

**President Ramo:** As everybody knows, we're running right on time, New Mexico time. I always laugh in my office when a New York

lawyer calls me and says, “I need this done in Santa Fe in the next two hours,” and I always say “absolutely” and never then explain how we view time in a global way.

One of the real pleasures, for me, has been to decide who among incredibly distinguished classes, now for eight years, might be the right person to speak for the class. And this year, it was especially hard because I thought, well, I could give a pretty good talk. (*Laughter*)

But I thought, no, you have heard more than enough from me for sure. And the person that I am so delighted I asked, and who accepted, is our classmate Larry Kramer. Obviously, there’s a University of Chicago connection. I’m just saying.

Larry has really done such remarkable things during his career, and now sits really in his position as the chair of a major American foundation, in the position to make social change in ways that are vast and important. I think it’s particularly important when we have lawyers in those situations.

When I thought about what I should say about Larry, you have his biography, which is incredibly distinguished, including the fact that he was a Supreme Court clerk. I thought I’d go back and read from the person who nominated you, Larry, and that was Judge Posner.

So he was writing about the nomination of Larry Kramer, whom he knew since Larry was a student at the University of Chicago Law School, “where,” he noted, “I continue to teach part-time.” Let me say that his notion of part time and mine are not the same. And it said, “Larry is one of the smartest and most productive young legal academics in the country. But what I want particularly to stress is the excellent match that his interests and abilities make with the work of the Institute. Unlike so many other brilliant young legal academics these days, Larry’s feet are firmly grounded. His interest in the law is practical. . . . This is a person who wants to improve the legal system rather than merely theorize about it.”

And with that, I introduce the great worker, in practical ways, Professor Larry Kramer. (*Applause*)

**Professor Larry Kramer:** Good afternoon. I want to start by saying, Mike, that I'll add another \$370 to the class gift to make it an even \$160,000.

I would like to thank Roberta and Ricky and whoever else was responsible for inviting me to give this talk, which is truly an honor. I confess that I wasn't listening carefully enough when Ricky called to ask me to give this talk: I thought I was going to be speaking to my class only, an audience of 40 people. So I'm actually a little intimidated. On the other hand, now that I'm up here, rather than giving the talk I prepared, maybe I'll offer some views on sexual assault. (*Laughter*)

Which may be a good idea for a wholly different—because the talk I prepared will refute what Judge Posner kindly said about my feet being firmly grounded. You see, when I talked to Ricky, I asked him about topics. He said, “Talk about some of the things that are going on at the Foundation.” And I said, “Well, we do have this project to fix Congress.” (*Laughter*)

That's always the reaction.

Anyway, before turning to how we plan to fix Congress, I want to quickly revisit some ideas that ought to be familiar, at least to lawyers or anybody who had studied American constitutional history, because these form the background to our thinking.

First is the novelty and importance of the American experiment in popular government, an experiment that doesn't end and is still ongoing. Gordon Wood has written a wonderful book [*The Radicalism of the American Revolution* (2011; original ed. 1991)], pointing out how we have lost or forgotten just how radical the American Revolution was at the time: radical because the idea of popular government, of a government genuinely and explicitly deriving its authority from the people, was political heresy in the 18th century—a visionary idea contrary to 2000 years of experience and political theory.

And, in fact, making republican government work turned out to be considerably more difficult than the revolutionaries had expected or understood. They stumbled initially, both in the Articles of Confedera-

tion and in the various state constitutions. But they changed courses and managed to do something that, in retrospect, can and should be seen as an act of political genius—they engineered the Constitution.

The Constitution is, of course, far from perfect. I don't want to be dewey eyed about that. It has needed major revisions over time. Some of these were formal, like the critical amendments adopted after the Civil War. Others were informal, institutional adaptations necessary to make the system work, like the creation of political parties.

None of this is surprising. Making the Constitution work is a neverending process, something that has required, and still requires, ongoing participation, interpretation, and adaptation by the whole society.

But the central structures and underlying political theory have remained remarkably true and viable, and have enabled the adaptability and flexibility that explain why we are still here.

The heart of that theory and how it is embedded in the Constitution's formal structures are nowhere better expressed than in James Madison's essays as Publius and, in particular, in Federalist 10 and 51.

