

If Elected... ★ ★ ★



***THREE YALE LAW SCHOOL GRADUATES
EXPERIENCED THE MOST IMPORTANT
ELECTION IN A GENERATION FROM
THE INSIDE, BY RUNNING FOR OFFICE
THEMSELVES. YLR SPENT SOME TIME WITH
EACH OF THEM ON THE CAMPAIGN TRAIL.***

★ ★ ★ ★ ★ Jonathan T. Weisberg ★ ★ ★ ★ ★

★ ★ KRIS KOBACH '95 ★ ★

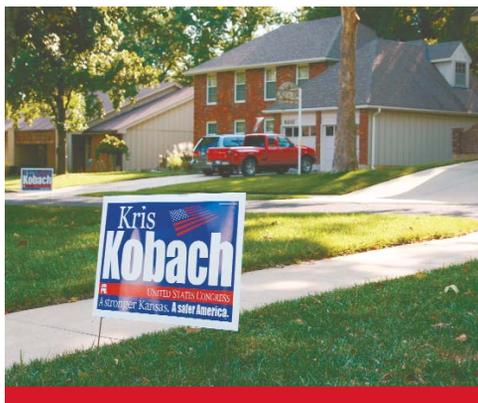
RUNNING A GROUND WAR

Kris Kobach stops in at his campaign headquarters in Lenexa, Kansas. He needs to synchronize his handheld organizer with the dozen or so new events that have been emailed to him in the last twenty-four hours. He is running as the Republican nominee for the Third Congressional District in Kansas. After being on the road all morning, meeting with the archbishop of Kansas, speaking to college students, and stealing a scant twenty minutes with his infant daughter, he only has ten minutes before he has to leave for his next appointment. But his laptop computer freezes, and he has to reboot it. It freezes again. He reboots again, time dwindling.

Kobach's office opens on the reception area, and he had left the door open. A man who was replacing the candy in a vending machine peeks into the office and asks Kobach about the latest news in the campaign. Kobach's opponent, the incumbent Dennis Moore, had accused Kobach of taking money from a group whose leader had once spoken to white supremacist groups. Kobach explains that the charges are specious and refer to an event more than ten years in the past. He turns to face the voter and answers all his questions, talking for almost five minutes—his eyes not once checking to see that his computer has booted properly.

"It's better to be late to the next event," Kobach says, "than have someone think you don't want to talk to them."

Kobach tells voters, "Every vote is important"—and it's more than a platitude, as he expects a tight race. Moore won the last three elections for this seat, but each time by a decreasing margin, as the district became more heavily Republican. "Demographics are destiny for Dennis Moore," Kobach says. But Kobach has far less money available than his incumbent opponent, and so his strategy is to rely on the "ground war"—talking to people one-on-one, speaking before



any group that invites him, and getting tens of thousands of yard signs, bumper stickers, and billboards placed. To try to sway an election in which hundreds of thousands of people will vote through such retail politicking takes unceasing effort.

His schedule finally synched, Kobach jumps in his pickup and heads for the highway.

The Third District covers two counties and part of a third clustered along the western edge of Kansas City. It is the most densely populated district in the state, but it still takes a couple of hours to drive across. Kobach's truck has become a roving office, with a cell phone, files, pamphlets, and bumper stickers. The district also varies from a few small towns still outside the grasp of suburbia, to the heavily Republican subdivisions of Johnson County, to downtown Kansas City, Kansas.

After a meeting with a minister, Kobach fills an open hour on his schedule by walking door to door introducing himself. He works along North 18th Street in Kansas City, the most Democratic part of the state, mostly blue collar, with a high percentage of minorities. It's not an area he expects to win, especially as he is running a very conservative campaign, but he hopes to persuade more people here to vote for him. "Different aspects of my message can appeal to different constituencies," says Kobach. "For example, the Eastern European Catholic constituency here—I think the Democratic party of today is not the same Democratic party their grandparents formed an allegiance with...especially on the moral and cultural issues, like abortion and marriage."

