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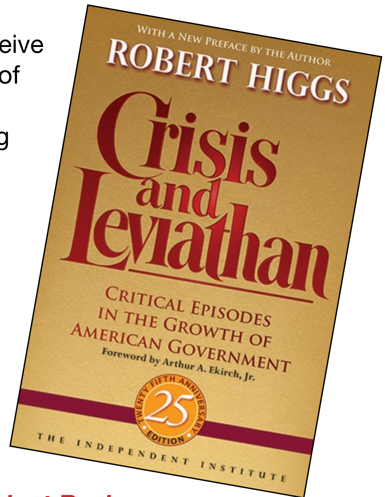

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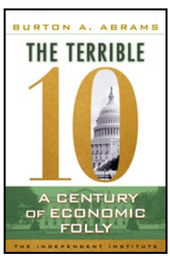
❑ 

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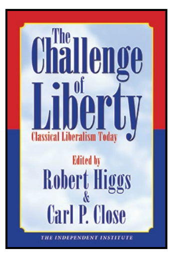
❑ 

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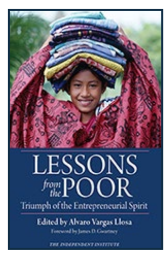
❑ 

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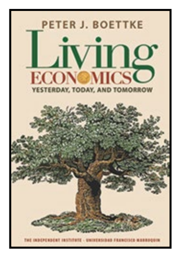
❑ 

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Mandatory Disclosure for Ballot-Initiative Campaigns

DICK M. CARPENTER II

One of the most controversial election-related issues in recent decades unquestionably has been campaign finance. On the heels of the Watergate scandal, campaign-finance laws at both the state and the federal levels drew much attention (Huckshorn 1985). In 1974 alone, twenty-four states adopted finance-reform laws, and by 1984 every state had some form of campaign-finance legislation. Although the typical provisions involved monetary limitations of various types and sizes (Gais and Malbin 1997), broader reform efforts included public financing and, the subject of this research, financial disclosure (Edwards 1995).

These reforms are often discussed in candidate elections, but campaigns related to state ballot initiatives also operate under finance laws, including disclosure. In fact, disclosure laws for ballot initiatives first appeared in the opening decades of the twentieth century (Key 1936). They became more popular as the number of citizen initiatives and the amount of money spent in those campaigns increased dramatically over time (Magleby 1994; Citrin 1996). Although spending on initiatives remained fairly stable into the 1980s (Owens 1986), the past two decades have witnessed an increase in spending on ballot initiatives that sometimes surpasses amounts dedicated to candidate elections (Reich 1989; Magleby and

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Patterson 1998). In the face of such spending, reformers have called for changes to existing campaign-finance laws to be applied also to ballot initiatives or for the creation of new laws.

One of the central features of such laws is public disclosure. In fact, in the world of campaign-finance regulation, disclosure represents the cornerstone of all state reform efforts (Davis-Denny 2005). In the name of transparency and access to information, these provisions require initiative committees to collect and report personal information about contributors, including names, addresses, contribution amounts, and even employers (Gais and Malbin 1997). Issue committees also must often report all expenditures, from the routine, such as political consultants and advertising, to the minutia, such as yard signs and supplies for lemonade stands (Huckshorn 1985). These reports are then made available to the public, often on state Web sites.

The justifications offered for such laws are simple. First, because money allegedly corrupts politics, all contributions and expenditures should be made public to keep the process "clean" (Seidman and Gilmore 1986; Meier and Holbrook 1992; Edwards 1995; McBride 1995; Hoesly 2005). Such support for disclosure began early in the twentieth century. For example, the 1928 Republican Party platform stated: "The improper use of money in governmental and political affairs is a great national evil. One of the most effective remedies for this abuse is publicity in all matters touching campaign contributions and expenditures" (Republican Party 1928, para. 91).

