

Public Opinion Polling

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Concern About Polls in Election Year

Confusion Over Voter Preference for President

Public opinion polls are often referred to as the country's fifth estate. Some persons charge that polls have come to exert undue influence over the other four by relaying to the executive, legislative and judicial branches of government and the news media what “the people” think and want. It is hardly surprising that the pollsters, like all powerful groups, are being subjected to scrutiny and criticism. And it is even less surprising that polls are receiving particular attention as the 1976 election approaches.

Pre-election surveys represent only a small fraction of all polling. Less publicized but far more extensive and profitable is the research conducted for business, government, foundations, pressure groups and even churches.¹ But it is the voting surveys that command public attention, and on these surveys pollsters stake their reputations. Their ability to gauge election results accurately is their best advertisement in attracting other and more lucrative business.

Surveys taken late in 1975 by two of the best-known pollsters, Gallup and Harris, cast considerable doubt on the accuracy of polls in general and pre-election polls in particular. The Harris organization questioned 1,214 “likely voters” between Nov. 24 and Dec. 1. Gallup polled 1,078 “registered voters” between Dec. 5 and 8. The sampling techniques used by both groups were similar and so was the question—voter preferences between Sen. Hubert H. Humphrey (D Minn.) and President Ford, and between Humphrey and Ronald Reagan. The findings were startlingly dissimilar, as is shown below:

Preferred Ford Preferred Humphrey

Gallup 51%	39%
Harris 41	52
Gallup 50%	42%
Harris 43	50

Gallup and Harris were hard-pressed to explain their conflicting results but both indicated that the likeliest explanation was the timing of the two polls: the Harris Survey was conducted just before the President's trip to China and the Gallup Poll just after it. Few observers were willing to accept that explanation, for the public response to the trip seemed to be apathetic. Neither were they particularly satisfied with the pollsters' contention that public opinion toward the presidential contenders has been so vague and in such a state of flux that large polling differences cannot be ruled out until after the selection of candidates at the party conventions this summer.

Two subsequent national surveys added more confusion. A telephone poll conducted during the last week of January by the firm of Yankelovich, Skelly and White for *Time* magazine found that the 1,002 Americans interviewed favored Democrats over Republicans, 55 per cent to 31 per cent. Nevertheless, President Ford was more acceptable than any other announced candidate of either party and was ahead of the unannounced Sen. Humphrey. A poll sponsored by *The New York Times* and the Columbia Broadcasting System early in February indicated that Jimmy Carter was favored by Democrats among the 1,500 adults questioned by telephone.²

Contradictory results by reputable pollsters tend not only to undermine their credibility but to spur criticism of the amount, purpose and effects of pre-election polling. There are some who maintain that now, almost eight months before the election, the public is already surfeited with voting and candidate preference polls. In an interview published in *The New York Times* last Oct. 26, Gallup Vice President Irving Crespi alluded to this problem. "I wonder whether we are reaching the point where we are saturating the public. It is a very serious problem that threatens the long-term viability of the survey profession."

Poll-takers typically contend that their surveys should not be interpreted as predictions but should be seen merely as a glimpse of the public mood at the time the poll was taken. Nevertheless, they often tend to cast themselves in the role of modern-day Merlins. Louis Harris, for example, told delegates at the National Democratic Issues Convention in Louisville, Ky., Nov. 21, 1975, that "the old left-right, conservative-liberal divisions in our midst are at least 30 years out of date," and he listed a number of issues—including an end to mandatory retirement, tighter

curbs on business and efforts toward greater international cooperation—that “are going to trigger a positive response from the voters in the future.”

