

Resisting the Partisan Temptation: Public Opinion on Election Laws in a Polarized Era

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Dissertation submitted in partial fulfillment of
the requirements for the degree of Doctor
of Philosophy in the Department of
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2020

ABSTRACT

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Abstract

A commonly accepted model of public attitudes toward election rules assumes that citizens follow the cues of their preferred party's elites and support rules that would benefit that party in elections. However, a separate literature on procedural fairness suggests that the public places a high priority on the fairness of democratic institutions. This dissertation tests which model predominates in the public's decisions on election rules across a variety of policies and political contexts. It finds that most citizens prefer fair electoral institutions at the expense of partisan interest when that choice is made explicit, and a minority of committed partisans are driven by partisanship. While most partisans are unwilling to manipulate election rules to benefit their own party, they react negatively to attempts at manipulation by the other party. Citizens are susceptible to influence from elite messaging on election law issues but are resistant to attempts to influence their core democratic principles.

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1. Introduction

In the weeks leading up to the 2016 election, one thing both Democrats and Republicans could agree on was that the election was rigged. But how it was being rigged and who was doing the rigging were more contentious questions. In the final presidential debate on October 19, Republican nominee Donald Trump refused to promise that he would accept the results of a general election, in part because of the “millions of people who are registered to vote who should not be registered to vote” (Politico 2016). While many Democrats were appalled by this false statement, some responded that there *was* election-rigging occurring, just not of the sort Trump was alleging. Instead, liberals argued, the election was being rigged by Republicans through voter suppression tactics, including purging voter rolls, passing restrictive voter ID laws, and eliminating same-day registration and early voting (Berman 2016); or, alternatively, through a gerrymandered congressional district map that was biased against Democrats (Daley 2016).

Implicit in all this discussion of election-rigging was the idea that the opposing side was implementing election rules not out of any principled desire to improve American democracy but rather to improve their chances of winning elections. It is plausible that most of the political elites involved in recent election law fights have in fact been primarily motivated by electoral interests. But is the same true of the mass

public? Are American citizens willing to compromise on the principle of free and fair elections to help their party get into power?

This dissertation seeks to answer that question. Many Americans believe that free and fair democratic elections are important. Yet in the age of polarization and negative partisanship, many are also passionately invested in their party winning elections. As partisan battles over election law have become more commonplace, so too have cases in which citizens are forced to make the choice between partisanship and fairness.

There is little doubt that both fairness and partisanship play some role in citizens' decision-making on election rules. But whether partisanship or fairness is more likely to predominate could make the difference in whether American elections continue to be free and fair. If affective polarization pushes Americans toward greater prioritization of partisanship, the consequences for the health of American democracy could be severe. Without popular concern for fairness to constrain them, legislators could feel emboldened to pass increasingly extreme election laws to ensure that their party keeps winning elections in the states they control. As elections become truly "rigged," Americans' faith in the legitimacy of elections will erode, perpetuating a cycle that would undermine the long-term stability of American democracy. Alternatively, if the public's desire for fairness remains strong even when partisan interests are at stake, the prospects for the future are better. Politicians might still bend the rules in their favor

from time to time, but would not stray too far from electoral norms for fear of popular backlash.

In this dissertation, I argue that while partisanship is an important factor in how citizens think about election rules, democratic principles trump partisan interest in most contexts. The American public, in general, does not wish to manipulate election rules so that their party has an unfair advantage. However, there are some important exceptions. First, there is a small subset of citizens that views partisanship as an important part of their social identity who are willing to change election rules purely for the electoral benefit of their party. Second, citizens are less likely to support an election reform that they learn would benefit the opposing party, even if they have no reason to think that the reform is an attempt at electoral manipulation. Finally, citizens' opinions about electoral reform are susceptible to influence by elite messages. Elite cues affect public opinion on election-related issues even when elites fail to justify their policy endorsements in an ideologically coherent way. While most citizens would prioritize principle over partisanship given a clear choice between the two, there is still reason to worry that party elites may be able to influence public opinion in favor of election rules that benefit their party.

I also identify some contexts in which citizens do not deviate from their democratic principles even though we might expect them to. Partisans who learn that the other side is engaged in election-rigging do not become more willing to change the

rules to benefit their side. This finding suggests that the public does not use a “tit for tat” framework when thinking about these election rules. Additionally, there are limits on the ability of elite cues to influence public opinion when it comes to broader democratic principles. While elites can influence whether their partisans support an individual policy, they cannot easily change the democratic principles that their partisans prioritize. As a result, the ability of party elites to implement policy that deviates too far from citizens’ democratic principles may be constrained.

The dissertation will proceed as follows. The remainder of Chapter 1 discusses the scope of election law as traditionally understood and identifies the areas most relevant to questions of partisanship and fairness in the contemporary American politics: who is allowed to vote, how people vote, and how those votes are translated into outcomes. It then provides evidence of the rising salience of election law in public opinion in recent years. Finally, it outlines a theory of public opinion on election law in a partisan era, with a particular focus on the conditions under which citizens would be expected to choose partisanship over fairness in their opinions. Chapter 2 tests whether simply receiving information about the partisan effect of an election reform affects support for the reform. Chapter 3 studies the role that declining partisan trust plays on voters’ willingness to compromise on fairness for the sake of partisan interest, focusing on the specific case of redistricting. Chapter 4 focuses on the ability of partisan elites to manipulate the public’s democratic principles in order to increase support for their

preferred policies. Finally, Chapter 5 concludes by summarizing the nuanced nature of the public's choice between partisanship and fairness and discussing the normative implications of these findings for the future of election manipulation and reform in the U.S.

1.1 Election Laws and What the Public Thinks About Them

Once a nation has adopted democratic elections as the method for determining its government, many important choices remain. A democracy must establish a set of laws governing how its elections work. In so doing, it must answer some fundamental questions about what sort of democracy it wants to be. These questions can be described in four broad categories:

- 1) Who can vote?
- 2) How are votes translated into election outcomes?
- 3) Who can run for office?
- 4) Who funds election campaigns?

Each question must be considered by election policymakers as well by the participants in democratic elections: the voters. The answers to these questions produce a set of rules governing the conduct of elections, known as election law. When a democracy is running smoothly, the details of how it should be run recede into the background for most citizens. But in certain political contexts, these questions and the

democratic principles that underly them are brought to the fore. The current climate of political polarization in the U.S. makes these questions particularly contentious.

Questions 3 and 4 – who can stand for office and how elections are funded – can have significant effects on the character of a democracy, and both have been contested in recent American history. Ballot access for candidates is a perennial issue, as major parties attempt to prevent third parties from placing their candidates on the ballot in order to avoid vote-splitting. For example, in 2017 the North Carolina state legislature passed a bill to make it easier for third parties to appear on the ballot, having the effect of allowing the Green Party to appear on the 2020 presidential ballot (Campbell 2018). The bill was supported by third parties but was likely only able to pass over the veto of the Democratic governor because Republicans hoped the Green Party would split the left-wing vote.

One might expect ballot access reforms to have more traction in the mass public given that almost 70% of the public says that a third party is needed to better represent the American people (Drutman, Galston, and Lindberg 2018). However, third parties have struggled in the polarized era, as the cost of voting for a third party is high when doing so would increase the likelihood of the most-disliked party winning election (Goff and Lee 2019). Furthermore, there is no consensus among third party supporters on what sort of ideology the third party ought to have (Drutman, Galston, and Lindberg

2018), making it difficult for third party supporters to coordinate on supporting election reforms such as ballot access reform that would benefit third parties generally.

A subset of the ballot access question is whether there should be a limit to how many times incumbent representatives can run for office. The movement for term limits reached its apex in the early 1990's, when many states implemented term limits for state legislators. Though the movement has lost steam at the national level in recent years, the idea of term limits remains broadly popular in the mass public (Pew 2017) and was endorsed by outsider presidential candidate Tom Steyer during the 2020 campaign.

Campaign finance reform became salient in the wake of the 2010 *Citizens United v. FEC* decision and featured prominently in both the Donald Trump and Bernie Sanders 2016 presidential campaigns. The issue of campaign finance includes the questions of how much money an individual or organization can give to a political campaign, whether donor information must be publicly disclosed, and whether political speech that is not directly associated with campaigns is exempt from these limits. Supreme Court decisions such as *Citizens United*, *Buckley v. Valeo*, and *McCutcheon v. Federal Election Commission* have significantly restricted the ability of legislatures to enact campaign finance reform, as they have consistently held that campaign spending is a form of First Amendment-protected free speech. As a result, legislative activity both in Congress and at the state level has been limited in recent years. Reformers have instead focused on cultivating support for a constitutional amendment to allow greater

restrictions on political donations or on attacking corruption through other means, such as preventing legislators from becoming lobbyists immediately after leaving office.

In the cases of both ballot access and campaign finance, the fault lines have tended to fall mostly along establishment vs. anti-establishment lines rather than Democratic vs. Republican lines. The large, well-funded Democratic and Republican party establishments tend to prefer restrictive ballot access laws and unrestricted campaign finance laws, so that they can swamp outsiders with their superior financial resources and keep third parties and independents off the ballots. The *Citizens United* decision itself has become a partisan issue, as Hillary Clinton proposed to “overturn” it if she became president. But it is difficult to make the case that the Clinton campaign was harmed by *Citizens United* given that pro-Clinton super PACs raised at least \$86 million and Clinton spent almost twice as much as the Trump campaign overall (Levinthal 2016). Because these issues do not have an obvious partisan slant, they are less relevant to the choice between partisanship and fairness that forms the core of this project.

This dissertation will focus on questions 1 and 2: who is allowed to vote and how votes are translated into outcomes. These are the issues over which most of the recent partisan election battles have taken place. In the next sections I will summarize the history and current status of the fights over the election rules that stem from these questions.

1.1.1 Who Is Allowed to Vote?

Perhaps the most fundamental question of election law is who has the right to vote – both *de jure* and *de facto*. The legal right to vote has expanded steadily through American history, though not always in a linear fashion (Keyssar 2009). After first being restricted to only white male property owners, the franchise was extended to other white men, male racial minorities, women, and finally 18-year-olds. Today, the only U.S. citizens who are legally denied the franchise are children under 18 and, in some states, felons. In practice, the situation has been different: most Southern black voters were denied the ability to vote in the century following the passage of the 15th amendment by Jim Crow laws through a combination of literacy tests, poll taxes, and all-white primaries, among other exclusionary methods. While those policies were made illegal by the Voting Rights Act of 1965, voter suppression efforts have continued through policies such as voter ID and voter roll purges.

Today's fights over election administration (defined here as the practical rules governing the voting process) primarily center on how people vote and what is required to vote. These questions necessarily touch on the more basic "who can vote" question, as some voting methods and requirements are more onerous for certain groups of citizens than others. There can, however, be tradeoffs inherent in making the voting process easier, in both election security and economic cost.

The two most significant pieces of federal legislation related to election administration were the National Voter Registration Act of 1993, which included the “motor voter” provision that allowed people to register to vote when they received a driver’s license, and the Help America Vote Act of 2002, which required states to modernize their election administration to avoid some of the chaos of the 2000 election. A bipartisan consensus was also reached in the 2006 reauthorization of the 1965 Voting Rights Act. Around this time, policy on election administration started to grow increasingly partisan (Hasen 2012). The first voter ID law was passed in Georgia in 2006, and many Republican states would follow suit. Meanwhile, Democratic legislatures passed a variety of laws intended to make it easier to vote, including same-day registration, automatic registration, online registration, 17-year-old pre-registration, expanded early voting, and the re-enfranchisement of felons.

Table 1 illustrates the polarization of recent state legislative behavior on the issue of same-day registration (SDR). In all but one instance (Utah in 2018), states that passed new laws allowing same-day registration had Democratic-controlled legislatures and states that reduced or eliminated same-day registration had legislatures controlled by Republicans (NCSL 2020). In addition to the state legislative action shown in the table, SDR was also passed through a referendum in Montana in 2014 and Michigan in 2018.

Table 1: State legislative activity on same-day registration since 2010

State	Year	State Party Control	Instituted/Eliminated SDR
California	2012	Democratic	Instituted
Colorado	2013	Democratic	Instituted
Connecticut	2012	Democratic	Instituted
Hawaii	2014	Democratic	Instituted
Illinois	2014	Democratic	Instituted
Maine	2011	Republican	Eliminated
Maryland	2013	Democratic	Instituted
North Carolina	2013	Republican	Eliminated
Ohio	2014	Republican	Eliminated
Vermont	2015	Democratic	Instituted
Utah	2018	Republican	Instituted
Washington	2018	Democratic	Instituted
Nevada	2019	Democratic	Instituted
New Mexico	2019	Democratic	Instituted

There is also an important racial component to the partisan fights over voter access. Democrats tend to see Republican efforts to decrease turnout as extensions of the opposition to the Voting Rights Act and its enforcement in the 1960's (Berman 2015). There is considerable evidence that support for voter ID laws is associated with racial resentment, after controlling for partisanship and ideology (Gronke et al. 2019; Wilson and Brewer 2013). The issue is further complicated by the high correlation between

identifying as black and voting for Democrats, which has presented a problem for courts trying to decide whether election laws are intended to discriminate against black voters, which is illegal, or just to harm Democrats, which has generally been found to be legal (Hasen 2013).

The confluence of the coronavirus pandemic with the 2020 election adds another dimension to voter access debates as in-person voting poses a public safety risk. The virus has prompted a movement to conduct the rest of the 2020 elections using vote-by-mail, primarily from Democrats. Most Republicans, including Donald Trump, have opposed these efforts, citing the potential for voter fraud and even explicitly stating their worry that vote-by-mail might harm Republicans in elections (Hulse 2020). The effects on public opinion of adding a public health consideration to partisan fights over voter access remain uncertain.

1.1.2 How Are Votes Translated into Outcomes?

The history of American electoral systems (defined here as the procedures by which vote counts are translated into officeholders) has been more stable than that of the right to vote. Just as in the first elections after the ratification of the Constitution, we elect the president using an Electoral College, we elect two Senators per state, and each state elects a number of Members of the House of Representatives in direct proportion to its population, mostly using a first-past-the-post voting system. Nonetheless, there have been some significant changes. States did not converge on using a winner-take-all direct

election system for choosing their Electoral College electors until the mid-19th century, and Senators were not directly elected until the ratification of the 17th amendment in 1913. Many states used multi-member districts to elect Members of Congress in the republic's first decades, and some continued to do so until Congress passed a law requiring single-member districts in 1967. Several state legislatures still use multi-member districts today, and at various points in American history municipalities and states have used proportional representation methods to elect their councils and legislatures.

States continue to experiment with electoral systems. California adopted the Top Two primary system in 2010, in which all voters vote in the same primary and only the top two primary vote-getters appear on the ballot on Election Day. In 2016, voters in Maine approved a ballot initiative to implement ranked choice voting, under which voters rank candidates in order of preference. The candidate with the fewest first-choice votes is eliminated and transfers their votes to the second choice, until one candidate has a majority. This system survived a challenge from the state legislature and was used for the first time in congressional elections in 2018.

The most controversial electoral systems issue in current American politics is redistricting. Although gerrymandering districts for electoral benefit is a practice that dates back to the early years of American democracy, the modern era of gerrymandering began in the 1960's following the Supreme Court's decisions in *Baker v. Carr* and

Reynolds v. Sims. These cases established the Court's right to resolve political questions such as redistricting and required states to redistrict following every decennial census to create equal population districts. Since that time, the practice of gerrymandering districts to produce desired election outcomes has proliferated. While many gerrymanders have been primarily intended to protect incumbents, polarization has increased the prevalence of partisan gerrymanders, culminating in the fierce partisan battles fought over the 2010 redistricting process. Republicans were tremendously successful at extracting partisan advantage in this process due to a combination of factors: their success in state governments in the 2010 elections, the use of previously unavailable technology and data to draw more precise gerrymanders, and the inherent geographic disadvantage faced by Democrats due to the concentration of their voters in urban areas. The Republican advantage in the congressional district map played an important role in their victories in the House of Representatives in 2012 and 2016.

The structure of the Electoral College has also become a high-profile electoral systems issue. After the 2000 election, in which George W. Bush became president despite losing the popular vote to Al Gore, momentum for Electoral College reform grew. The National Popular Vote Interstate Compact, a plan to ensure that the popular vote winner becomes president by compelling all compact-signing states to pledge their electors to the popular vote winner once states making up a majority of electoral votes sign the compact, has been signed into law by 15 states and the District of Columbia. It

has been passed by states comprising 73% of the electors that are required for it to go into effect. Despite occasional support from Republican legislators, all these states have been Democratic-controlled.

On the Republican side, numerous bills have been introduced in state legislatures to switch Republican-controlled swing states to a system allocating electors by district, as is currently used in Nebraska and Maine. None of these bills have passed, however. The next “wrong-winner” election, Donald Trump’s 2016 Electoral College victory and popular vote loss, only served to further polarize popular opinion on the Electoral College. A Gallup time series poll showed Republican support for a national popular vote for president dropping 35 points and Democratic support rising 12 points between 2012 and post-election 2016 (Gallup 2016).

1.1.3 What Is Electoral Manipulation?

It is also worth considering the difference between sincere electoral reform and electoral manipulation. For the purposes of this dissertation, electoral manipulation is any attempt by parties and party elites to modify the rules of elections to increase their own vote shares in future elections. There are many different types of electoral manipulation, with varying degrees of severity.

Electoral manipulation can be subdivided into three categories based on severity: mild, moderate, and extreme. Mild electoral manipulation is when a party pushes for an election reform that would benefit them in elections, but also fulfills non-partisan goals

that naturally fit with party ideology. Democratic efforts to expand voter access through policies like increased early voting and same-day registration fall into this category, as do Republican efforts to increase election integrity through policies such as voter ID laws. This form of electoral manipulation is to be expected and will probably always be a part of American politics.

Moderate manipulation describes party attempts to use election rules to benefit themselves in ways that cannot be justified on principled grounds, but which are still legal and commonplace in modern American politics. Gerrymandering is a clear example of this category. There is no normative justification for a party to increase its seat share in legislatures through gerrymandering, but the practice is legal and has been used throughout American history. Reformers may wish to eliminate the possibility for moderate manipulation through stronger legal structures, but it cannot be considered a significant break with democratic tradition.

Finally, extreme electoral manipulation occurs when parties push for rule changes that would cause serious concern about democratic backsliding. This sort of manipulation would likely be illegal under current law and would be inconsistent with the norms of the post-Voting Rights Act era. The election laws of the Jim Crow-era South, which fully disenfranchised the entire black population through poll taxes, literacy tests, and all-white primaries, would be considered extreme manipulation.

Attempts to bring back such policies would fall into the “extreme” category, as would attempts to disregard election results or commit election fraud.

This dissertation will consider the public’s reaction to each category of electoral manipulation. We might expect that a public with both partisan loyalties and strong democratic principles would be tolerant of mild manipulation from their party leaders, but would be averse to moderate manipulation and strongly opposed to extreme manipulation.

1.2 The Salience of Election Laws in Public Opinion

Issues related to election administration and electoral systems are hotly debated among politicians, policymakers, and scholars. But does the mass public care about these issues? In their study of public opinion on redistricting, Fougere et al. (2011) write “there is no escaping that one of the primary takeaways from our study is that Americans are not well-informed and do not often have an opinion when it comes to drawing election districts.” This conclusion was reasonable at the time: Fougere et al. found that when respondents were asked if they were satisfied with the way districts are drawn, 70% said that they had “no opinion.” Few studies have been conducted about public opinion on redistricting since that time, so it continues to be commonly accepted that most Americans are indifferent to the topic of redistricting.

But the Fougere et al. survey was conducted in 2006, before the contentious 2010 redistricting cycle and the 2012 and 2016 elections. There is a strong argument that

Democrats failed to win control of the House of Representatives in 2012 because of districting practices (Chen and Rodden 2013). The Republican districting advantage may have made the difference in their 2016 House victory as well. This narrative was promoted by mainstream media outlets in both 2012 and 2016 (Wang 2013, Ingraham 2016). It was a plausible outcome of the 2018 midterm that Democrats would fail to take control of the House despite winning the popular vote, and this may have happened had the Democratic wave been slightly less strong. It is widely known in the mass public (at least among non-Republicans) that Hillary Clinton lost the 2016 presidential election as a direct result of the Electoral College rules, despite winning the popular vote (Oliver and Wood 2016). Following the election, President-Elect Trump publicly made allegations of wide-spread voter fraud. In an era of deep polarization and highly-engaged partisans (Abramowitz 2010), the conditions are ripe for the American public – or at least substantial and politically significant segments of the public – to care about election law and election reform.

The measure most traditionally used to measure issue salience is a question asking “what do you think is the most important problem facing the country today?” (Wlezien 2005). As election reform is unlikely to be the single most important issue for many people, it rarely shows up at the top of the list of such surveys, if it is included at all. In a series of Gallup surveys conducted in 2019, between 0-2% of people listed elections and election reform as the most important problem (Gallup 2020). But other

issues that are generally considered to be important in public opinion and vote choice, such as abortion, terrorism, and education polled in a similar range. It is plausible that election reform should be considered in this category of second-tier salience issues: something that many voters care about even if it is not their top issue.

Evidence from Google Trends provides support for this hypothesis. There has been a rise in the frequency with which some election policy issues are googled since 2004, when Google began tracking search data. Google Trends can serve as a useful proxy for traditional survey questions on salience as long as one is careful to check that most searches for the term in question relate to interest in the public policy issue and not irrelevant factors (Mellon 2013).

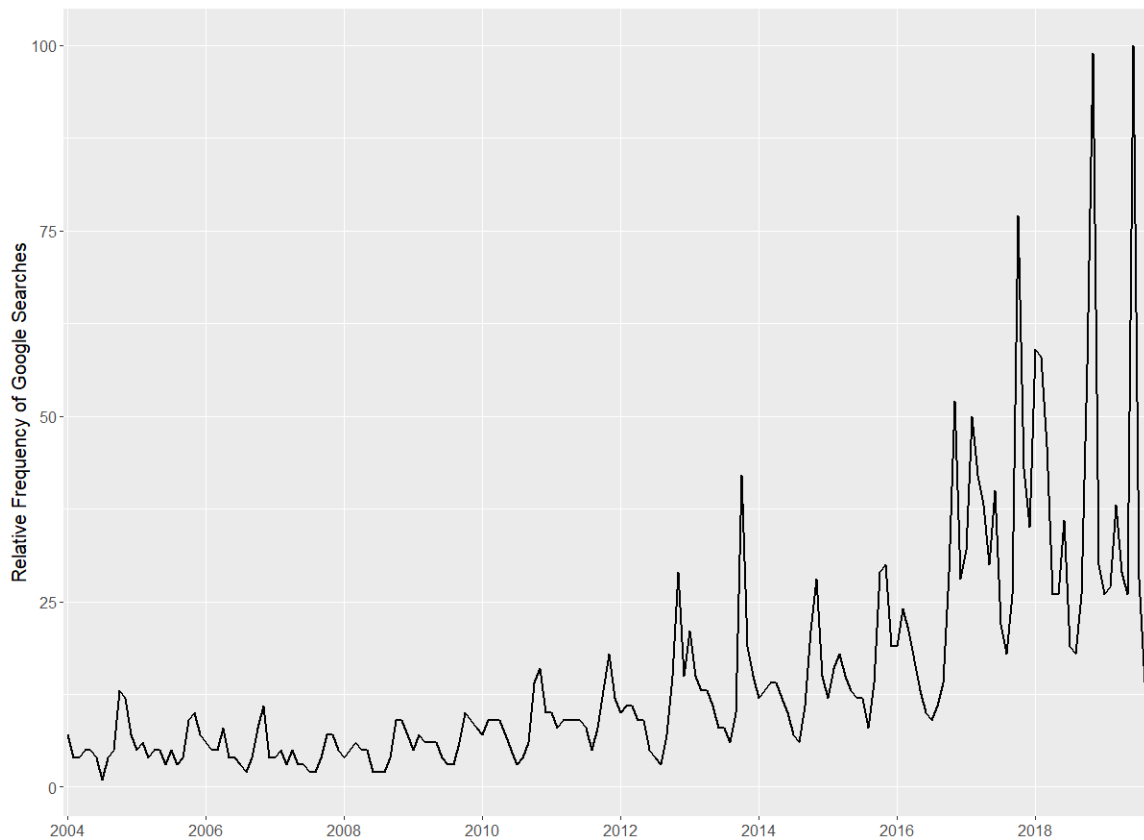


Figure 1: Salience of gerrymandering. A search interest of 100 represents the peak popularity of searches for “gerrymandering” since 2004; other values represent a proportion of the interest at that peak.

Figure 1 shows the trend in salience for the search term “gerrymandering” in the U.S. since 2004. Before the 2012 election, there was a regular pattern in which people were more likely to search for gerrymandering around the time of an election, with an additional increase during the 2011-2012 redistricting process. This cyclical pattern holds for searches of election-related issues in general. After the 2012 election, in which Democrats won the congressional popular vote while failing to take control of the House

of Representatives, interest in gerrymandering began to increase dramatically. At its peak, around the time of the *Rucho v. Common Cause* Supreme Court decision, the term “gerrymandering” was searched about ten times as often as in any month during 2006, when Fougere et al. found such high rates of non-opinion.

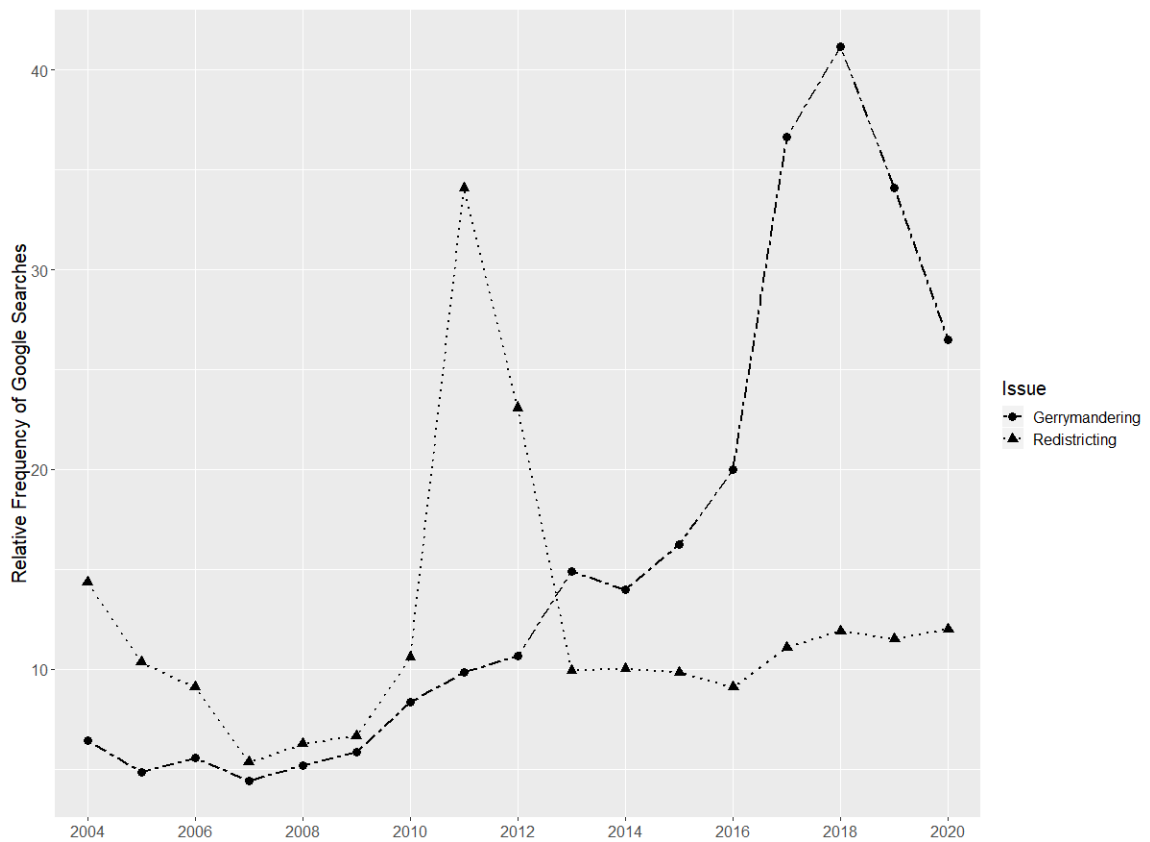


Figure 2: Salience of gerrymandering and redistricting. A search interest of 100 represents the peak popularity of searches for either search since 2004; other values represent a proportion of the interest at that peak. Points represent the average frequency of the months in each year.