Kobach asks each person who opens a door if they have any questions, then after a few moments of conversation, asks them to put a sign supporting his candidacy in their yard. He hopes that by walking along high-traffic streets, placing signs, he can create the impression that a consensus of people in the neighborhood will vote for him, and maybe

★ See the end of this story to find out the results of each campaign ★

persuade those who don't usually vote Republican to consider him—expanding the reach of his efforts. “You can strategically walk in a way that makes a difference even in a congressional district,” he says. And he's very successful at getting the signs placed. Eight out of nine people he speaks with agree to have the signs in their yards. The campaign assistant with him that day says that no one else on the campaign has nearly as high a success rate. Kobach is also exact about how he places the signs, fussing with each one, so as he drives off, he sees his name lining both sides of the street at a perfect angle.

Kobach says that he spends the vast majority of his time talking about national issues, because “the big differences between me and my opponent are on national questions.”

Eight out of nine people he speaks with agree to have the signs in their yards.

His campaign can sound like a spin-off of the presidential campaign, as, he points out, “national security, homeland security, and the war on terrorism are the most important issues.” As he arrives at his next destination—a reception at a Catholic charity—he puts on a tie and a jacket over the shirt he'd worn to go door-to-door.

The ground war has worked for Kobach in the past. He recalls knocking on more than 4,000 doors in his first campaign, which was for a seat on the Overland Park City

Council, which he won. Kobach worked on the City Council for two years, also teaching constitutional law at the University of Missouri, Kansas City, until he had a chance to go to Washington as part of the White House Fellows program. He arrived September 1, 2001, and was assigned responsibility for immigration policy, as counsel to Attorney General John Ashcroft. Ten days later, terrorists attacked the United States, and, he says, “immigration and border security, which had been a lazy backwater of the law, came under the spotlight.”

Kobach's experiences and frustrations with the war on terrorism inspired his run for Congress. He spearheaded several new policies at the Justice Department, such as the National Security Entry-Exit Registration System, which required fingerprinting of some high-risk visitors to the U.S. But he also saw first-hand where pieces of the law were hindering the executive branch's efforts to fight terrorism. “Under current U.S. law, a member of a terrorist organization is not deportable on that basis alone,” says Kobach. “Now that doesn't make sense, because we could have stopped him from entering the country, we could have stopped him from getting the visa at the U.S. consulate abroad, if we had known that he was a member of a terrorist organization.” Kobach says he worked on specific cases where this was a problem.

He decided the time was right for him to take what he'd learned to Congress. “I've seen that you can make very specific changes to the law that don't cost a penny, and they



Kris Kobach walks—and sometimes runs—a parade route in his hometown of Overland Park, shaking hands with hundreds of voters.

Kobach
UNITED STATES CONGRESS
A stronger Kansas. A safer America.

"I spend a lot of time on the campaign trail with men and women running for Congress, and I can tell you that Kris is one of the best candidates on the ballot anywhere in the country this year."
—Vice President Dick Cheney

"I have worked with Kris Kobach to secure our borders against terrorism. He will be able to make a major contribution in Congress from the day that he is sworn in."
—U.S. Congressman Lamar Smith (R-TX)

"As a former Bush Administration official, Kris Kobach will be an influential player in the Republican House majority. He will be able to achieve real results for the people of Kansas."
—Speaker of the House, J. Dennis Hastert

www.kobachforcongress.com

will be much more effective than taking a million dollars to buy a fire engine in Utah." He left the Justice Department in 2003 and started raising money and building a campaign staff. Kobach's main opponent in the Republican primary was Adam Taff, who had been the Republican candidate in the 2002 election. Taff had the support of most of the party—including prominent Kansans such as Bob Dole and Senator Pat Roberts. A poll in March 2004 showed Kobach trailing by 51 percentage points. "But it was at that point that we really started working on the ground war, getting the signs up, getting name ID." The gap closed to 10 points with a month to go. Kobach also hoped that turnout from local churches,

where he had strong support because of his opposition to abortion and gay marriage, would put him over the top. On primary night, the tally had Kobach ahead by 87 votes. But with hundreds of provisional ballots uncounted, he had to wait eight days to be declared the winner—by 201 votes.