I won't go through these in detail: there isn't time for that here. The essence is that to make republican government work, we should—counterintuitively—enlarge it. We enlarge it to ensure that society encompasses a great multiplicity of interests and factions and beliefs and passions. Then we employ a complex system of representation that is designed to force participants to deliberate and negotiate and, ultimately, to compromise with each other.

The Founders of this country were realists. They weren't pluralists. They didn't believe that politics consisted of nothing more than aggregating private interests. Nor were they naive idealists who believed that politics could be a disinterested process of finding an objectively "right" public good (though they did sometimes talk that way).

What they believed was that—with proper encouragement—representatives and constituents could rise above self-interest and

think about the public good. But they also understood that how people saw the public good—what they understood the public good to be—would differ, depending on who they were, where they came from, and (in the case of public officials) how they were accountable.

How people saw the public good, in other words, would inevitably be shaped by their situations and their interests. The whole point of extending the republic was to encompass people from a wider variety of situations and take in a greater number of interests in the belief that the resulting diversity of ideas and viewpoints would improve the process of majority formation, because it would necessarily require a process of negotiation and compromise.

It is critically important to understand this point, especially today: the political process envisioned by our Constitution could work, was intended and designed to work, *only* if participants understood and acknowledged that they were part of a republic that was composed of people whose views about the public good would necessarily differ, and were willing to contribute in good faith to the intended process of working those differences out through negotiation and compromise.

This process—the process of compromising differences, both inside Congress and within the larger society—was a *good* thing, an essential part of what made the Constitution (in Madison’s words at the end of Federalist No. 10) “a Republican remedy for the diseases most incident to Republican Government.”

I imagine it’s pretty obvious why I mention all this. Because we are, today, increasingly turning what are essential values in republican government into dirty words. Compromise has become something almost impossible to achieve in our political system. A core constitutional value, a central facet of what it means to be part of a republic, is being diminished. Worse, it is being demonized.

When he was speaker, John Boehner gave an interview—this was early in his speakership—in which he literally refused to say the word “compromise.” And he was forced out for being too accommodating! Today, we have candidates, and this is true on both sides, campaigning

for office on explicit pledges never to work with the other side. Not compromising has become a stance people think they should celebrate and display proudly, rather than what it is, which is a repudiation of the fundamental attitude and disposition needed to make democracy work.

This is not a new development. Nor is it something that began when President Obama took office. It is, rather, a trend that began in the late 1960s or early 1970s and has been steadily worsening ever since.

It makes me think of climate change. (Actually, these days, almost everything makes me think of climate change.) The temperature fluctuates from year to year, because a lot of factors affect it. But underneath these annual fluctuations is a steady, relentless vector, which is the greenhouse-gas effect gradually increasing the average until, eventually, the change becomes unmistakable. In just the same way, the ability and willingness to achieve compromise in Congress has been slowly eroding, despite annual fluctuations. But the gradual erosion of the institution has become unmistakable—reflected in an equally unmistakable decrease in productivity and effectiveness, accompanied (not surprisingly) by a parallel decrease in public confidence.

Sarah Binder, who is a very good scholar of Congress, did a statistical analysis of salient issues. She found that gridlock has been growing steadily for several decades, with the last two Congresses being the worst ever (just like climate change, with recent years being the hottest ever). To be sure, passing a lot of laws doesn't necessarily equate with effectiveness. But a drop of the magnitude we have witnessed in our national legislature suggests that something has gone seriously awry. And that conclusion is, I think, supported by the equally dramatic erosion of the public's view of Congress.

The phenomenon I am describing typically goes under the label of political polarization, the assumption being that politicians in the two parties have moved so far toward opposite ideological poles that there's no longer any basis for a middle position. I think that states the

problem backwards, and, if anything, the opposite is more accurate. That is, we have experienced a decrease in the willingness of politicians to negotiate and compromise, and that behavior produces the effects we call political polarization. But our focus should be on understanding what has made elected officials less willing or less able to negotiate productive compromises. And once we do that, we quickly see causes that are different, and more complicated, than simply representatives whose ideologies don't overlap as much as they used to.