Gerrymandering is a loaded term, as it implies intention on the part of map-drawers to create districts that unfairly benefit a particular incumbent or party. The term “redistricting” is a more neutral description of the process of drawing districts. If the increase in salience of election rules is primarily driven by aggrieved partisans, we would expect to see a greater increase in searches for gerrymandering than redistricting. This prediction is borne out in a comparison of the Google Trends results for these two terms, shown in Figure 2. Redistricting was a popular search term during the 2011-2012 redistricting process (and, to a lesser extent, in the aftermath of the mid-cycle Texas redistricting in 2003), but returned to normal levels of interest after 2012, while interest in gerrymandering spiked.

As Figure 3 shows, interest in voter ID laws similarly increased as Republican-controlled legislatures around the country passed voter ID laws. Search interest in voter ID reached its peak during the 2012 election, but has continued since then at a noticeably higher level than when the first voter ID laws were being passed from 2005-2010. Despite a flurry of legislative activity on same-day registration during this same period, however, it has not reached the same level of salience as the other two policies. The same is true of many other election reform issues not shown here that have not become

nationally controversial, such as same-day registration, automatic voter registration, making Election Day a holiday, and ranked choice voting.¹

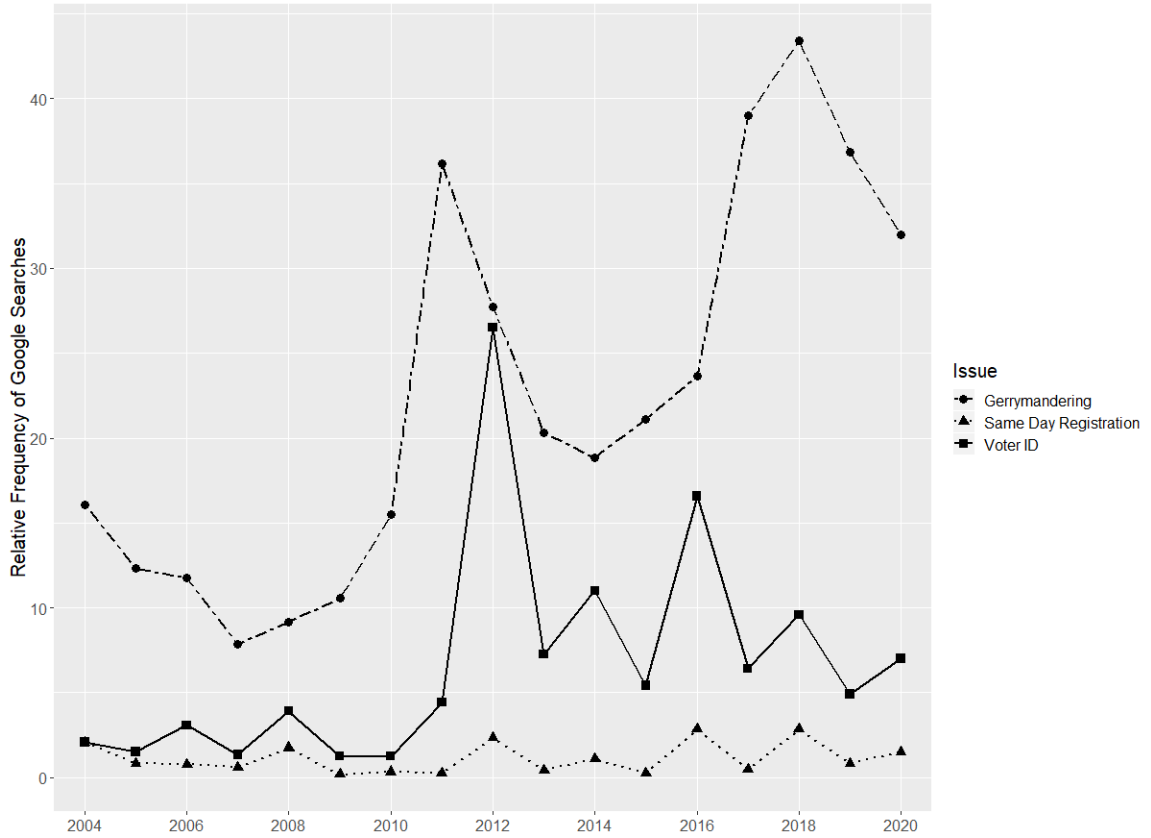


Figure 3: Salience of gerrymandering, voter ID, and same-day registration laws. A search interest of 100 represents the peak popularity of either search since 2004; other values represent a proportion of the interest at that peak. Points represent the average frequency of the months in each year. Gerrymandering includes the terms “gerrymandering” and “redistricting.” Same-day registration includes searches for the terms “same-day registration” and “election day registration.”

¹ Ranked choice voting did see a spike in search interest in Maine from 2016-2018, when it was approved in a statewide referendum and then used in a midterm election. In November 2018 ranked choice voting was one of the most salient policy issues in Maine, with more searches than high-profile issues like immigration, climate change, and gun control.

Google Trends also allows us to get a sense of how the current salience of issues such as gerrymandering compares to that of issues that are more commonly asked about in salience questions in surveys such as the American National Election Study. While gerrymandering/redistricting is still significantly less searched than hot-button issues such as immigration, climate change, gun control, and health care, it currently attracts similar levels of interest to issues such as affirmative action, income inequality, the national debt, terrorism, and homelessness. Figure 4 compares the search interest of gerrymandering, terrorism, homelessness, and the national debt, showing all four converging on similar levels of salience in recent years.²

The Google Trends data tells a clear story: the salience of the most controversial election-related issues such as gerrymandering and voter ID laws has grown to rival that of other major issues in public policy. This growth may have resulted from concern among partisans about the other party's electoral malfeasance.

² These comparison issues were chosen because searches for those issues are likely to be about the policy issues and not about peoples' personal lives. For instance, many searches for "health care" may come from people looking for a health care plan rather than people interested in health policy. Similarly, while searches for "Electoral College" spike every presidential election, many of those searches are likely from people looking for Electoral College results rather than from people considering whether or not the Electoral College is a good idea.

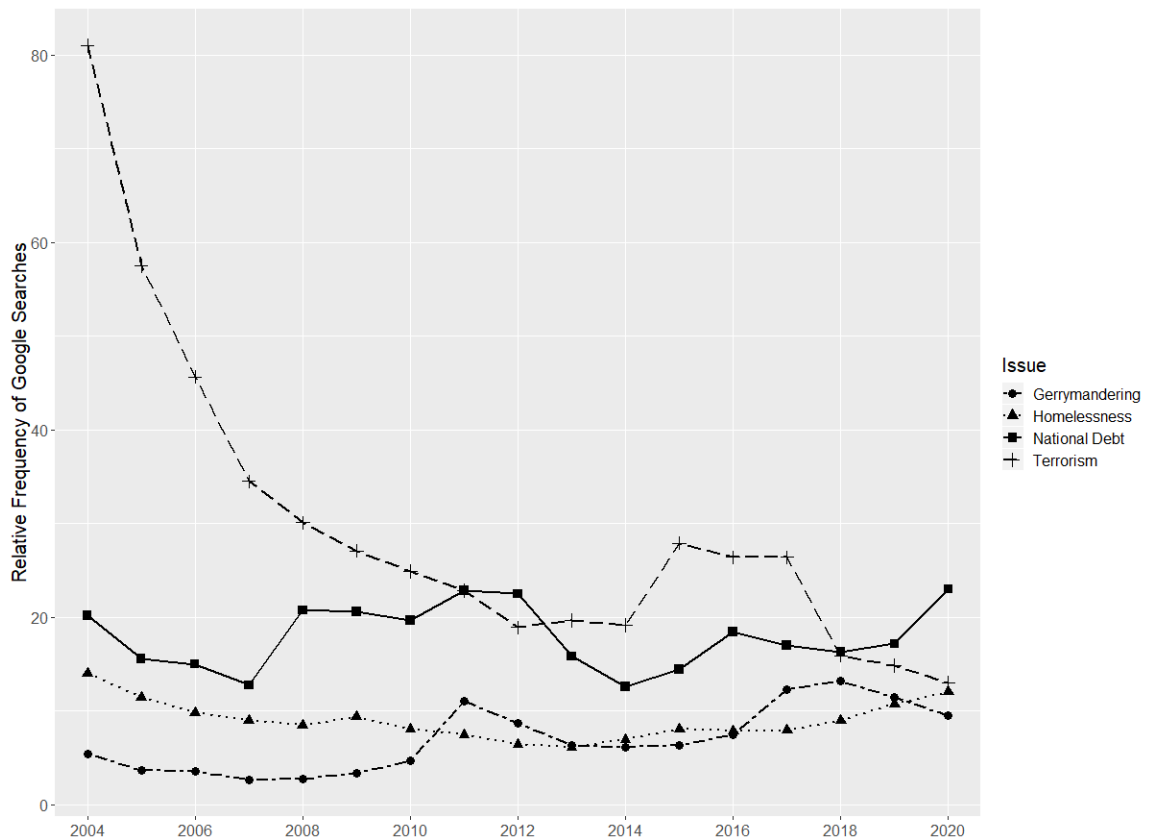


Figure 4: Salience of gerrymandering, terrorism, homelessness, and the national debt. A search interest of 100 represents the peak popularity of all the terms since 2004; other values represent a proportion of the interest at that peak. Points represent the average frequency of the months in each year. Gerrymandering includes the terms “gerrymandering” and “redistricting.” National debt includes searches for the terms “national debt” and “federal debt.”

1.3 The Public’s Choice Between Partisanship and Fairness

The vast majority of Americans say that they believe that fair and open elections are important to American democracy (Pew 2017). It might be tempting to dismiss this result as “cheap talk,” an easy response to give in a survey with nothing at stake. But the

idea that the public cares about fairness in elections dovetails with a line of research showing that people care about the fairness of processes (Lind and Tyler 1988; Sunshine and Tyler 2003). A “fair election” means different things to different people, of course. There are a variety of principles that might make up a conception of a fairly-held election: that no fraudulent votes are cast, that all eligible voters have easy access to the polls, and that the party that receives the most votes wins the most seats, among many others.

Under most circumstances, citizens do not spend much of their time thinking about these principles. They would prefer to not worry about election rules, as these issues are far removed from everyday concerns. Nonetheless, when asked in surveys or on the ballot in a referendum, citizens will answer in accordance with their democratic principles, many of which are related to but distinct from traditional left-right ideology. Some election law issues will be related more strongly to certain principles and some will involve a clear tradeoff between principles. Because most election issues do not map easily onto a left-right spectrum, citizens may be more likely to take a value pluralist approach to these issues, weighing various values against each other before reaching a conclusion (Tetlock 1986). Survey responses and referendum votes on election laws can be reasonably interpreted as citizens drawing from among several considerations related to democratic principles (Zaller and Feldman 1992).

The key difference between election rules and other policy issues is that there is a strategic element to election law attitudes because the laws can affect election outcomes. This gives citizens a powerful reason to support election rules that they perceive as favoring their party. It is reasonable to expect that citizens might think strategically about election laws because we have plenty of evidence that they do so in other political contexts, such as voting in elections (Abramson et al. 1992; Blais and Nadeau 1996). A conflict then emerges between citizens' desire for their party to win and their desire for procedurally fair elections. The polarization of the mass public, along with the higher levels of political engagement and party identification it has brought, increases the importance of the partisan effect of election laws and disrupts the "normal" value pluralist processes that drive public opinion on election law.

The critical question, then, is: under conditions of partisan polarization, is public opinion on election laws driven by strategic partisanship and party elite cues, or is procedural fairness the dominant motivating factor? If both partisanship and fairness matter, in what contexts and for which citizens do fairness concerns constrain partisans in their opinions on election laws?

I argue against the common narrative of the dominance of partisanship by making the case that the public does care about procedural fairness in election law even in the age of polarization. In cases where the choice between partisanship and principle is clear, most citizens will choose principle. However, I further argue that when this

choice becomes muddled – when principle is conflated with partisanship – the public can be willing to compromise on their preference for democratic fairness.

First, partisans may not be willing to manipulate election rules to benefit their own side, but they may perceive election reforms that benefit the other side as attempts at electoral manipulation, even if that is not in fact the case. The literature on affective polarization and negative partisanship has demonstrated that partisans today harbor a deep affective dislike and distrust of members of the opposing party (Abramowitz and Webster 2016; Hetherington and Rudolph 2015; Iyengar, Sood, and Lelkes 2012). This distrust is likely to result in a perception that any election rule changes favored by the opposing side are being supported for self-interested rather than principled reasons.

If this distrust becomes strong enough and the opposing party is seen as operating entirely in bad faith, partisans might give up on democratic principles and embrace electoral manipulation. For instance, Democrats might be opposed to gerrymandering in general, but if they see Republicans gerrymandering in other states, they might be willing to let Democratic legislators get away with greater fairness violations in their states. Partisans may be only willing to consider procedural fairness as long as they believe the other side is also willing to play fair. This strategy can be thought of as an example of “tit-for-tat”: partisans will cooperate until they see the other side defect.

Negative partisanship is particularly important because a major reason why citizens might start to place a high salience on election laws is because they believe the rules are biased against their preferred party. In current American politics, both Republicans and Democrats have reason to believe the rules are biased against them. Many Democrats believed that the congressional district map, the winner-take-all Electoral College rules, and laws restricting voter access have prevented them from winning congressional and state-level elections, while many Republicans believe that widespread voter fraud has kept them from winning popular votes in presidential elections. The citizens that care most about election laws are likely to be those that already don't trust the other party to play fair.

A second mechanism by which citizens might be induced to compromise on fairness is elite cues. As parties attempt to manipulate election laws to their advantage, the election issues that are being debated are likely to become increasingly polarized in the public along party lines (Carmines and Stimson 1989). This polarization is especially likely to occur if there is a clear tradeoff between values that can become politicized, as in the case of voter ID laws, which have been framed as a tradeoff between voter access and election integrity. Elites who perceive an election rule as giving them an advantage will advocate for that law and justify it to the public using democratic principles. They may either attempt to associate an already-popular principle with the law, or they may emphasize the importance of a principle that naturally fits with the law. For example,

Republican elites, identifying an electoral benefit from voter ID laws, could start emphasizing the importance of election integrity more than they had in the past.

Citizens could incorporate these elite cues into their attitudes on election rules through a motivated reasoning process that reconciles the electoral advantage they are gaining with the principles emphasized by elites. Motivated reasoning has been shown to be especially likely to occur in cases of partisan polarization (Bolsen, Druckman, and Cook 2014; Druckman, Peterson, and Slothuus 2013; Slothuus and De Vreese 2010). As a result of this motivated reasoning, citizens might not perceive any conflict between fairness and partisanship.

However, there are limits on the effectiveness of motivated reasoning. The likelihood of motivated attitude shifts are constrained by prior knowledge, the strength of prior attitudes, and prior self-concepts (Kunda 1990). People are less likely to maintain their motivated conclusions as they receive more information incongruent with their expectations (Redlawsk, Civettini, and Emmerson 2010). Motivated conclusions must be plausible given prior beliefs and continued learning. Therefore, elite attempts to manipulate public perceptions of fairness must be sufficiently plausible in order to be effective. Citizens will have a threshold beyond which they will not be willing to support a partisan law. This threshold could involve either the extremity of the law's departure from American electoral norms or the degree of incongruity between the values used to justify the law and the law itself.

Citizens' thresholds will vary depending on observable individual differences. Strong partisans, especially those with strong negative attitudes toward the other party, are likely to have a more extreme threshold; that is, they will be willing to endorse more extreme departures from fairness norms for the sake of partisan gain. On the other hand, people who strongly endorse democratic values such as the importance of a multi-party democracy will have less extreme thresholds. These citizens would oppose partisan laws that are only minor compromises on fairness values.

To sum up: this theory of public opinion on election rules argues that most members of the public are inclined to prioritize democratic principles over manipulating election rules to benefit their party. Distrust of the opposing party and elite messaging can complicate this prioritization, leading citizens to choose electoral rules that favor their party. But when it comes to extreme violations of democratic principles and norms, citizens are unlikely to be swayed by elite cues and will choose principle over partisanship. At the same time, there are important individual differences among citizens, and a non-trivial minority of citizens with strong partisan identity and low commitment to democratic principles will choose election rules on the basis of partisan interest.

1.4 Why Public Opinion on Election Law Matters

The relevance of this project is premised on the assumption that public opinion on election law has some noticeable effect on the electoral regime. There are three

primary mechanisms by which public opinion on election law might influence election policy. First, voters often have opportunities to directly change election laws through the ballot initiative process. Ballot initiatives were the primary mechanism used by the term limit movement in the early 1990's, and recent laws either enacted or preserved through ballot initiatives include independent redistricting in Arizona in 2000 and California in 2010, Top Two in California in 2010, same-day registration in Montana in 2014, and ranked choice voting in Maine in 2016, to name just a few. In these cases of direct democracy, public opinion is the decisive factor. This method of influence is limited by the fact that only 26 states allow some sort of ballot initiative or referendum.

The second mechanism operates through constraining the behavior of elected officials. Even if election laws are unlikely to be at the top of voters' minds during most elections, politicians can still be constrained by the fear that if they take a step too far in implementing an obviously unfair law for the sake of partisan advantage, they might face a significant voter backlash and risk losing their office. Graham and Svulik (2019) find in a candidate choice survey experiment that at least some small portion of Americans would electorally punish politicians of their own party who engage in electoral manipulation.

A third possible mechanism is the effect of public opinion on the courts. While the courts do not base their decisions on the whims of the mass public, they do care about maintaining their legitimacy, and there is some evidence that they change their

behavior accordingly (Clark 2009; Vanberg 2001). If the courts perceive that the public believes that certain electoral institutions are illegitimate, they may feel pressured to strike down those institutions to preserve their own legitimacy.

It is normatively problematic to have a political situation in which election laws are implemented solely based on partisan advantage. Such a situation would likely decrease public trust in the legitimacy of democratic elections and, consequently, belief in the legitimacy of American democracy. If citizens are willing to support these partisan laws without any resistance to violations of fairness norms, the risk of such democratic deterioration increases. As Anderson et al. (2005) write, “the consent of the losers is one of the central, if not *the* central, requirements of the democratic bargain.” When the losers in an election believe they only lost because the rules were stacked against them, they are less likely to consent to their defeat.

In an era of winner-take-all polarized politics, politicians cannot be counted on to uphold democratic principles in their management of elections. That role may instead fall to the public. The ensuing chapters will test whether the public is up to the task.

2. The Asymmetry in Partisan Interest and Same-Day Registration

In recent years, voter access has become a polarized issue in American politics. This trend has been most notable among party elites, who have split into Democratic and Republican camps on the question of whether to place more or fewer restrictions on voting. But the pattern is not restricted to elites: the American public has polarized on voter access as well (Alvarez et al. 2011). Opinion on voter ID laws (VID), for example, which once had strong bipartisan approval, is now highly correlated with partisanship (Gronke et al. 2019). Republicans tend to support voter ID laws and oppose laws that ease restrictions on voting, while Democrats are more likely to oppose VID and support reforms like expanding early voting and same-day registration (SDR).

The most common conception of the partisan division in public opinion on election rules sees party cues as a central mechanism (e.g. Bowler and Donovan 2016; Gronke et al. 2019). In this model, party elites support the election laws that they think will most benefit their party, concoct normative justifications for these policies, and deliver messages to their partisans that they ought to support the policies. This model seems plausible. There is ample evidence that elites do craft institutional rules, including election rules, to benefit themselves or their party (Binder 2006; Boix 1999; Hersh 2015).

Citizens might also place some value on maximizing their party's chances of winning elections. There is observational evidence that public opinion on rules for

allocating Electoral College electors is determined in part by partisan interest (Aldrich, Reifler, and Munger 2014; Karp and Tolbert 2010). There is also experimental evidence that partisans are more likely to support voter access laws when told they will benefit their party electorally and more likely to oppose them when told they will benefit the other party (Biggers 2018; Kane 2017), although this did not hold true across all combinations of parties and particular election reforms in these studies.

Both of these mechanisms – citizens following elite cues and citizens strategically choosing election rules themselves – point to the same outcome of citizens supporting rules that benefit their party. However, neither model leaves room for the public to place any value on the procedural legitimacy of electoral institutions. There is a large body of research showing that in many social contexts, including politics, people care not just about outcomes but about the fairness of the processes by which outcomes are achieved (Lind and Tyler 1988; Sunshine and Tyler 2003). It is thus reasonable to expect that in situations in which citizens' partisan interests come into conflict with their sense of institutional fairness, the latter may constrain the former.

Citizens concerned with fairness may have no desire to violate their democratic principles to gain a partisan advantage via election rule change. Yet they might still have a strong interest in ensuring that the opposing party does not change the rules for the sake of electoral advantage. The recent rise of negative partisanship and affective polarization (Abramowitz and Webster 2016; Iyengar, Sood, and Lelkes 2012; Nicholson

2012) has made it especially likely that partisans will perceive unfairness in any rule change that helps the other side. From a purely strategic point of view, there is no difference between a law that benefits one's own party and one that harms the opposing party in a zero-sum two-party electoral context. If citizens are not purely strategic but rather are motivated by a combination of procedural fairness and negative partisanship, however, their beliefs about the partisan effects of an election rule should primarily affect their support for the rule when they believe it would unfairly benefit the opposing party.

In order to adjudicate among different models of public opinion formation on election rules, I examine an issue in which respondents are likely to have weak prior beliefs about the partisan intent of the law: same-day registration (SDR). This paper presents a clean experimental test of whether citizen support for SDR is conditional on perceived partisan consequences of SDR. Unlike the more commonly studied issue of voter ID, SDR is not salient at the mass level (see Figure 3) and respondents are less likely to have received elite cues about its partisan effects than about voter ID laws. If the partisan interest model is correct, I would expect respondents to be more supportive of SDR after being told it would benefit their party and less supportive after being told it would benefit the other party. If citizens are entirely constrained by their procedural fairness beliefs, I would expect neither treatment to have an effect. Finally, if citizens are constrained by fairness concerns but also motivated by negative partisanship, I would

expect respondents to be less supportive of SDR after being told it would hurt their party but not more supportive of SDR after being told it would help their party.

2.1 Policy Overview: Same-Day Registration

Same-day registration (also called Election Day registration) is an election reform that allows eligible voters to register to vote on the same day that they cast a ballot. Like many voter access laws, SDR is deeply polarized at the party elite level. As was shown in Table 1, every state that instituted a new SDR policy since 2010 other than Utah in 2018 had a Democratic-controlled legislature, and every state that eliminated an existing SDR policy was Republican-controlled (NCSL 2020).

Recent surveys suggest that there are partisan differences in public support for SDR as well, but that the issue has not become more polarized in recent years as voter ID has. In fact, support for SDR appears to have risen among partisans of both parties in recent years, as Democratic support increased from 62% in 2011 to 73% in 2015 to 74% in 2018 and Republican support increased from 23% in 2011 to 36% in 2015 to 42% in 2018 (Alvarez et al. 2011; Jones et al. 2018; Moore 2015).

2.2 Data and Methodology

This study was carried out using an experiment embedded in two separate surveys conducted just before the 2016 election, one by vendors employed by Qualtrics and the other as part of the 2016 pre-election Cooperative Congressional Election Survey, administered to a total of 1800 adult U.S. citizens. Both surveys were national, non-

probability, internet-based, and representative of the American population on key demographic characteristics (see Appendix C for further details on sample weighting and composition).

The experiment assigned respondents into one of three groups, all of which were asked whether they favor or oppose same-day registration on a 5-point scale from “strongly oppose” to “strongly favor.” Respondents in the control group were given only a definition of SDR, while the two treatment groups were told that SDR increases turnout primarily among either Democrats or Republicans. Immediately following the question on support for SDR, respondents were asked whether they think SDR would primarily benefit Democrats, Republicans, both, or neither as a manipulation check.¹ The wording of the treatments was as follows:

- Control group: Same-day registration laws allow eligible voters to register to vote on the same day that they cast a ballot.

¹ The Qualtrics-run survey also included post-treatment questions asking respondents how important increasing voter access is to them, how common they believe voter fraud to be, and whether SDR would affect turnout among various demographic groups. These questions were intended to test whether partisans would engage in motivated reasoning and alter their normative and factual beliefs related to voting. If motivated reasoning were occurring, we might expect, for example, Democrats told that SDR would increase Republican turnout to reduce their stated belief in the importance of increasing voter access. However, the treatments had no significant effect on these variables, suggesting that motivated reasoning was not a major factor in the treatment’s effect on support for SDR.

- Democratic advantage: Same-day registration laws allow eligible voters to register to vote on the same day that they cast a ballot. Some scholars have found that same-day registration increases overall voter turnout, primarily among Democrats.
- GOP advantage: Same-day registration laws allow eligible voters to register to vote on the same day that they cast a ballot. Some scholars have found that same-day registration increases overall voter turnout, primarily among Republicans.

These treatments do not explicitly force respondents to choose between partisanship and democratic principles. Instead, the design assumes that participants' prior attitudes on SDR were based in some large part on their beliefs about whether SDR is a fair rule, and then introduces a new partisan consideration.

This study employs two different analytical strategies. First, the data is divided into three partisan subgroups: Democrats, Republicans, and independents, where independents are considered to be only those respondents who refused to express any party preference when pressed in a follow-up party ID question (that is, not including partisan leaners). The same OLS model is then run separately on each partisan group.² All models use the same set of control variables: gender (indicator variable for female), race (indicator variables for black and Latino), education level (ordinal variable with a seven-point scale), ideology (seven-point scale, liberal to conservative) and an indicator

² An ordered probit model was also used and its results are presented Appendix A. No substantive differences were found between the modeling approaches.

for whether the respondent was in the CCES sample (as opposed to the Qualtrics sample) to control for any differences in the two survey samples.³ Second, I run an OLS model in which the treatment variable is interacted with a seven-point party ID variable, derived from the standard branching party ID questions, using the same demographic controls.

2.3 Results

The manipulation check question is used to determine whether the treatment had any effect on respondents' beliefs about the partisan effects of SDR, which is an important condition for causal inference on the effect of changing beliefs on SDR support. The treatment was clear but not extremely strong – just one sentence of information preceding the survey question. If some respondents came into the survey with a strong prior belief that SDR benefits Democrats, they might not be affected by the treatment stating that SDR benefits Democrats or might find the treatment stating that SDR benefits Republicans to be implausible.

³ See Appendix B for details on the full sample's demographic composition across treatment groups.

Table 2: Manipulation check of effect of treatments on belief that SDR helps Dems or GOP

	Control	Dem Treatment	GOP Treatment
Benefits GOP	0.06	0.08	0.08
Benefits Dems	0.34	0.35	0.24
Benefits Both	0.55	0.52	0.63
Benefits Neither	0.05	0.05	0.05

$\chi^2 = 22.446$, $df = 4$, p -value = .0002

As Table 2 shows, only the “Republican benefit” treatment had a substantial effect on perceptions of SDR’s partisan effects. The treatment does not seem to have been effective at convincing people that Republicans would benefit from same-day registration, as fewer than 10% of respondents in each treatment group selected this option. It did, however, cause a substantial decrease in the number of respondents who believed that SDR helps Democrats. These respondents seem to have updated their prior belief that SDR would primarily benefit Democrats to a new agnostic position on the partisan effects of SDR, choosing the “SDR helps both parties equally” option. Respondents told that SDR would benefit Democrats did not have significantly different perceptions of its partisan effects compared to the control group.