Such sentiments continue to be expressed today. Ann McBride decries the "corrupt campaign finance system" (1995, 15), and others point to the undue influence that special interests, "big business," and campaign consulting firms have on the initiative process (Thomas 1990; Boehmke 2005; Hoesly 2005). According to David Magleby and Kelly Patterson (1998), forced disclosure deals with these problems.

Second, under the banner of "more is better," it is claimed that information on contributions will further assist rational voters in deciding how to vote (Gerber and Lupia 1999). According to Arthur Lupia (1994) and Herbert Simon (1957), voters are cognitively limited decision makers, processing only a small fraction of the information to which they are exposed. Rather than engaging in a comprehensive information search and then deliberating to achieve an optimal choice, individuals tend to satisfice, relying on cues to make judgments.

These cues take several different forms, including expert and celebrity opinion (Magleby and Patterson 1998), media messages (Magleby 1989; Lupia 1992, 1994; Bowler and Donovan 1994; Gerber and Lupia 1995; Joslyn and Haider-Markel 2000), and, most relevant to this study, groups' opposition to or support for initiative campaigns (Miller, Wlezien, and Hildreth 1991; Gimpel 1998; Roh and Haider-Markel 2003). According to Grant Davis-Denny (2005), without such information journalists, scholars, regulators, and voters cannot uncover the economic interests behind a campaign, information that may be important for voters.

Yet there is little evidence that disclosure is effective (Schmidt 1989; Schultz 2005). According to Donald Gross and Robert Goidel (2003), voters are no more trusting of the political process and no better informed as a result of disclosure. Moreover, the benefits of disclosure also require an electorate that both knows such information is available and consults it in the decision-making process (Gais and Malbin 1997). Since the advent of these campaign-finance laws, there is little evidence indicating either condition as it relates to ballot initiatives. In fact, Gross and Goidel characterize the expectation that voters will access disclosure records as "absurd" (2003, 18).

Such issues are particularly important given the potential costs associated with campaign-finance laws. Indeed, more than thirty years ago Herbert Alexander (1976) warned against the "chilling effect" of such laws on free speech and citizen participation. He described a situation in which citizens might be reluctant to participate or speak for fear of unintentionally violating laws they knew little about or did not understand. Applied to disclosure, speech and association might also be "chilled" by limiting the involvement (through contributions) of contributors who are averse to revealing their personal information out of privacy concerns or conceivably the revelation of their secret ballot. Thus, a cost-benefit ratio may lean heavily toward costs with little to no return.

Unfortunately, the effects and effectiveness of disclosure laws related to ballot issues remain rife with opinions, assumptions, and assertions, but little research. Indeed, the literature on campaign finance and disclosure focuses overwhelmingly on candidate elections, while nearly ignoring ballot issues or assuming the dynamics are the same, and even in the candidate context we know little about how disclosure works in practice (LaRaja 2007). Raymond La Raja observes, "There have been no empirical studies, for example, about the effect of disclosure on important political outcomes such as voter knowledge and trust" (2007, 236). According to Jeffrey Milyo, this dearth of research is problematic: "It is difficult to evaluate the desirability of either current laws or proposed reforms when the potential costs of various policies have been completely ignored by scholars and policy makers alike" (1999, 537).

Therefore, my research reported here examines some of the assumptions inherent in discussions of campaign-finance disclosure laws as they relate to ballot issues. Specifically, it tests the theory that mandatory disclosure contributes to "better" (that is, more informed) voters by *(a)* examining respondents' support for disclosure, *(b)* exploring the idea of the "chilling" nature of disclosure (if respondents are less likely to support initiative campaigns in the face of mandatory disclosure), *(c)* measuring knowledge of disclosure laws and access to disclosed information, and *(d)* investigating these issues in the context of specific ballot issues.

Methods

To pursue these lines of inquiry, I carried out by telephone an opinion-and-knowledge survey of citizens in six states—California, Colorado, Florida, Massachusetts, Ohio, and Washington—and a content analysis of information sources available to Colorado voters during the 2006 campaign season (discussed later in detail).