Think of it this way. While it is undoubtedly true that people who are farther apart ideologically will find it harder to compromise with each other, the willingness to compromise is independent of ideology. Someone inclined to compromise will be inclined to do so, whether or not the person they're dealing with on the other side is close to them ideologically; somebody disinclined to compromise will be disinclined to do so, whether or not the person they're dealing with is ideologically close. In the language of economics, we can't and shouldn't assume that a legislator's reservation price is always close to his or her ideal price, which is the assumption commentators make. So when scholars and journalists look at votes in Congress and see no compromising, they assume everybody is just voting their ideological preference without thinking about anything else.

Yet while it's certainly true that the parties have drifted away from each other, there are still plenty of members close enough to each other ideologically to achieve agreement if they want to. The graphs you see in the literature—the ones that show no overlap between the two parties—are not inaccurate. They report what are called DW-NOMINATE scores. But what they report are actual votes, and this doesn't tell us anything useful. They show that there is no compromising going on, but they don't explain why.

We can't just assume that votes in Congress reflect what the members would do if they could act wholly independently, as if there are no exogenous factors influencing their votes, as if these votes are a perfect reflection of their ideology. And even if this is their ideology, it doesn't explain why they won't compromise across their disagree-

ments. Over the course of American history, even recent history, we have seen plenty of compromising in Congress among members who were as far apart ideologically as the members today. So how do we explain what's actually happening here?

I will try to answer that question. But, first, I want briefly to address what I suspect many of you think the answer is—namely, that it's all the Republicans' fault. It has become, or is becoming, conventional wisdom that polarization is asymmetrical and that one party—the GOP—has gone off the rails and caused all our difficulties. I know it can look that way, especially if you are or lean Democratic. But that simple explanation doesn't really hold up to scrutiny.

First, if you look at the evidence across parties and across members, as imperfect as it is, what the evidence actually shows is roughly equal movement in both parties. Movement has been slightly, but not significantly greater to the right in the Republican Party than it has been to the left in the Democratic Party, and it has not been especially great in either party. There has been a narrowing within each party, about equal in both and not as much as you might think. (I should qualify by noting that there has, recently, been more movement on the Republican side, but claims of asymmetry were being made long before this.)

The evidence also shows that while Democrats give affirmative answers to questions like “Do you favor compromise?” more often than Republicans, when you give people actual situations and ask what they would do, both sides are about equally unwilling to change. So why does polarization seem to be so much more a Republican problem than a Democratic one? And surely, it does.

In part, the explanation has to do with how the issue is covered in the media. But I think the answer lies mainly in the presidency and the power of the executive to set the nation's agenda. Because this means that whichever party does *not* hold the executive branch will be on the defensive and will need in Congress to resort to more extreme tactics.

With that in mind, what we have actually seen over time—and this is really clear if you go back to the beginnings of polarization in the late '60s—is a spiraling race to the bottom, with each party pushing the boundaries farther when the other held the White House: from Nixon/Ford, to Carter, to Reagan/Bush, to Clinton, and so on. The sharpening of knives only got really bad, which is to say people began to sit up and really take notice of it, only in the Clinton years (which also attracted special attention because the Republicans recaptured the House after 40 years in exile).

My point, in any event, is simply that if Republicans seem more responsible, it is very much a product of the fact that Democrats have held the White House for 16 of the past 24 years. But the Democrats, under George W. Bush, pushed things farther in a number of ways—such as overuse of the filibuster and the first serious threats to use the debt ceiling to get their way. And if the Republicans were to recapture the White House in 2016, does anyone here seriously doubt that Democrats will do all the same things Republicans are doing now and then some?

Which brings me back to the main question: how do we explain the deterioration of compromise as a political practice and value? It's a complex story, and obviously I can't tell it in detail. I'm already speaking really fast because we started late. (*Laughter*) But I can and do want to touch on a few of the main causes.

Some causes, the biggest ones really, reflect broad social and cultural developments. I am thinking, in particular, of what political scientists refer to as ideological “sorting.” By this, they mean a sorting of who people identify with, a sorting that has occurred both in society and in our political parties and that has made each party more ideologically monochromatic: liberals may not be particularly more liberal than they used to be, and conservatives may not be particularly more conservative, but it's now the case that all liberals identify as Democrats and all conservatives identify as Republicans. Worse, all liberals regard themselves as part of the same “team” and so support each

other and oppose conservatives on practically every issue, and vice versa.