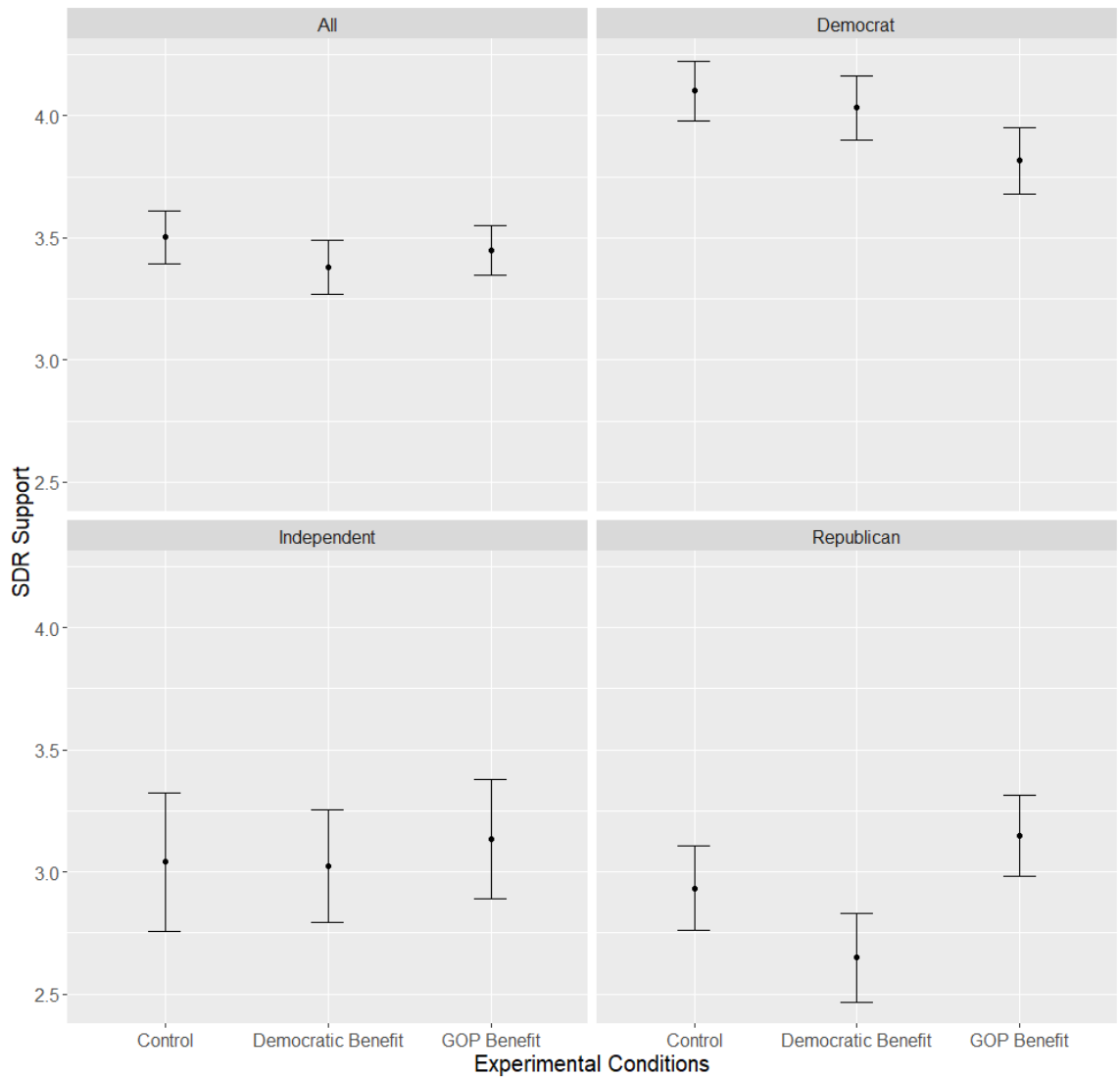


Figure 5: Mean SDR support across treatment groups by party ID

A comparison of mean support for SDR across treatment groups and parties, shown in Figure 5, suggests that there is little difference in support across treatment groups among all respondents when pooled or among independents, as expected. However, there are noticeable drops in SDR support among Democrats who were told that SDR would benefit Republicans and among Republicans told that SDR would

benefit Democrats. An analysis including the control variables described above confirms these results. Among Democrats, only the “Republican benefit” treatment produced a significant result (effect size of -0.28), and among Republicans only the “Democratic benefit” treatment produced a significant result (effect size of -0.31). The effect of Democrats receiving the “Democratic benefit” treatment is non-significantly negative. The effect of Republicans receiving the “Republican benefit” treatment is positive and non-significant (effect size of 0.13), though it is worth noting that the absolute value of the difference between the negative Democratic effect size and the positive Republican effect size for the “Republican benefit” treatment is not itself significant (confidence interval of $[-0.49, 0.21]$).⁴ Furthermore, the effect of the “Republican benefit” treatment on Republicans is significantly positive when the analysis is conducted on only the Qualtrics sample, while it is non-significantly negative in the CCES sample.

The model interacting the treatments with the full seven-point party ID scale yields results in the expected directions for both treatments, though the “Democratic benefit” treatment effect is just outside of significance ($p = .052$). This model is presented graphically in Figure 6, which shows the marginal effect of the treatments on SDR support across the party ID scale. The effects are mostly in the negative space,

⁴ This significance test was conducted by simulating 10000 coefficient estimates for the two treatment effects using the “arm” R package (Gelman and Su 2018).

suggesting an asymmetry. Again, Figure 2 shows that Republicans told that SDR benefits Republicans had (non-significantly) more positive opinions of SDR.

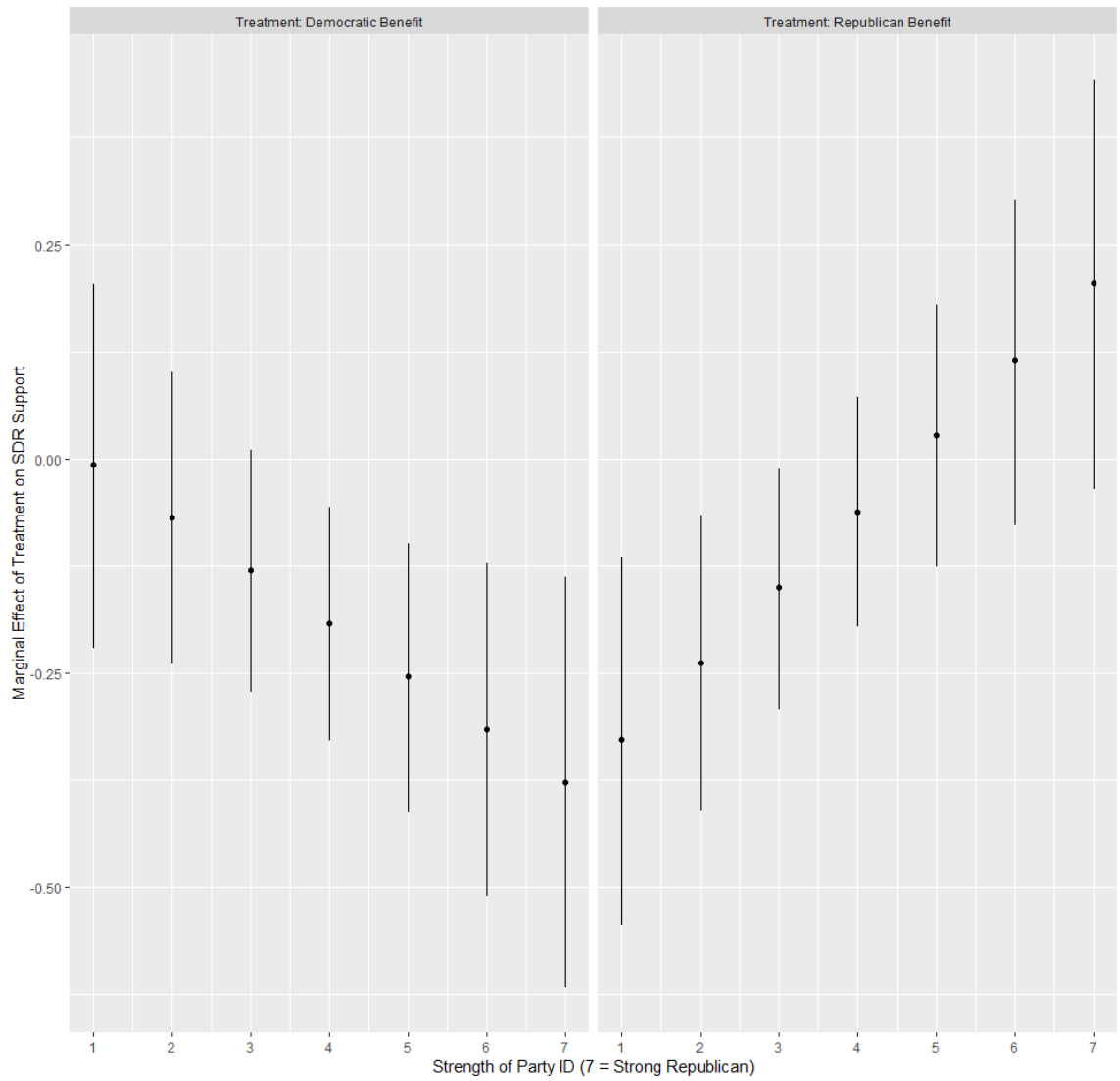


Figure 6: Marginal effect of treatments by party ID strength

2.4 Discussion

This study provides clear evidence that giving citizens information about the partisan effects of same-day registration affects their support for SDR. The effect is primarily in the negative direction: partisans are less likely to support same-day registration when told it increases turnout among opposing partisans but not more likely to support SDR when told it increases turnout among co-partisans. Some caution is warranted in taking this result as evidence for a negative partisanship-based asymmetry given the positive effect of the “Republican benefit” treatment on Republican support for SDR, which was nonsignificant in the full sample but significant in one of the two surveys. Nonetheless, the results suggest that while citizens may not be easily swayed from their prior opinions by partisan interest, the prospect of the out-party gaining an advantage may be a sufficiently motivating force to change opinions. If procedural fairness plays an important role in citizens’ prior attitudes, there are some contexts in which citizens place principle over party in their opinions on election rules. This finding helps to bridge the disparate literatures showing that citizens care about both procedural legitimacy and the strategic interests of their party.

A model incorporating negative partisanship and fairness concerns provides another possible interpretation of recent experimental studies that have identified strategic behavior in public opinion on election rules. Biggers (2018) conducted two survey-embedded experiments and tested the effect of informing partisans about

partisan benefits of election reforms across three issues: SDR, voter ID, and early voting. Kane (2017) conducted a similar experiment, asking just about voter ID. Biggers frames his results as providing clear evidence that partisans update their attitudes strategically. However, in the fourteen combinations of party and issue across the two experiments conducted by Biggers and the one conducted by Kane, there are six cases in which partisans decrease their support for a policy when told it will benefit the other side but only two cases in which partisans increase their support for a policy when told it will benefit their own side, and no cases in which both were true. The remaining six cases find null effects for both treatments.⁵ While not definitive, taken together with the results of this paper these findings bolster the theory that partisans are more motivated by negative partisanship than calculated partisan interest. At the very least, this evidence suggests that partisan interest alone is not sufficient to explain public preferences on election rules.

The results of this experiment have important implications for how we talk about election reforms. If Republicans are less receptive to expanding voter access when they think their party will be harmed electorally by the reform, a promising strategy for same-day registration advocates who wish to halt the trend of Republican legislatures'

⁵ In some of these cases there is a significant difference between the estimates for the "Democratic benefit/cost" and "Republican benefit/cost" treatments. Biggers highlights these significant differences between treatment effects, but doing so obscures potential negative partisanship-driven asymmetries.

opposing or eliminating the policy would be to reassure Republicans that same-day registration will not disproportionately increase turnout among Democratic voters, as research demonstrates is in fact the case (Neiheisel and Burden 2012). More broadly, this study indicates that there may be an appetite in the general public for moving election administration issues outside of the partisan fray.

3. Partisan Trust and the Choice between Party and Principle on Redistricting

In recent decades, redistricting has vaulted from an esoteric topic mostly unknown to the general public to one of the most hotly debated issues in American politics. The most likely culprit for redistricting's rise in salience is the increasing polarization of American politics. Self-interest has always played a role in American redistricting, with incumbents and parties using the process of drawing lines to improve their electoral fortunes. But as parties became more ideologically homogenous and distinct at the elite level (McCarty, Rosenthal, and Poole 2006), and the party choice of voters grew more predictable (Abramowitz and Webster 2016), the benefits of partisan gerrymandering for parties increased. In the years following the most recent redistricting cycle, the effect of partisan gerrymandering on election outcomes is difficult to dispute. A series of legal challenges to the maps drawn after the 2010 census pushed redistricting to the forefront of popular consciousness, culminating in the 2019 *Rucho v. Common Cause* Supreme Court decision that ruled partisan gerrymandering to be nonjusticiable in federal courts.

While this rise in the political relevance of redistricting has prompted a wave of research into the practical effects of gerrymandering (Chen and Rodden 2013) and into social science-based standards for assessing the fairness of district plans (Stephanopoulos and McGhee 2016; Wang 2016), there has not been a commensurate growth in the study of what the American public thinks about redistricting. One

explanation for this absence is that scholars might believe that the question of how Americans form their opinions on the topic of redistricting is settled. Contemporary public opinion research has shown that American voters form their preferences on most policy issues by following the cues of political elites (Zaller and Feldman 1992, Lenz 2012). In the current polarized era of American politics, this typically means that citizens are basing their policy preferences on the messages that they hear from the leaders of their preferred party (Druckman, Peterson, and Slothuus 2013). Based on this literature, it is reasonable to expect that Americans will form their opinions on redistricting and other election-related issues primarily based on cues from party leaders. Indeed, there are clear partisan divides in public support for various election reforms that map onto the popular beliefs about which reforms would help each party (Alvarez et al. 2011).

However, the literature focused on procedural fairness suggests that in many legal and political contexts the public cares about procedures as well as outcomes (Lind and Tyler 1988). People value transparency in process, political leaders who are responsive to their concerns about processes, and being treated with respect throughout a procedure. These concerns are all applicable to democratic elections in general and redistricting in particular. Most research on the connection between procedural fairness and elections has focused on the possibility that citizens will be less likely to accept an electoral outcome in which their party loses if they believe the electoral process to be unfair (Tyler 2013). But another important implication is that citizens might not approve

of an election reform that *benefits* their party if they perceive it to be unfair. That is, citizens often face a tradeoff between their political interests on the one hand and the demands of democratic procedural fairness on the other. How they navigate this tradeoff depends on their commitment to democratic norms and values.

This tradeoff is especially stark when it comes to redistricting. There are a multitude of considerations involved in drawing legislative district lines, ranging from adherence to the Voting Rights Act to “communities of interest” to the mathematical compactness of districts, and the question of how to prioritize these considerations is a complex one. But there is one fundamental question that underlies many redistricting debates: should it be permissible for partisan actors to draw districts to improve the electoral prospects of parties or incumbents, or should the lines be drawn according to an impartial set of considerations? From the perspective of the citizen, this question can be reframed as whether citizens are willing to decrease the influence of their preferred party in the legislature for the sake of creating a fair districting procedure.

This paper uses survey-embedded experiments to test whether elite cues and partisan interest dominate public opinion on redistricting or whether citizens are constrained by beliefs in democratic principles and procedural fairness. The two experiments in this study ask respondents to choose among several districting proposals, some of which are designed to appear as fair maps, and some of which are designed to appear as gerrymandered. One experiment gives respondents visual images

of maps to choose among, while the other solely gives respondents information about the partisan effects of maps and whether they were drawn by a state legislature or commission. By forcing these tradeoffs, I can determine how likely citizens are to choose a fair map over a gerrymandered map and under which conditions they are especially likely to do so. I thus pit a partisanship-focused theory of attitudes on redistricting against a procedural fairness-focused approach.

I find evidence that partisans of both parties are more likely to choose a gerrymandered map when party labels are present than in a hypothetical scenario with fictional parties. However, the difference is not large, and clear majorities of respondents choose the fair map across all experimental conditions and parties in both experiments. The studies further test whether the likelihood of a respondent's choosing a fair map is affected by evidence that the other party is behaving unfairly by engaging in gerrymandering. Respondents in these conditions largely resist the temptation to engage in tit-for-tat battles, though Democrats in both surveys are somewhat more likely to choose a gerrymandered map after being shown an example of Republican gerrymandering.

The surveys also allow the examination of some of the beliefs and attitudes that predict choosing a fair map over a gerrymandered map. Consistent with prior research in other areas of public opinion, democratic values are an important source of support

for procedural fairness, while both affective polarization and social identification with a party are strong predictors of choosing a gerrymandered map.

These findings paint a nuanced portrait of public opinion on redistricting. At least some citizens are motivated by partisanship, and negative partisanship in particular. Most citizens, however, start with a baseline preference for procedural fairness in redistricting and resist the temptation to manipulate districting for partisan advantage. These results challenge the popular view that citizens simply follow the lead of party elites on election law issues such as redistricting, and lend support to theories emphasizing the importance of procedural fairness and democratic values.

3.1 Public Support for Redistricting Reform

To the degree that political scientists have considered the question of public opinion on redistricting, they have found that Americans are largely indifferent to the issue (Fougere et al. 2011). As discussed in the introduction, however, there has been a significant increase in public interest in gerrymandering in recent years as the partisan effects of gerrymandering have become clearer. Now that the public is thinking more about gerrymandering, what do they think should be done about it?

Recent polling evidence indicates that there is broad bipartisan support for independent redistricting. A survey commissioned by the good government organization Campaign Legal Center (Campaign Legal Center 2017) found that 73% of Americans, including 71% of Republicans and 74% of Democrats, would prefer a

scenario in which congressional districts are drawn with no partisan bias to one in which congressional districts are drawn with a bias that would benefit their own party. Meanwhile, 62% of respondents reported that they would be less likely to vote for a candidate that supported partisan gerrymandering. There is some concern that these survey results could be explained by social desirability and cheap talk. After all, the literature on political tolerance teaches us that while citizens support tolerance in the abstract, they are less willing to extend democratic values to particular out-groups (Stouffer 1955). Citizens might support independent redistricting in the abstract, but would they be willing to give up real political power in order to achieve this outcome?

The recent history of referendums on redistricting suggests that in at least some contexts, they would. In the last decade, a period of extreme partisan polarization, the public has several times voted in favor of taking redistricting out of the hands of their party's legislators and giving it to a nonpartisan commission. Californians voted in 2008 to create a Citizens Redistricting Commission and expanded it to include congressional districts in a subsequent 2010 referendum. Independent redistricting failed on the ballot in Ohio in 2005 and 2012, but a bipartisan redistricting commission passed in 2015. After it failed on a 2016 South Dakota ballot measure, independent redistricting passed in Michigan, Missouri, and Utah in 2018. These referendums were usually opposed by the party in power in the state. In the cases of California and Utah, those parties are preferred by a large majority of voters in the state in most elections, indicating that

many voters chose to take redistricting power out of the hands of their preferred party. These results require explanation: in which contexts do citizens follow the party line on redistricting issues, and in which do they opt for a nonpartisan procedure?

3.2 The Public's Choice Between Partisanship and Principle on Redistricting

In an era in which polarization has been the dominant feature of American politics, it is unsurprising that the ways in which partisanship and messages from party elites affect public opinion have been focal points of scholarly and media attention. There is substantial evidence that cues from party elites affect citizens' views on public policy issues (Druckman, Peterson, and Slothuus 2013; Lenz 2012; Zaller and Feldman 1992). People regularly use partisan motivated reasoning, interpreting political information through the lens of their party identification (Bolsen, Druckman, and Cook 2014). Though polarization has been primarily affective and social rather than issued-based (Mason 2015), the public is divided by party on many policy issues including those related to elections (Alvarez et al. 2011).

Scholars have proposed party leader cues as the best explanation for the partisan divisions in public opinion on election rules (Bowler and Donovan 2016, Gronke et al. 2019). Parties and individual politicians have incentives to use election rule changes to maximize their chances of winning elections. Party elites regularly craft institutional rules, including election rules, for the benefit of themselves or their party (Binder 2006; Boix 1999; Hersh 2015; Riker 1982). Those elites might then provide messages to their

partisans using normative justifications to secure popular support for the rules. For example, Michigan Republicans have fought the independent redistricting commission approved in a 2018 referendum by arguing that the commission “violates the associational rights of parties” by preventing anyone who has worked for a political party from serving on the commission (Oosting 2019).

Even if they are not simply following elite cues, partisans might have a direct interest in supporting election rules that maximize their party’s chances of winning elections so that their preferred policies are more likely to be enacted. Partisans might not require a normative justification; they may be just as motivated by partisan interest as party elites. For example, observational evidence suggests that citizens’ opinions about whether the Electoral College should be reformed are affected by whether a change would increase or decrease the influence of their party and their state (Karp and Tolbert 2010, Aldrich, Reifler, and Munger 2014). In early 20th century referendums on apportionment questions, voters were more likely to support apportionment reform when it would benefit their party and especially when it would increase their county’s representation in the legislature (Woon 2007). A similar pattern was identified in the failed 2005 Ohio and California independent redistricting referendums, in which voters were more likely to support redistricting reform if their party was currently out of power at either the district or state level (Tolbert, Smith, and Green 2009).

Recently, a series of survey experiments have found that partisans are more likely to support voter access laws when told they will benefit their party electorally and more likely to oppose them when told they will benefit the other party (Kane 2017, Biggers 2018), although the latter is more common than the former, as shown in Chapter 2 (McCarthy 2019). In North Carolina, Republican lawmakers have not shied away from appealing directly to partisan interest, with one going as far as to say “I propose that we draw the maps to give a partisan advantage to 10 Republicans and three Democrats, because I do not believe it’s possible to draw a map with 11 Republicans and two Democrats” at a 2016 state house hearing (Hise and Lewis 2019).

Whether citizens follow elite cues or strategically choose election rules, the outcome is the same: support for rules that benefit their party. The literature showing that the public is partisan and strategic leads to the first core hypothesis of the paper, *H1: people asked to choose a district map will be more likely to choose a partisan gerrymander in a scenario with real-world partisan labels than in a hypothetical scenario with fake parties.*

Even if citizens have no desire to gain a partisan advantage via election rule change, they might have strong negative reactions against the opposing party attempting to do so. The well-documented rise in affective polarization and negative partisanship in recent years (Nicholson 2012, Iyengar, Sood, and Lelkes 2012, Abramowitz and Webster 2016) may have increased the likelihood that partisans will perceive malicious intent in attempts by the other party to change election rules.

Furthermore, if partisans see the other side breaking fairness norms, they may be more inclined to break those norms themselves in a “tit-for-tat” strategy. Maryland Democrats have made this argument to justify their gerrymandering, claiming that Republicans will gerrymander in other states, and they don’t believe in “unilateral disarmament” (Brodey 2019). Support for a procedurally fair process may be conditional on a belief that the other side is playing fairly. This literature leads to the second core hypothesis, H2a: *people who are informed that the other party is engaging in gerrymandering will decrease their trust in the other party to “play fair” and will therefore be more likely to choose gerrymandering themselves.* I also test the opposite hypothesis, H2b: *people who are informed that the other party is committed to fair redistricting will be more likely to choose a fair map.*

Of course, not all partisans are the same. There remains substantial heterogeneity among supporters of the two major parties in the strength of their party attachments and the degree of their negative feelings toward the opposing party. The partisans who choose gerrymandering are likely to be those who have the most social identity benefits to gain from seeing their own party win elections and the other party lose them. Therefore, I expect that respondents with higher affective polarization and stronger identification with their own party will be less likely choose a nonpartisan map (H3).

However, there is reason to believe that a view of public opinion based solely on party-interest mechanisms is incomplete. Most importantly, this perspective leaves out the role of the public’s preference for procedural fairness and the upholding of

democratic values. In many social contexts, including politics, citizens have been found to care not just about outcomes but about the fairness of the processes by which outcomes are achieved (Lind and Tyler 1988; Sunshine and Tyler 2003). Dissatisfaction with processes is more likely than dissatisfaction with outcomes to prompt citizens to want to change political systems (Tyler and Rasinski 1991, Hibbing and Theiss-Morse 2002). The public's willingness to accept a political outcome may be contingent on their belief that the outcome was reached by a fair procedure (Grimes 2006). Democratic values such as the rule of law and support for multi-party democracy are widely endorsed by the American public (Gibson and Caldeira 2009).

Gibson and Caldeira's *multi-party democracy* scale directly relates to the issue of redistricting because it asks respondents if they would prefer that one party rule without needing to share power, which is the outcome that would result from extreme gerrymandering. Their *rule of law* scale is indirectly related to redistricting, as it asks questions related to whether achieving desired outcomes is more important than adhering to a fair legal system. Gerrymandering, while not necessarily illegal, prioritizes favorable outcomes over fair procedure. As a result, I expect that respondents with higher levels of support for the rule of law and multi-party democracy will be more likely to choose a nonpartisan map and less likely to choose a gerrymandered map (H4). Furthermore, there is good reason to expect a high percentage of people overall to

choose nonpartisan maps over gerrymanders if procedural fairness is in fact an important consideration for the public.

Finally, H5 expects that there will be an interaction effect between the four variables in H3 and H4 and the experimental treatment in H1. That is, not only will the respondents with high affective partisanship and low support for democratic values be especially likely to choose a gerrymandered map, they will also be more likely to be swayed toward gerrymandering by the introduction of party labels to a redistricting scenario. Respondents who do not identify strongly with their preferred party and have stronger democratic values should be less likely to be affected by a treatment giving them a partisan temptation.

3.3 Study 1

The first study asks survey respondents to choose among four different redistricting proposals, including visual maps, for a state that is currently gerrymandered in favor of their preferred party. I selected North Carolina for Republican respondents and Maryland for Democratic respondents, as the legislatures of both states drew especially egregious gerrymanders in 2011. The maps were unfair both in outcome – the Maryland map gave Democrats seven out of eight seats, and the North Carolina map gave Republicans ten out of thirteen seats – and in appearance, with each using long, snaking districts to cluster the minority party into as few districts as possible. Though I did not anticipate this when I made the selection, the North

Carolina and Maryland maps have since been brought before the Supreme Court in twin partisan gerrymandering legal challenges.¹ These states present an ideal case to test whether partisans will break from their party's interest on redistricting questions, even when the status quo is a map that gives their side an electoral advantage.

3.3.1 Data and Methodology

For this study, 2114 American adults were recruited in a non-probability internet-based survey through the Lucid Fulcrum exchange, of which 1420 were retained after those who did not complete the survey or did not answer any of the questions used as independent or dependent variables were eliminated. These respondents were recruited between May 22 and May 24, 2018.²

This study uses a 4X2 experimental design, shown in Table 1. More specifically, it uses four experimental conditions, with a different version of each condition shown to Democrats and Republicans. Respondents were asked a party ID question before the treatment, and then funneled to see either the Maryland version if they were Democrats

¹ I chose to show Republican respondents the original North Carolina map drawn by the NC legislature in 2011. While the current map drawn in response to legal challenges maintains the disproportionate seat outcome, the original map is considerably more visually ugly and therefore is more likely to be seen as unfair by respondents. It therefore better serves the purpose of presenting respondents with an unambiguous choice between fairness and partisan interest.

² Additional information about sample composition can be found in Appendix D, page 2.

or the North Carolina version if they were Republicans. I chose to show different maps to Democrats and Republicans instead of using the same state for all respondents to ensure that respondents of both parties had the opportunity to participate in a plausible redistricting scenario in which their party has the chance to gerrymander a state that they typically control. Partisan leaners were counted as partisans for the purpose of this funneling. Pure independents were randomly assigned to one of the two states but are excluded from the analyses below.

Each respondent in Study 1 saw a set of four maps and was asked to pick one. One map represents the current gerrymandered map, one map represents what a nonpartisan commission might draw, one map represents an even more extreme gerrymander labeled as drawn by the respondent's party, and one map represents an extreme gerrymander drawn by the opposing party. Map lines other than those of the current gerrymandered map were drawn by hand using Dave's Redistricting App and accurately reflect the projected partisan seat breakdown shown to respondents. The extreme gerrymander maps were drawn both to heavily favor one party and to appear "gerrymandered" in the common visual sense, with highly non-compact districts that snake around the state.³ Meanwhile, the districts in the nonpartisan commission maps were drawn to appear neat and compact. While in reality mapmakers often face a

³ Contrary to the quote from a Republican state legislator used above, I was able to draw a NC district map giving 11 seats to Republicans and 2 seats to Democrats.

tradeoff between redistricting considerations, such as compactness and partisan fairness, I chose this strategy to ensure that respondents would have no doubts as to which map was the “fair” one. By the standards of both compactness and partisan proportionality, the nonpartisan map was fairer than both the gerrymandered maps and the current map. In a pretest survey administered to a pool of 92 political science students, 84% of participants selected the nonpartisan map as the fairest of the four options for Maryland, and 90% did so for North Carolina.