I chose the states surveyed for their geographic and ideological diversity. According to the 2006 *Book of the States* (Council of State Governments 2006), these six states included three divided state governments (California, Colorado, and Massachusetts), one in which the executive and legislative branches were controlled by Democrats (Washington), and two in which both branches were controlled by Republicans (Florida and Ohio). Citizens in all six states voted on ballot issues in the November 2006 election, ranging from economic policies, such as the minimum wage, to social issues, such as marriage amendments. All six states require disclosure of issue-campaign contributors; the disclosed information includes the contributor's name and address as well as his or her employer's name; and all six publish the lists of contributors on a state Web site.

One note about design is in order. To research issues like the ones considered in this article (particularly a possible chilling effect), it would be highly desirable to compare the survey responses of those individuals in states with disclosure to the responses of those individuals in states without disclosure. However, all states with ballot issues require disclosure, negating the use of a control group. It may be possible in future research to approximate a control-group design, but the limited diversity in state laws does not facilitate such a design at this time.

Sample

The sample includes 2,221 respondents proportionately stratified by state population (California, $n = 938$; Colorado, $n = 125$; Florida, $n = 498$; Massachusetts, $n = 174$; Ohio, $n = 314$; Washington, $n = 172$). Respondents were contacted via random digit dialing. All participants were at least eighteen years old and screened into the sample using the "youngest male/oldest female" method. Table 1 includes descriptive statistics on the respondents' demographic characteristics. Given the sampling plan, I analyzed results using weights to match estimates at the respective state level provided by the U.S. Census for gender, age, race, and geographic classification.

Survey

The survey used in this research is an instrument I developed then collaboratively refined with the polling firm responsible for collecting the data. Ten of the questions are posed as statements to which participants responded along a four-point Likert-type

Table 1
Sample Demographic Descriptive Statistics

Education	%	Race/Ethnicity*	%
Some high school	3.1	White	74.2
High school grad	21.5	Black	8.8
Some college	23.6	Asian	5.0
College graduate	29.1	Native American	3.1
Some graduate courses	2.6	Other	4.2
Graduate/professional degree	18.9	Hispanic	14.0
Age	%	Sex	%
18–25	10.5	Male	48.6
26–35	20.1	Female	51.4
36–45	21.0		
46–55	16.0		
56–65	14.3		
66 and older	17.9		

*Numbers exceed 100 percent because respondents could self-identify in more than one category.

scale, where 1 is "agree strongly" and 4 is "disagree strongly." Two of these questions include open-ended probes that ask respondents, "And why do you say that?" Five closed-ended questions allow for yes/no responses and deal specifically with participants' knowledge of groups or individuals that support or oppose ballot issues. In addition to basic demographic data, respondents also were asked about their likelihood to vote and if they contributed to or participated in a 2006 ballot-issue campaign.

A draft of the survey was used in a preliminary study with a small sample of respondents to measure question clarity and survey length. Minor changes were made to some questions before data collection. The survey took approximately five to ten minutes to complete by phone, depending on respondents' answers to open-ended questions. The survey statements and questions are included in tables 2 and 3.

Procedures

TechnoMetrica, a New Jersey–based national polling firm, completed the data collection. All data were collected during the final two weeks preceding the November 2006 election. As campaign scholars have noted, the two weeks prior to an election represent the period during which voters are most attuned to campaign issues (Shaw 1999; Joslyn and Haider-Markel 2000; Wlezien and Erikson 2002). Thus,