This sorting, in turn, has robbed people who differ ideologically of the best incentive they used to have to compromise, which was being members of the same party. And given the structure of Congress, which makes it possible for a minority to gum up the works or block most things, sorting has been *the* major force for gridlock. It used to be possible to cobble together a majority by getting almost all your co-party members, including those who disagreed ideologically, and then adding members of the other party who shared your ideological views on an issue. Today, each party holds its own members almost unanimously on everything, but getting anyone from the other side to help out is virtually impossible.

What got us here is not hard to see. It began with passage of the Civil Rights Act of 1964 [Pub. L. No. 88-352, 78 Stat. 241 (codified as amended across scattered sections of 2 U.S.C., 28 U.S.C., and 42 U.S.C.)] and Nixon's Southern strategy to take advantage of it in 1968. Nixon appealed to conservative Southern Democrats on racial grounds, getting them to start voting Republican. That, in turn, began a process of making the Republican Party more conservative, which, in turn, drove liberal Republicans into the Democratic camp.

It didn't happen in a day or a single election cycle. This was a slow process that took place over decades. Attachment to the Democratic Party was deep in the South, an ironic leftover of the Civil War. But, eventually, the change spread and deepened as loyalties switched from one party to the other.

Ideological sorting would not alone have been enough to destroy compromise. Plenty of members of Congress were still open to compromising across parties and ideologies to achieve results, and so Congress still worked reasonably well for many years. There were, however, other developments taking place---changes caused by but also reinforcing ideological sorting---that worked over time to produce a significant uptick in party discipline. Let me describe a few of these.

First and foremost were changes in Congress's internal operations that centralized power and strengthened leadership at the expense of committees and committee chairs. This matters enormously, because being chair of a committee will often incline members toward productive compromise: I may be a Democrat; I may be a Republican; but if I'm also chair of the Banking Committee, I want to get some helpful banking legislation done. It's why I took on the committee, and why I developed expertise in the area.

Once you centralize power at the level of chamber leadership and deprive chairs and committees of the power to initiate, develop, and promote legislation, the likelihood of achieving compromise diminishes dramatically, because leadership doesn't look at things that way. Leadership looks at things chiefly through the lens of the next election, which is to say a lens that is mainly political with little independent concern for policy.

The problem of centralization has been made considerably worse, moreover, by the fact that the nation is genuinely divided, politically speaking, which has given rise to a permanent campaign mentality. Today, in every election, one or both Houses of Congress is potentially within reach of the minority party. And with elections every two years, the leadership of both parties is campaigning at all times—making decisions not on the basis of policy, but on the basis of what will help or hurt most in the next election. That leaves little room for doing anything to accommodate the other side, though lots of room to do things that might embarrass it or make its members look bad.

Second, in addition to sorting, politics has been changed by changes in campaign finance law that have significantly weakened parties—which generally operate as moderating forces—and greatly strengthened organized external networks of what political scientists call “intense policy demanders.” (I love that euphemism.)

Just to be clear, I am not thinking of *Citizens United* [v. Federal Election Commission, 558 U.S. 310 (2010)], which is a much less important decision than the media coverage would have you believe. On the contrary, the problems were caused as much by counterpro-

ductive reform efforts like McCain–Feingold [also known as the Bipartisan Campaign Reform Act of 2002, Pub. L. No. 107-155, 116 Stat. 81 (codified in scattered sections of 2 U.S.C., 18 U.S.C., 28 U.S.C., 36 U.S.C., and 47 U.S.C.)] as by anything the Court has done—although the Court has done plenty to make the finance situation worse, beginning with *Buckley v. Valeo* [424 U.S. 1 (1976)].

I'll only touch on this quickly. Money in politics is not new. The influence of money in politics is not new. The extent to which candidates are or are not beholden to the donors who give them their marginal dollars is the same as it always was. What has changed is the *amount* of money candidates need, which has created a situation in which candidates (including candidates who are elected officials) are forced to spend 50 to 70 percent of their time dialing for dollars, and in which they are dialing for dollars from donors who increasingly press for ideological fidelity.

