Trump? Do you know how many hands went up? Not, not one of 'em, but yet they all voted for him. Uh, what that means, I guess we'll find out. Uh, but, uh, I, um, uh, those are sort of, uh, the takeaways I have, uh, from somebody who occupies my vantage point.

[00:52:38] Um. I wouldn't presume to say what will happen because I always tell everybody that as a political prognosticator, I'm a really good lawyer. So. All right. Thank you Ray. Questions

[00:52:54] any of the three?

[00:52:57] I got a question for you. So in 20 A, in the aftermath of 2020, we went through the, so-called Stop the Steal effort.

[00:53:06] Question to you is, we're apparently not going to get that this cycle, but do you see systematic efforts to discredit election results becoming sort of a standard tactic for losing size in the future? Is there, yeah, I

[00:53:20] mean, I think, I think under certain, I mean, I, I, I think that 2020 presented a, an opportunity for that because of the unusual circumstances of the Covid pandemic.

[00:53:34] Uh, so you know. Uh, I, I would distinguish between the case that was brought by Jim Roufus and the Trump campaign, and the Sidney Powell sort of released the Kraken stuff. I mean, that was all crazy nonsense. Um, the other case was predicated on the notion that under Wisconsin state law, the handling of absentee ballots, the process by which absentee ballots is cast is mandatory, right?

[00:54:06] The statute says that. It says that these are not, that it says absentee vote voting is not a right. It's a privilege. And if the votes are not handled in the processed, in the way that is specified, uh, they shall not be competent. Right? Those are the words he uses. And so, uh. Whether you wanna say that the Democrats were cheating, or whether you wanna say that they were just that, that we was simply trying to do the best it could under the Covid pandemic.

[00:54:34] There were some really nasty problems. You know, uh, you know, you're supposed to have special voting deputies that go into nursing homes, uh, and, and collect absentee ballots. Well, who wanted outsiders to go into a nursing home during the Covid Pandemic? I mean, that was a very, very real problem. Uh, we it away with those, but, you know, really wasn't permissible under the law.

[00:54:58] But, uh, so he had, you know, these arguments that he made that, uh, he thought that, uh, because there had been x number of ballots, uh, that were, um, uh, cast in properly, that those ballots should be, uh, uh, well drawn down as a process that they use. They, you, because you can't know which. Votes were cast improperly.

[00:55:20] You have to draw down a number which is equal. You just take them out of the total. That's what Wisconsin does. Mm-Hmm. Uh, it's kind of strange, but that, that, that is the law. Now, what the court said, and I don't think this was crazy, the court said, look, uh, whether you're right or you're wrong, uh, you can't come in here after the election and for the first time challenge all these things.

[00:55:42] These people voted in a way that went and the local clerk said they should vote. And, uh, under the doctrine and the legal doctrine of latches, uh, it's too late for you to complain. Now, I don't think that was clearly correct, but I also don't think it was crazy. Uh, and, uh, uh, but you know, we don't, we didn't have that this year.

[00:56:02] And so the opportunities, I think, uh, were simply not there to make those arguments. But, you know, I think given the polarization and the distrust and the way in which mm-hmm. You know, political affiliation is treated by some people as an immutable characteristic and element of identity. Uh, it, you know, nobody wants to listen to what the other side says.

[00:56:32] They think the other side is comprised of evil people. And you know, I would say that, you know, if you think your opponents, your political opponents are, uh, stupid or insane or evil, you could be right. But the odds are very strong that you're not, uh, you're just not understanding what they're saying or why they're saying it.

[00:56:55] I mean, the point you make about, uh, uh, 2020 with Covid, you know, I think got some, some validity there. But I just have to wonder, like, especially would you be so optimistic Democracy works if Trump had lost, and I mean that's, it seems to be, from what I read, I mean, my God. Trump campaign had a whole apparatus for just causing all kinds of whatever.

[00:57:26] I, I, I don't know. There are a lot of people who are on the right of center side, like, so I, I think that people on the right of center are way too concerned about voter fraud. I mean, you, you need to be concerned about things like that. I mean, if there's no voter fraud, that's one way you make sure that there's no voter fraud is because you're vigilant.