Table 2
Results Specific to Support for Disclosure

Survey Question	Mean	Standard Deviation	% Agree	% Disagree	% Margin of Error*
1. The government should require that the identities of those who contribute to ballot issue campaigns should be available to the public.	1.59	0.96	82.3	15.4	±1.50
2. It would change my opinion about a ballot issue if I knew which well-known organizations contributed money to ballot-issue campaigns.	1.95	1.08	71.2	25.9	±1.81
3. It would change my opinion about a ballot issue if I read the list of individuals in my state who contributed to issue campaigns.	2.45	1.12	52.5	42.7	±2.02
4. If I contribute money to a ballot-issue campaign, I believe my name, address, and contribution amount should be posted on the Internet by the state.	2.75	1.19	40.3	56.4	±2.02
5. If I contribute money to a ballot-issue campaign, I believe my employer's name should be posted on the Internet by the state.	3.17	1.10	24.1	71.4	±1.77
6. If by contributing to a ballot-issue campaign my name and address were released to the public by the state, I would think twice before donating money.	2.16	1.19	59.7	36.6	±1.98
7. If by contributing to a ballot-issue campaign my employer's name were released to the public by the state, I would think twice before donating money.	2.58	1.38	48.9	43.7	±2.00
8. I am informed about the laws governing contributions to ballot-issue campaigns in the state.	2.63	1.10	45.5	49.5	±2.02
9. I know where to access lists of those who contribute to ballot-issue campaigns in my state.	2.89	1.15	34.6	60.1	±1.95

Table 2 (cont.)

Survey Question	Mean	Standard Deviation	% Agree	% Disagree	% Margin of Error*
10. Before I vote on ballot issues, I usually check out the list of contributors to the respective campaigns.	2.81	1.14	37.7	59.3	±2.00

*95 percent confidence interval.

Table 3
Results Specific to Ballot Issues

Survey Question	% Yes	% No	% Margin of Error*
1. Did you seek out information about contributors to the campaigns of this ballot issue or not?	26.7	71.9	2.42
2. And are you aware of the specific funders of campaigns that supported your topmost ballot issue, or are you not aware of any?	41.0	56.6	2.68
3. And are you aware of the specific funders of campaigns that opposed your topmost ballot issue, or are you not aware of any?	41.6	56.4	2.68
4. And other than specific funders, do you know of any organization or individuals who generally support your topmost ballot issue, or do you not know of any?	46.1	50.5	2.69
5. And other than specific funders, do you know of any organization or individuals who generally oppose your topmost ballot issue, or are you not aware of any?	44.6	53.3	2.71

*95 percent confidence interval.

participants responding at this time to questions about ballot issues and campaign finance would be expected to be most knowledgeable and aware.

Analyses

Data were analyzed descriptively using means, standard deviations, and percentage of agree/disagree answers. To generate the latter, the four-point Likert scale was collapsed into two categories by combining “agree strongly” and “agree somewhat” into “agree” and “disagree somewhat” and “disagree strongly” into “disagree.” One of the implicit questions in this study concerns the relationships between some of the hypotheses listed earlier. To examine such relationships, Spearman’s rho was used to calculate correlation coefficients with the data in their four-point Likert format.

The open-ended probes were coded using standard content analysis procedures and subjected to an inter-rater reliability analysis (Holsti 1969; Weber 1985; Stemler 2001; Neuendorf 2002). Two raters analyzed 20 percent of the open-ended probes using codes I developed. Cohen's Kappa indicated 0.804 (p = 0.000) for the probe to statement 6 in table 2 and 0.820 (p = 0.000) for the probe to statement 7 in table 2 (Cohen 1960). Such results indicate substantial agreement (Landis and Koch 1977).

Content Analysis of Colorado Information Sources

To create an approximation of the amount of information available to Colorado's voters during the 2006 campaign season and measure how much of that information discussed information resulting from disclosure, I constructed a sample of information sources by first searching the Lexis-Nexus and Pro-Quest databases for media-related sources using Colorado's ballot-initiative titles as key words. Second, using a list of Colorado nonprofit organizations and think tanks compiled by Colorado State University,[1] I collected materials produced by these organizations via Internet searches of the organizations' sites (using ballot titles as key words). I chose Colorado because it was one of the states included in the survey, had a comparably large number of ballot issues (fourteen) during the 2006 campaign, and included a manageable but still sufficiently large number of information sources (newspapers, think tanks, nonprofit organizations, state sources, and so forth).