Table 3: Study 1 experimental design

	Maryland (shown to Dems)	North Carolina (shown to Reps)
Control group	MD map, fake parties	NC map, fake parties
Partisan group	MD map, real parties	NC map, real parties
Distrust group	MD map, shown NC	NC, shown MD
Trust group	MD map, shown NC and offered compact	MD, shown NC and offered compact

Respondents in the control group were shown a map of what is described as a fictional state called Americana (but is in fact Maryland/North Carolina with parts of the state cut off). Party labels were fictional as well, with the “American Party” standing in for the Republican Party and the “National Party” standing in for the Democratic Party. The Partisan group saw maps with Democratic/Republican partisan labels and the real geography of MD/NC. The Distrust group was first shown an example of the opposite

party gerrymandering to prime distrust, then shown the same maps as the Partisan group. The Trust group was shown the same material as the Distrust group, but with an additional example of the opposite party proposing an interstate nonpartisan redistricting compact to prime trust. Under the proposed compact, if the respondent chose a nonpartisan commission, the opposing party's state pledged to adopt nonpartisan redistricting as well. The maps of Maryland with party labels are shown in Figure 7, while the maps of North Carolina with party labels are shown in Figure 8. The full set of treatments can be found in Appendix E.

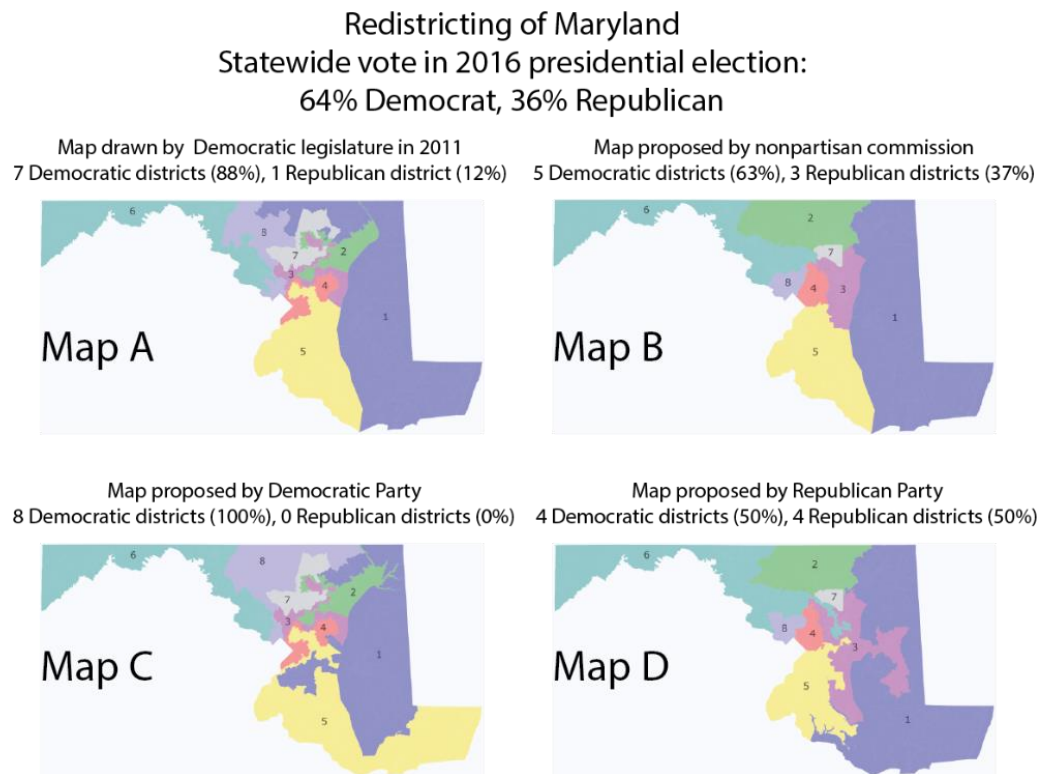


Figure 7: Map choices presented to Democratic respondents in partisan treatment groups

Redistricting of North Carolina
Statewide vote in 2016 presidential election:
52% Republican, 48% Democrat

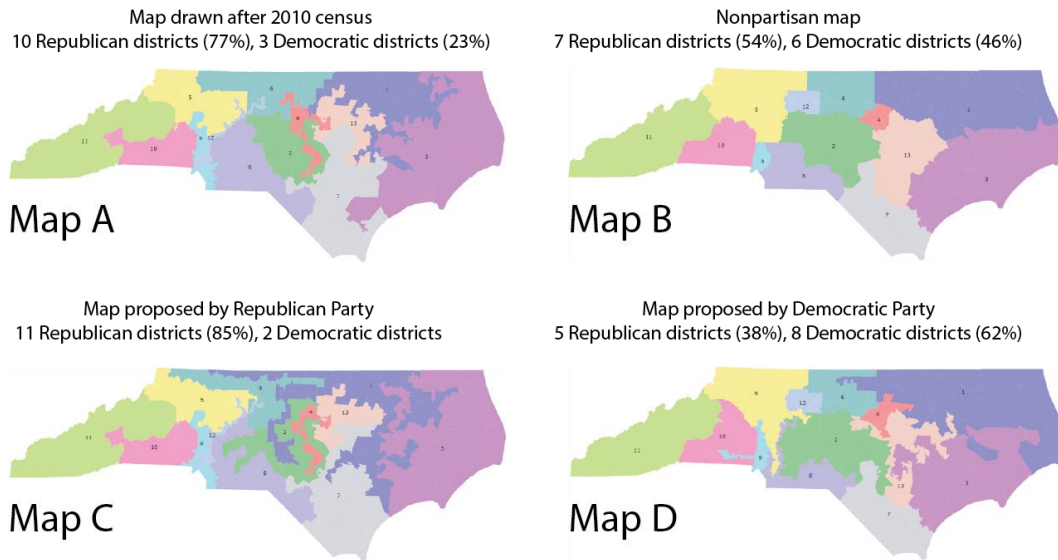


Figure 8: Map choices presented to Republican respondents in partisan treatment groups.

Before seeing the redistricting question, respondents answered a series of questions designed to measure how important democratic institutions are to them in general, based on the democratic values questions from Gibson and Caldeira (2009). These questions include items measuring support for the rule of law and support for a multi-party democratic system. Respondents were also asked party feeling thermometer questions used to measure affective polarization, operationalized as the absolute value difference between the thermometer score for Democrats and the score for Republicans. Finally, respondents were asked a set of questions designed to measure the strength of

their attachment to their own party. Partisans who score highly on this measure have been found to respond with anger to threats of electoral loss (Huddy, Mason, and Aarøe 2015). Additional demographic covariates include indicator variables for gender and non-white race and ordinal variables for education and political knowledge.

I use two empirical strategies for analysis of the effects of the experimental treatments: a multinomial logistic regression model that takes full advantage of the four response options provided to respondents, and a standard logistic regression model that simplifies the response options into a choice between a “fair map” and a “gerrymandered map.”

3.3.2 Results

The results of the multinomial analysis for Democrats and Republicans are shown in Figures 9 and 10 below, which display the predicted probability of Democratic and Republican respondents choosing each of the four map options. The most striking finding is that the nonpartisan map is by far the most popular option across all treatment groups and both parties. In all eight subgroups the predicted probability of choosing the nonpartisan map was greater than 45%, while no other map option ever exceeded a 35% probability of being chosen. For both parties, the probability of selecting the current map was roughly 10% and the probability of selecting the map gerrymandered further in favor of the in-party was roughly 20%, though the latter had

more variation across treatment groups. The dominant preference among respondents in this sample was for fairness over partisan interest.

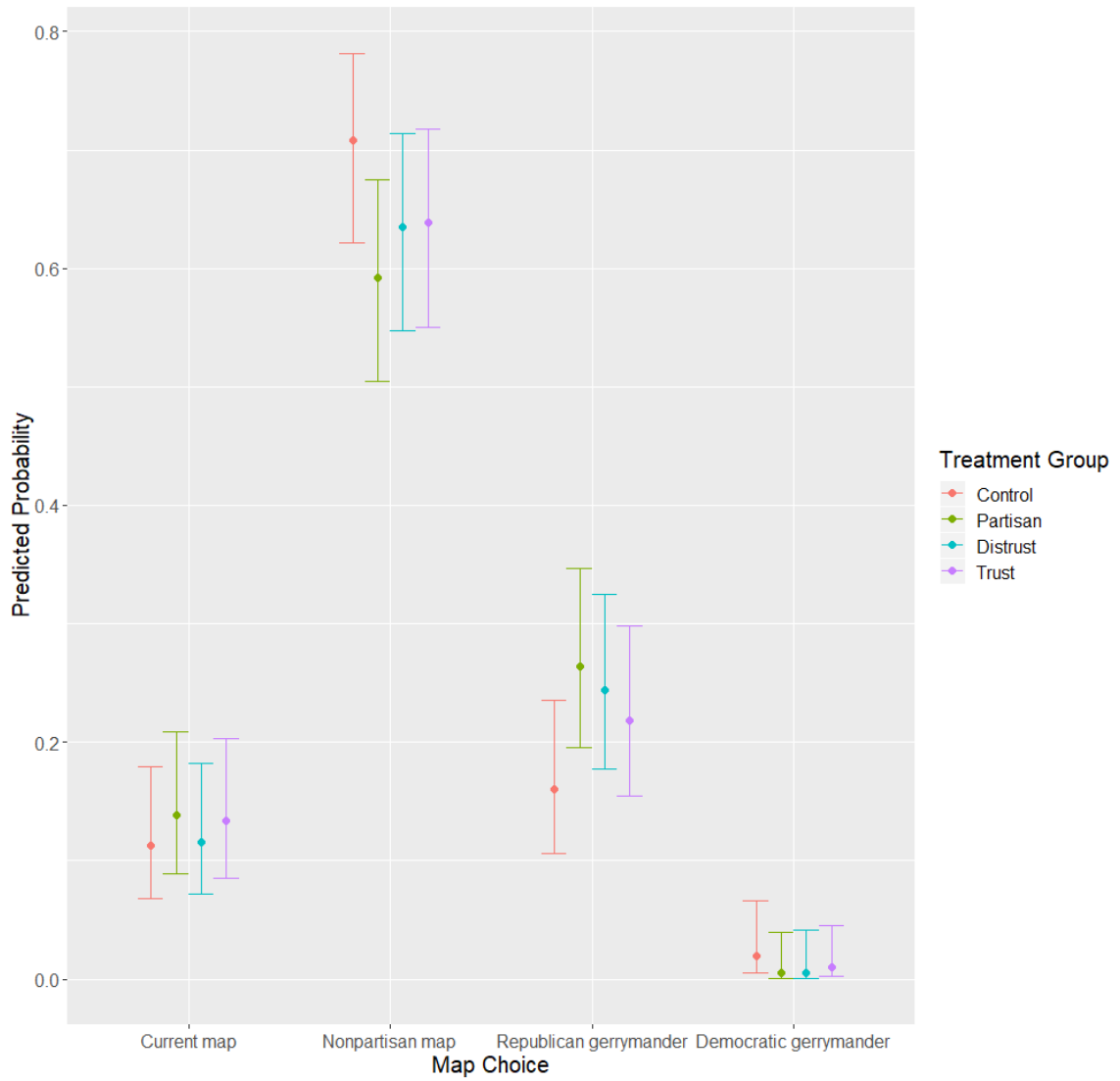


Figure 9: Predicted map choice of Republican respondents by treatment group

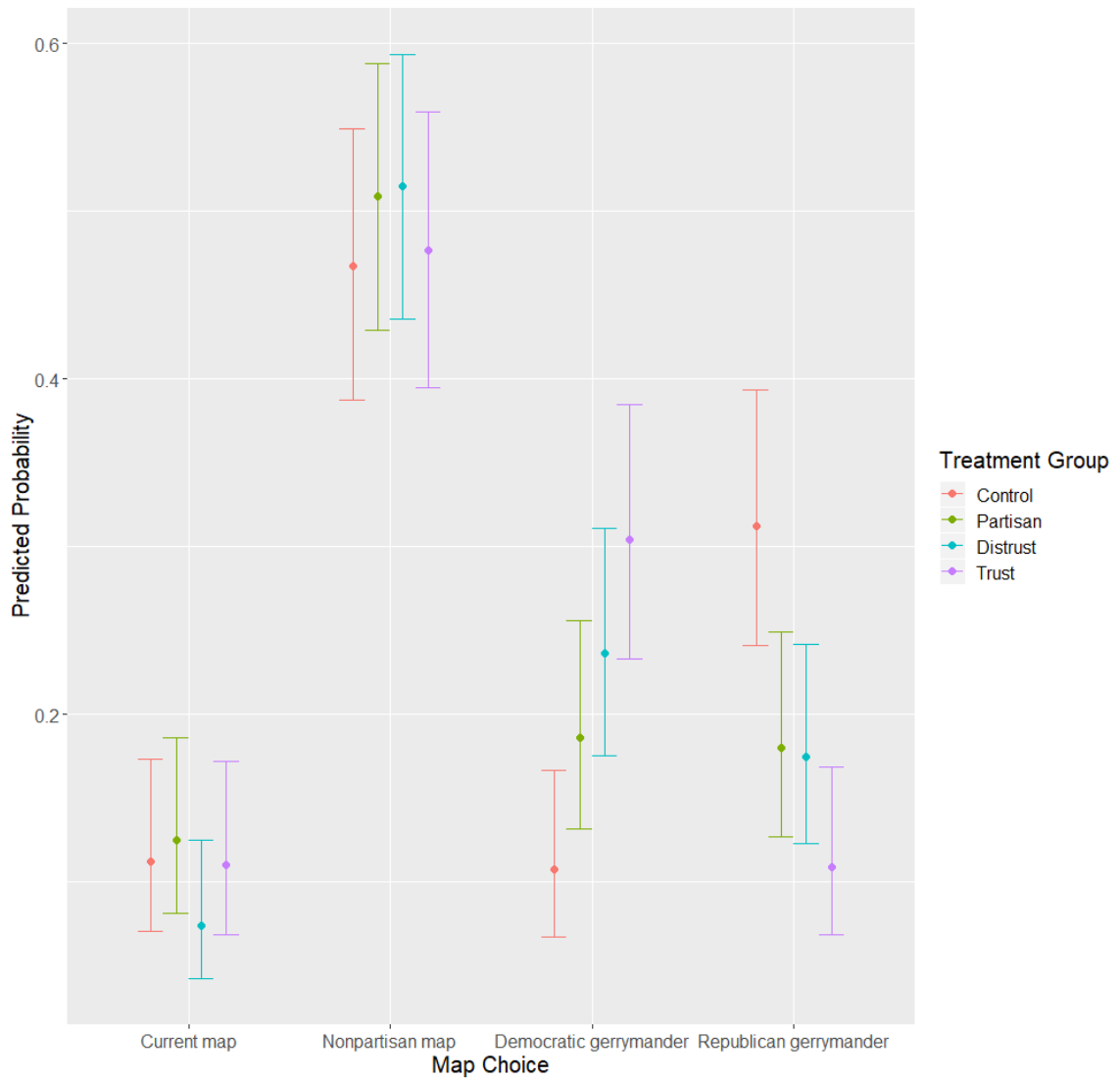


Figure 10: Predicted map choice of Democratic respondents by treatment group

There is a noteworthy difference between Democrats and Republicans in these results: while the predicted probability of choosing the nonpartisan map was roughly 65% across all Republican treatment groups, this probability was only 50% for Democrats. However, it does not appear that Democrats were more likely to pick a map

of Maryland gerrymandered in their favor. Instead, a substantial percentage chose the map gerrymandered in favor of Republicans, particularly in the control group where the minority party was not labeled as Republicans. I speculate that this is because the Republican map is projected to give Democrats four districts and Republicans four districts. While a 4-4 split is not proportional to the partisanship of the state, it may have been considered by some to be a fair outcome in the sense that both parties get equal representation. Democratic respondents who did not compare the statewide partisan vote to the projected partisan seat split of each map may have been especially likely to choose this map. It is worth noting that these results suggest that while citizens may value a fair process, many do not have a strong conception of what fairness in redistricting would mean in practice.

The North Carolina Map D, seen by the Republicans, did not have an even partisan split; rather, the Democratic gerrymander projected an 8-5 outcome in favor of Democrats. As a result, almost no Republicans chose this option, even in the control group. Based on the assumption that the Democratic respondents who chose the Republican-gerrymandered map were doing so out of a concern for fairness, the logistic regressions used later in this analysis will group the opposite party-gerrymandered map along with the nonpartisan map as the “fair maps,” while the current map and in-party-gerrymandered map are grouped together as “partisan maps.”

There are small but noticeable differences between the map choices of the control group and treatment groups with real-world partisan labels. For Democrats, there was no difference among treatment groups in the likelihood of choosing the current map or a nonpartisan map, but respondents in the partisan label groups (defined as all those in groups with real party labels, including the Partisan, Trust, and Distrust groups) were more likely to choose the Democratic gerrymander map and less likely to choose the Republican gerrymander map. In the multinomial analysis, Democrats were significantly more likely to choose the Democratic gerrymander map in both the Trust and Distrust groups and significantly less likely to choose the Republican gerrymander map in the Trust group. These results are exactly counter to expectation for the Trust treatment, which actually pushed more Democrats toward preferring gerrymandering than did the Distrust treatment. For Republicans, the partisan label groups were all less likely to choose a nonpartisan map and more likely to choose the Republican gerrymander map than the control group. These differences are not significant in the multinomial analysis.

In a logistic analysis shown in Model 1 in Table 2, Democratic respondents in the Trust group were significantly less likely to choose a fair map than those in the control group, while respondents in the Partisan and Distrust groups were marginally significantly less likely to choose a fair map. Republican respondents in the Partisan group were significantly less likely to choose a fair map. When all the partisan label

treatment groups are combined, shown in Model 2 in Table 2, the odds of a Democrat in the control group choosing a fair map is 1.67 times the odds of a Democrat in the partisan groups, and the same odds ratio is 1.54 for Republicans. This difference is significant for Democrats and marginally significant ($p = .06$) for Republicans. These models provide substantial evidence in favor of H1.

To better test the effects of the treatments in the Trust and Distrust groups, I use the Partisan group as a new control group. These logistic analyses are shown in Model 4 in Table 3. Neither treatment had the expected effect on the likelihood of choosing a fair map for either party. In a multinomial logistic analysis, the Distrust treatment had a marginally significant positive effect on the likelihood that Democrats would choose an extreme gerrymander; no other treatment effect approached significance. Thus, there is little support for H2a or H2b in this study. Showing partisans evidence of the opposing party behaving either poorly or well does not substantially affect respondents' likelihood of choosing a fair map in this study.

H3 and H4 predicted that support for the rule of law and support for multi-party democracy would be associated with choosing a fair map, while affective polarization and strength of party identification would be associated with choosing a gerrymandered map. As shown in Model 1 in Table 2, three of these variables did have the predicted associations. Partisans of both parties who scored highly on the multi-party democracy support measure were significantly more likely to choose a fair map, but no such

relationship was found for the rule of law support measure. This result suggests that willingness to gerrymander is directly tied to a belief that sharing political power is unimportant but is not related to an “ends justify the means” attitude toward the legal system in general.

Both affective polarization and strength of party ID were significantly negatively associated with choosing a fair map for both parties. These effects were substantial. Respondents with the highest multi-party democracy score were twice as likely to support independent redistricting as those with the lowest multi-party democracy score. Respondents with the weakest party identification had an 85% probability of choosing the nonpartisan map, compared to a 50% probability among those with the strongest party identification. Predicted probability graphs for the multi-party democracy support and strength of party ID variables are shown in Figures 11 and 12.

Table 4: Logit models estimating likelihood of choosing a fair map (either the nonpartisan map or opposite-party gerrymander). Model 2 combines the “Partisan,” “Distrust,” and “Trust” treatment groups into one group with all participants who chose among maps with real partisan labels.

DV: Choosing a fair map				
	Model 1		Model 2	
	Democrats	Republicans	Democrats	Republicans
Rule of Law Support	-0.27 (0.46)	-0.16 (0.52)	-0.29 (0.46)	-0.18 (0.52)
Multi-Party Democracy Support	1.86*** (0.45)	1.87*** (0.46)	1.86*** (0.45)	1.89*** (0.45)
Affective Polarization	-0.01 (0.00)	0.01* (0.00)	-0.01 (0.00)	-0.01* (0.00)
Strength of Party ID	-1.89*** (0.46)	-0.92* (0.44)	-1.90*** (0.45)	-0.89* (0.44)
Non-White	-0.37 (0.19)	-0.70* (0.27)	-0.37 (0.19)	-0.70** (0.27)
Female	0.15 (0.19)	0.05 (0.20)	0.16 (0.19)	0.06 (0.20)
Education (1-6)	0.12 (0.07)	0.00 (0.07)	0.11 (0.07)	-0.00 (0.07)
Political Knowledge	1.15*** (0.34)	0.56 (0.36)	1.13*** (0.34)	0.55 (0.36)
Partisan Treatment	-0.54 (-0.27)	-0.57* (0.27)		
Distrust Treatment	-0.48 (0.27)	-0.39 (0.28)		
Trust Treatment	-0.95*** (0.27)	-0.33 (0.28)		
Combined Partisan Treatments			-0.65** (0.22)	-0.43 (0.23)
Observations	643	529	643	529

* $p < .05$, ** $p < .01$, *** $p < .001$

Table 5: Logit models estimating likelihood of choosing a fair map (either the nonpartisan map or opposite-party gerrymander). Models 3 and 4 include only non-control group respondents. Model 5 includes all respondents.

DV: Choosing a fair map					
	Model 3	Model 4		Model 5	
	All Non-Control	Democrats	Republicans	Democrats	Republicans
Democrat	-0.05 (0.33)				
Republican	-0.37 (0.33)				
Rule of Law Support	-0.10 (0.36)	-0.25 (0.54)	0.10 (0.61)	-0.24 (0.47)	-0.18 (0.52)
Multi-Party Democracy Support	1.88*** (0.34)	2.00*** (0.52)	1.60*** (0.53)	1.78*** (0.46)	1.91*** (0.46)
Affective Polarization	-0.01** (0.00)	-0.01* (0.00)	-0.01 (0.00)	-0.01 (0.00)	-0.01* (0.00)
Strength of Party ID	-1.76*** (0.35)	-2.30*** (0.54)	-1.79*** (0.53)	-0.58 (0.79)	0.99 (0.75)
Non-White	-0.59*** (0.16)	-0.30 (0.22)	-0.90** (0.32)	-0.38* (0.19)	-0.76** (0.28)
Female	0.16 (0.15)	0.13 (0.22)	0.13 (0.24)	0.17 (0.20)	0.06 (0.21)
Education (1-6)	0.04 (0.05)	0.18* (0.08)	-0.00 (0.08)	0.13 (0.07)	0.00 (0.07)
Political Knowledge	0.99*** (0.26)	1.02* (0.40)	0.72 (0.43)	1.16*** (0.35)	0.63 (0.37)
Partisan Treatment				0.95 (0.78)	0.78 (0.65)
Distrust Treatment		0.07 (0.26)	0.23 (0.27)	0.31 (0.79)	1.47* (0.74)
Trust Treatment		-0.44 (0.26)	0.27 (0.27)	0.34 (0.79)	1.44* (0.74)
Partisan*Strength of PID				-2.26* (1.12)	-2.23* (1.01)
Observations	1058	488	399	643	529

* $p < .05$, ** $p < .01$, *** $p < .001$

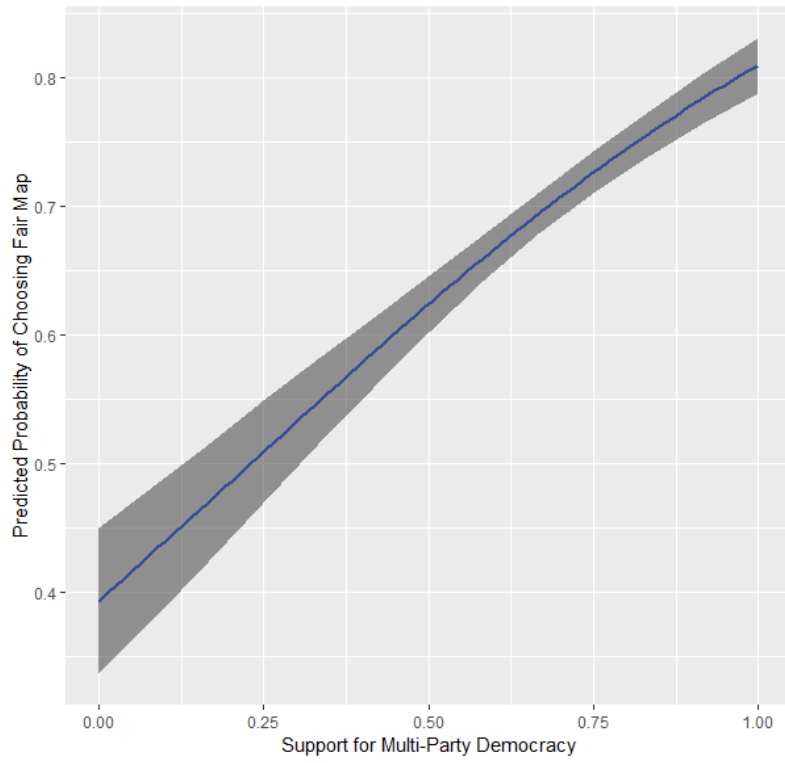


Figure 11: Predicted probability of choosing a fair map by level of support for multi-party democracy

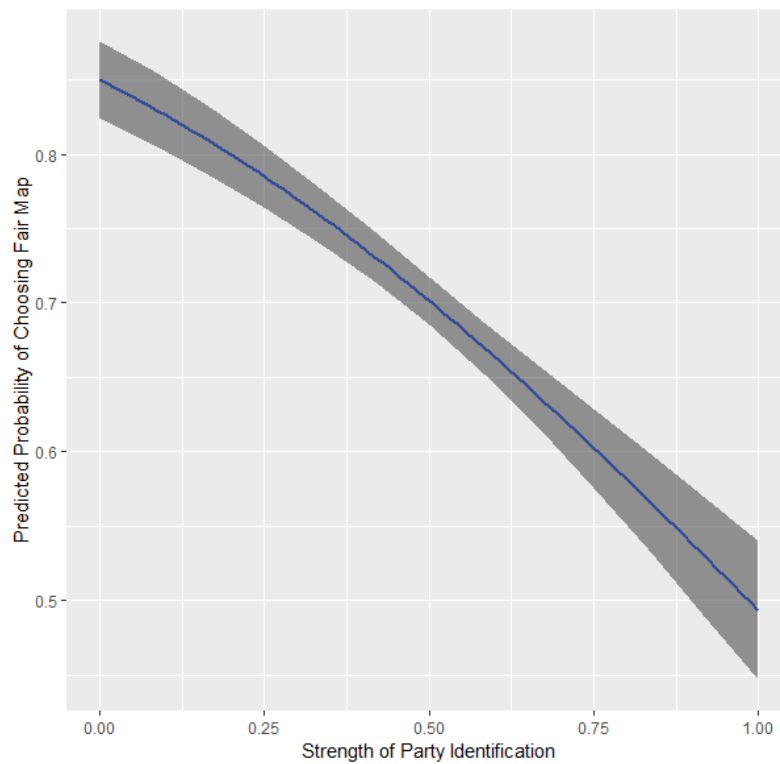


Figure 12: Predicted probability of choosing a fair map by strength of party identification

Finally, I expected that the treatments would have differential effects for different types of respondents. In particular, H5 predicted that respondents who were low in support for rule of law and multi-party democracy and high in affective polarization and strength of party ID would be more influenced by the addition of partisan labels to the maps. Only the interaction between the treatment and strength of party identification had a significant effect. This model is shown in Model 3 in Table 2. For both Republicans and Democrats, respondents with greater social identity-based attachment to their parties were significantly more negatively affected by the Partisan

treatment in their likelihood of choosing a fair map. The interaction is also significant when all partisan label groups are combined.

It is also worth noting that non-white respondents were significantly less likely to choose the fair map in most models, among both Democratic and Republican respondents. While all treatments groups were told that all maps are compliant with the Voting Rights Act, it is possible that racial minorities were concerned that the nonpartisan maps might have fewer majority-minority districts than the current plans. That said, Fang (2018) finds in a similar survey experiment that minorities are not willing to give up partisan representation for increased descriptive representation through majority-minority districts. Racial minorities may simply be more motivated by partisan gain relative to other considerations than whites. This result was replicated in Study 2.