[00:57:52] But they, they that it's rampant. And I just like, you know, we looked, we looked, we didn't find evidence of that. Uh, on the other hand, I think the Democrats are way too concerned about voter suppression and, and that's just not happening either. And which is why I hope, given the fact that it came out this way, that we don't have, uh, we can now have.

[00:58:16] Conversation about what the rules should be that is proper and that conversation will be boring. It would be boring because it will be about technical details and uh, and it, it shouldn't be the kind of thing that people wanna kill each other over and where you have to tell the police that, you know, we're having a conversation between people who don't agree.

[00:58:40] Oh, no. Um, you know what extra guys are. Um, so you, I can't say, see, I hope you're right. I hope you're right. But I'm not so sure if Trump had lost. He wouldn't have set in motion, I'm not sure. All kinds of horrible things. But then like

then would that just be an anomaly Trump and then once he dies and he's gone, republicans won't continue to do that shit Or like what

[00:59:10] we do?

[00:59:11] I think Trump would've complained. Yeah. But I also think that because of what we went through after the 2020 elections, it would've been much harder for him to find problems. Because I do think to the point of these are boring. It's, you know, there's an association of DMV officials who talks about election registration, the Clerks association, all these different groups that have spent the last four years targeting their processes and improving their systems because of what went on in 2020.

[00:59:41] I mean, if you look at the investment that the state of Arizona made in elections and the different facilities that they built to conduct elections in. And, and this is a Republican LED Secretary of State effort. Because of the fact of the criticism they got in 2020, I think it would've been much more difficult for, even if Trump had lost to attack the system.

[01:00:04] That's a little more reassuring given the investments that we had made and all the different, um, just trainings and, and all kinds of other processes that we now follow that we didn't follow in 2020. And I think the other thing that greatly improved, which Rick also mentioned were these states then 2020, who did just make things up because of Covid.

[01:00:26] They were dealing with this situation and a lot of 'em didn't follow their state statutes. They just did what they thought was right, which is not a good thing to do when you're a clerk. You're supposed to follow the statute and follow those rules and not ignore it.

[01:00:40] I guess that begs the question, isn't that so much a question?

[01:00:43] There's a comment given what you've both said. I mean, I'm waiting to start to hear the rhetoric of how you backpedal from four years of destroying the electoral system. That's all wrong and the cheating is rampant. It's everywhere. To suddenly, all of a sudden, bam, we won. So we didn't mean everything we talked about for the last four years.

[01:01:00] I mean, who, who's gonna get the credit now for somehow fixing it instantly like that or what? I don't, I'm looking forward to that rhetoric. I question you answered permanently,

[01:01:11] you know, like you made a very passionate statement about your belief in democracy, but I think there's an awful lot of people who think that democracy's undergoing a stress test right now, not just in this country, but all over the world.

[01:01:22] What do you personally, from your viewpoint see as the biggest threats to democracy?

[01:01:28] Hmm. A great question. Um, lack of education. Like, like if I can think of anything that I view as a threat to democracy, it's the fact that there are too many people who are uninterested in listening to voices other than the ones they agree with and not willing to allow themselves to be educated with a diversion and new voice.

[01:01:50] That scares me. Um, people don't wanna listen to criticism. There, there is an excellent essay in Bloomberg. It was either today or yesterday that came out in Kareem Abdul Jabbar about how angry he is about the outcome of the election, about how proud he still is of the United States, but that we need to open their minds and embrace people of different opinions.

[01:02:14] That's what scares me the most. It, it's, you know what, what scares me is, is when I talk to people who say they don't know anybody who ever would've voted for Donald Trump. And I'm like, who are you surrounding yourself? Yeah. You know, if you don't know anybody who's voting for a candidate, you know who we.

[01:02:31] You are not talking to a broad enough range of people, um, the disappearing media that scares me. I, I think that's a great risk for democracy. I, I think the fact that we have a shrinking media and not the investment we need in free, independent journalism, you know, to me the, the two things that keep democracy alive, lawyers and reporters

[01:03:04] about the role of money. See, I, I disagreed on this for decades and I have always believed that money will never leave the system. It just won't. And I, and, and it's just there is, unless we wanna change the First Amendment, we're not. Going, it's just, it's not gonna happen. So on election night, there was a group of Macedonian, Macedonia has one, they have one body for their Congress.