Defenders of public opinion polling contend that in a free country it is the best and most practical method of bringing the views of ordinary people to the attention of their leaders. Election



analysts Richard M. Scammon and Ben J. Wattenberg espouse this view. “The advent of the accurate and speedy public opinion poll has probably done more to advance the responsiveness of the democratic process than any invention since the secret ballot and the direct primary.”³

Very different views came from Walter Lippmann and Winston Churchill. Lippmann wrote in *The Public Philosophy* (1955): “The Gallup polls are reports of what people are thinking. But that a plurality of the people sampled in the poll think one way has no bearing upon whether it is sound public policy.” Similarly, Churchill argued: “Nothing is more dangerous than to live in the temperamental atmosphere of a Gallup Poll, always taking one's temperature... There is only one duty, only one safe course, and that is to try to be right and not fear to do or say what you believe to be right.”⁴

Debate About Influence of Surveys on Elections

Polls can be used, as Scammon and Wattenberg said, “to advance the responsiveness of the democratic process” or they can be abused, as Lippmann and Churchill feared, by tempting elected officials or vote-seekers to follow whatever

the polls say the public wants rather than what they believe to be right or best for the country. That polls influence the candidates, the issues and the voters is not disputed. What is hotly debated is the extent and the way in which this influence makes itself felt.

Edwin Newman of NBC-TV has said polls have “a deadening effect on politics” by encouraging predictability and the tailoring of positions “to whatever the poll indicates is desirable.” Polling, he wrote, “has become a malign influence on our politics. It may distort the political process by contributing to a bandwagon effect, by creating impressions that handicap candidates and even by destroying candidates before they begin campaigning in earnest. A defeat may be softened because the loser got more votes than the polls indicated he would. A victory in a primary may be equivocal, or turned into a defeat, because the victor did not get as large a margin as the polls said...”⁵

Few students of polling find its influence as pernicious as Newman does. Nevertheless, the charges he makes concern issues with which contemporary pollsters must contend. Probably the most publicized charge against election polls is that they create a bandwagon or, conversely, an underdog effect. Thus, voters, particularly those without strong allegiance to one candidate, would tend to vote for the candidate whom the polls have designated as far ahead or far behind in the contest. Most polling experts believe that bandwagon or underdog effects are minimal and that voting behavior is influenced primarily by party allegiance, social background, views of family and friends and feelings about the issues or candidates.

A thorough study of the bandwagon-underdog effect was made more than a decade ago by Joseph T. Klapper, now director of social research for CBS. Klapper told the House Subcommittee on Library and Memorials on Sept. 20, 1972, “The study of sequential polls, the study of polls about polls, the study of voting behavior provide no support for the belief that publicizing polls produces bandwagon or underdog effects of any significant magnitude....At the same time, the data are not absolutely conclusive beyond any question, nor do they rule out the possibility that very small effects of this sort do occur.”

The polls do have a considerable impact on what has come to be called the 3Ms—money, morale and media. A candidate shown in the polls to have little public support finds it difficult to attract contributions or attention. This is particularly true in presidential primaries. Unfavorable polls also tend to discourage and demoralize a candidate's staff and cut down on the number of volunteers willing to offer their services. Ken Bode, political editor of *The New Republic*, observed that Gallup Poll results in December 1975 (*see p. 167*) so demoralized and frightened Ford's supporters that the President's campaign manager Howard (Bo) Callaway “scrapped the Republican 11th commandment—Thou shall not speak ill of any other Republican....”⁶ Bode contended this lost Ford support among Republican leaders.

Still another criticism of polls in the primaries is that survey predictions may make the contender look like a loser if he fails to achieve a specified percentage of the vote. In his 1972 bid for the presidency, Sen. Edmund S. Muskie (D Maine) would win 65 per cent of the vote, the polls said before the New Hampshire primary. That Muskie received only 48 per cent was widely heralded as a defeat.

John F. Kennedy got around this problem before the West Virginia primary in 1960. He and his aides told newsmen that he would be lucky to win 40 per cent of the vote, even though his private polls predicted he would receive about 60 per cent. When Kennedy emerged with close to 60 per cent of the vote, he became the front-running Democratic candidate. A related example was Eugene McCarthy's "victory" in the 1968 New Hampshire Democratic primary. The Minnesota senator captured 42 per cent of the vote, widely interpreted as a vote of no confidence in President Johnson—even though Johnson, whose name was not on the ballot, received 50 per cent of the votes by write-in.