Third has been the growth of the so-called outrage industry in media: ideologically extreme and rigid outlets (on both sides) that punish anyone impudent enough or imprudent enough to deviate from the party line, and that give a platform and a powerful public megaphone to each party's most doctrinaire elements.

These last two factors, campaign finance and media, might not be so corrosive were it not for primary elections and the low voter turnout they elicit. Turnout in general elections has actually been roughly flat for the past 40 years. It's lower in nonpresidential election years than in presidential elections, producing turnout that bounces up and down. But within each of those two cycles, it has generally been flat since the mid-1970s.

Not so turnout in primary elections, which has consistently declined and is now often as low as 10 to 15 percent. This means that each party's most extreme elements are making the choices of who's going to run in that party. But it also means that the potential influence of money and media are at their peak. Because with an electorate that small and concentrated, money and media can have a lot of influence. And so you get the fear of being "primaried" that keeps

even very powerful members, in very safe districts, from stepping out of line. Or else. Just ask Eric Cantor.

These are a few of the important forces making negotiation and compromise in Congress difficult, but they hardly exhaust the list. Take the shift to a three-day workweek, for instance, especially when considered in conjunction with the general reluctance of our elected representatives to live in Washington. These have effectively ended cross-party personal relationships, particularly with members spending more than half their time fundraising during the three days when they're here.

The point, in any event, is that the cumulative effect of these developments has been a profound shift in political culture: from one in which disagreements were real but bridging them was just part of the job, to one in which powerful incentives have been created to squelch such efforts.

These developments played an important role in my own decision to move from the academy to the foundation. I wrote about courts when a professor, but what really interested me was understanding the political and institutional structures that make popular government possible; courts were a lens through which to understand democracy. I watched with concern as things in our democracy grew worse, particularly after 2008, and this made the opportunity the foundation offered to do something about it very exciting. And so, with support from the Hewlett Foundation board, in my first year at the Foundation we launched what we are calling (for reasons that should be obvious) the Madison Initiative—our effort, as I said at the outset, to fix Congress.

The Madison Initiative seeks to mobilize support for changes that make it possible for members of Congress to engage again in the kind of negotiation and compromise that Madison imagined would take place and that history has proved is necessary for good governance.

Doing so requires paying careful attention to what social science and evidence tell us, much of which is contrary to the conventional wisdom you hear every day from pundits and politicians and reformers. Take, for example, gerrymandering, endlessly described as one of the big contributors to polarization and one of the root causes of our problems. Except there is no evidence to support that, which is why you never hear it from political scientists. Or you wouldn't hear it from them if anyone bothered to ask. But why ask experts or worry about empirical research? Isn't it just simple logic that the growth of politically gerrymandered, noncompetitive districts would lead to more extreme candidates? It certainly seems so. Until you look at the problem closely.

Start with the Senate. The Senate is at least as polarized as the House, yet there is no gerrymandering for Senate seats. Or try the following: line up districts from most competitive to least competitive and ask about the ideology of elected officials. If gerrymandering is pushing people out to the extremes, you would expect representatives from the most competitive districts to be more moderate and centrist than those from the least competitive ones. But they aren't. On the contrary, the ideological position of Democratic and Republican representatives tends to be roughly the same whether they are from a competitive district or a noncompetitive district.

Why is that, you may ask? Because of primary elections. Because when candidates are being picked by the 10 to 20 percent at a party's extreme, you are going to get similar candidates regardless of the electorate in the general election. As a result, the only difference between a competitive and a noncompetitive district is whether, in the general election, there is real competition between an extreme Republican and an extreme Democrat, or whether one of them is a shoo-in. Either way, someone beholden to his or her party's ideologically extreme wing goes to Congress.

Another thing to note about gerrymandering is that the vast majority is what political scientists refer to as "natural." It's a product of where people live, as opposed to politically gerrymandered lines. To

have more competitive districts, in other words, we may need to gerrymander *more* and create weirdly drawn, unnatural districts to overcome the way people with similar political views now cluster.