Two days after securing the nomination, Kobach's campaign was contacted by the office of Vice President Dick Cheney. Dennis Moore was considered one of the two or three most vulnerable Democratic incumbents, and the national party was taking strong interest in the race. Not only did Cheney fly in for a fund-raiser in late August, but Kobach started receiving contributions from all over the country, many from Republicans who felt their money wouldn't make a difference in their home districts. He also raised funds from organizations that support some of his policy stances, such as the Immigration Reform Coalition and the National Federation of Independent Businesses. He hopes to raise about one million dollars.

The money allows Kobach to run more advertising, whether print, radio, or television, and most of this advertising is aimed at convincing the voters of the Third District that their congressman is out of step with their values. Kobach goes into a practiced list of examples: "Dennis Moore voted against the ban on partial-birth abortion four times, he's voted against the Unborn Victims of Violence Act, he's said he's going to vote against the Federal Marriage Amendment.... When he comes back here, he

talks like a Republican," says Kobach. "My number-one job is to pierce the veil that currently obscures Dennis Moore's voting record." But because of the power of incumbency, Kobach has to work against an opponent who has substantially more money.

Kobach keeps advancing the front in his ground war, shaking hands, answering questions, hoping that the strength of his face-to-face campaign style will overcome his monetary disadvantage. Occasionally, he thinks ahead to what he would do if elected, and he declares that his first legislative initiative will be to make membership in a terrorist organization a deportable offense. But the demands of campaigning are unrelenting. After the charity reception, he drives to the opposite corner of his district, to the small town of Edgerton. He ends the day's campaign near midnight, on Edgerton's school playground, talking with the last few people left at a get-out-the-vote party. Kobach checks his schedule for the next day before driving home: three parades and one barbecue.

★★ ED MEYER '61 ★★

A RACE TO END A CAREER Ed Meyer stands at a lectern just a few feet from Republican incumbent Bill Aniskovich, his opponent for a seat in the Connecticut State Senate. It is their first public meeting, and Meyer was selected to speak first. The debate is sponsored by the Madison Property Owners Association, and is supposed to focus on the issue of property taxes. Meyer sees this as the second-most important issue in the campaign, and he eagerly begins his ten-minute statement.

Connecticut pays less per student for public education than nearly any other state, leaving a costly burden on the towns. The town of Madison, Meyer points out, receives only four percent of its education budget from the state. So the towns raise property taxes, putting undue pressure on longtime homeowners and the elderly, pushing the towns to make unwise decisions about land allocation, and warping the character of the community. Meyer suggests that an income tax surcharge on the wealthiest

FOR STATE SENATE
Ed Meyer

Integrity We Can Trust



Ed Meyer talks with his wife, Patty Ann, at a fundraiser for the Branford Town Democratic Party just two days before the election.

individuals could be used to help finance education while curbing property taxes.

Aniskovich begins his opening statement, and agrees on the character of the problem. However, he proposes a requirement that the state make a minimum per-pupil contribution out of the existing state budget, rather than creating new taxes.

The first question from the audience, however, shifts the discussion to what Meyer says is the overriding issue in the campaign. The audience member asks Aniskovich to affirm that he is not a part of the corruption that is plaguing the state government.

Connecticut Governor John Rowland resigned three months before, after lying about gifts and favors he received from various state contractors. Aniskovich was one of only four state senators who didn't call for the governor to step down as the scandal developed. Meyer sees a potential conflict of interest in the fact that Aniskovich's wife was appointed executive director of the Connecticut Commission on Culture and Tourism by Rowland.

Aniskovich asserts his probity. Meyer responds, gentle in tone but unsparing in his assessment: "Governor Rowland took freeloading to a new state of art, and you stood by him."

Looking back at the debate a few days later, Meyer draws a lesson from the turn the questions took. "Many voters have so little trust in the government that they

believe that if we increase the income tax, we'll never see the money.... That suggests it will be very difficult to make any real structural change in tax policy. But I'm committed to it."