Finally, a general Internet search using issue titles as keywords yielded information sources from issue campaigns, nonprofit organizations not included on the Colorado State University list, and the State of Colorado (including the state's voter information pamphlet, called the "blue book" herein). Information sources were included only if they fell between January 1, 2006, and November 7, 2006, which was election day. I coded information sources based on their inclusion of data that drew on, appeared to draw on, or made reference to information related to or resulting from Colorado's campaign-finance disclosure laws. For example, a news story that discussed how much money a certain group donated to an issue committee would be coded as discussing disclosure. However, if a story merely referred to a group's nonfinancial support of an initiative (for example, "The Chamber of Commerce favors Initiative 1A"), the story was not coded as a disclosure-related source.

Results

Support for Disclosure

As statement 1 in table 2 indicates, mandatory disclosure of contributors to issue campaigns enjoys strong support among citizens in these six states. More than

1. See http://lib.colostate.edu/research/colorado/cothinktanks.html.

82 percent of respondents agreed or strongly agreed with the idea. Statements 2 and 3 further illustrate why disclosure appears to enjoy strong support. More than 71 percent of citizens find organizational support or opposition to an issue influential, and more than half report the same dynamic as it applies to individuals who support or oppose issues. Thus, consistent with some aforementioned scholars (Miller, Wlezien, and Hildreth 1991; Lupia 1994; Gimpel 1998; Gerber and Lupia 1999; Roh and Haider-Markel 2003), citizens appear to find such disclosed information important in deciding how to vote.

Yet support for disclosure appears to wane considerably when the issue is personalized. As statement 4 illustrates, nearly 57 percent disagreed or strongly disagreed that their identity should be disclosed. The number grew to almost 72 percent when disclosure included their employer's name (statement 5). Correlating results from statement 1 against results from statements 4 and 5 further illustrates an apparent inconsistency in support for disclosure. Respondents' general support for disclosure is weakly related to their support for disclosure of their personal information ($r_s = 0.285$, $p = 0.000$) and even less related to the disclosure of their employer's name ($r_s = 0.137$, $p = 0.000$). Such enthusiastic support for disclosure theoretically should correlate at least moderately if not strongly to support for disclosure of their own contribution to a campaign. Instead, these coefficients indicate a significantly weak relationship, which suggests that although individuals support the idea of disclosure in the abstract, their opinion changes when the requirement affects them personally.

A Chilling Effect?

When participants are asked about their likelihood of contributing to a campaign in the face of disclosure, almost 60 percent would think twice about contributing if their personal information is to be disclosed (statement 6). When asked if they would think twice before donating to a campaign if their employer's name was disclosed (statement 7), the number approaches 50 percent. When examined using Spearman's rho, the relationships are even weaker than indicated through prior correlation analyses. In fact, with a relationship of $r_s = -0.027$ ($p = 0.190$) between statements 1 and 6 and a relationship of $r_s = 0.007$ ($p = 0.747$) between statements 1 and 7, it is more accurate to say there is no relationship between general support for disclosure and the likelihood of contributing to a campaign. As with the findings described in the previous paragraph, concretizing the disclosure requirement suggests a chilling effect on speech and association wherein respondents reported support for the idea of disclosure but would hesitate or choose not to contribute to a campaign were their own information revealed.

When asked through open-ended probes why they would think twice if their personal information was disclosed, the reason most often given (63.1 percent of those who responded to the probe) was a desire to keep their contribution anonymous. Responses such as "Because I do not think it is anybody's business what I donate and who I give it to" and "I would not want my name associated with any effort. I would like to remain anonymous" typified this group of responses.

The next most frequently cited reason (6.3 percent) included the possibility of repercussions. "I think it's an opening for harassment," "I don't think my information should be out there for fear of retaliations," and "My privacy would be invaded by the opposition" illustrate such concerns. Running a close third (5.6 percent) were those who expressed concern for their personal safety or the possibility of identity theft. Responses included "Because I am a female and [it's] risky having that info out there," "With identity theft I don't want my name out there," and "I wouldn't donate money because with all the crazy people out there, I would be frightened if my name and address were put out there to the public."