3.4 Study 2

The choice presented to respondents in Study 1 provided a realistic set of redistricting options including visual district maps. Study 2 withholds those visuals, instead simply showing respondents the projected seats won by each party in nonpartisan and partisan maps. In doing so, it tests whether the high rates of support for nonpartisan redistricting found in Study 1 will be replicated in a context in which respondents are not forced to associate the partisan option with a visually obvious gerrymander. Instead of presenting respondents with multiple maps to choose among,

this study gives respondents a binary choice between a map that is gerrymandered such that their party wins all the seats in a given state and a map drawn by a nonpartisan commission that will produce an outcome proportional to the partisan split of the state. This question minimizes any ambiguity that the respondent is making a choice between the interests of their party and a fair, independent redistricting system. It also eliminates other factors that may have affected the respondents' map choice in Study 1, such as compactness, communities of interest, and following existing political boundaries. This study also provides a cleaner test of H2, the hypothesis that a partisan's likelihood of choosing a fair map can be influenced by priming them to trust or distrust the opposing party.

Study 2 continues to use Maryland as the state shown to Democratic respondents, as in Study 1, but switches the state that Republican respondents see from North Carolina to Indiana. The goal of this change is to make the states more comparable. Maryland has eight congressional districts, and Indiana has nine. Maryland's current congressional delegation is six Democrats and one Republican, while Indiana is represented in Congress by seven Republicans and two Democrats. In the 2016 election, Donald Trump won 57% of the vote in Indiana, and Hillary Clinton won 60% of the vote in Maryland. By contrast, North Carolina has more congressional districts than Indiana and has a more even partisan split, so it would be implausible for

Republicans to create a gerrymandered map that would deny Democrats any congressional seats in North Carolina.

3.4.1 Data and Methodology

As in the first study, a non-probability sample of respondents was recruited to participate in an internet-based survey by the Lucid Fulcrum exchange. In this case, 2685 respondents were recruited, of which 2184 were retained after those who did not complete the survey or did not answer questions used as dependent or independent variables were eliminated. These respondents were recruited between August 22-24 2018.⁴ Prior to viewing the treatment, respondents answered a series of questions measuring support for multi-party democracy as well as feeling thermometers for the Democratic and Republican parties.⁵ The same demographic covariates are used as in Study 1: indicator variables for female gender and non-white race and a six-point ordinal variable for education level.

The dependent variable in this study asks respondents to choose a districting plan for a state controlled by their preferred party. As a result, the wording of the question and response option varies slightly between Democratic and Republican respondents. For Democrats, the question wording is as follows:

⁴ Additional information about sample composition can be found in Appendix D, page 2.

⁵ Respondents in this study were not asked about the strength of their identity with their preferred political party, support for the rule of law, or political knowledge questions, covariates that were used in Study 1.

Democratic legislators in Maryland are considering their strategy for redistricting. What would you like to see them do in 2020?

- 1. Adopt a nonpartisan commission, which will likely result in Democrats holding 5 seats and Republicans holding 3 seats.*
- 2. Draw a map that will likely result in Democrats holding 8 seats and Republicans holding 0 seats.*

Republican respondents saw the following question:

Republican legislators in Indiana are considering their strategy for redistricting. What would you like to see them do in 2020?

- 1. Adopt a nonpartisan commission to draw the map, which will likely result in Republicans holding 6 seats and Democrats holding 3 seats.*
- 2. Draw a map that will likely result in Republicans holding 9 seats and Democrats holding 0 seats.*

The study uses a 3X2 experimental design similar to that used in Study 1.

Respondents that report identifying with either Democrats or Republicans (including partisan leaners, using the standard branching party ID questions) are funneled into two groups. In each partisan group, respondents are randomly assigned into one of three treatment groups: a Partisan group in which they see only the questions presented above, a Distrust group in which they are also told that the opposing party “will not hold back in drawing an extreme gerrymander,” and a Trust group in which they are

told that the opposing party has “signaled that they are willing to put an end to the cycle of gerrymandering” if the respondent’s party does the same. As there is no equivalent to the control group in the first study that uses fictional party labels, the Partisan group functions as the control group for this experiment. The full wording of these treatments can be found in Appendix C, page 13.

This analysis uses logistic regression to test whether the Trust and Distrust treatments affect how likely respondents are to choose the nonpartisan commission option over the option in which their party gerrymanders itself into control of every congressional district in the state.

3.4.2 Results

As was the case in Study 1, a decisive majority of respondents of both parties across all treatment groups preferred the nonpartisan option over the gerrymandered option. The nonpartisan commission was selected by 74% of Democratic and 78% of Republican respondents. This small partisan discrepancy could be explained by the fact that the gerrymander option shown to Republicans was slightly more egregious than the one shown to Democrats, as it would give the GOP all nine of Indiana’s congressional seats, while the Democrats have just eight seats to sweep in Maryland.

As shown in Figure 13, the results of Study 2 offer mixed support for H2. Democratic respondents told about Republican gerrymandering in Indiana were significantly less likely to support a nonpartisan commission in Maryland, but

Republicans told the same thing about Democratic gerrymandering were no less likely to choose to adopt a nonpartisan commission in Indiana. The effect size of the drop in predicted likelihood of Democratic support was 6%. As in Study 1, the Trust treatment failed to increase support for a nonpartisan commission in either party and in fact non-significantly decreased support for the nonpartisan commission among Republicans. Given the results of the Trust treatment in both studies, it seems that either the offer of an independent redistricting compact failed to increase trust in the other side or this increase in trust was not sufficient to sway those few partisans who were committed to extracting maximum partisan advantage through gerrymandering.

The results of Study 2 also replicated the associations of support for multi-party democracy and affective polarization with the redistricting choice found in Study 1. Negative partisanship was significantly negatively associated with choosing a nonpartisan map among both Democrats and Republicans. For every one-point decrease in the 100-point affective polarization scale, the odds of choosing a fair map increase by 2% among respondents of both parties. Support for multi-party democracy was significantly correlated with choosing a nonpartisan map in the full sample and among Democrats and was positive but non-significant among the Republicans in this sample. For every one-point increase in the five-point multi-party democracy scale, the odds of choosing a fair map increase by 140%. Interactions with the treatments and these two variables were not significant.

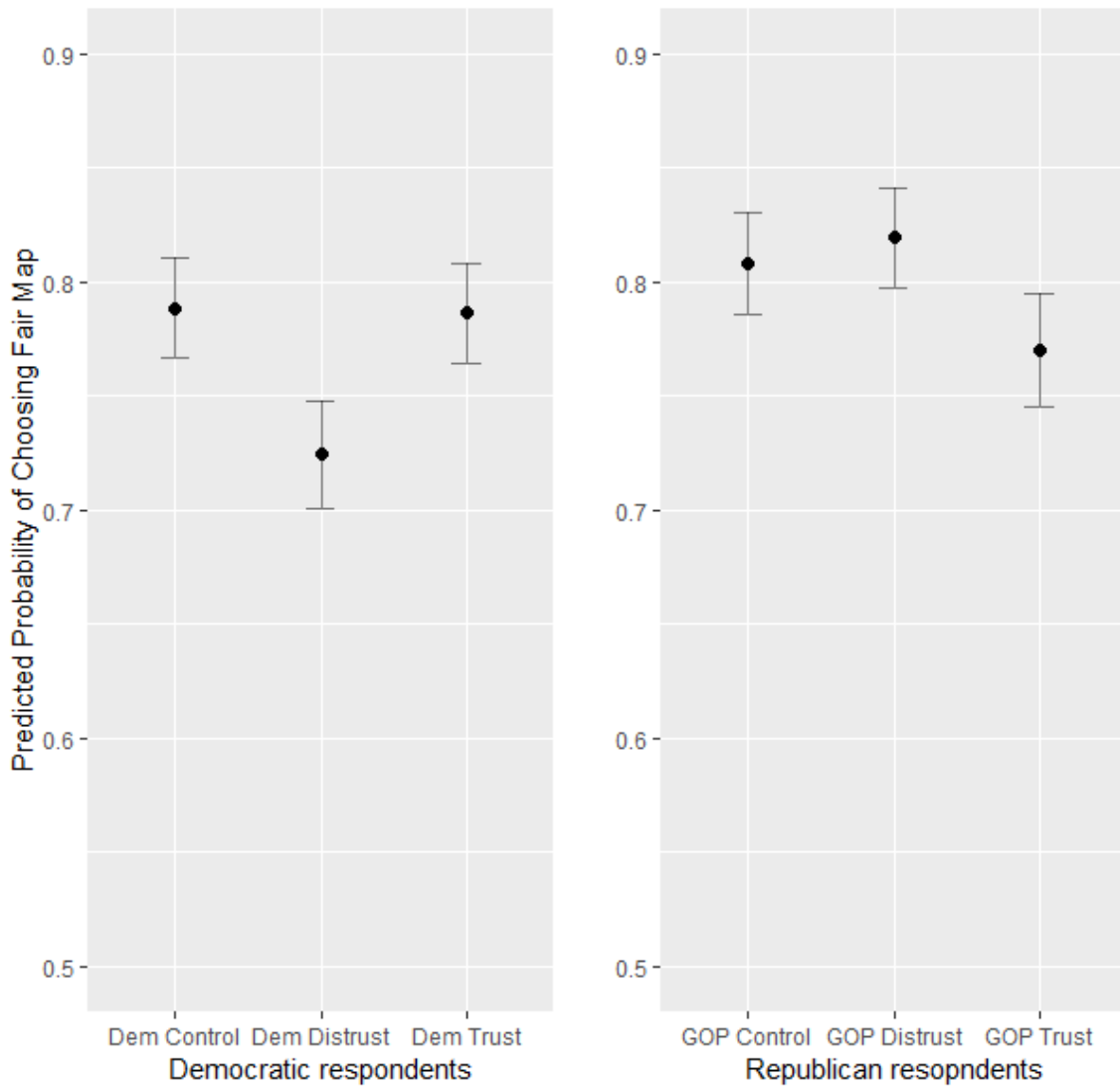


Figure 13: Predicted probabilities of choosing a fair map across treatment groups for Democratic and Republican respondents

3.5 Discussion

The results of these studies demonstrate that Americans are not indifferent to redistricting and will not blindly follow the party line on the question of how to draw

districts. To be sure, partisanship does matter for public opinion on redistricting.

Respondents were more likely to pick a gerrymandered map when the beneficiary was their real-world political party than in a comparable scenario with fictitious parties. The studies provided mixed support for the hypothesis that people will engage in “tit for tat” behavior by becoming more likely to gerrymander after being shown evidence of the opposing party gerrymandering. Democrats in both studies became more likely to choose an extreme gerrymandered map after being told that Republicans planned to engage in egregious gerrymandering themselves, but the treatment did not have this effect on Republicans. These results largely dovetail with the standard narrative of rising affective polarization, negative partisanship, and political distrust.

But another narrative emerges from this study that is more optimistic for those looking for signs that the American public cares about democratic values and procedural justice. A clear majority of survey respondents across both surveys chose a fair, nonpartisan map over a map gerrymandered in favor of their party. Most respondents strongly endorsed values related to support for multi-party democracy, and these values were strongly associated with choosing a fair map. Those who did choose gerrymanders tended to come from the small set of people who view their party as an important social identity. These were the same set of people who were affected by the treatment of adding partisan labels to hypothetical maps. Even when shown treatments explicitly designed to engender distrust of the opposing political party and the

redistricting process, decisive majorities of respondents continued to select the nonpartisan option. While the studies used non-probability samples, they did not diverge far from national averages on variables that strongly predict map choice, as shown in Table A3 in Appendix A, page 4, and the results of Lucid samples in general have been shown to closely track those of nationally representative samples (Coppock and McClellan 2019). The Study 1 sample identified somewhat less strongly with the political parties than the nationally representative sample in Huddy, Mason, and Aarøe (2015), but both samples had higher affective polarization and lower support for multi-party democracy than the national average. There is no reason to believe that these samples were unusually predisposed to choose nonpartisan redistricting.

These findings are instructive for policymakers heading into the 2020 redistricting cycle. While attempts to engage in partisan gerrymandering may be met with tolerance or even approval by committed partisans, most citizens, including those who share a party with the gerrymanderers, will not approve. The Supreme Court's failure to rule partisan gerrymandering unconstitutional in *Rucho v. Common Cause* means that the issue will continue to be hard-fought at the state level for years to come. If awareness of redistricting continues to rise in the mass public, there could be greater consequences for partisan gerrymandering in the next round of redistricting than there were in the last, both for the legitimacy of American legislatures and the electoral fortunes of parties engaging in gerrymandering.

4. Elite Manipulation of Democratic Principles

Many worry that the norms and institutions of American democracy are under threat. Party elites are pushing the boundaries of traditionally acceptable conduct in order to secure political wins and defeat the other side. This pattern is particularly noticeable in the context of elections, where parties have frequently changed the rules in ways that seem primarily intended to increase their chances of electoral victory. Some scholars worry that this escalation could ultimately lead to a situation in which the outcomes of American elections are no longer respected by elites or the public (Drutman 2020; Levitsky and Ziblatt 2018).

One bulwark against such a future is the American public's continued belief that elections are fair and legitimate. Most Americans believe that American elections are free and fair and they place a high importance on free and fair elections (DeSilver 2016; Gibson and Caldeira 2009). As long as these beliefs hold, the public has an incentive to impose costs on elites who push elections too far away from the norms of free and fair democracy, in the form of electoral punishment (Graham and Svobik 2019) or protest. These costs could deter elites from electoral manipulation that is too blatant or too extreme. However, evidence from countries that have recently experienced democratic backsliding such as Venezuela and Turkey shows that in polarized societies people who are intensely loyal to their party are willing to trade off democratic principles for partisan interest (Svobik 2020).

The degree to which we should put faith in Americans' attachment to fairness depends on the relative strength of their democratic principles and partisan loyalties. If party elites are able to easily manipulate the democratic principles that people prioritize or justify radical changes to election rules using principles that are unrelated to those changes, there is little to prevent elites from departing from democratic norms. If, on the other hand, there are limits on party elites' ability to sway public opinion about core fairness principles and how those principles relate to specific policies, there is reason to be more optimistic.

This paper explores the degree to which elites can manipulate the public's sense of what constitutes a fair election rule. As shown in the previous chapters, when given a clear choice between the two, the public tends to choose fairness over partisan interest. Therefore, party elites who wish to change public opinion on election reform outside of the narrow set of their most committed supporters must rationalize their favored policies according to democratic principles. If mere endorsement by these leaders is insufficient to induce public support, they have no choice but to attempt to manipulate how the public perceives democratic principles.

There are two mechanisms by which this manipulation could occur. First, elites could change the public's perception of whether a given fairness principle matches up with a given election rule; that is, party elites could induce citizens to associate a positive principle with an election reform for which they would like to increase support. Second,

elites could attempt to directly change which fairness principles people prioritize or endorse, with the expectation that this change will cause the public to support the election rules associated with the fairness principles they endorse. Alternatively, it could be the case that principles are unnecessary in elite messaging; elites could move opinion with a simple endorsement of the policy they want or by embracing partisan interest as sufficient reason to support a policy.

I assess these mechanisms using four survey-embedded experiments, testing each mechanism in turn. These experiments employ treatments that give respondents messages from party elites about specific election reforms or election reform more generally. I then test how these treatments affect public support for certain reforms and propensity to endorse different principles related to democracy.

I find strong evidence that party elites are able to influence opinion on election policy regardless of the principle that they use to explain their position. Using an inapplicable principle or appealing to negative partisanship are equally as effective in persuading partisans as using an applicable principle. These results suggest that citizens are easily manipulated by party elites on low-profile election policy issues and that elite messaging does not need to be coherent in order to be effective.

There are some important caveats to this finding. Elites are not able to increase support for their preferred policy using the justification that it will help their party win elections. A party endorsement with no justification at all does not significantly affect

support. I find inconclusive results as to whether there is a significant difference between a party endorsement with no justification and an endorsement that uses a principled justification.

Citizens also appear resistant to elite attempts to directly manipulate their principles. Messages from party elites endorsing a particular principle related to determining election rules did not cause partisans to be more likely to prioritize that principle. Critically, citizens were no more likely to endorse extreme principles such as “only citizens who can speak and read English should be able to vote” after being told those principles were endorsed by their party leaders. These results are more encouraging, suggesting that while citizens may be easily manipulated on low-salience policy issues, swaying citizens from their core democratic principles is not so easily accomplished.

4.1 Democratic Principles, Political Elites, and the Mass Public

One of the primary objectives of party elites is to win elections for their party, and one of the best ways to ensure victory is to change the election rules so that they benefit the party. There is little doubt that party elites regularly engage in such manipulation. Across a variety of contexts, elites have been observed changing the rules of political institutions for their own benefit (Binder 2006; Boix 1999; Hersh 2015; Riker 1982).

Whether partisans in the mass public are similarly eager to change election rules purely for partisan benefit is a more complicated question. There is evidence that the public is motivated by strategic interest on issues ranging from the Electoral College to redistricting to voter access (Aldrich, Reifler, and Munger 2014; Biggers 2018; Kane 2017; Karp and Tolbert 2010; Tolbert, Smith, and Green 2009; Woon 2007). However, there is also a long literature demonstrating that the fairness of procedures is an important motivation for public opinion on procedural issues, including democratic procedures (Lind and Tyler 1988; Sunshine and Tyler 2003; Tyler 2013). Pure partisan interest may motivate some citizens in certain cases, but on average citizens are no more likely to support a voting reform after learning it will improve their party's electoral fortunes, as shown in Chapter 2.

Therefore, there are likely to be many cases in which party elites want to change election rules for their own benefit but find citizens – even their own party's supporters – to be unenthusiastic. In such cases, elites might attempt to persuade the public to follow their policy preferences. There is long-standing evidence that cues from party elites have a substantial impact on public opinion (Lenz 2012; Zaller and Feldman 1992). Partisans are especially likely to follow elite cues in polarized contexts (Druckman, Peterson, and Slothuus 2013). As election reform is a polarized policy area, there is good reason to think that elite cues on election-related issues would be effective.

However, partisan cues are not all-powerful, and are less effective in certain circumstances. When citizens have significant information about policies, they are just as likely to use that information as elite cues when coming to their opinion about the policy (Bullock 2011). Citizens care more about learning which social group a policy benefits than learning which elites endorsed the policy (Nicholson 2011). Partisans are more likely to change their opinion in response to a cue from the opposite party than from their own party (Goren, Federico, and Kittilson 2009; Nicholson 2012; Yeyati, Moscovich, and Abuin 2020). Thus, we would expect elite cues to have the biggest effect on low-salience election issues and have a larger impact on the views of out-partisans than in-partisans. The impact of elite cues may be blunted when the policy in question would have a direct effect on the respondent's social group. For instance, elite cues may have less of an impact on support for making Election Day a holiday among voters who typically work long hours on Election Day and have trouble finding the time to vote.

While it may be relatively easy for politicians to influence public opinion on low-salience policy issues, influencing political values is a more challenging task. Political values tend to be relatively stable and are typically resistant to short-term political events (Feldman 1988). Values also constrain policy preferences (McCann 1997), meaning that it might be necessary for politicians to directly change principles in the mass public in order to achieve public support for certain policy goals.

That said, values are less stable than partisan identity and also are constrained by partisan identity (Goren 2005). As a result, party identity can gradually cause peoples' values to change in accordance with the values prioritized by the party. Values are strongly associated with ideology and partisanship but not associated with economic class (Ciuk, Lupton, and Thornton 2018), suggesting that either party elites may be able to shape values over a long period of time.

The literature on political values primarily studies core political values, such as equal opportunity, limited government, traditional family values, and moral tolerance. This paper does not study those "core" values, but rather values that are more specifically related to election rule choice, such as the integrity of elections or the accessibility of voting. I refer to these values as *democratic principles*. These principles share characteristics with the standard definition of values outlined by Schwartz (1994): They are abstract beliefs, can be rank-ordered in terms of importance, and, while they are confined to the particular policy sphere of election rules, they transcend any individual election policy. Thus, there is good reason to expect these principles to be just as difficult for elites to manipulate as core values.

The main takeaway of the literature on elite cues is that party elites are consistently able to influence public opinion on public policy issues but are less able to shift the relative importance the public places on political values. In the following studies, I test whether that general framework applies to the specific case of electoral

rule change, where the ability of elites to sway peoples' positions and core principles is particularly important for the health of democracy.

4.2 Study 1A: Principle-Policy Congruence

The goal of this study is to test whether the relevance of normative justifications used by party leaders matters for the effectiveness of their messaging on election reform. Party elites may have a policy that they wish to enact because it would benefit their party in elections but lack an appropriate normative justification that fits with their party's ideology. In such a situation, they might simply use an unrelated principle to justify their support for the policy. A similar approach might be used to oppose a policy proposed by the opposing party that does not have an appealing principle-based counterargument.

While politicians rarely use completely nonsensical justifications, they do often attempt to stretch the boundaries of the link between policies and values. For instance, a common talking point used by Republicans advocating for voter ID laws is that there are many dead people still on voter rolls (Ura 2019). While this claim may be true in some instances, it is likely an attempt to conflate a value that does not directly apply to voter ID laws (maintaining accurate government records) with one that does (preventing ineligible people from voting). Because there is little evidence that voter ID laws would reduce voter fraud (Levitt 2014), Republican leaders are forced to justify their support for the policy with less-applicable evidence and values. To test whether these boundary

stretches are effective, this study will use an extreme case: one in which the justification used by the party elites is completely inapplicable to the policy in question.

There are psychological reasons why we might expect the applicability of a policy justification to matter. The applicability of a construct to a particular stimulus affects whether that construct will be used (Higgins 1996). While the most commonly discussed factor in whether a consideration is used in opinion formation is the accessibility of the consideration, applicability is a moderating variable in that relationship (Althaus and Kim 2006; Nelson, Oxley, and Clawson 1997). Issue frames that use applicable considerations tend to be more effective than those that do not (Chong and Druckman 2007). Even if the principle of voter fraud is primed and accessible, for instance, people might not apply it to a given policy if they do not consider the policy to be related to voter fraud.

However, it is possible that the particular context of election rules with known partisan effects may lessen the importance of applicability. We know that motivated reasoning is particularly likely in polarized contexts (Druckman, Peterson, and Slothuus 2013). Partisans may be motivated by the prospect of electoral benefit to accept any justification that elites provide, even if the justification would not normally register as applicable absent elite cues. Partisans may simply wish to be reassured by their party elites that there is some principled reason to take the election rule position that most benefits their party.

In order to test whether a strategy of using non-applicable principles to justify policy positions would be effective, this study randomly assigns respondents to receive a party elite message opposing a particular voter access reform using a principle justification that either corresponds to or does not correspond to the reform. If party elites are constrained in their ability to influence public opinion by the coherence of their principle justifications, we would expect justifying *opposition* to a policy with an applicable principle to significantly *decrease* support among like-partisans. We would expect a justification using an inapplicable principle to have no effect.

The treatments used in this study were inspired by a notable recent party elite message on election reform: an op-ed written by Republican Senate Majority Leader Mitch McConnell in opposition to the H.R. 1 election reform bill that was later passed by the Democratic House (McConnell 2019). In his op-ed, McConnell justifies his opposition to the Democrats' proposal of making Election Day a holiday by arguing that the result of this policy would be "extra taxpayer-funded vacation for bureaucrats to hover around while Americans cast their ballots." He also includes the more common Republican concern that Democratic efforts to expand voter access increase the risk of voter fraud. Finally, his primary argument against the bill, made clear in the headline "Behold the Democrat Protection Act," is that the bill is first and foremost an effort by Democrats to manipulate the rules in order to win re-election.

Each of McConnell's justifications is tested in a different treatment in this experiment. Respondents are asked for their opinion on either making Election Day a holiday or adopting universal vote-by-mail. Before this, respondents in three treatment groups are given a message from Republicans expressing their opposition to whichever of the two policies respondents are assigned to, using one of the three justifications employed by McConnell in his op-ed. Because treatment groups are randomized, some respondents will see a Republican principle justification that corresponds to their assigned policy, and some will see a justification that corresponds to the policy they were not assigned. For example, some respondents see a message saying that Republicans oppose making Election Day a holiday because doing so would increase voter fraud, instead of McConnell's argument that making Election Day a holiday would create taxpayer-funded vacation time for bureaucrats.

In addition to these Republican messages, respondents in the treatment groups are also given information from "scholars" about the expected impacts of the policy: namely, that it would increase voter turnout overall and among Democrats in particular. One group is only given the information from scholars, without any party messaging. This information is included to distinguish any treatment effects found from pure partisan interest. Respondents could infer from a party leader's opposition to a voting policy that the policy would hurt their party and oppose it on those grounds. This design allows me to disentangle the effects of partisan interest and elite cues.

This study is one-sided in partisan terms, in that all party elite messages are coming from Republicans. The treatments' effects on Democrats show how Democrats react to Republican opposition to liberal voting policies. The decision to keep the experiment one-sided was made partly to keep the experiment a manageable size, as the sample is already randomly split into ten groups. Furthermore, the issue of voter access itself is somewhat asymmetric. With the exception of voter ID laws, there are few voting policy reforms being regularly promoted by Republicans; most of their efforts are directed against Democratic attempts to liberalize voting laws. Finally, there is no theoretical reason to think that Democrats and Republicans would respond differently to these treatments. Recent experiments have found no significant difference between Democrats and Republicans in their degree of partisan bias when evaluating new information (Ditto et al. 2019).

4.2.1 Data and Methodology

The study recruited 2559 American adults to participate in a non-probability internet-based survey through the Lucid Fulcrum exchange. The survey was conducted from November 14-18, 2019.

The study uses a 2X5 experimental design. First, respondents were randomly assigned to provide their opinion on one of two policies: vote-by-mail or making Election Day a holiday. Next, respondents were randomly assigned to one of five experimental groups. These groups consist of one control group and four treatment

groups. The first treatment group only provides respondents with information suggesting that the policy would increase turnout primarily among Democrats. The other three treatments include that information as well as a message from Republican leaders opposing the policy. The full wording of these treatments is shown below.

- Group 1: In recent years, reformers have proposed [making Election Day a federal holiday/allowing all voters to vote by mail] in order to make voting easier.
- Group 2: In recent years, reformers have proposed [making Election Day a federal holiday/allowing all voters to vote by mail] in order to make voting easier. Some scholars have found that the reform increases overall voter turnout, primarily among Democrats.
- Group 3: [All text from Group 2] Republican leaders have opposed this policy, arguing that it is an attempt by Democrats to change the rules to benefit their own party in elections.
- Group 4: [All text from Group 2] Republican leaders have opposed this policy, arguing that it would simply create extra taxpayer-funded vacation time for bureaucrats.
- Group 5: [All text from Group 2] Republican leaders have opposed this policy, arguing that it would increase voter fraud.

After the treatment, respondents are asked whether they favor or oppose the policy. This item is used as the dependent variable in the analysis of this experiment.

Before the experimental treatment, respondents were asked questions measuring the strength of their commitment to multiparty democracy (Gibson and Nelson 2015),

negative partisanship (Abramowitz and Webster 2016), and standard demographic questions including gender, age, and race. These five variables are included in all the models in this analysis, along with a variable indicating the respondent's treatment group. The analysis runs four OLS models using these variables, one for each party/policy combination.

4.2.2 Results

Before testing whether the applicability of principle justifications affects the effectiveness of elite cues, I must first determine whether voters in fact associate different principles with different policies. This was tested in a separate pretest survey, also conducted through the Lucid Fulcrum exchange, in which respondents were asked about the effects of EDH and VBM. These questions asked to what degree respondents thought the two policies would benefit Democrats in elections, would increase voter fraud, and would create extra taxpayer-funded time off for bureaucrats. The results of these questions are shown in Table 6 below.

Table 6: Perceived applicability of principle-relevant outcomes to making Election Day a holiday and vote-by-mail. Original question used a 5-point scale, which is collapsed to a 3-point scale in this table.

Outcome	Election Day Holiday			Vote-By-Mail		
	Benefits Dems	Bureaucrats	Fraud	Benefits Dems	Bureaucrats	Fraud
Agree	36%	51%	25%	35%	29%	52%
Neither	38%	31%	27%	41%	35%	25%
Disagree	25%	18%	47%	25%	36%	24%

As expected, most respondents think making Election Day a holiday would create extra taxpayer-funded time for bureaucrats and a plurality of people think it would not lead to more voter fraud. The reverse is true for vote-by-mail: a majority think it causes voter fraud and a plurality disagrees that it would create extra taxpayer-funded time for bureaucrats. For both policies respondents are ambivalent about whether it helps Democrats, though more respondents agree with the statement than disagree. These results suggest that the treatments in this study are in fact testing whether an elite cue with an inapplicable principle is less effective than a cue with an applicable principle.

The results of the experiment are shown in Figure 14. In three of the four policy-party combinations, there is a clear and consistent effect. Republicans who were given

messages from leaders opposing making Election Day a holiday were all less likely to support the policy. This effect was significant at the $p=.05$ level for the message arguing that the policy is a Democratic attempt to win elections. It was marginally significant for the two principle-based arguments, but the differences among these three treatments are trivial, ranging from -0.39 to -0.50 on a 5-point scale.