He also has a fresh example of the sort of influence peddling in the state government that troubles him. Connecticut Public Television had sent out a packet of information for senior citizens, which included a letter thanking Bill Aniskovich for supporting the project and, according to Meyer, appearing to endorse him. Common Cause filed a complaint, claiming this constituted illegal advertising, and the *Hartford Courant* criticized CPTV in an editorial. Meyer compares this incident to the pattern he'd seen in Governor Rowland's administration. "What they do is they use state money to get personal benefits of various kinds," says Meyer. "That's going to be increasingly an issue in our campaign."

(A state investigation of the incident later found no wrongdoing, but CPTV agreed not to distribute the publication until after the election.)

Meyer is a newcomer to the district he wants to represent. He and wife Patty Ann (also his chief campaign worker) moved to Guilford in 2001. The district includes several shoreline towns to the east and north of New Haven, and is home to about 65,000 voters. But Meyer's not a newcomer to politics, having served in the New York state legislature for several years in the 1970s and on the Board of Regents, which sets educational policy in New York, for twenty-three

years. He also practiced law as a litigator with Meyer Taub & Wild. After a multifaceted career, Meyer can say assuredly, “Public service is really what I enjoy the most, and what I probably do the best.”

“The tough side of the campaign is repetition. You’re telling the same thing so many times a day to people that after a while it gets boring. You have to keep trying to grow your message by learning more.”

Meyer says he became interested in this state senate race as the Rowland corruption scandal unfolded. “I watched how [Aniskovich’s] wife was appointed to Governor Rowland’s cabinet, and how his public statements after that became so supportive of Rowland. When Rowland, for example, went on television and admitted he’d lied, Aniskovich put out a public statement that said trust has now been restored to the executive mansion.” Meyer wants to “clean up the mess in Hartford.”

Challenging an incumbent is always difficult, but Meyer was starting from almost zero, and running against the number-two Republican in the senate. “We did a poll back in July, near the beginning of the campaign, and Bill Aniskovich had a name identification of over ninety percent, and I had a name identification of about five percent.... Before you can win a vote, you’ve got to get your name known.” So, Meyer began all of the traditional tactics of a campaign—spending hours every day on the phone, going door-to-door, meeting people in front of supermarkets and at senior centers, building up a volunteer campaign staff. He continued to work a few hours a week for his law firm, but the campaign “has us going from seven in the morning to nine or ten at night,” says Meyer.

Adding to the challenge, the district had been redrawn a few years before, adding more Republican-leaning towns. But Meyer points out that the largest block of voters is still independent, and this gives him an opportunity to persuade them. “Our polls indicate, and my meetings with voters indicate, that the independent voter is very interested in Senator Aniskovich’s relationship with Rowland.”

The campaign is entering the pivotal final weeks, and Meyer is moving from simply establishing name recognition to building his message. And alongside the assaults on his opponent’s faithfulness in representing the voters, Meyer is emphasizing his own law enforcement background. A former federal prosecutor, he garnered endorsements from

the attorneys general of Connecticut and New York, Richard Blumenthal ’73 and Eliot Spitzer, and was planning a fundraiser featuring both men.

Meyer pitches a slate of ethics reforms, from terminating pensions for corrupt officials to remaking the Connecticut Ethics Commission. Meyer adds, “We have a very hypocritical law that says that the lobbyists and state contractors can’t give to state legislators during the session. So of course they just bundle up their money and do it after the session. That’s got to end.”

Since television and radio advertising are prohibitively expensive, Meyer plans to get his message out through direct mail. In addition to three waves of conventional mailers, he is running a program called Neighbors to Friends, which asks supporters of his campaign to identify some of their friends in the district. The campaign then mails those friends postcards commending Meyer with a picture of the supporter. They hope to send out 30,000 such personalized cards. Meyer says the campaign was benefiting from anti-Bush sentiment in the district to motivate volunteers and donations, and he aims to raise \$200,000.