[01:03:37] And there was a group of Macedonian legislators here in Madison. And I ran into 'em at, uh, agars campaign event on election night. And they were talk, we were talking about money and politics and all that. And they're like, why do you allow these people to spend outside 30 day window of the election? And I'm like, well, it's our first amendment.

[01:03:57] I mean, you know, if we wanted to, this was Paul Wall Stone's idea, we should amend the First Amendment to limit spending around elections. That's what you would have to do. I just. I would hate for someone to tell me when I can hear things and not Yeah.

[01:04:14] Totally

[01:04:15] question. But I wish I had heard what you said before.

[01:04:18] I spent all that money. When you said they had so much money, they didn't know what to do with it time. And then I thought we'd be alone. And I said, I, I, I wrote down what Mike said because now you know when I go and talk to our donors, I can say, you know, guys are really giving too much money to

[01:04:43] Questions. Mark. Mark. Yeah. I'm curious. I think most Americans, I'm gonna generalize and say most Americans, like as of last week before the election would've said, make it stop. It's endless. I've heard all this crap. I just make it end. Make it end. Is there a way to shorten the election period so that it's not so freaking endless right now?

[01:05:09] Is there like Britain like Yes. Britain or France or Spain. I mean they seem to, Hmm. How do you do that though, right? Like it started already. Oh, it totally started. People are gonna say people are gonna go out and they're gonna start to talk and they're gonna start to plan. You can't stop 'em.

[01:05:30] I got a Buttigieg postcard last week, so

[01:05:34] if you wanna have another speaker in sometime, Rob bla as a professor at the law school who has a, a good article or his approach or his criticism of the perpetual election cycle is the industry and I'm part of it.

[01:05:47] Mm-Hmm. That feeds off of it. Yeah, totally. You know, there was 15 billion, 16 billion spent elections in the last two years and it's, you have an industry and you know. That industry thrives. Mm-Hmm. On elongated elections.

[01:06:04] Yeah. They collect fees, all kinds of stuff. Other questions?

[01:06:08] Someone mentioned Citizens United.

[01:06:10] Do you have any opinion since that's a good or bad decision?

[01:06:14] Influence on, on elections? I think Citizens United is an overblown decision. So if you read the Buckley decision from 1976, and Rick and I have been on panels about this before, if you go back to Buckley and what the US Supreme Court decided in 1976, citizens United is a logical outcome.

[01:06:34] Okay? Um, if you don't, if you don't like Citizens United, you don't like Buckley. Vallejo decision and what that is all about is we make a distinction in this country between contributions and spending. Contributions can be regulated because we worry about quid pro, pro quo corruption. So we wanna limit contributions.

[01:06:56] So every state has the ability to adopt contribution limits and source restrictions. Who can make contributions and and what chunks you can do spending. The Supreme Court said 1976 cannot be limited because spending is a form of speech. So if I am an independently wealthy candidate who runs for office, I can give my campaign as much as I want and spend as much as I want because I have a right to do that.

[01:07:24] And how do I correct myself because there's no quick broke up in putting my own money in. That also leads to the concept that if I'm a really good fundraiser, the most I can raise from someone is \$3,300 per election under the federal system. But if I'm really good at it, like Ted Cruz is, I can raise about \$50 million to spend on my election.

[01:07:47] That spending, even though those sources are restricted to individuals and the contributions are limited, the spending is unlimited. 'cause we don't have spending limits in the United States. What Citizens United basically did is said that you can't take those restrictions and apply them to independent speech because there is no quid pro quo.

[01:08:07] When you have independent groups out there, there is no risk of that corruption. Now what I will say that the Supreme Court was extremely naive with

[01:08:15] Yeah.

[01:08:15] When they issued the Citizens United decision is one coordination and the fact that there is a lack of enforcement of what independent groups and candidates do to keep independent speech truly independent.

[01:08:30] We just haven't seen that uptick in enforcement and coordination. And then the second thing is the Supreme Court and Citizens United said you could do all you want with disclosure to give people information. Congress and state legislatures have done nothing about disclosure since Citizens United. Why?

[01:08:49] Because it's the system that got all of them elected. Mm-Hmm. That's the bi cynical view of it. And so no Congress has adopted the disclosure rules that Citizens United would allow. They allowed.

[01:09:01] Interesting.