Among Democrats, for both policies the Republican message that the policy was a self-serving Democratic ploy significantly increased support. In both cases, this increase was about 0.5 on a 5-point scale. The Republican principle-based justifications also increased Democratic support in each case. For EDH, the effect of the voter fraud argument was significant (effect size of 0.35) and the effect of the bureaucrat argument was marginally significant (effect size of 0.29). For VBM, neither effect was significant. These relatively strong results for Democrats are in accordance with previous literature showing that party cues matter more for out-partisans than in-partisans. The only case in which there were no significant treatment effects was Republicans asked about vote-by-mail.

Overall, there is no evidence that the applicability of a principle justification to a policy in an elite message affected voters' response to that message. In fact, in none of the four cases was the estimated support for the policies significantly different between the group receiving principle justifications appropriate for making Election Day a holiday and the group receiving a justification appropriate for vote-by-mail.

In none of the four cases did the treatment simply informing respondents that the policy might benefit Democrats in elections have a significant effect on support for the policy, though the effect was in the expected direction in three of four cases and marginally significant in one. Partisan interest alone was not enough to significantly move opinion; only when combined with a party leader endorsement did opinion shift. Nonetheless, there was only one case in which the combination of party message and partisan interest information was significantly different from just the party interest information.

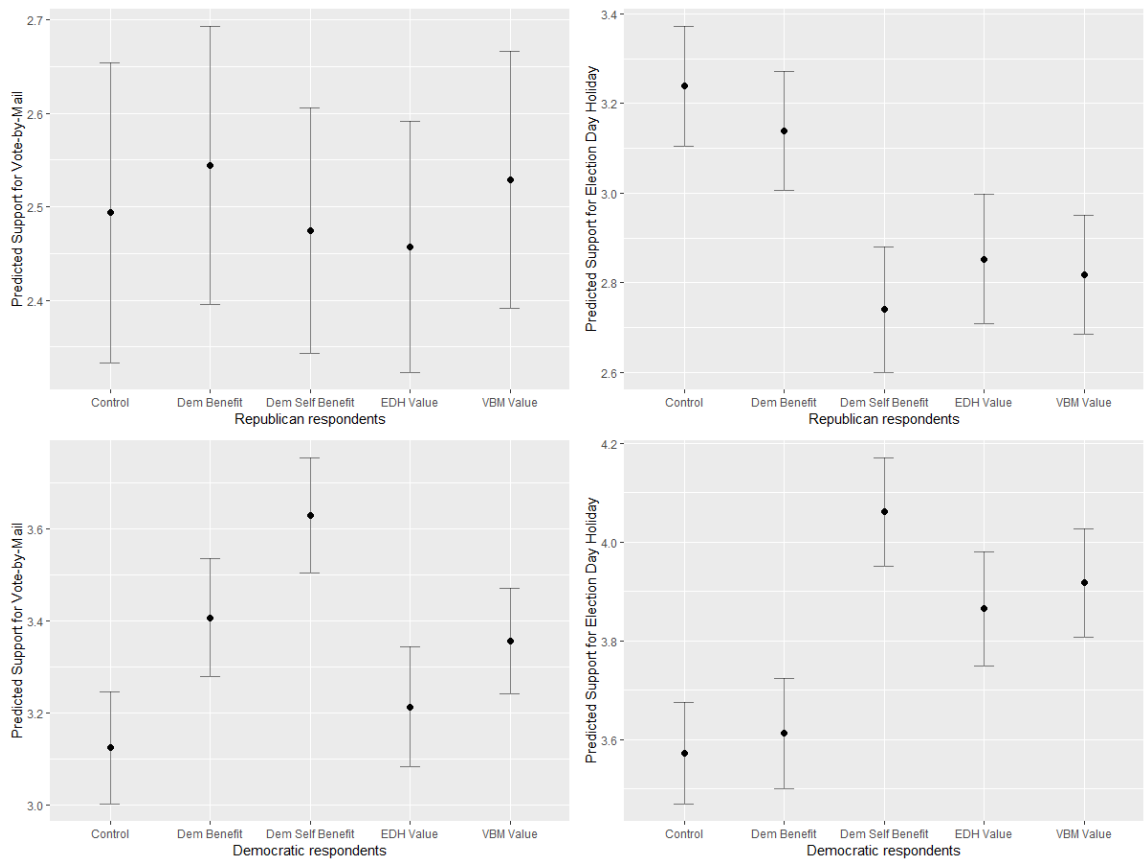


Figure 14: Predicted support for vote-by-mail and making Election Day a holiday across five treatment groups, among Democratic and Republican respondents.

4.3 Study 1B: Cues Without Principles

The first study demonstrates that the combination of information about the partisan effect of an election rule and a party elite cue with some sort of principle-based justification has a significant influence on support for the reform. This design leaves some uncertainty about what exactly is causing the effect. The finding that it doesn't matter what principle elites use to justify their policy opposition is consistent with

citizens caring only about party endorsement and not at all about the reasons given for those endorsements. Alternatively, it could be that people do want to hear their party leaders justify their positions with a democratic principle, they just don't care whether that principle is applicable.

This study will adjudicate between those two possibilities using a simple experimental design. It returns to the issue of making Election Day a holiday from the first study and randomly assigns respondents to either a control group, a group told that Republican leaders oppose the policy, and a group told that Republican leaders oppose the policy because it would give extra taxpayer-funded vacation time to bureaucrats.

Unlike the previous study, respondents are given no information about the partisan effect of the law. This study is a pure test of the effectiveness of elite cues, as opposed to a test of the effectiveness of those cues in an environment where partisan interest is at the forefront of respondents' minds. In a context in which partisan interest is less accessible, partisans may be less motivated to accept elite messages that are in accord with partisan interest. Most citizens likely do not have strong prior beliefs about many lower-salience election rules, and this experiment provides a test of the effectiveness of elite cues in these cases.

4.3.1 Data and Methodology

As in Study 1A, this study recruited participants to participate in a non-probability internet-based survey through Lucid Fulcrum exchange. The study recruited 800 participants from February 4-5, 2020.

Other than the difference in treatments, the survey was identical to that administered in the previous study. The OLS models implemented in the following analysis use the same set of control variables: gender, age, race, and a scale asking about support for multi-party democracy. The full text of the treatments is shown below.

- Group 1: In recent years, reformers have proposed making Election Day a federal holiday in order to make voting easier.
- Group 2: In recent years, reformers have proposed making Election Day a federal holiday in order to make voting easier. Republican leaders have opposed this policy.
- Group 4: In recent years, reformers have proposed making Election Day a federal holiday in order to make voting easier. Republican leaders have opposed this policy, arguing that it would simply create extra taxpayer-funded vacation time for bureaucrats.

4.3.2 Results

As shown in Figure 15, the effects of the treatments in this study are not as strong as the effects in Study 1A. While the signs are in the expected directions, neither treatment has a significant effect on support for EDH for either party. Republicans receiving a principle-based justification for GOP opposition were somewhat less likely

to support EDH than Republicans who were only told that Republicans oppose the policy (about 0.2 points on a five-point scale), but this difference was not significant.

There is no evidence in this study to indicate that simply learning that a party opposes an election rule influences public opinion. Nor is there sufficient evidence to show that the use of principle-based justifications makes elite policy cues more effective than simple statements of support or opposition. These results suggest that party elite cues on election rules are most effective in contexts in which voters are considering the partisan electoral effects of those rules, as was the case in the previous study.

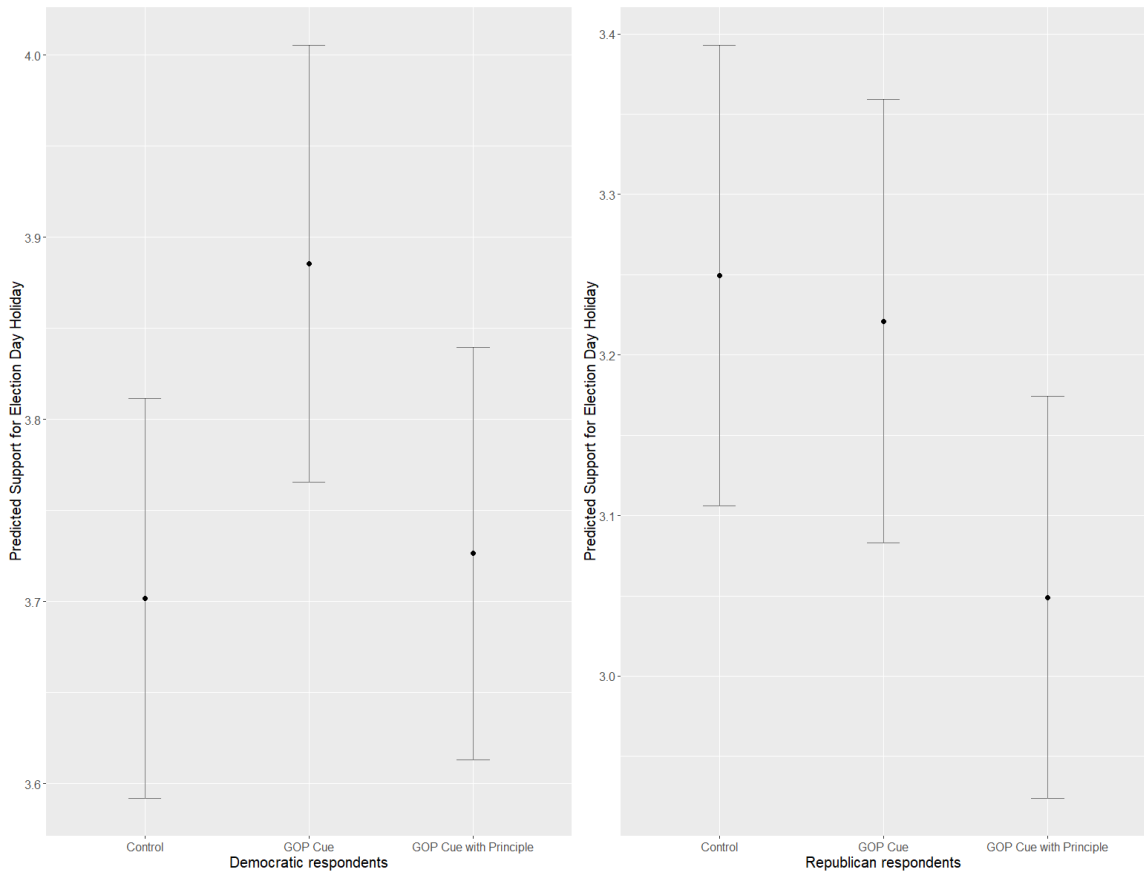


Figure 15: Predicted support for making Election Day a holiday across three treatment groups, among Democratic and Republican respondents.

4.4 Study 2: When Elites Admit to Partisan Motivation

In Study 1A, I found evidence that elites are able to manipulate opinion on election laws in situations where citizens know the partisan implications of the law. In that study, both coherent and incoherent value justifications affected opinion, but the most consistently influential elite message was a claim that the other party only favored a law for their own electoral benefit. This finding raises the question: what if voters

received a cue from a politician of their own party admitting that they were motivated by partisan interest?

This experiment aims to directly test whether people are still influenced by elite cues when those cues explicitly justify support for a policy on the grounds that it would benefit the party. Study 1A showed that strategic partisan interest alone is not sufficient to induce people to support an election reform, but it is still possible that partisan interest could play a bigger role when elites endorse it as a valid consideration. This would be worrying if true, as it would allow elites greater latitude to pursue electoral manipulation without worry that their partisans would punish them for doing so.

While politicians do not typically state in public that they support election reform in order to help their party, there have been several instances in which party elites have been caught on tape making these types of statements. I refer to these instances as “hot mics,” although some of them resulted from leaked documents or politicians making ill-advised statements in public speeches or interviews. There have been several notable recent examples of this, most commonly Republicans who slip up and say that the passage of a voter ID law will help them win elections (Wines 2016).

For example, when Pennsylvania Republican House leader Mike Turzai was listing the legislature’s accomplishments during the 2012 campaign, he said “voter ID, which is going to allow Governor Romney to win the state of Pennsylvania, done.” In 2016, Wisconsin Rep. Glenn Grothman said of the state’s new voter ID law that “I think

photo ID is going to make a little bit of a difference as well” in allowing Republicans to defeat Hillary Clinton. These quotes imply that the reason voter ID laws will help Republicans win is by preventing Democratic voter fraud. However, there is a substantive difference between the standard GOP message that voter ID would preserve election integrity and these messages that highlight the law’s partisan benefits.

In this study, I use examples of “hot mics” as treatments to test how voters respond to elite admissions of prioritizing partisan interest over principle. In the experiment, a control group is given some basic information about two laws – automatic voter registration and voter ID laws – and asked their opinion of those laws. A treatment group is additionally told that one of the laws is controversial because of its possible partisan effects, then given a “hot mic” example. This experiment presents a clear test between two competing theories of public opinion on election laws: either opinion is primarily driven by party elite cues and partisan electoral consequences, or voters are significantly constrained by concerns of fairness. Under both theories, respondents of the opposite party of the “hot mic” party should be less supportive of the policy after seeing the treatment. If the former theory is true, the treatment should increase support for the law among like-partisans, who will only see reinforcement that the law is supported by their party elites and will help their party in elections. If the latter theory is true, however, support for the law should stay the same or even decrease among like-

partisans, who will not be persuaded by a nakedly partisan rationale for supporting the law.

The experiment has two treatment groups: one in which respondents are first given a “hot mic” example for voter ID laws and subsequently given a similar example for automatic registration, and a second in which the election reforms are reversed. This allows me to test a secondary hypothesis: that people presented with evidence of the opposite party’s behaving “unfairly” will be more likely to tolerate partisan behavior in their own party.

4.4.1 Data and Methodology

Respondents for this study were recruited in the Duke University module of the 2018 Cooperative Congressional Election Survey, administered by YouGov. This survey was given to 1000 respondents. It was non-probability and internet-based but was designed to be representative of all U.S. adults.

The experiment randomly assigns respondents to one of three experimental groups: the control group, a group that is shown the automatic registration treatment first, and a group that is shown the voter ID treatment first. The full text of these treatments is shown below. For the group shown the voter ID treatment first, the text of Question 2 is simply reversed with the text of Question 1, with minor adjustments to the text.

Control:

- Question 1: Automatic voter registration laws automatically register a citizen to vote any time they interact with a government agency.
- Question 2: Voter ID laws require citizens to show a photo identification at the ballot box in order to cast a vote.

Treatment:

- Question 1: Automatic registration is an election reform that would automatically register a citizen to vote any time they interact with a government agency. The reform has proven controversial, in part because some believe the law might help Democrats in elections. One prominent Democrat in Oregon was recently caught on tape at a fundraiser saying, “We passed automatic registration this year, which is going to help Democrats win the midterm elections all across Oregon.”
- Question 2: Voter ID laws require citizens to show a photo identification at the ballot box in order to cast a vote. The reform is also controversial, in this case because some believe the law might help Republicans in elections. A prominent Republican was similarly caught on tape saying, “We’re going to beat the Democrats this November, and the new voter ID laws are going to help.”

Following each treatment or control text, respondents are asked if they favor or oppose voter ID/automatic registration. In addition to this question, respondents were also asked standard demographic questions including age, gender, education, and race.

This study uses OLS regression to estimate the effect of the treatments on support for the two voting reforms. It includes the four demographic variables as controls. The same model is run on both the Democratic and Republican respondents.

4.4.2 Results

Figure 16 shows the results of the hot mic experiment. As expected, there is a clear partisan difference in how respondents were affected by the treatments. Also as expected, both Democrats and Republicans were significantly less likely to support a policy when told that the other party supported the policy primarily for reasons of electoral interest. Republicans told that Democrats admitted passing automatic registration in order to benefit Democrats in elections rated automatic registration 0.63 points lower on a five-point scale. Democrats told that Republicans admitted passing voter ID laws to help them win elections rated voter ID 0.56 points lower on a five-point scale.

However, even partisans who heard a message about a party elite of their own party supporting an election reform for partisan reasons were less likely to support that reform in all cases, though those differences were not significant. There is no evidence that partisans are following the cues of their party leaders in 'hot mic' cases.

Seeing an example of the opposite party admitting to changing election rules for the sake of partisan interest does not make partisans willing to follow their own party elites in prioritizing partisan interest. However, the order in which respondents see the

treatments does seem to have some effect. Republicans who first saw an example of Democrats admitting to manipulation were significantly less supportive of automatic registration than Republicans who first saw their own party admitting to manipulation. Similarly, Democrats who first saw Republicans admitting to manipulation were less likely to support voter ID than those who had been informed that Democrats engage in similar behavior prior to the question, though this difference was not significant. These results suggest that seeing a case of one's own party prioritizing partisanship blunts the negative impact of seeing the other side doing the same.

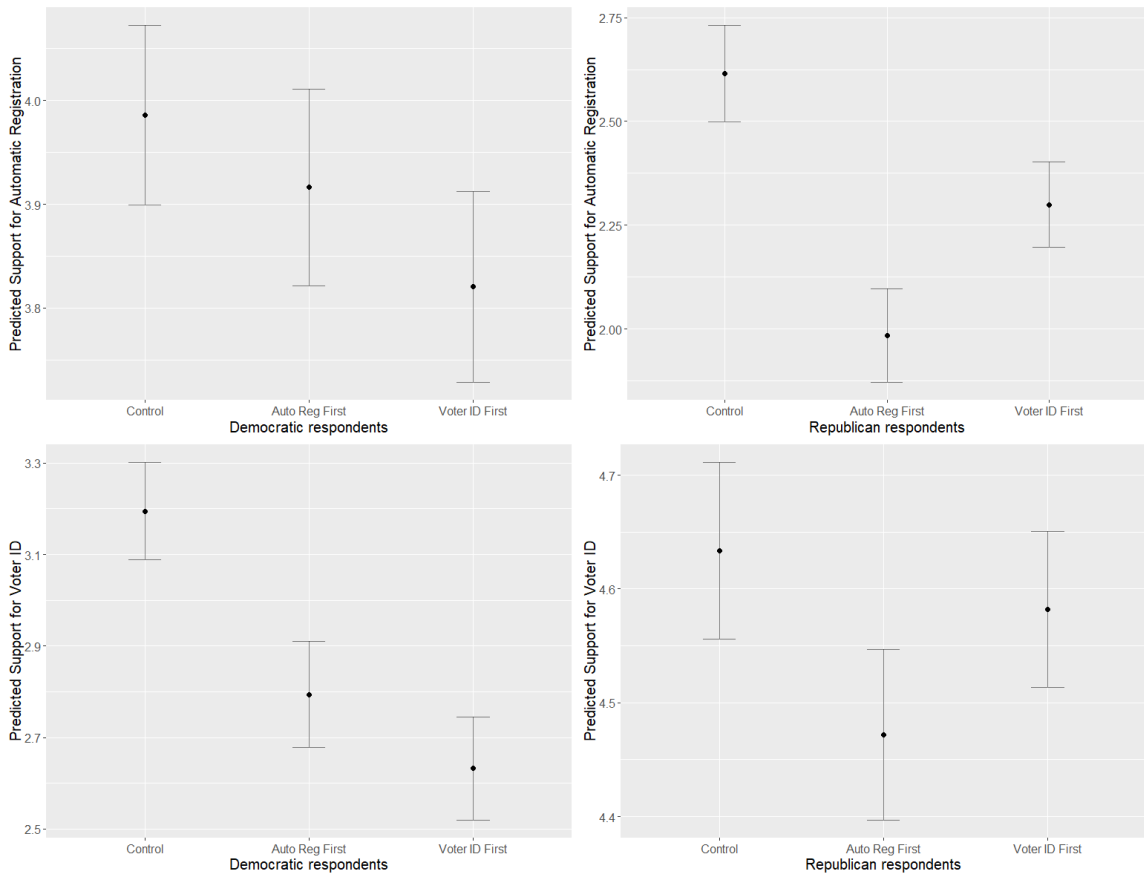


Figure 16: Predicted probability of supporting automatic registration and voter ID laws among Republicans and Democrats, by treatment group

4.5 Study 3: Directly Manipulating Fairness Principles

Another method that elites might use to manipulate opinion about election reform is to directly influence the principles that citizens prioritize when thinking about elections. The effectiveness of this method is tested in a third study.

To examine this question, I first construct a set of principles that citizens might hold relating to how elections are run. For the sake of simplicity, I confine those

principles to issues relating to voter access. I use six principles, three that are more likely to be associated with a liberal perspective and three that are more conservative in nature. Of the three on each side, one principle is intended to be a moderate principle that most Americans would agree with, one is intended to be a more ideological principle that only strong partisans would prioritize, and one is intended to be an extreme principle that is outside the realm of common political discourse in the U.S. This structure allows a test not only of whether party elites are able to influence citizens' principles but also whether they are able to push people to consider more extreme principles than they otherwise would.

Respondents in this study see two messages, one from leaders of each party. These messages do not endorse particular policies, but instead endorse a principle that would govern all election reform efforts. The principles in these messages each correspond to one of the set of principles that respondents will later be asked to rank. If party elites are, in fact, able to manipulate the democratic principles that their partisans care about, we would expect to see respondents who see their party elites endorsing a particular principle be more likely to prioritize that principle themselves.

4.5.1 Data and Methodology:

In this third study, 1301 American adults were recruited to participate in a non-probability internet-based survey, again through the Lucid Fulcrum exchange. Of these, 978 respondents were retained after those who failed to answer items used as dependent or independent variables were eliminated. The survey was conducted from December 13-17, 2019.

This study uses a 3X3 experimental design, in which all respondents are randomly assigned to receive one of three Republican messages and one of three Democratic messages, aside from a control group that does not receive any message. The messages are each an argument that America's election system should be reformed based on a certain principle. These principles range from the moderate (for Democrats, "expanding access to the ballot box") to the extreme ("expanding voting rights to all American residents"). These messages are shown in full below. All non-control respondents are shown the control text before being shown one Republican and one Democratic message.

Control: Voting reform promises to be a hot topic during the 2020 elections.

Republican messages:

- GOP Message 1 (Moderate): Republican leaders have argued that America needs to reform its election system based on the principle of election integrity and the prevention of voter fraud.

- GOP Message 2 (Strong): Republican leaders have argued that America needs to reform its election system based on the principle that only informed citizens should be encouraged to vote.
- GOP Message 3 (Extreme): Republican leaders have argued that America needs to reform its election system based on the principle that only citizens who can speak and read English should be able to vote.

Democratic messages:

- Dem Message 1 (Moderate): Democratic leaders have argued that election reform should be focused on expanding access to the ballot box.
- Dem Message 2 (Strong): Democratic leaders have argued that election reform should be focused on encouraging as many people as possible to vote.
- Dem Message 3 (Extreme): Democratic leaders have argued that election reform should be focused on expanding voting rights to all U.S. permanent residents, including non-citizens and people in prison for felonies.

This analysis uses OLS models to estimate the effect of the treatments on respondents' prioritization of each principle. The models are run separately on Democrats and Republicans, as the effect of interest is the impact of messaging from one party's elites on people who identify with that party.

The dependent variables are questions asking respondents to choose which of six principles related to election reform they consider most important, one relating to each

message. After they choose the first principle, respondents are asked to choose which of the remaining principles is most important, and so on until they choose between their two least preferred principles. When answering this type of question about political principles, respondents tend to make consistent and transitive choices, suggesting it is a valid way to measure principle structures (Jacoby 2011). A respondent's prioritization of principles related to election rules is operationalized by giving each respondent a score from 0 to 1 for each principle. Ranking a principle first yields a score of one and ranking a principle last yields a score of 0.

The independent variable of interest is a four-category variable indicating which treatment message partisans received from their own party, or whether they were in the control group. This analysis uses the same set of control variables as Study 1: support for multi-party democracy, negative partisanship, age, gender, and race.

4.5.2 Results

Table 2 below shows the percentage of respondents choosing each principle first. As intended, the most moderate principles were the most likely to be chosen overall, and the most extreme principles were the least likely to be chosen. Ensuring voter access and preventing voter fraud were the most popular principles in the full sample. Universal resident voting was the least popular liberal principle, and English-only voting was the least popular conservative principle. Also as intended, Democrats were more likely to select the liberal principles, while Republicans were more likely to select

the conservative principles. However, it is worth noting that Democrats were more likely to select the moderate conservative principle than the extreme liberal principle, and the converse was true for Republicans.

Table 7: Percentage of respondents choosing each principle as most important across the full sample.

Principle	All	Democrats	Republicans
Voter Access	23%	29%	15%
Encouraging Voting	20%	24%	16%
Universal Voting	13%	15%	8%
Voter Fraud	27%	19%	37%
Informed Voting	10%	8%	11%
English-Only Voting	8%	4%	13%

This overall ranking of principles is roughly in line with the findings of a recent Pew survey (Pew Research Center 2018), in which “elections free from tampering” was the most strongly agreed-with priority, followed by “no eligible voters denied vote.” Achieving high turnout in elections, which roughly corresponds to the “encouraging voting” principle in this study, was considered important by a smaller majority in the Pew study.

Having established that respondents are generally choosing principles in line with expectations, we can answer whether party elites are able to sway people from

their prior principles by endorsing certain principles. The results of the models testing this hypothesis are shown in Figure 17. If the elite manipulation hypothesis is correct, we would expect to see significantly higher rates of endorsing the moderate/strong/extreme principle among partisan groups who saw their party elites endorsing those principles.

There is little support for this hypothesis. For none of the six principles did the treatment have the expected effect of significantly increasing the prioritization level of the principle endorsed by party elites. Republicans who received a message endorsing informed voting or an English-only electorate were somewhat more likely to prioritize that principle, but neither effect was statistically significant. Democrats who received the “encouraging voting” message were marginally significantly less likely to prioritize the voter access principle and Democrats who received the “voter access” message were marginally significantly more likely to prioritize noncitizen voting. Neither of these effects would be evidence of elite cues working as intended.

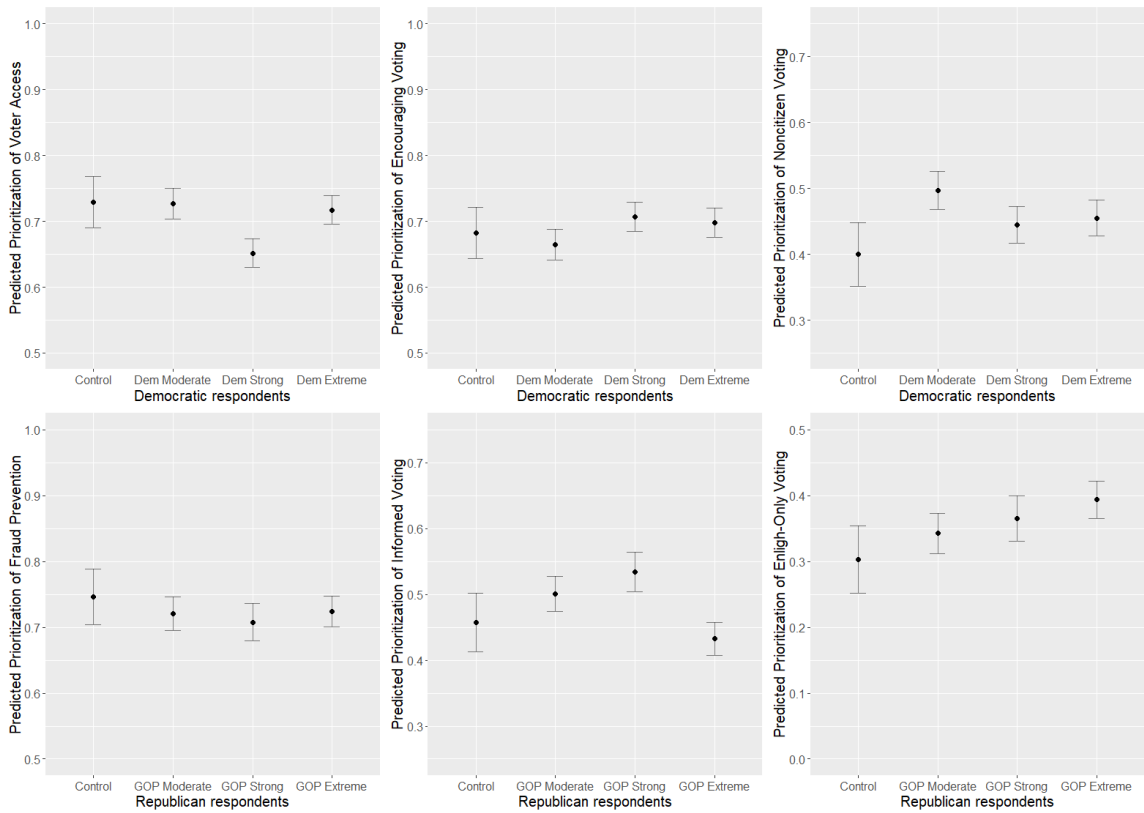


Figure 17: Predicted prioritization of each of six democratic principles by treatment group. Estimates for liberal principles include only Democratic respondents, estimates for conservative principles include only Republican respondents.