Wide Scope and Variety of the Polling Business


There are vast numbers of full- and part-time pollsters who conduct surveys for a wide range of clients for various reasons and use a variety of scientific and not-so-scientific methods to arrive at their findings. Polls can be sorted into five general categories:

1. Regularly published polls like Gallup and Harris on a national basis and the California, Iowa, Minnesota or Texas polls on a state or regional basis.
2. Individual polls commissioned by the mass media and carried out by polling organizations. These include "Time Soundings," done for *Time* magazine by Yankelovich, Skelly and White, Inc., and those conducted by the Opinion Research Corp. for CBS, *Forbes* magazine and *The Wall Street Journal*.
3. Polls carried out by newspapers or television networks, such as the surveys taken by *The New York Times* and CBS to assess voter attitudes on issues and candidates during this election year.
4. Private polls conducted by individual candidates, political parties, organizations or businesses.
5. Polls conducted by pressure groups. The National Right to Life Committee has conducted several polls in the last few years on public attitudes toward abortion.

George Gallup has estimated—there are no exact figures—that 95 per cent of the pollsters are "private pollsters."⁷ The results of their surveys, unless leaked, are not published. Major national polling organizations like Gallup, Harris, Yankelovich, Sindlinger, Roper, Quayle, Hart and Field receive only a fraction of their income from syndicating the results of their polls to the news media. Most of them conduct private surveys for businesses and politicians, often for \$20,000 or more. The Harris Survey, which is syndicated to about 300 newspapers throughout the

country, has done polls for, among others, *Newsweek* magazine and CBS. Since 1963, Louis Harris has been prohibited by the contract he signed with *The Washington Post* and CBS from undertaking private polls for political candidates.

Polling may, at one extreme, be as casual as sending a news reporter to the street or shopping center to ask the views of whomever he encounters. There is no effort to find a representative cross-section of the population. More “scientific” than these interviews are the surveys based on quotas. If, for example, Census Bureau figures show 52 per cent of the population to be female, 52 per cent of those interviewed would be women. However, a sample based only on sex would fail to take into account such other variables as race, income level, religion and age. Another drawback is that interviewers are often allowed to choose, based on the quotas, the individuals they will question. The interviewer is thus tempted to choose those blacks, Baptists or bureaucrats most easy to find and speak to. This would tend to bias the sample against less-accessible persons who live in remote areas or work full-time.

The most reliable procedure is said to be probability sampling. The theory of probability is based on the assumption that 1,000 to 1,500 persons selected at random provide almost as accurate a picture as would a canvass of the entire population. The sampling procedure involves selecting at random a number of geographical areas throughout the country and, in those areas, a randomly selected number of persons to be interviewed.  Theoretically, everyone over 18 years old has an equal chance of being chosen. In arriving at the final results, the survey data is “weighed” to bring the sample into line with Census Bureau figures. Thus, if men, women or racial minorities were underrepresented in the poll, their opinions would be given more weight.

Public opinion polls can also be distinguished by the type of interview conducted and the type of questions asked. Surveys can be taken by mail, telephone or in person; each has its advantages and disadvantages. Mail questionnaires are simple and relatively inexpensive, but usually at least half are never returned and the representativeness of those that are is in considerable doubt. Telephone polls are also cheap, simple and fast. Sampling by telephone, however, excludes about 10 per cent of the population without phones and might tend to over represent older, more affluent respondents. Personal interviews, generally considered the most reliable, are time-consuming and expensive.


Questions of Opinion Polls' Bias and Reliability

Reputable pollsters make a conscious effort to avoid asking questions that are biased or unclear. Many of the polling organizations go through elaborate pre-testing to guard against both kinds of questions. However, this does not silence the critics who say they sometimes detect bias. *The New York Times*-CBS survey asked recently if the respondents agreed or disagreed with the following statement:


It is not in our interest to be so friendly with Russia because we are getting less than we are giving.

The point of debate is whether the response would have been the same—50 per cent agreement and 33 per cent disagreement—if the statement had been worded:

Détente with the Soviet Union is necessary because both the United States and Russia have the power to destroy each other many times over.

Another example is a question asked in a Harris Survey in June 1973: “Is it hard to believe that, with his closest associates involved in the Watergate affair, President Nixon did not know about the planning and later the coverup of the affair.” Louis Harris, responding to a critic in the *National Review*, said that his organization might deliberately ask “projective” questions in order to gain a better understanding of public opinion than “balanced” questions alone would provide. However, he said that if one “projective” question was anti-Nixon, another would be pro-Nixon. “No analysis of any importance is ever based on the answer to a single question,” he said. 