[01:09:02] Thank you Maureen.

[01:09:03] Um, yeah. In addition to the Citizens United corrupting our elections, I think social media has, has pretty much, and the misinformation that's spread.

[01:09:15] I mean, you, you mentioned broadcasters have to have a license to, you know, and, and get in trouble if they, uh, last money. My blasphemy, it's my somebody. But in social media, it seems like you could say anything. You can say anything, whether it's true or not. And then the people aren't talking to each other.

[01:09:30] The way Susan talked about the groups, diverse groups sitting around a table. Instead, we're all just go, go to our social media sites and. Hear misinformation. So it seems like that could, is having as bad of an impact on our, the integrity of our elections as money. You know, the problem there though, I, and once again, the problem there is the first amendment, um, which I, I think, uh, prevents a situation where the government is deciding what constitutes misinformation.

[01:10:09] Uh, I personally don't trust the government not to decide what's misinformation. Not because the government is evil, but because human beings capacity to discern the truth is limited. Uh, we are all guilty of, uh, uh, motivated reasoning. Uh, we're all, we all have a tendency to, uh, find, uh. What is agreeable to us is all, is what is the truth.

[01:10:43] And I think that as flawed as it is, the best way to determine what the truth is, is, uh, to have, uh, you know, to allow everyone to say what they want and

for people to judge that. I mean, I, you could do fact checking all that stuff, but I, I think that type of, uh, restraint is, uh, it just something that history tells us is, uh, almost, but, but we're in a whole new world with algorithms and AI and

[01:11:14] well, right, but should the government supply algorithms to Facebook, I would argue no.

[01:11:19] And they have, it's a huge problem. And you know, I, I, I think I, I agree with Mike on an educated populace as a solution, you know, because I was curious the other day, you know, there's this battle now between Trump and the Republicans and the Senate over. Who's gonna be the majority leader. And, uh, so of course Musk, you know, this is sort of entertaining.

[01:11:38] Puts out a survey on Twitter of who you know, who should be the, the leader. And, and I am, I'm always interested in the numbers. So there were like three some million views apparently according to the, this, their system, whatever. But the people that voted, I think it was 10%. And this is always interesting to me, when you look at these things, you know, does it actually matter?

[01:11:58] You know, when a group that Mike set up and splattered money all over Facebook or Instagram or you know, wherever they're doing it, do those things work? I mean, maybe who knows I, but I would rather go with a educated populace is the better solution frankly. Questions Go ahead Jim. Yeah, thank you.

[01:12:16] I thought I heard it said that there are some signs of lack of resources at Whitewater students voting until 10 or 10 30 at night.

[01:12:24] And then I think I heard it said that there should be some boring conversations about how to safeguard the elections to make sure that. Everything is done properly. Is there any, anything anyone could recommend that the legislature might take up as far as conduction of future elections to make sure that the elections are appropriately staffed and supported by the state?

[01:12:47] What specifically would the money be spent on

[01:12:49] there? There is a, um, pew Charitable Search Trust, pretty boring non-partisan organization, although they do believe in fluoride and water, so they're probably gonna get in trouble for that. But, um, they have a good report that talks about the types of things that, um, you could do that are very non-controversial, you

know, and the, the, you know, le the legislative hesitancy around the country is because of the cause.

[01:13:22] It's just, you know. How much money do you wanna spend out of your state budget on elections? Um, but there, there are, and, and I wish I could tell you, I haven't looked at it in a couple years, but they had come out with something post, it was like 20 21, 20 22 of here are 25 things every state could do that would improve your election systems.

[01:13:42] Um, you know, Charles and I were talking about before the stupidity of how California runs its elections. And there are all kinds of ways California could clean up its elections. Mm-Hmm. But they don't wanna spend the money to do it. And, and so they're, they're doing it on the cheap by centralizing things instead of, you know, one of the things that we do very well in Wisconsin is the decentralization of our elections in local communities so that each community can quickly get the results that evening.

[01:14:09] And then feed it into a central location versus imagine if we shipped all the ballots down to the city county building in Dayton County and say, okay, county clerk, you now count this. I mean, that would just be stupid mean, kind of like Milwaukee does, or they have to be. And, and that's a very good example of central count being, you know,

[01:14:30] inefficient.