“My campaign manager says that the candidate has two responsibilities, and only two: the first is to raise money and the second is to meet the voter,” Meyer says, but he clearly breaks this rule. His interest in the issues keeps him from becoming a campaigning machine. “The tough side of the campaign is repetition,” he says. “You’re telling the same thing so many times a day to people that after a while it gets boring. You have to keep trying to grow your message by learning more.”

So, Meyer reads to be able to talk about environmental conservation, transportation policy, and affordable health-care. But he also uses his campaigning to improve his understanding of these issues. “I was at a reception last night with a group of seniors, and all of them were buying prescription drugs from Canada. I went around the room to figure out what kind of a discount they were getting, and it averaged about fifty percent,” he relates.

He calls the campaign “training ground for your service afterward,” and, if elected, he plans to retire from the practice of law to put a lifetime of training to work.

★ ★ AMY CAMPBELL ’97 ★ ★

A HUMAN CAMPAIGN Amy Campbell approaches a table of older women playing bridge while they wait for lunch at the Chili Senior Center in upstate New York. “Hi,” she says and hands out a few of her campaign pushcards. “I don’t want to interrupt your card game,” she adds, but the women have no trouble talking while they play. As at the dozen or so other

tables Campbell has stopped at, conversation ranges from the weather to grandchildren to the presidential election.

“Almost no one asks me about the issues,” Campbell notes, with some surprise. “In general people just want to chit-chat, to shake your hand, look you in the eye, and feel like you’re someone who’s okay.” Campbell is running for a seat in the Monroe County Legislature, the county that includes Rochester, New York. She is a Democrat in a heavily Republican district in the town of Chili, a political newcomer in her first campaign, and a stark underdog.

While she says she’s always been interested in politics, she is only now learning the insider’s art of staying on message and giving concise explanations of her positions. “I have new sympathy for Kerry,” she says. “Because sometimes you have a complex issue and it takes a little more than thirty seconds to get out what you want to say.” She’s also learning to be conscious of the potential impact of every word and gesture. “A lot of it is being careful, not wanting to anger any constituency group.”

Campbell has gotten more than enough practice with some responses, though. When one of the bridge players comments that she looks too young to be running for office, something she hears regularly, Campbell gives her standard reply, “As I get older, I appreciate that more and more.”

Campbell ended up in this race because of her interests in children and the county budget.

She is an instructor at the University of Rochester Medical Center, teaching medical ethics and advocacy. A big part of her work is to advocate for children, especially needy children who have little other representation, and to teach

She drove to the senior center from her office at the University of Rochester Medical Center, and she’ll head back to work once she’s done meeting and greeting.

physicians to advocate for their patients away from the bedside. Through her work she saw programs that she knew were effective being cut at the county level—school nursing, instruction for high-risk parents. The reasoning of the Republican-led legislature was that they either made these cuts or raised taxes. Campbell didn’t accept this explanation.

“I felt like they were really targeting the different groups that weren’t as mobilized.... There’s got to be a way that you can have a balanced budget, but not do it on the backs of



Amy Campbell talks with voters and hands out election materials at the Chili Senior Center in upstate New York.

kids or some of the elderly.” She identified alternative cuts that would maintain a balanced budget. “There are a lot of jobs in there that are token jobs.... We spend a lot of money on our PR departments. Why do we do that?” She also found bloated contracts and expensive leases.

And as she became more familiar with the county-level budget, she saw more decisions that she wanted to challenge. For example, the county has moved to privatize services such as senior care and parts of the foster care system, and Campbell doubts that all of these decisions are fiscally wise. “We keep hiring consultants to look at our budget.... They say you should privatize these different areas, and it turns out that they’d be the ones who would get those contracts.” She also questioned the long-term effects of turning health-care services over to the market, and she points to the flu vaccine shortage as an example of how the market can fail.

Campbell was active behind the scenes in the local Democratic party since she moved to Chili in 2002, before she was asked to run for one of the twenty-nine seats in the county legislature. She says that while she hadn’t considered running for office before, “It hit me how important local issues are.” And since the bulk of the county budget goes to health services, she felt she could really make a difference.