And maybe that's a good thing. Gerrymandering does, for instance, clearly enable a political party to get itself overrepresented, though this is something both parties do. (So if you think gerrymandering is wrong, you should care about gerrymandering in Maryland as much as you care about it in North Carolina.) Be all that as it may, my point is simply that changing the way we district isn't going to do much of anything about political polarization. Not unless and until we solve the problem of primary elections.

The focus on gerrymandering gets at something else that underlies many if not most reform efforts, which is that they are not about improving democracy so much as they are about advancing a substantive agenda. It's why so many of the people who say they are concerned about gerrymandering are only concerned about it in red states, or why so many people who say they are concerned about low voter turnout care only about low voter turnout in minority communities, as opposed to, say, poor Appalachian whites.

There's nothing wrong with this, of course. People care about what they care about, and most people care about process chiefly for the results it produces. This is true in law as well. Why else do liberals and conservatives routinely flip-flop on the desirability or not of "judicial activism"?

The Madison Initiative is different. It is overtly, or as I sometimes like to say, *aggressively* nonpartisan. We are looking for solutions that will improve the process without regard to particular outcomes by thinking about the long run rather than the short run—putting ourselves, in effect, behind a veil of ignorance and asking, how can we make the process work better?

Think of it this way: Suppose that I root for the Cubs and you root for the Phillies. (Having grown up in Chicago, I actually hate the Cubs, but that's a long, different, and very sorry story.) (*Laughter*)

When we play each other, I want my team to win, and you want your team to win. That's only to be expected. But, presumably, we are both capable of understanding that there are rules of the game for both of us that we want to get right: rules that make for a good, fair game. And we should be able to work together to figure out what those are. We should be able to do so, moreover, knowing that it's not about twisting the rules so I win more often than you, or you more often than me—particularly since rules twisted to favor me today will end up favoring you tomorrow.

That's why it's so important to think about our problems with the long term in mind. Any change in politics will have short-term consequences that favor someone over someone else. But if history teaches us anything, it is that the winners and losers under any set of rules keep changing. But today's rules are working really badly. All they are doing is creating an angry, disillusioned public that is losing faith in the system. We need people on both sides to put short-term thinking aside and work together to develop better rules. That's how we are thinking about this at Hewlett, in any event.

But what can we actually do? We want to be realistic. The Hewlett Foundation is not going to single-handedly “save American democracy.” Can we really make a difference here?

As an aside, I should say that I find the tendency of people in philanthropy to make extravagant claims incredibly exasperating. It drives me crazy when I read or hear people talking about their new strategy is going to “solve racism” or “eliminate poverty.” We're not going to do that: these are enormous and enormously complex problems. Even assuming money can make a difference, the resources of philanthropy are tiny—utterly minuscule—in comparison. And making extravagant claims just opens us up for ridicule and cynicism when we fall short.

One sees this today with all the talk about how foundations and philanthropy have “failed” to make a difference. But that's an equally foolish claim. Philanthropy can do a lot of good. Philanthropy *does* do a lot of good. It's worth talking about whether and how we can do still

more, but we should have that conversation with a sense of realistic expectations.

So I am not going to stand here and tell you that the Hewlett Foundation through its Madison Initiative is going to solve the problem of political polarization. I am going to say that we believe we can help. We believe we can find a few important places to intervene that might matter, a few key levers to push that will nudge the system in the right direction.

Let me make that a little more concrete. Obviously, we can't do much about the cultural and social divisions that led to the sorting that has been the major driver here. But that will take care of itself in time: issues will change and people will re-sort, as they always have in the past.

We may, in fact, be seeing the beginnings of this now, in the presidential primary process. If you step away from the hyperventilation surrounding Trump's and Sanders's support, you see the possible reemergence of issues and positions that cross party lines, and around which new and different coalitions will likely form over the next few years. It's still much too soon to say with confidence what these are likely to be, but it seems plausible to think we are moving back toward a world in which issues and people are more jumbled across party lines than they have been in recent years. And that's all we need for this purpose.

Assuming something like this is happening or will happen, philanthropy has a role in supporting and maybe even accelerating the process by removing obstacles that make it harder—by repairing institutional arrangements and structures that developed in recent decades and now get in the way of a healthier politics. Some of the changes we seek are achievable in the short term. Others are a big stretch and could take years to achieve, if they are achievable at all. We're going to try, in any event: because the whole point of independent philanthropy is to work on problems that take time and that will not be addressed by government or markets or self-interested actors.