[01:14:31] Inefficient

[01:14:32] and always leads to, we were also talking before, if you ever wanna follow somebody who's very good on Twitter, there's a guy named Joe Hendrick who does all these different studies of different how votes come in across Wisconsin. And he has it down to a science where if you follow him on Twitter, he's like, next will come.

[01:14:51] The central account votes from Milwaukee, Oshkosh Green Bay, wherever. Um, and the legislature last time, I think it passed the assembly, didn't pass the Senate where there's this idea that if they could start the central count votes earlier in the day. You would get at least those results earlier than 2:00 AM The reluctance to doing that is there's a fear that if people hear what the central vote outcomes are during the day Mm-Hmm.

[01:15:21] They would run out to get more people to vote or something like that. They are not vote. Yeah. And so there, there's, you know, there are reasons why they don't wanna allow 'em to do it, but you're absolutely right. And it's one of the beneficial ways we do

[01:15:32] things in Wisconsin. Yeah. I mean, they do that in Florida and Florida's elections run like clockwork.

[01:15:38] I mean, they, and you know, it was, it was I think some republicans in the Senate that killed that for exactly the reason that you

[01:15:48] Yeah.

[01:15:48] Suggest And I, I I just think they're wrong, wrong, wrong, wrong. I mean, they start counting early.

[01:15:56] Yeah.

[01:15:57] Yeah.

[01:15:58] When, when you've got a law, when the poll workers are standing around waiting for the next rush of people, they could be counting things and getting things ready.

[01:16:04] I can't They counting that.

[01:16:06] Yeah. They just, and not reveal it.

[01:16:09] Other questions.

[01:16:11] Okay. Question for Susan. Susan, I thought I heard you survey when you were discussing your discussion groups that the end result was the people felt much more friendly toward each other than they had at the beginning. They viewed each other as human beings rather than monsters.

[01:16:28] But I also thought, I heard you say nobody changed their mind. So my question is, and what I would like to unpack, the idea that they didn't change their mind. Was there, your sense was people are just immutably fixed in their views? Or was there any sense that, well, I still think you're wrong, but maybe I'll think about what you had to say and reconsider.

[01:16:52] Since there was any kind of

[01:16:52] tiny little breakthrough on that front.

[01:16:54] Yeah. You know, we'll know more once we do our research. So we have really wonderful prior information as well as event research as well as follow ups with these folks across time. So, we'll, we'll, we able to actually statistically answer your question, um, eventually.

[01:17:09] Um, but, um, and I might've misspoke, we, the intention of our events was not to change anybody's minds. Like we, we, we, like people's minds might've been changed anyways, but we purposely brought people together to say we're not interested in changing our minds. We're interested in humanizing other people.

[01:17:25] We're interested in having conversation and dialogue. People's minds might've been changed along the way though, right? Um, and so we're studying things like views of others traits. Like do we really think people are evil, vicious, whatever the

[01:17:39] three,

[01:17:39] three recollect a bunch. Um, you know, do we view, um, you know, democrats differently afterwards?

[01:17:46] Do we view Republicans differently afterwards? Um. We're viewing kind of how hot, like how warm and fuzzy do we feel about our party, how warm and fuzzy or cold do we feel about the other party? And trying to, you know, track those across time. But before the events, right after the events and at some time intervals afterwards, again, controlling all and then comparing all of that to a control group.

[01:18:10] So, um, yep.

[01:18:12] I would just say, because this is like, this is the Madison Literary Club, right? So you guys are literary and you realize, uh, and uh, it's a great book that came out by Yuval Lavin called American Covenant. And, and the point he makes is we should not hope for agreement. We should not hope that everybody will think the same thing 'cause that will never happen.

[01:18:33] But what we need to do is have, and, and he puts forth the American Constitution as a device for this that is really about how we might disagree, but yet

continue to live together. And, uh, uh, you know, you may agree, you may not agree, um, but it, but it's a pretty good book and a pretty valuable perspective question.

[01:18:57] Yeah, go ahead.

[01:18:57] Yeah, I just, both what you're saying. I think in my own personal reflection, the fact that so many people voted and it was such a definitive election, actually forced me individually to do what your group would do. It forces me to stand back and say what I thought was the way we were, was probably a delusion.