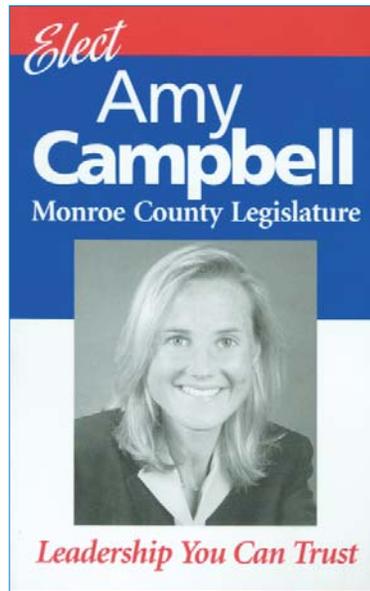
The seat Campbell is running for is not a full-time position, nor can she run a full-time campaign. She drove to the senior center from her office at the University of Rochester Medical Center, and she’ll head back to work once she’s done meeting and greeting.

Campbell has put in enough time shaking hands, raising money, and being quoted in the local paper, to form some concerns about how the electoral process can interfere with good governance. The message discipline required on the campaign trail keeps her from talking about issues that she feels are important. “I think we need a single-payer health-care system.... But that’s not my platform,” she says. “You hear one message that plays well, so that’s what you keep going back to.... We all craft a compelling story, and there’s a part of me that thinks the story becomes bigger than the person.” Campbell would prefer to emphasize the “human dimension,” both in how she campaigns and in the policies she supports.

But Campbell has also found the experience helpful to her in her work as an advocate. She’s learned more about how to persuade people and more about how to craft reasonable, local policy initiatives. And her odds of turning this learning experience into an opportunity to govern improved a few days before when she got the endorsement of the *Gates-Chili Post*. Donations and interest from voters increased. “My odds are probably still not that great,” she admits. “But they’re better. They’re good enough to keep going.”

TALKING TO THE VOTERS Kobach, Meyer, and Campbell all noted that this year’s campaign season seemed especially intense, with increased voter interest stimulated by a tight presidential campaign. But all three candidates also questioned how well they were able to communicate to voters—no matter how much energy they put into campaigning.

Kobach found that some of the theories of democracy he had written and thought about in the academy frayed when taken on the campaign trail. “Public choice theory can only be imprecisely applied to politics,” Kobach says. “Public choice theory posits that voters are making clear choices about policies when they elect representatives, and one thing that I’ve seen in this process is that it is not always easy to convey accurate information about how a representative is voting.” He also admits that some of the campaign tactics he uses can obscure the policy choices voters are faced with. “Personal physical contact in a parade, reading at a child’s school, a good photograph on a pushcard, a well produced advertisement, all these different expressions of campaign activity can influence an election result just as



much as a policy platform that happens to mirror the district.”

Meyer worries about how lobbyists and state contractors seem to buy influence with campaign contributions, entrenching their interests and their chosen representatives in the state capitol and denying real choice to the voters. “Part of the problem comes from the fact that seventy percent of state senators have no race—either have no opponent or only a nominal opponent,” he says. “There’s not a lot of motivation for change when you have a situation that’s that dormant.”

Campbell sees voters estranged from local politics because they don’t know enough about the decisions their representatives make. “I still cling to the belief

that people are willing to negotiate...as long as they know what’s going on. What happens here is that people feel like they’re not part of the process. A budget is proposed, there’s one public meeting, and then it’s like, ‘Wait, I had no say in that.’.... I want to connect the voters more to the process.”

All three will keep running until Election Day, hoping that the way they campaign can begin to remedy such problems. They’ll think about what to do next if elected. **V**

THE VOTERS’ CHOICES

- KRIS KOBACH
- ED MEYER
- AMY CAMPBELL

Kris Kobach lost his bid to unseat Dennis Moore, with 141,302 votes to 177,525, and returned to teaching law.

Ed Meyer scored what local press called an upset victory, winning by 25,494 votes to 23,932.

Amy Campbell, despite local newspaper endorsements, lost by 3,947 votes to 6,937.