Here is a quick sampling of some of the work:

First, we have a cluster of work in and around Congress, working with current members of Congress, former members of Congress, and others who can help shape the institution. These efforts include things like supporting rule changes to decentralize decisionmaking and restore regular order, as well as building bipartisan relationships. We are also making efforts to rebuild Congress's internal resources, so members and staff are less dependent on lobbyists for information and analysis.

Our efforts to build bipartisan relationships consist, at the moment, chiefly of finding ways to get members on one side together with members on the other, ideally outside of work. We want them to get to know each other, to become at least acquaintances, if not friends. It is astonishing to talk to members and staffers and realize how little contact they have with people on the other side. I mean truly astonishing. So anything we can do to begin to break that down is useful.

Useful, perhaps, but a stopgap at best, because these sorts of meetings and sessions are necessarily sporadic. What we really need to do is to restore a five-day workweek, so members actually have to live in Washington, at which point they will naturally, we think, begin to spend more social time together. Not to mention doing their jobs better.

Second is an effort around primary elections. This is another area in which the conventional wisdom is very much at odds with the evidence, and most of the reform efforts for primaries—open primaries, top-two primaries, and so on—have been shown to have little or no effect. Once again, I think that's a matter of turnout. So long as turnout remains low, and it's only people at the extremes who are voting, changing who is entitled to vote or how they are entitled to vote, won't do much. Opening the primary to independents doesn't make a difference if they still don't vote.

So we're exploring ways to increase voter turnout in primaries, maybe with a National Primary Day or a couple of regional primaries: something that might heighten awareness and make voting in primaries seem more important. We're also exploring changes in voting rules that can compensate for low voter turnout, such as rank-order voting or multimember districts—changes that minimize the structural tendency to favor extreme candidates. Maybe there are other approaches. We're open to ideas.

Third, we know we need to do something about campaign finance. This is the most difficult area. Or, rather, it has been difficult because the Supreme Court's jurisprudence left so little space for sensible reform, and because the reform community itself has been divided about what to do.

Our thinking had been focused largely on getting greater disclosure and on finding ways to strengthen parties in the campaign system. But Justice Scalia's death, and the high likelihood that the next appointment will be made by a Democrat, changes the calculus. So we're now exploring litigation as a preliminary step to broaden the justifications that can be used for regulating campaign contributions and expenditures.

There are a variety of other efforts we support that are less directly related to polarization, but still useful, such as cleaning up election administration, voter registration, and so on. And we're still puzzling through whether there's anything useful that can be done about the media problem—though the market forces that have produced today's fragmentation are hard to fight.

Here's the bottom line: We don't know if we can make a difference, but we have to try. The problems our nation faces in governing itself are daunting, but they're correctable. Correctable, but not self-correcting.

It's not immediately evident that there is a justifiable role for big foundations in a democracy. Why should we give large aggregations of tax-protected wealth the freedom to throw their weight around in

shaping public policy? The answer, I think, is because we need them—need us—for *this* kind of problem: problems whose solutions require long-term commitments by institutions that are nonpartisan and not beholden to any other interests.

Fixing our democracy is a problem that matters more than most. Because we'll never be able to address our other problems—the ones that really matter, whether that means climate change or income inequality or immigration or anything else—until we have a government capable of acting (or not acting) in ways that work for most Americans. Thank you. (*Applause*)

**President Ramo:** I can't think, Larry, of a more important subject to occupy our class, and on behalf of the rest of us, I would like to not only thank you for your remarks but also say please let us know how we can receive your e-mails so that we can figure out what to do in our individual capacities.

Because each of us, I think you've explained to us, has a responsibility for fixing this. I don't think I can come up with *Madison the Musical*, but— (*laughter*) I could try. And I think that it's appropriate in our wonderful class that we heard such a substantive, practical approach to making our country better than it is. So thank you again.

And now I would ask each of you to please adjourn immediately, so that we can honor somebody that I know we all care about a great deal. Thank you.