[01:19:16] I now have to dig deeper, think a little harder, not necessarily change my mind, but be a little more, not so introspective, but reflect on and what has been, for me, it's been very helpful actually saying, you know, this many people did it. This is what they said, I've gotta pay attention. Like it or not,

[01:19:34] some of the things we're trying to teach our students right.

[01:19:36] Instead, that idea of intellectual humility, like right, I don't, I might not know at all. Right? And that's part of me, part of what college should explain.

[01:19:43] I knew, I knew it all before.

[01:19:44] Too is, you know, we have teenagers who think they know it all right? That's

[01:19:48] right.

[01:19:49] I have a teenager right now, like,

[01:19:50] knows it

[01:19:51] all.

[01:19:51] Right. Of course. Um, we wanna bring them to college and, and recognize that we don't. We don't. The more we, the more we learn, the more we to understand. We don't know.

[01:19:59] I had a teacher one who said, this is what people do in their job. The teachers go ping every once in a while and that the moment you go ping is when you learn the most, is when you stumble.

[01:20:09] And to me, this election was one of those stumbled moments.

[01:20:13] Oh, phrase Who says disagree without being disagreeable? Yeah, I don't, I don't know who No, that, that's, so somebody wrote that somewhere. Yep, yep.

[01:20:25] And we had this great, I disagree. We had this great anecdote from one of our, um, tables down at the St.

[01:20:30] Green Bay where there was this, um, we, at the very end of the two hour event, we had people, um, kind of reflect on what, what did you think this event was gonna be like? And so we got, got to one woman around the table and she said. Listen, look at me. I didn't bring my coat. I don't have my purse of anything here.

[01:20:51] 'cause I thought halfway through, if this goes south, I'm getting outta here.

[01:20:56] I think

[01:20:57] I'm gonna, I, you know, I thought this is gonna be bad, right? I mean, I was curious enough to come, but I bad. And what I learned from this event was, you know, I can, you know, listen to other people. Mm-Hmm. I can, I can speak my mind and not be fearful.

[01:21:11] I can, I can, we can have conversation and learn from each other. And I just thought like, we're all really scared. We all, you know, we don't, we don't bring our pope, we don't bring our purse. We we're scared to have these. A question,

[01:21:22] which is a nice segue to what for me is the gorilla in the room. And that is, we're all friends here.

[01:21:31] We're all civil. We've had a nice chat. Um, 30% of Republicans, I think. I'm not sure what the figure is on the other side, or, so we're told thought that political violence in defense of their position, uh, was acceptable. The backdrop, the silent backdrop, and I don't know if this has to do with, um, the decisions of people in whitewater, not to staff, but certainly election officials, I suspect I'm willing to be proved wrong.

[01:22:12] Um, we're under much more pressure in the past four years for threats of intimidating. So I'd just like to hear some comments a, about, um, where you think,

or maybe my concerns are overblown, but, um, the increasing rhetoric, uh. That political violence may be necessary, and the idea that people want a civil war,

[01:22:44] I mean, I think there are clearly groups of people on the left and the right who believe that, and that, you know, that there are the, um, the people who have this philosophy that the, you know, that the, the only way to bring the country truly to a point of reckoning is for things to get so bad.

[01:23:03] You know, that, that, that they want the rioting, they want violence. Um, I just hope that that remains a minority. I, I mean the, you know, I think the scariest thing about January 6th is that, you know, for those of us who have lived in Wisconsin for many years, you know that there are anti-government groups around the state.

[01:23:23] There are people who don't trust government. I have friends who don't trust government on the far left in the western part of the state, and I have. People I know in northern Wisconsin on the far right who don't trust government, I don't think they realize how much they have in common, um, in their distrust of government.

[01:23:42] I think, you know, the RFK candidacy brought a lot of that out. I mean, the conversation that I had at Commerce Market with a couple people campaigning for RFK and asking them about what their political history was, they were from the left. Um, but when you get two groups, both want violence on both sides, that's what I think leads to a sibling law.

[01:24:05] And I think the more we can share that there are the greater number of us in the middle who still believe in law and ordering courts and resolving our disputes through manner other than taking up arms. That's what we always have to make sure that we have a majority, you know, whether it's 80% or 75%, which infringes on both sides.

[01:24:26] That's what we have to work very hard to ensure.

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