Given the consistent findings in the elite cue literature that out-party policy endorsements have a bigger effect than in-party policy endorsements, it is also of interest to test the effect of out-party principle endorsement on respondents' principle prioritization. There are two possibilities: does opposing party endorsement of opposing party principles make citizens less likely to endorse those principles, and does opposing party endorsement of extreme principles make them more likely to endorse extreme principles on their own side? The former question is one of cue taking, as it asks whether

partisans learning the principles that the opposing party endorses makes them learn that those are not their principles. The latter question asks whether there is a backlash effect to one party endorsing extreme principles. These questions are tested in Figures 18 and 19 below.

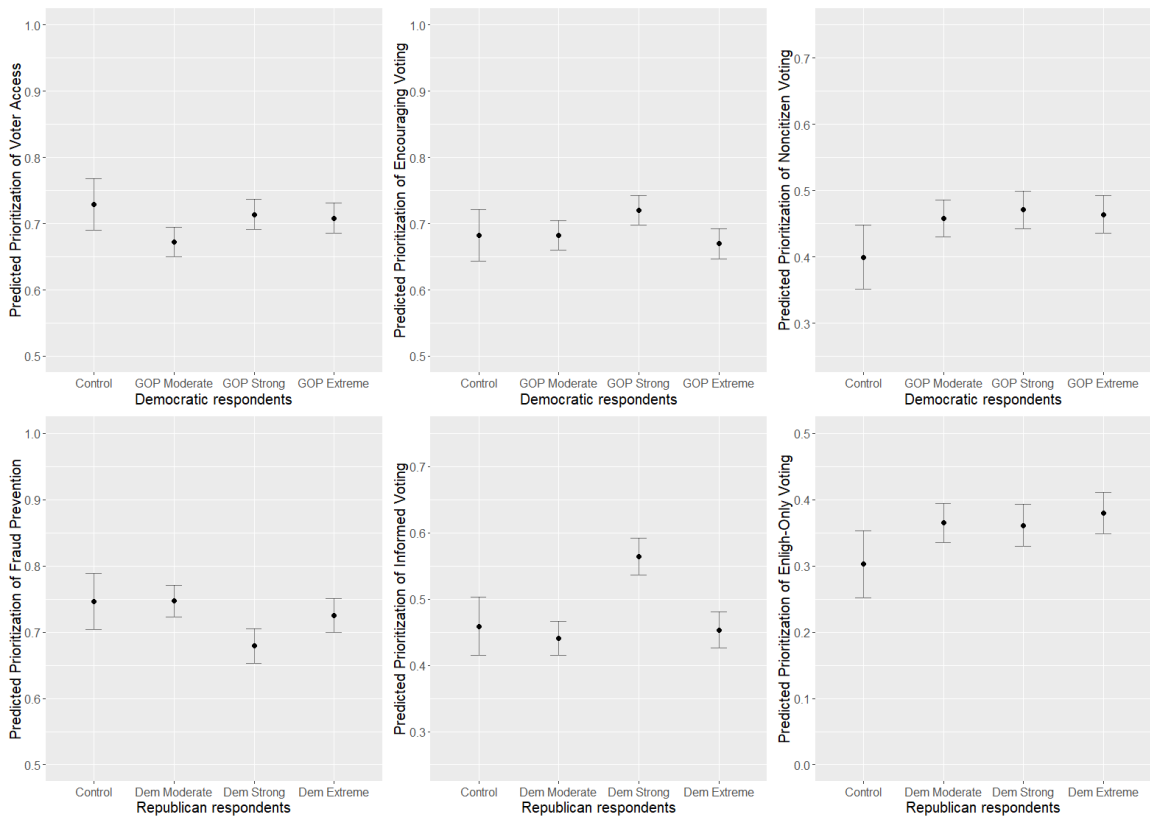


Figure 18: Effect of opposing-party cues on predicted prioritization of same-party principles.

The possibility of a backlash effect is tested in Figure 18. If there were such an effect, we would expect to observe respondents who receive an extreme message from the opposite party be more likely to endorse an extreme principle themselves. Thus, we are most interested in the effect of the treatments on Democrats' prioritization of

noncitizen voting and Republicans' prioritization of English-only voting. There is no evidence for the backlash effect, as all opposing-party messages had similar and non-significant effects on partisans' endorsement of extreme principles. This model did show a significant positive effect for the Democratic message of encouraging voting on Republicans' prioritization of the informed voting principle.

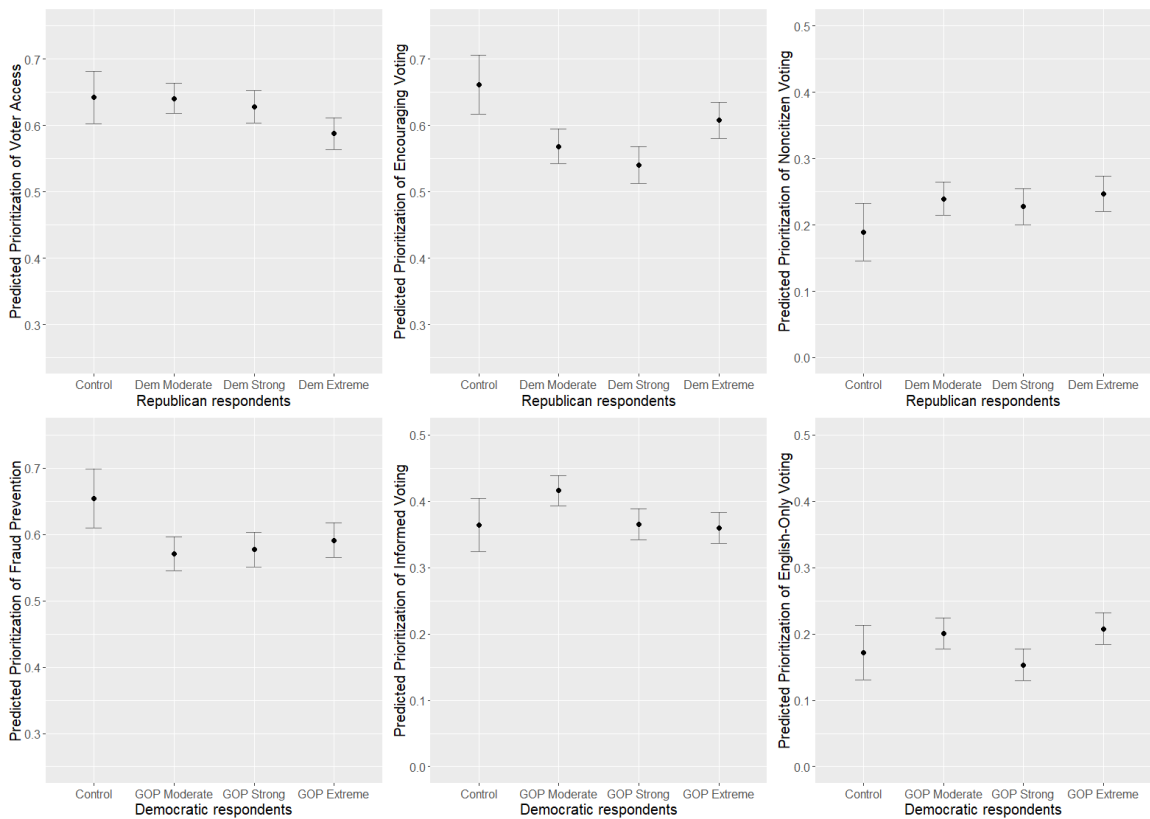


Figure 19: Effect of opposite party endorsements on opposite party principles

Figure 19 tests whether hearing messages from the other party makes people less likely to prioritize the principles endorsed in those messages. There is somewhat more evidence for this hypothesis. Republicans receiving a Democratic endorsement of encouraging voting were significantly less likely to endorse that principle. Democrats

receiving a Republican endorsement of preventing voter fraud were marginally significantly less likely to endorse that principle. Overall, however, this remains weak evidence for the ability of parties to influence democratic principles, even among out-partisans.

4.6 Discussion

This study demonstrates that party elite opposition to particular election reform policies can cause significant opinion shifts on those policies, both in the negative direction from co-partisans and in the positive direction from opposing partisans. The principle-based rationalization that party leaders use does not appear to make a difference in the effect of their endorsement. Pure partisan interest absent elite endorsement does not significantly move public opinion, but the combination of information about partisan interest and elite cues does have a significant effect. This result paints citizens as easily manipulated by party elites.

There are some important caveats to this finding of pliable partisans, however. For one, elite cues on election reforms do not seem to have the same effect when voters are not also primed with information about the partisan effects of those reforms. Secondly, partisans who learn that their party elites are implementing election rules for partisan benefit are less, not more, likely to support those rules. While citizens may not pay much attention to the principles that politicians use in their messaging, they are averse to the idea of eschewing principle altogether when designing election rules.

Furthermore, citizens are resistant to attempts by elites to directly manipulate their principles. Seeing an endorsement of a democratic fairness principle by their party leaders did not cause partisans to be more likely to prioritize that principle. Of particular importance for those worried about the public's willingness to go along with electoral manipulation, elite endorsement of extreme principles did not significantly increase citizens' willingness to endorse those extreme principles. In this study, respondents seem to have deeply-held principles that are not easily swayed by elite cues.

The ability of party elites to manipulate public opinion on designing systems for running elections appears to be a conditional one. In scenarios in which citizens are asked to make a choice about a low-salience voting policy change, they are easily influenced by most forms of elite endorsement. When it comes to fundamental democratic principles, however, politicians have less ability to shape opinion. Future research will be needed to determine exactly what factors are most critical in enabling elites to persuade voters to change or cast aside their fairness principles.

5. Conclusion

This dissertation has sought to answer one basic question about the American public's attitudes toward election rules: when partisan interest and democratic principles come into conflict, which will the public choose? It studied this question in a variety of scenarios and found that in some contexts partisanship plays an important role in influencing public opinion, while in others principles of democratic fairness predominate. This conclusion will outline the contexts in which partisanship overcomes principle and those in which citizens are able to resist the partisan temptation. It will first discuss the findings on the basic choice between principle and partisanship. Then, it will focus on the findings relating to two key factors that might affect the nature of this choice: negative partisanship and elite messaging.

5.1 The Choice Between Principle and Partisan Interest

The first question that this dissertation seeks to answer is a simple one: does partisanship play any part in public opinion on election rules? The answer appears to be yes. In Chapter 2, partisans hearing that same-day registration would benefit the opposing party were less likely to support SDR. In Chapter 3, partisans who were given real-world partisan information about various redistricting plans were more likely to choose to gerrymander in favor of their party than partisans seeing the same maps without partisan information.

The caveat to these findings is that there were many cases in these studies where partisan interest did not affect opinion. In all four cases when partisans learned that a voter access law would benefit their party, in Chapter 1 and Chapter 4 Study 1, there was no significant positive effect on support for that policy. In the latter study, even partisans told that a policy would benefit the out-party did not significantly decrease their support for the policy. Thus, while we can definitively say that in some contexts partisan interest affects support for election rules, there are many contexts in which this effect does not occur. Partisan interest is one factor that affects support for election rules but by no means the only one.

Given that partisanship sometimes influences election rule opinion, the next logical question is how much of the public would choose partisanship over principle. Of the studies in this paper, only the redistricting studies in Chapter 3 present respondents with a clear choice between a fair policy and an unfair policy. The issue of redistricting allows a relatively clear distinction between fair and unfair maps. Since there is unlikely to be any consensus on what constitutes a “fair” voter access rule, the voter access studies can only test what sorts of information and treatments will move citizens from their baseline levels of support. Partisan gerrymandering, on the other hand, is a “moderate” electoral manipulation that has no real normative justification.

The redistricting studies provide a clear answer to this question: Given the choice between a district map drawn by an independent committee with compact districts and

proportional representation and a map drawn by the respondent's party that gives their party additional seats, decisive majorities of respondents choose the nonpartisan map. Between 50-80% of respondents chose fair maps over gerrymandering across both studies, all treatment groups, and among Democratic, Republican, and independent respondents.

Nonetheless, there is considerable heterogeneity in the population, and some important groups of citizens are consistently more likely to choose gerrymandering over fair maps. People with strong partisan social identities and those that score highly on a measure of negative partisanship are much more likely to choose gerrymandering. People with a strong commitment to multi-party democracy, as well as citizens with more education, are more likely to choose fairness in redistricting. One important question for future research is to study whether politicians are disproportionately more aware of and responsive to those citizens who are more likely to support violations of democratic norms for partisan gain.

These studies are somewhat limited in their ability to capture the full force of partisanship. The treatments are short, typically one or two sentences informing the participant of the partisan effects of an election rule. Manipulation checks suggest respondents' beliefs about the partisan effects of laws are affected by these treatments, but not by large margins. Participants might also be influenced by social desirability bias, perhaps believing that choosing partisanship over principle is not socially

acceptable behavior. Even considering these limitations, participants in the studies in this dissertation were remarkably unaffected by partisanship.

5.2 The Role of Negative Partisanship and Partisan Distrust

In the era of American political polarization, a key question is whether this polarization – particularly the affective dislike and distrust of the opposing party – is pushing voters to choose partisan interest over principle. Because party elites do commonly use election rules for their own political gain, the area of election rules may be uniquely suited toward encouraging negative feelings toward out-party elites.

One way we might expect this to manifest is that when partisans see evidence of the other party engaging in electoral manipulation, they might not want to “unilaterally disarm” and so would be more likely to choose partisanship over principle themselves. This approach could be thought of as a “tit-for-tat” strategy. However, this hypothesis was not born out in any of three survey experiments.

First, partisans shown an example of the opposing party engaging in egregious gerrymandering were, for the most part, no more likely to choose to gerrymander themselves. In the one case in which this treatment did have a significant effect, over 70% of Democratic partisans still chose independent redistricting over gerrymandering.

The “hot mic” study in Chapter 4 provides a similar test of the tit-for-tat hypothesis. Some respondents were shown evidence of opposing party elites admitting to implementing election legislation for partisan gain, before being shown evidence of

their own party doing the same. Respondents were no more likely to tolerate their own party leaders explicitly admitting to electoral manipulation after seeing the other party doing so.

Finally, Chapter 4 Study 3 presented respondents with democratic principles endorsed by the opposing party's elite's, ranging from moderate to extreme. If the "tit-for-tat" hypothesis were true, we might expect respondents learning that the opposing party endorses an extreme principle to be more likely to endorse an extreme principle themselves. But the study found no evidence that this was the case.

These results suggest that the American public is unlikely to fall into an equilibrium of perpetual defection, with partisans of each side tolerating increasingly extreme electoral manipulation just because they see the other side manipulating rules as well.

Another way in which negative partisanship could affect opinion on election rules is through asymmetric responses to learning the partisan effects of laws. Chapter 2 demonstrates that partisan interest affects opinion primarily through a reaction against the opposing party gaining an advantage. Partisans told that SDR would benefit the other party were significantly less likely to support the policy while partisans told that SDR would benefit their own party were no more likely to support it.

Further evidence for this asymmetry was provided in Study 2 of Chapter 4, which showed respondents a treatment in which a party leader was caught saying that

they favored an election reform primarily for reasons of partisan interest. This treatment caused out-partisans to significantly decrease their support for the policy, while in-partisan support was unchanged.

While there is an obvious normative problem with supporting election reforms primarily out of partisan interest, it is not clear that we should be concerned that partisans are more likely to oppose rule changes that would benefit the other party. After all, if the opposing party is in fact engaging in intentional electoral manipulation, as was the case in the “hot mic” study, it is very reasonable for partisans to oppose that manipulation. The problem arises when an electoral reform would have effects benefiting one party but is being proposed primarily for nonpartisan reasons. By reflexively opposing election reforms that would benefit the other party, partisans may end up preventing election reform that would improve democracy in ways that they value.

The knowledge that party elites are changing election rules primarily to benefit their party’s electoral interests significantly decreases support among out-partisans and somewhat decreases support among in-partisans. The result in Chapter 4 Study 2 that learning that the elites of the opposing party are changing election rules to benefit their side decreases support for the rule change is not surprising. However, it is interesting that partisans are not more likely to support a policy after learning that their party’s elites are supporting it for reasons of partisan interest. If voters were exclusively

motivated by partisan interest or blindly following their party leaders, we would expect to see this sort of treatment increase support. Instead, the slight decrease in support among these partisans suggests that some partisans may actually be bothered by this sort of behavior in their own party's elites – if not nearly as bothered as members of the opposing party.

5.3 The Role of Party Elites

Finally, this dissertation investigates the possibility that elite messaging could affect the public's choice between partisanship and fairness. If the public is resistant to an election rule change because it goes against their democratic principles, elites could attempt to change their calculation by influencing which principles citizens prioritize or which principles they associate with the policy. Alternatively, elites could just endorse thinking about the policy in purely partisan terms. Chapter 4 tested the effectiveness of each of these strategies.

Chapter 4 Study 1A showed that in most cases, party elite cues opposing a policy significantly decreased support for that policy among like-partisans and significantly increased support among out-partisans. Elite cues were just as effective when the value justification used for policy support or opposition did not correspond to the policy as when it did correspond. The most consistently effective cues were those arguing the policy was only being supported by the opposing party for electoral

reasons, further lending support to the idea that distrust of the opposing party's motives is a major factor in public opposition to election reform.

Chapter 4 Study 1B provided some caveats to these findings, however, failing to find an effect of elite cues with no principle-based justification. Even with a principle-based justification, elite cues had less of an impact in a situation in which respondents did not know the partisan impact of the election rule.

In Chapter 4 Study 3, respondents were shown party leader endorsements of principles that would govern election reform. Partisans were no more likely to prioritize the principles endorsed by their party leaders. They were also no more likely to de-prioritize the principles endorsed by opposing party leaders.

In sum, party elites seem to be able to influence public opinion through messaging on low-salience policy issues regardless of the principles they use to justify them. But they are not able to directly change the principles that people prioritize, at least in the short term. Nor can they get their partisans to choose partisanship over principle simply by explicitly doing so themselves, as shown in Chapter 4 Study 2.

This study is especially relevant to one of the guiding questions of this dissertation: Would party elites be able to push their partisans toward accepting increasingly extreme election rule changes? The failure of elite cues to affect the democratic principles that citizens prioritize suggests that elites might have a difficult time gaining popular support for election rule changes that are based in extreme

principles. That said, Study 3 is unable to test the effects of a party emphasizing the importance of a particular democratic principle over many years. This sort of long-term manipulation remains a plausible mechanism by which elites could influence opinion on election rules.

5.4 What We Still Don't Know

There are some questions that this dissertation is unable to answer. The most important of these is whether voters would actually act on their preference for democratic fairness in a form that would dissuade politicians from engaging in electoral manipulation. This dissertation clearly demonstrates that in most contexts in which the choice is made explicit, partisans will not choose to change election rules to benefit their own party in the context of a survey. While they can be swayed by elite messaging on election rules, there are limits to the effectiveness of such messaging. The results of several recent referendums on redistricting reform, in which independent redistricting passed against the wishes of the state's majority party, suggest that this finding may hold true in the ballot box as well as when filling out an online survey.

Even if we could be confident that voters would regularly choose democratic principles over partisan interest in referendums asking about election rules, however, there would still be reason for concern. Chapter 1 demonstrated that the salience of election rules has been rising in recent years. However, it still is not a top-priority issue for most citizens. It seems unlikely that many voters would alter their votes in a partisan

election because of the candidates' positions on election rules, assuming those positions were within the normal range of election reforms that are typically proposed. Whether they would alter their votes if the candidate proposed a severe violation of their democratic principles is a more difficult question.

Graham and Svulik (2019) use a candidate choice experiment to test whether voters punish candidates for violating democratic principles, such as through endorsing explicit partisan gerrymandering or voter suppression. They find that a candidate's vote share in a partisan election declines by 12% when the candidate adopts an undemocratic position. From one interpretation, this number is disheartening, suggesting that only a small fraction of Americans would prioritize upholding democratic principles over their other interests. Most American congressional elections are decided by margins of greater than 12%, so if any individual congressional candidate in a safe partisan district decided to adopt an undemocratic position, they would still likely win.

On the other hand, the study demonstrates that violations of democratic principles could have real and significant electoral effects. If a major party presidential candidate were to adopt undemocratic positions, they would risk losing significant vote share as a result; a 12% drop would have been decisive in all American presidential elections since 1984. If a major party were to explicitly endorse antidemocratic principles as part of their platform, they would be highly unlikely to win majorities in Congress if we believe Graham and Svulik's number.

This expectation of electoral punishment helps explain why few party elites have been willing to openly endorse manipulating election rules for partisan benefit even in an era of rising polarization. However, we cannot discount the possibility that sustained messaging in favor of explicit electoral manipulation from the elites of one party would make their partisans more comfortable with discarding democratic principles. It could be the case that citizens' attachment to those principles will only last as long as elites continue invoking them to justify election rules.

There remains much we don't know about how the public might react to elite attempts at extreme electoral manipulation. Would elite messages with principle-based justifications for "mild" manipulation, as tested in Chapter 4 Study 1, remain effective if the policies being endorsed violated democratic principles? Would the electoral punishment found by Graham and Svobik remain even if party elites were given the opportunity to justify their democratic violations using principled argument? Would extreme electoral manipulation, if implemented, lead to mass protest movements in addition to affecting electoral behavior? These are the critical questions that must be answered as the literature on the American public's response to democratic backsliding moves forward.

Another important question is whether citizens would reward candidates who prioritize election reform based on popular democratic principles in their messaging. Does the public's attachment to democratic principles primarily just constrain elites

from violating them too egregiously, or does it also have the possibility of incentivizing elites to push for positive democratic change?

There is also much to understand about public opinion formation on election rules that lies outside the bounds of this dissertation's scope. Here, I focused on the public's choice between principle and partisanship. However, in order to fully understand how the public thinks about election rules, we must better understand how people choose among various democratic principles when they come into conflict. Chapter 4 Study 3 asked respondents to rank order principles relating to voter access, giving some insight into the tradeoff between the principles of voter access and election security. But many other tradeoffs are worth studying. Chapter 3 deliberately avoided forcing respondents to make any tradeoffs on redistricting other than the one between fairness and partisan interest. Future research might test how citizens weigh competing principles of compactness, partisan proportionality, and competitiveness in redistricting.

Other tradeoffs that have substantively important implications include: How much are citizens willing to spend to ensure equal opportunity for everyone to access the ballot? How much complexity are citizens willing to add to an electoral system in order to achieve more representative or majoritarian outcomes? In what contexts are citizens more likely to think about voting as a universal right as opposed to a privilege that can be granted to the deserving or taken away?

This dissertation represents a significant step forward in our understanding of how the public comes to its opinions about election rules and, in particular, how it trades off partisan interest against democratic principles. It reveals an American public that, while strongly partisan and full of rancor toward the opposing side, still places a high value on the fairness of electoral procedures.

Appendix A: Chapter 2 OLS Tables

Table 8 presents the full results of the core OLS models in Chapter 1 with support for same-day registration as the dependent variable. Table 9 presents the same models using an ordered probit modeling approach.

Table 8: Effect of treatments on SDR support, OLS models

DV: Support for same-day registration (5 = strongly support)				
	Democrats	Republicans	Independents	All
Democratic treatment	-0.07 (0.09)	-0.31** (0.12)	-0.09 (0.18)	0.05 (0.13)
Republican treatment	-0.28** (0.09)	0.12 (0.12)	0.05 (0.18)	-0.42** (0.13)
CCES	0.25** (0.08)	-0.36*** (0.11)	-0.15 (0.15)	-0.05 (0.06)
Female	-0.16* (0.08)	0.15 (0.10)	0.14 (0.14)	0.02 (0.06)
Black	0.11 (0.10)	0.42 (0.37)	0.59* (0.29)	0.22* (0.10)
Hispanic	-0.13 (0.13)	0.18 (0.24)	0.41 (0.24)	0.00 (0.11)
Education Level (1-7)	0.02 (0.03)	-0.07 (0.03)	0.06 (0.05)	0.00 (0.02)
Ideology (7 = Very Conservative)	-0.14*** (0.02)	-0.25*** (0.03)	-0.16** (0.05)	-0.20*** (0.02)
Party ID (7 = Strongly Republican)				-0.13*** (0.02)
Democratic treatment*PID				-0.06 (0.03)
Republican treatment*PID				0.09** (0.03)
Constant	4.40*** (0.18)	4.61*** (0.27)	3.45*** (0.35)	4.81*** (0.15)
Observations	842	680	261	1,783
Adjusted R ²	0.06	0.12	0.06	0.20
Residual Std. Error	1.08 (df = 833)	1.26 (df = 671)	1.14 (df = 252)	1.18 (df = 1771)
F Statistic	7.97***	12.88***	3.08**	41.51***

* $p < .05$, ** $p < .01$, *** $p < .001$

Table 9: Effect of treatments on SDR support, ordered probit models

DV: Support for same-day registration (5 = strongly support)				
	Democrats	Republicans	Independents	All
Democratic treatment	-0.05 (0.08)	-0.27** (0.10)	-0.08 (0.17)	0.05 (0.13)
Republican treatment	-0.29** (0.09)	0.10 (0.10)	0.05 (0.17)	-0.41** (0.13)
CCES	0.29*** (0.08)	0.31*** (0.09)	-0.15 (0.15)	-0.02 (0.06)
Female	-0.17* (0.08)	0.13 (0.08)	0.14 (0.13)	0.01 (0.05)
Black	0.13 (0.11)	0.40 (0.32)	0.58* (0.28)	0.22* (0.09)
Hispanic	-0.14 (0.13)	0.13 (0.20)	0.40 (0.23)	-0.02 (0.10)
Education Level (1-7)	0.02 (0.03)	-0.05 (0.03)	0.05 (0.04)	0.00 (0.02)
Ideology (7 = Very Conservative)	-0.15*** (0.02)	-0.21*** (0.03)	-0.15* (0.05)	-0.19*** (0.02)
Party ID (7 = Strongly Republican)				-0.11*** (0.02)
Democratic treatment*PID				-0.06 (0.29)
Republican treatment*PID				0.08** (0.03)
1 2	-2.38*** (0.20)	-2.33*** (0.24)	-1.62*** (0.35)	-2.64*** (0.15)
2 3	-1.73*** (0.19)	-1.77*** (0.24)	-1.05* (0.34)	-2.06*** (0.15)
3 4	-0.89*** (0.18)	-1.01*** (0.23)	0.23 (0.34)	-1.21*** (0.14)
4 5	-0.28 (0.18)	-0.34 (0.23)	0.69* (0.34)	-0.62*** (0.14)
Observations	842	680	261	1,783

* $p < .05$, ** $p < .01$, *** $p < .001$

Appendix B: Chapter 2 Sample Composition

The survey sample in this study comes from two separate surveys, both conducted just prior to the 2016 presidential election. Both surveys were national, non-probability, and internet-based, and were administered only to U.S. citizens of voting age. The first was conducted by vendors employed by Qualtrics. It was administered to 1010 respondents, and 990 were retained in the sample after respondents who terminated the survey early were removed. The Qualtrics survey was conducted from October 20-25, 2016, about two weeks before Election Day.

Half of the Qualtrics sample was found via “river sampling,” in which respondents are invited to take the survey via online ads on various websites and then are redirected to the survey after answering screening questions. The other half of the sample was taken from a Qualtrics-affiliated panel. The Qualtrics survey used quotas to ensure that the sample did not deviate too far from the American population on key demographic variables. Those quotas are listed below:

- Education: 65% of respondents with less than a college degree
- Age (each +/- 1%):
 - 18-29: 24%
 - 30-54: 45%
 - 55+: 32%
- Ethnicity: Not to exceed 73% of respondents who checked only “white”
- Gender: 51-53% female

The experiment was also run in a module in the 2016 pre-election Cooperative Congressional Election Survey (CCES), which was conducted by YouGov Polimetrix. The module was administered to 1000 respondents, of which 795 were retained in the sample after respondents who did not answer the dependent variable or party ID questions were removed. The CCES was conducted from October 4 - November 6, 2016.