Respondents also most often cited the issue of privacy (35.4 percent of those who responded to the probe) when asked why they would think twice before donating if their employer's name were disclosed. In this case, the concern was about revealing where they work. For example, "It's not anybody's business who my employer is" or "My employer's name is nobody's business" most often represented this concern.

More than 33 percent of respondents also saw little or no relationship between their employer and their personal actions. Typical responses included "Doesn't matter who I work for on these issues," "I don't think it should be a qualifying factor," and "What does my employer have to do with it?" Nearly 12 percent of respondents also wanted to avoid inaccurately portraying their employer's opinion by association. That is, they did not want their employer held responsible for their personal actions. Statements such as "I don't want to involve my boss involuntarily," "Some people take that as a reflection of your employer and I wouldn't want to give anybody a bad rap," and "Do not want my employer attacked by opponents" illustrate these concerns.

Finally, almost 7 percent of respondents cited negative repercussions at work, including the longevity of their job should their employer learn, through mandatory disclosure, of the employee's beliefs expressed through a contribution. Some simply stated, "I would never want my employer to know who I give money to," or "I wouldn't want my employer to be informed on what I do." But others explicitly stated their fear: "Because that could jeopardize my job"; "I might get fired for that kind of stuff"; and "If you were a union member and you vote on another side it would come back at you and hit you in the face."

These results not only pertain to a belief (or lack thereof) in disclosure, but also touch on political involvement. That is, requiring the disclosure of citizens' identities, personal information, and employers' names would appear to foment reluctance to speak on or associate with ballot-issue campaigns via contributions during the political process.

Knowledge of and Access Resulting from Mandatory Disclosure

As some researchers (Gais and Malbin 1997; Schultz 2005) assert, the benefits of disclosure require an electorate that both knows such information is available and consults it in the decision-making process, but as the results in table 2 indicate, neither of these conditions is the case for the majority of citizens. Less than half of respondents reported being informed about laws governing contributions to issue campaigns (statement 8). Given that less than half were informed about disclosure laws, it is not surprising that barely more than one-third knew where to access lists of campaign contributors (statement 9). Likewise, few respondents (37 percent) actually read such lists before voting (statement 10). Due to a social desirability effect, these results are likely inflated because people may say they know the laws and use the information in order to avoid appearing uninformed in the interviewer's eyes (Rockwood, Sangster, and Dillman 1997). So probably even fewer people than indicated know about the laws, know where to access information, and so forth.

Spearman coefficients illustrate the inconsistencies of the responses given in the previous paragraph. When correlated against their general support for disclosure, respondents' reported knowledge of laws governing contributions is practically zero ($r_s = 0.021$, $p = 0.317$). The same is true when correlating support for disclosure with knowing where to access disclosure lists ($r_s = 0.055$, $p = 0.007$) and reading these lists ($r_s = 0.159$, $p = 0.000$). Therefore, citizens generally appear to know nothing about a law they strongly support and appear uninterested in accessing the information it produces.

Disclosure Related to Specific Ballot Initiatives

Survey participants were also asked to name a ballot issue in the forthcoming election. Respondents who could and did name at least one ballot issue were also asked if they sought out information about contributors to the ballot issue foremost on their mind. As question 1 in table 3 indicates, almost 72 percent responded "no." This finding, then, appears consistent with the majority of citizens' lack of awareness about specific funders of campaigns devoted to what citizens considered their top issue (table 3, questions 2 and 3) and with the aforementioned results concerning citizens' consulting of contributor lists. But when asked if they knew who generally supported or opposed their foremost issue, the majority still said no (table 3, questions 4 and 5), but the percentages were smaller than those for questions 2 and 3.

Information Sources and Disclosure Information

These results would not surprise scholars such as Michael Delli-Carpini and Scott Keeter (1996), who demonstrate that most citizens do not actively seek political information, or Anthony Downs (1957), who concludes that voters are rationally ignorant. Indeed, the results arguably appear to support further the importance of disclosure for elites (that is, the news media) to provide cues to voters. Yet evidence from an examination of campaign-related material and reporting from Colorado during the 2006 campaign may suggest otherwise. Results reveal no shortage of information for Colorado voters during the 2006 ballot-issue campaign. From January 1 to November 7, no less than 1,078 points of information dealt with initiatives on the 2006 ballot, including editorials in newspapers (n = 320, 29.7 percent), letters to the editor (n = 128, 11.9 percent), newspaper stories (n = 577, 53.5 percent), the state blue book, state Web sites, products produced by nonprofits and think tanks (n = 37, 3.4 percent), and campaign-generated material (n = 13, 1.2 percent). It is important to note that the 1,078 figure does not represent the total number of information sources collected. Rather, numerous sources discussed multiple issues simultaneously. I culled these "double counts" from the total count.

Although voters enjoyed a wealth of information about ballot issues in 2006, little of that information included data that drew on, appeared to draw on, or made reference to information related to or resulting from campaign-finance disclosure laws. Despite the posting of disclosure information on the Colorado secretary of state's Web site, and the alleged importance of such information to voters, only 4.8 percent of the information sources included any discussion of disclosure-related data. Instead, more than 95 percent of the sources in this sample focused on the content of the ballot issues, predicted effects of the issues' passage or defeat, and otherwise discussed the merits or demerits of the proposed initiatives without making any reference to information resulting from disclosure.

Of course, sources that refer to disclosure material throughout the year may not be as relevant as during the weeks immediately before an election. Therefore, I examined sources available or published during the period from October 22 to November 7, 2006, the period during which voters would be most attuned. This process yielded 406 sources, or 37.6 percent of the total. Like the total sample, the two-week sample includes editorials (n = 108, 26.6 percent), newspaper stories (n = 186, 45.8 percent), letters to the editor (n = 59, 14.5 percent), the state blue book, state Web sites, products produced by nonprofits and think tanks (n = 37, 9.1 percent), and campaign material (n = 13, 3.2 percent). As to disclosure information, only 3.4 percent of the sources of information in the two-week sample drew on, appeared to draw on, or made reference to information related to data resulting from disclosure. Almost 97 percent of the sources in the two weeks immediately before the election paid no attention to disclosure information required by the state and publicly posted on the secretary of state's Web site. It therefore appears that it is not only citizens who do not consult disclosure information directly, but also media, think tanks, and other "elites" that, according to cue-taking literature, ordinarily assume a "cue-giving" role to the general public.

Discussion and Conclusion

In this study, I examined some of the assumptions inherent in discussions of campaign-finance disclosure laws as they relate to ballot issues. Specifically, I tested the theory that mandatory disclosure contributes to "better" (that is, more informed) voters by *(a)* examining respondents' support for disclosure, *(b)* exploring the idea of the "chilling" nature of disclosure (if respondents are less likely to support initiative campaigns in the face of mandatory disclosure), *(c)* measuring knowledge and access resulting from disclosure, and *(d)* investigating these issues in the context of specific ballot issues.

The survey results suggest both some inconsistencies in people's support for disclosure and the potential costs they associate with it. First, although voters appear to like the idea of disclosure in the abstract (that is, as it applies to someone else), their support weakens in the concrete (that is, when it involves them). Respondents cited several reasons for disliking disclosure when applied to themselves. In the present era of identity theft and "phishing," some of the reasons were predictable, such as those related to privacy and anonymity, but others pertained to fear of harassment or negative repercussions, particularly in their place of employment. Still others saw disclosure of their personal information related to a ballot issue as a public proclamation of their secret vote. Most respondents also reported themselves less likely to contribute to an issue campaign if their personal information were disclosed, the latter of which is the case in every state that allows ballot initiatives. In sum, when the issue was conceptualized in the first person, respondents appeared to identify real and important costs associated with disclosure.