YouGov Polimetrix constructs its sample by matching individuals from its opt-in panel with a random sample of all U.S. consumers based on a cluster of demographic characteristics including age, income, education, race, gender, and location. The CCES stratifies by voter registration status, state size, and competitiveness of congressional district. It oversamples registered voters and ensures adequate sample sizes in small states and competitive congressional districts. Further information about the CCES sample design can be found at: <https://cces.gov.harvard.edu/book/sample-design>

Table 10 below shows the demographic composition of the full sample and the composition for each treatment group.

Table 10: Demographic means across treatment groups for combined survey sample

Treatment Group	Control		Democratic Benefit		Republican Benefit		All	
	<i>Mean</i>	<i>SD</i>	<i>Mean</i>	<i>SD</i>	<i>Mean</i>	<i>SD</i>	<i>Mean</i>	<i>SD</i>
Female	0.54	0.50	0.50	0.50	0.55	0.50	0.53	0.50
White	0.74	0.44	0.71	0.46	0.74	0.44	0.73	0.44
Education (1-7)	4.32	1.55	4.37	1.52	4.25	1.52	4.31	1.53
Ideology (7 = Very Conservative)	4.10	1.86	3.97	1.84	3.98	1.77	4.02	1.82
Democrat	0.48	0.50	0.49	0.50	0.46	0.50	0.47	0.50
Republican	0.40	0.49	0.36	0.48	0.38	0.49	0.38	0.49

Appendix C: Chapter 2 SDR Support Distribution

Figure 20 shows the distribution of support for same-day registration for Democratic, Republican, and independent respondents.

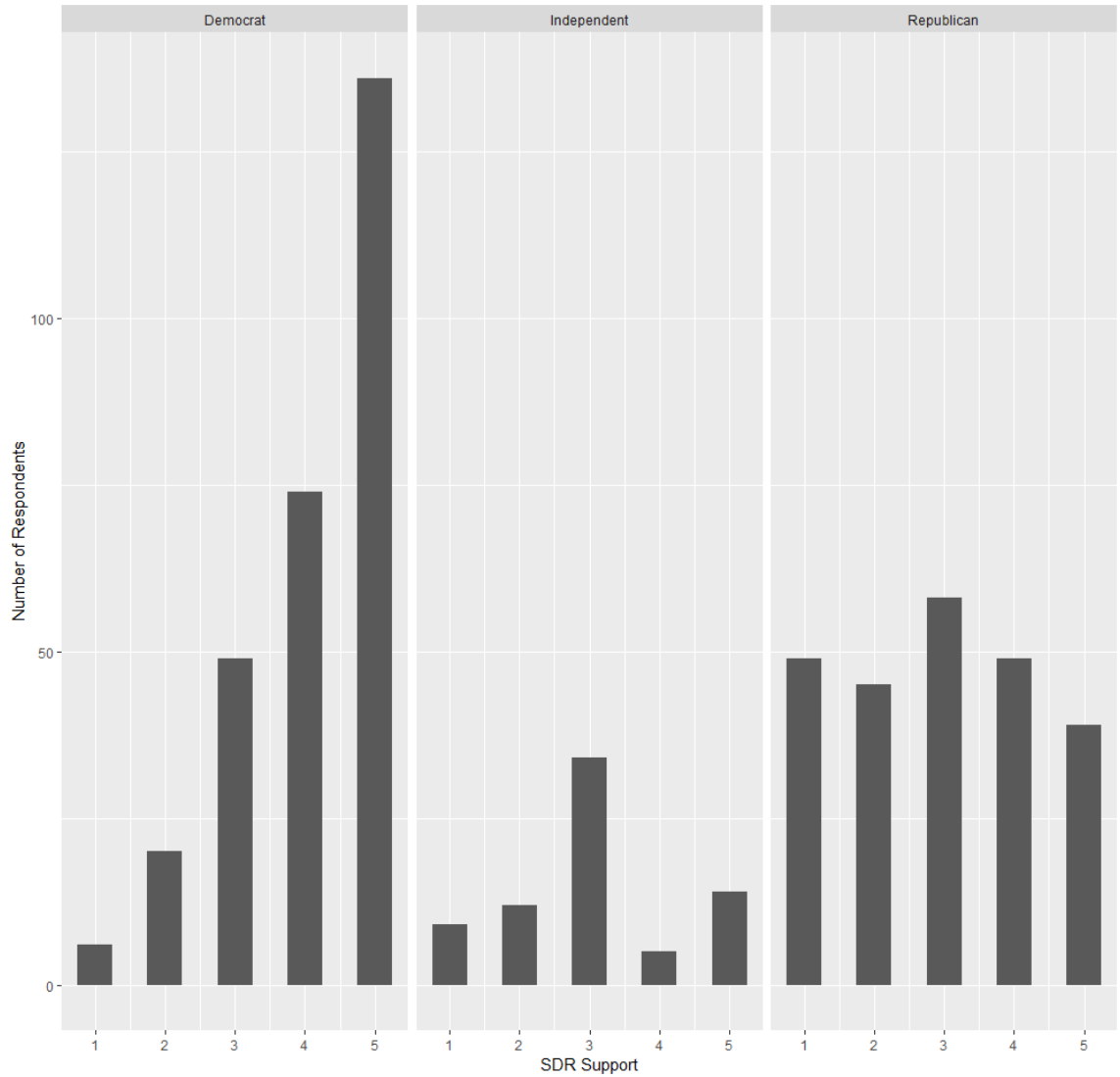


Figure 20: Distribution of support for SDR among survey respondents in control group

Appendix D: Chapter 3 Sample Composition

Both studies in this paper were conducted using the Lucid Fulcrum exchange, a platform that has been shown to produce results that closely track the results of studies conducted on nationally representative samples (Coppock and McClellan 2019). Lucid's partnering companies find research participants from a variety of sources including via emails, push notifications, in-app pop-ups, or through offerwalls of engagement opportunities. These companies incentivize their users to participate in opportunities by sharing the revenue earned for a completed survey.

In both studies, the survey questions analyzed in this paper were presented to respondents after they had already participated in a separate survey related to American politics. For Study 1, the preceding survey studied ideological differences in motivated reasoning, while for Study 2 the preceding survey studied the relationship between psychophysiological indicators and political ideology.

Tables 11 and 12 below show the demographic balance across the treatment groups for Study 1 and 2, respectively. Table 13 compares the demographics of the full samples of these studies to the national average.

Table 11: Demographic characteristics across each treatment group in Study 1

Treatment Group	Control		Partisan		Trust		Distrust	
	<i>Dem</i>	<i>GOP</i>	<i>Dem</i>	<i>GOP</i>	<i>Dem</i>	<i>GOP</i>	<i>Dem</i>	<i>GOP</i>
Female	0.57	0.52	0.58	0.44	0.56	0.43	0.55	0.51
Nonwhite	0.37	0.18	0.39	0.19	0.38	0.20	0.41	0.15
Education (1-6)	3.80	3.68	3.68	3.60	3.62	3.66	3.88	3.59
Party ID Strength	0.51	0.48	0.51	0.47	0.53	0.51	0.52	0.49
Affective Polarization	0.68	0.76	0.68	0.75	0.71	0.75	0.69	0.76
Multi-Party System	0.67	0.70	0.68	0.67	0.69	0.69	0.68	0.68
Rule of Law	52	42	45	46	52	43	47	44

Table 12: Demographic characteristics across each treatment group in Study 2

Treatment Group	Control		Distrust		Trust	
	<i>Dem</i>	<i>GOP</i>	<i>Dem</i>	<i>GOP</i>	<i>Dem</i>	<i>GOP</i>
Female	0.59	0.53	0.60	0.49	0.61	0.50
Nonwhite	0.30	0.08	0.29	0.08	0.29	0.10
Education (1-6)	3.92	3.77	3.80	3.85	3.69	3.89
Multi-Party System	0.78	0.71	0.75	0.72	0.71	0.76
Affective Polarization	59	51	58	53	56	54

Table 13. National gender and race figures come from the 2016 ACS. National multi-party system and rule of support figures come from Gibson and Caldeira (2009); note that this figure is based on a four-question rule of law scale, while this study uses a later five-question version from Gibson and Nelson (2015). National party ID strength figure comes from the YouGov study in Huddy et al. (2015). National Democratic, Republican, and education figures come from the 2016 ANES. Affective polarization figure comes from Abramowitz and Webster (2016).

	Study 1	Study 2	Nationwide
Female	0.52	0.55	0.49
Nonwhite	0.29	0.20	0.38
Education (1-6)	3.69	3.76	3.38
Republican	0.38	0.38	0.39
Democrat	0.46	0.45	0.46
Party ID Strength	0.50	--	0.61
Affective Polarization (0-100)	47	49	40
Multi-Party System	0.68	0.74	0.79
Rule of Law	0.72	--	0.75

Appendix E: Chapter 3 Survey Instrument

Study 1 Instrument

Q20Control/Partisan There has been a lot of talk about redistricting and gerrymandering lately. Many have been critical of how some congressional district maps were drawn after the last census in 2010, arguing that the maps were drawn to benefit particular incumbents or political parties. Some reformers have suggested that redistricting should be conducted by nonpartisan commissions that would prioritize compact districts, avoiding odd shapes and contorted boundaries. Others believe these commissions should prioritize partisan fairness, so that a party that receives 60% of the vote in a presidential election also wins about 60% of the congressional seats.

With the next redistricting cycle approaching, we're soliciting feedback from the public on how district maps should be drawn.

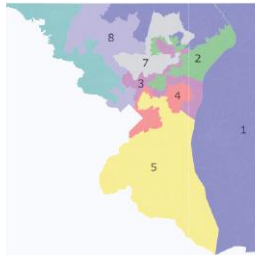
Q21ControlMD Consider the four plans below for redistricting a hypothetical state, Americana. To remove any partisan considerations, the statewide vote and projected seats refer to imaginary parties – the American Party and the National Party. Assume that all maps are compliant with the Voting Rights Act and have districts with equal population.

Redistricting of Americana

Statewide vote in 2016 presidential election:
64% American Party, 36% National Party

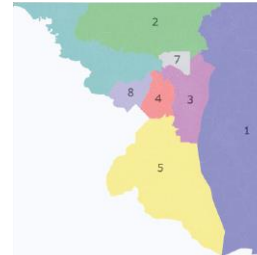
Map drawn by American legislature in 2011
7 American districts (88%), 1 National district (12%)

Map A



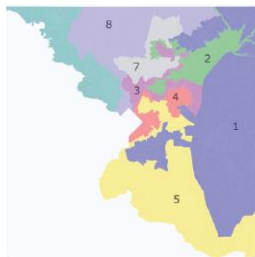
Map proposed by nonpartisan commission
5 American districts (63%), 3 National districts (37%)

Map B



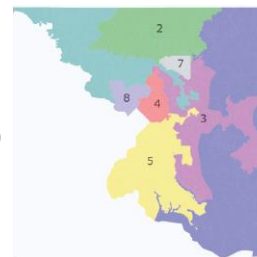
Map proposed by American Party
8 American districts (100%), 0 National districts (0%)

Map C



Map proposed by National Party
4 American districts (50%), 4 National districts (50%)

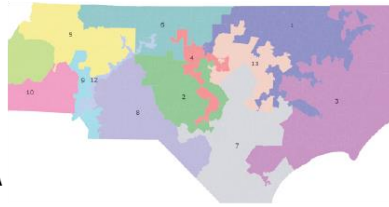
Map D



Q21ControlNC Consider the four plans below for redistricting a hypothetical state, Americana. To remove any partisan considerations, the statewide vote and projected seats refer to imaginary parties – the American Party and the National Party. Assume that all maps are compliant with the Voting Rights Act and have districts with equal population.

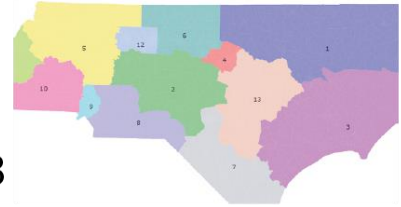
Redistricting of Americana
Statewide vote in 2016 presidential election:
52% American Party, 48% National Party

Map drawn by American legislature in 2011
10 American districts (77%), 3 National districts (23%)



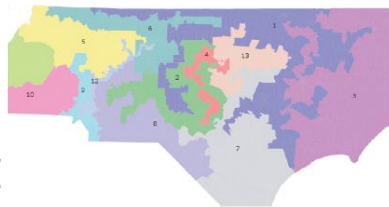
Map A

Map proposed by nonpartisan commission
7 American districts (54%), 6 National districts (46%)



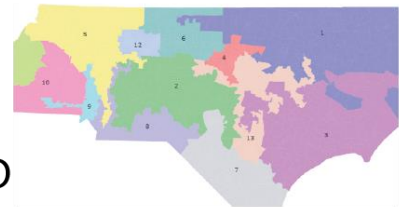
Map B

Map proposed by American Party
11 American districts (85%), 2 National districts (15%)



Map C

Map proposed by National Party
5 American districts (38%), 8 National districts (62%)

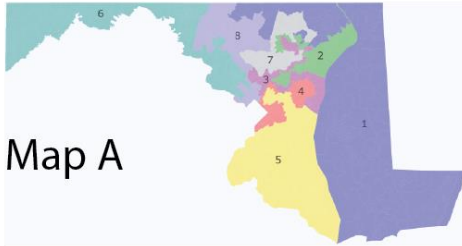


Map D

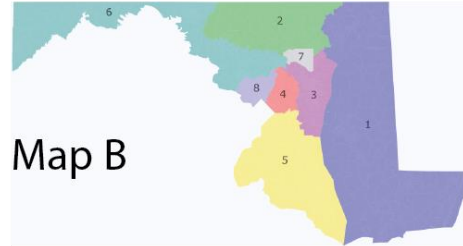
Q21PartisanMD Consider the four plans for redistricting Maryland below. All maps are compliant with the Voting Rights Act and have districts with equal population.

Redistricting of Maryland
Statewide vote in 2016 presidential election:
64% Democrat, 36% Republican

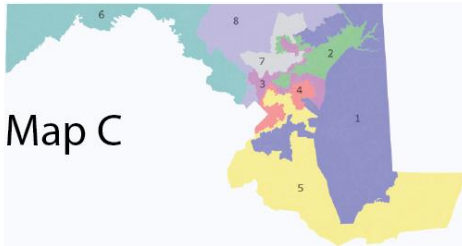
Map drawn by Democratic legislature in 2011
7 Democratic districts (88%), 1 Republican district (12%)



Map proposed by nonpartisan commission
5 Democratic districts (63%), 3 Republican districts (37%)



Map proposed by Democratic Party
8 Democratic districts (100%), 0 Republican districts (0%)

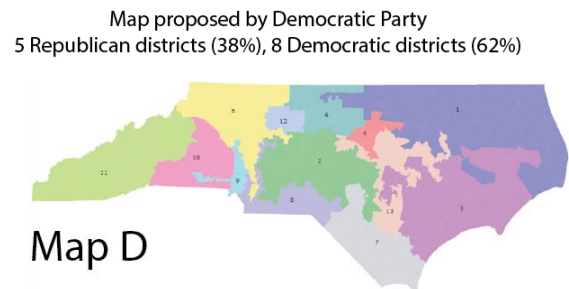
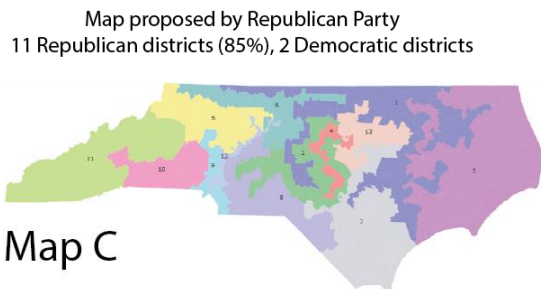
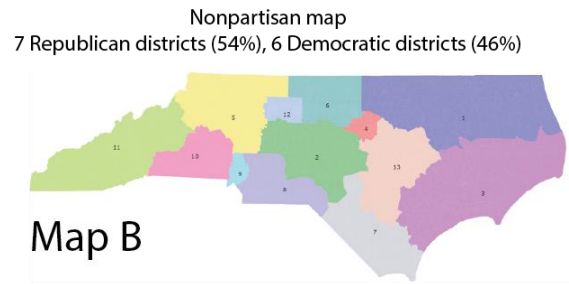
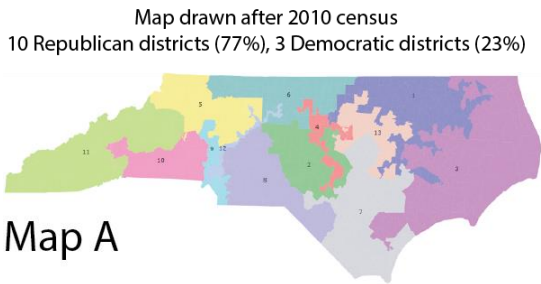


Map proposed by Republican Party
4 Democratic districts (50%), 4 Republican districts (50%)

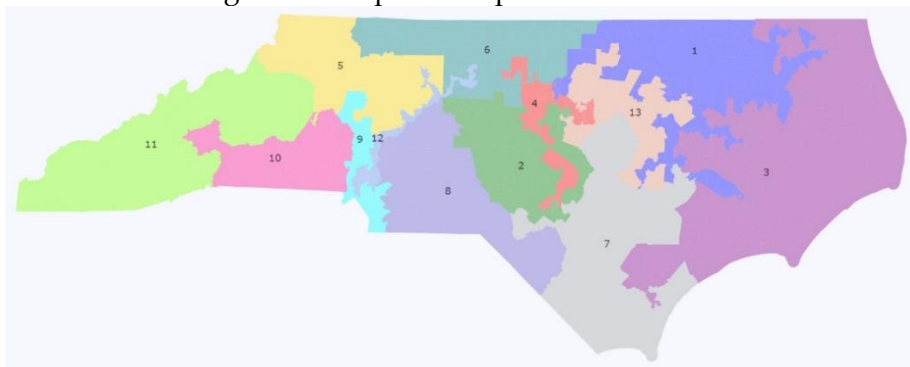


Q21PartisanNC Consider the four plans for redistricting North Carolina below. All maps are compliant with the Voting Rights Act and have districts with equal population.

Redistricting of North Carolina
Statewide vote in 2016 presidential election:
52% Republican, 48% Democrat



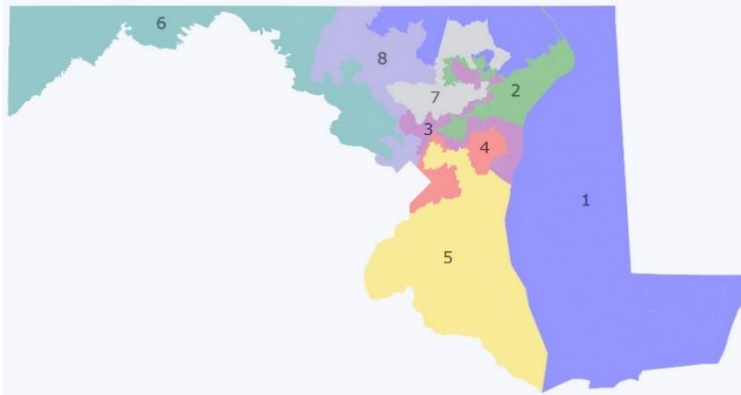
Q20DistrustMD One state that has been identified as an especially egregious example of gerrymandering is North Carolina, where the Republican state legislature drew a map giving Republicans control of 10 of North Carolina's 13 seats (77%) despite only 52% of voters voting for the Republican presidential candidate in 2016:



With the next redistricting cycle approaching, we're soliciting feedback from the public on how district maps should be drawn. We would like you to choose from among several plans that have been proposed for redistricting Maryland.

[Show Maryland map options as in Q16PartisanMD]

Q20DistrustNC: One state that has been identified as an especially egregious example of gerrymandering is Maryland, where the Democratic state legislature in Maryland drew a map giving Democrats control of 7 of Maryland's 8 seats (88%) despite only 64% of voters voting for the Democratic presidential candidate in 2016.



With the next redistricting cycle approaching, we're soliciting feedback from the public on how district maps should be drawn. We would like you to choose from among several plans that have been proposed for redistricting North Carolina.

[Show North Carolina map options as in Q21PartisanNC]

Q20TrustMD There has been a lot of talk about redistricting and gerrymandering lately. Many have been critical of how some congressional district maps were drawn after the last census in 2010, arguing that the maps were drawn to benefit particular incumbents or political parties. Some reformers have suggested that redistricting should be conducted by nonpartisan commissions that would prioritize compact districts, avoiding odd shapes and contorted boundaries. Others believe these commissions should prioritize partisan fairness, so that wins a party that receives 60% of the vote in a presidential election also wins about 60% of the congressional seats.

One state that has been identified as an especially egregious example of gerrymandering is North Carolina, where the Republican state legislature drew a map giving Republicans control of 10 of North Carolina's 13 seats (77%) despite only 52% of voters voting for the Republican presidential candidate in 2016:

[Show North Carolina gerrymander as in Q20DistrustMD]

Maryland and North Carolina are widely considered the most gerrymandered states in the country. Republicans in North Carolina have passed a bill pledging that if Maryland uses a nonpartisan commission for redistricting in 2020, North Carolina will adopt nonpartisan redistricting as well.

“Neither party has clean hands when it comes to gerrymandering, said NC Delegate Carr (R) of the legislation. “We are creating an opportunity for Maryland and North Carolina to lead the nation by ending an undemocratic process and giving power to the people.”

With the next redistricting cycle approaching, we’re soliciting feedback from the public on how district maps should be drawn. We would like you to choose from among several plans that have been proposed for redistricting Maryland.

[Show Maryland map options as in Q21PartisanMD]

Q20TrustNC There has been a lot of talk about redistricting and gerrymandering lately. Many have been critical of how some congressional district maps were drawn after the last census in 2010, arguing that the maps were drawn to benefit particular incumbents or political parties. Some reformers have suggested that redistricting should be conducted by nonpartisan commissions that would prioritize compact districts, avoiding odd shapes and contorted boundaries. Others believe these commissions should prioritize partisan fairness, so that wins a party that receives 60% of the vote in a presidential election also wins about 60% of the congressional seats.

One state that has been identified as an especially egregious example of gerrymandering is Maryland, where the Democratic state legislature in Maryland drew a map giving Democrats control of 7 of Maryland’s 8 seats (88%) despite only 64% of voters voting for the Democratic presidential candidate in 2016.

[Show Maryland gerrymander as in Q20DistrustMD]

Maryland and North Carolina are widely considered the most gerrymandered states in the country. Democrats in Maryland have passed a bill pledging that if North Carolina uses a nonpartisan commission for redistricting in 2020, Maryland will adopt nonpartisan redistricting as well.

“Neither party has clean hands when it comes to gerrymandering, said MD Delegate Carr (D) of the legislation. “We are creating an opportunity for Maryland and

North Carolina to lead the nation by ending an undemocratic process and giving power to the people.”

With the next redistricting cycle approaching, we’re soliciting feedback from the public on how district maps should be drawn. We would like you to choose from among several plans that have been proposed for redistricting North Carolina.

[Show North Carolina map options as in Q16PartisanNC]

Q22AllMD Which of the four Maryland maps would you choose to implement?

- Map A
- Map B
- Map C
- Map D

Q22AllNC Which of the four North Carolina maps would you choose to implement?

- Map A
- Map B
- Map C
- Map D

Q23 Do you favor or oppose a nationwide law requiring states to use a nonpartisan commission for redistricting? (5-point scale from Strongly Favor to Strongly Oppose)

Study 2 Instrument

Q9 There has been a lot of talk about redistricting and gerrymandering lately. After the last census in 2010, many congressional district maps were drawn to benefit particular incumbents or political parties. Reformers have suggested that redistricting should be conducted by nonpartisan commissions that would draw compact districts, avoiding odd shapes and contorted boundaries. Such a commission could also draw districts that ensure partisan fairness, so that wins a party that receives 60% of the statewide vote also wins about 60% of the congressional seats.

With the next redistricting cycle approaching, legislatures are beginning to think about how they will draw the new maps.

Q10DemControl [*No additional text*]

Q10DemDistrust In Indiana, Republican lawmakers have signaled that they will not hold back in drawing an extreme gerrymander that will allow Republicans to win all 9 of the state's districts, even though Republicans typically only win about 60% of the vote in Indiana.

Q10DemTrust In Indiana, Republican lawmakers have signaled that they are willing to put an end to the cycle of gerrymandering if Democrats do the same. They have passed a bill pledging that if Maryland uses a nonpartisan commission for redistricting in 2020, Indiana will adopt nonpartisan redistricting as well.

Q10GOPControl [*No additional text*]

Q10GOPDistrust In Maryland, Democratic lawmakers have signaled that they will not hold back in drawing an extreme gerrymander that will allow Democrats to win all 8 of the state's districts, even though Democrats typically only win about 60% of the vote in Maryland.

Q10GOPTrust In Maryland, Democratic lawmakers have signaled that they are willing to put an end to the cycle of gerrymandering if Republicans do the same. They have passed a bill pledging that if Indiana uses a nonpartisan commission for redistricting in 2020, Maryland will adopt nonpartisan redistricting as well.

Q11Dem Democratic legislators in Maryland are [also] considering their strategy for redistricting. What would you like to see them do in 2020?

- Adopt a nonpartisan commission, which will likely result in Democrats holding 5 seats and Republicans holding 3 seats.
- Draw a map that will likely result in Democrats holding 8 seats and Republicans holding 0 seats.

Q11GOP Republican legislators in Indiana are [also] considering their strategy for redistricting. What would you like to see them do in 2020?

- Adopt a nonpartisan commission to draw the map, which will likely result in Republicans holding 6 seats and Democrats holding 3 seats.
- Draw a map that will likely result in Republicans holding 9 seats and Democrats holding 0 seats.

Appendix F: Chapter 4 Sample Composition

Table 14: Demographic characteristics across each treatment group in Study 1A, for the policies of making Election Day a holiday (EDH) and vote-by-mail (VBM)

Policy	Election Day Holiday					Vote-by-Mail				
	<i>Control</i>	<i>Party Info</i>	<i>Bureau</i>	<i>Fraud</i>	<i>Dem Benefit</i>	<i>Control</i>	<i>Party Info</i>	<i>Bureau</i>	<i>Fraud</i>	<i>Dem Benefit</i>
Female	0.46	0.49	0.54	0.53	0.51	0.49	0.55	0.48	0.47	0.54
Black	0.15	0.11	0.11	0.1	0.11	0.14	0.1	0.12	0.12	0.13
Hispanic	0.07	0.09	0.09	0.1	0.08	0.11	0.08	0.11	0.07	0.1
Democrat	0.51	0.48	0.5	0.48	0.52	0.49	0.48	0.45	0.5	0.47
Republican	0.35	0.39	0.36	0.38	0.36	0.28	0.34	0.4	0.33	0.41
Multi-Party Dem	2.55	2.41	2.38	2.6	2.56	2.68	2.62	2.48	2.6	2.63

Table 15: Demographic characteristics across each treatment group in Study 1B

	Control	Endorse Only	Principle
Female	0.49	0.54	0.47
Black	0.13	0.11	0.14
Hispanic	0.09	0.10	0.04
Republican	0.51	0.46	0.45
Democrat	0.33	0.38	0.41
Multi-Party System	2.62	2.56	2.62

Table 16: Demographic characteristics across each treatment group in Study 2

	Control	Auto Reg First	Voter ID First
Female	0.59	0.54	0.63
Black	0.08	0.09	0.10
Hispanic	0.10	0.10	0.09
Republican	0.50	0.46	0.43
Democrat	0.34	0.39	0.42
Education (1-6)	3.65	3.60	3.53

Table 17: Demographic characteristics across each treatment group in Study 3

	Democratic Messages				Republican Messages		
	<i>Control</i>	<i>Moderate</i>	<i>Strong</i>	<i>Extreme</i>	<i>Moderate</i>	<i>Strong</i>	<i>Extreme</i>
Female	0.50	0.57	0.56	0.55	0.59	0.59	0.49
Black	0.11	0.12	0.12	0.12	0.12	0.12	0.12
Hispanic	0.06	0.08	0.08	0.07	0.07	0.09	0.07
Democrat	0.44	0.43	0.47	0.45	0.46	0.47	0.43
Republican	0.40	0.43	0.37	0.36	0.39	0.33	0.43
Multi-Party Democracy	2.51	2.49	2.52	2.58	2.52	2.55	2.53

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Biography

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