Of course, one might argue that the costs are "worth it" to make for "better voters." But results herein question the notion that mandatory disclosure produces more informed voters. The vast majority of respondents have no idea where to find lists of contributors and never actively seek out such information before they vote. According to the cue-taking literature, this ignorance is, of course, not a new finding. However, based on an analysis of one state's campaign-related information, where only 5 percent of sources discussed anything related to disclosure (even fewer during the weeks immediately before the election), the role that media and other elites play in getting and conveying information resulting from disclosure may be overestimated.

Indeed, in examining newspaper coverage of candidate campaigns from 2002 to 2004 in all fifty states, LaRaja (2007) came up with very similar results. On average, each paper in his sample generated just three articles per year about campaign finance. To be sure, the major papers in each state provided more coverage than the smaller ones, but, as La Raja concludes, "these overall figures do not inspire confidence that voters learn a lot about money in politics at the state level through the printed press" (242). La Raja's results were based on candidate campaigns rather than on ballot-issue campaigns. Because, according to him, reporters tend to emphasize scandals and the "horse race" nature of campaigns, it is reasonable to expect that candidate elections would create more articles focused on campaign-finance disclosure than ballot issues would. Therefore, the small number he reported further accentuates the apparent ambivalence of both elites and voters toward cues resulting from campaign-finance disclosure in ballot-issue campaigns.

Taken together, questions about both the costs and the benefits resulting from mandatory disclosure suggest that it is a public policy worthy of more critical attention and debate than it currently receives. Included in that debate should be at least two policy options. First is the notion of completely abandoning mandatory disclosure on ballot issues. Note that this option does not mean doing away with disclosure altogether. Instead, campaigns might voluntarily disclose their contributor lists. To some, the idea may seem ridiculously simplistic: Given the option to decline, who would disclose?

However, owing to the symbolic power of labels such as “culture of corruption,” disclosure has the potential to be an influential tool in the campaign process (Lowry 2006). For example, if a campaign elects not to disclose, it runs the risk of looking as if it has something to hide, especially if opposing campaigns choose to disclose. The act of not disclosing then becomes a liability for one side and an instrument of influence for the other. If both sides voluntarily disclose, the result is the same as that created by current policy, but without government intervention.

A second option might be anonymous contributions in either voluntary or mandatory disclosure, whereby contributors donate money to an issue campaign but request that their identity remain anonymous when the campaign discloses its contributor list (Ackerman and Ayers 2002). At first glance, the idea seems pointless. Anonymous contributors would hardly seem to apply the same pressure on issue committees to run a “clean” campaign that is theoretically created by disclosure.

Yet, as with the first option, campaigns would likely think twice about the symbolic effects of releasing disclosure lists loaded up with numerous anonymous contributors, especially if, again, the opposition disclosed comparably few, if any, anonymous donations. And if the anonymous donations were large dollar amounts, the symbolic effects would be heightened further. As results here indicate, this option might enjoy wide support, given the general popularity of disclosure among voters but clear disapproval of the revelation of their own personal information.

Discussions about campaign finance that would consider such options are not academic exercises. Campaign finance and disclosure are at the center of at least three recent court cases, two in Colorado and one in Washington state (Hughes 2005; Potter 2006; Thomas and Garber 2006). As these cases illustrate, the effects of policies that seem positive on the surface and largely devoid of costs are in fact “not so simple,” as one editorial concluded (“Colorado’s Stifling” 2006).

Future Research

Finally, such discussions would also benefit greatly from further research that examines not only self-reported likelihoods and opinions, but also demonstrable participation in the initiative process, including voting, volunteering, and contributing. Moreover, an important issue not measured directly in this research is transparency. Elisabeth Gerber (1999) suggests that voters may support disclosure in the initiative process for the purpose of transparency to protect against moneyed interests' using initiatives for their own gain at the expense of the broader public interest (regardless of whether such interests actually seek to do so or do so effectively when they try). Research examining both voter interest in and the dynamics surrounding transparency would contribute important information to discussions of costs and benefits associated with disclosure policies for ballot initiatives.

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