Harris argues that deliberate bias would be self-defeating to the professional pollster. Polling organizations often contend that bias results not from their work but from the use their clients make of it. George Gallup has reported that since his polls were first sent out to newspapers in October 1935, no paper has ever changed the wording of the poll release to make its findings fit the paper's editorial views. But he expressed concern that the headlines, or the omission of some of the data supplied, could distort the meaning.

George Gallup has listed several types of polls which he considers to be suspect. These include: polls taken by telephone or mail; by candidates and political parties or by interest groups; polls that are not ready to supply printed copies of their findings in all elections and particularly in recent ones; polls that do not provide a complete description of their procedures or fail to include in each report such information as the size of the sample, time of interviewing, exact questions asked, the method used to reach the sample and the sponsor; and polls taken in primary elections. 

Polls taken long before an election or months prior to the primaries and conventions, even if accurate at the time, have often been an unsound basis for prophecy. Gallup showed Adlai E. Stevenson to be leading John F. Kennedy in early 1960 for the Democratic presidential nomination; four years later, Richard M. Nixon was ahead of Sen. Barry M. Goldwater (R Ariz.) for the Republican nomination; and Sen. George S. McGovern (D S.D.) was considered likely to be the Democratic nominee by only about 5 per cent of those polled at the end of 1971. In early 1976, pollsters face the problem of voter confusion over a large slate of candidates and sizable numbers of undecided voters. In the days before the Feb. 24 New Hampshire primary, most pollsters refused to predict the outcome on the

ground that up to 40 per cent of those contacted were undecided.

Despite these difficulties, it can be argued, as Gallup, Harris, Roper and others have done, that reputable polls have become an increasingly reliable gauge of public opinion. It can also be argued, as Robert Nisbet does, that the polls reflect not public opinion but popular opinion. “By the very virtue of its superficiality, its topical and *ad hoc* character, popular opinion lends itself to facile expression, in the polls as well as in the drawing rooms and taverns, and hence, as is the case with all fashions, to quick and often contradictory change. Very different is public opinion.... Change in public opinion tends to be slow, often agonizing and—in the deepest realms of conviction—rare.”¹¹

Development of Polling Techniques

Early Efforts to Assess U.S. Public Opinion

The founding fathers, in their deliberations on the U.S. Constitution, expressed concern about giving undue influence to what pollsters today call public opinion and to what Nisbet refers to as popular opinion. Alexander Hamilton, for example, wrote in *The Federalist*, No. 71: “The republican principle demands that the deliberate sense of the community should govern the conduct of those to whom they entrust the management of their affairs; but it does not require an unqualified compliance to every sudden breeze of passion....”

Those sentiments did not endure in American politics. By the early 19th century, polls to assess candidate strength were being conducted in a variety of ways. Some newspapers and magazines printed ballot coupons to be clipped and returned by any reader. It was soon found that polls conducted in this way often were invalidated by ardent partisans who sent in large numbers of fictitious ballots to make a good showing for their candidates. Following the lead of the Harrisburg *Pennsylvanian* in July 1824, many newspapers began to assign reporters to make a direct canvass of public sentiment before elections.

The accuracy of these and other polls was more a matter of luck than of method. Polling authorities Charles W. Roll and Albert H. Cantril have noted that, to their knowledge, the first attempt to assess public opinion systematically in the early days of this century was made by Tammany Hall. “Tammany workers would fan out across New York City to get a reading on the public's leanings at election time. Workers positioned themselves at bridges and other key spots asking people their candidate preferences. The effort was so sophisticated that workers at each location were changed daily to reduce bias and insure as accurate a head-count as was possible.”¹²

Literary Digest Error and Subsequent Changes

It was the *Literary Digest* polls, however, that attracted the greatest attention because of the large number of ballots distributed and returned. The magazine conducted its first poll in 1916 by mailing mock ballots to subscribers in five states. Four years later, the magazine sent 11 million ballots to telephone owners. In 1924, 16.5 million ballots were mailed to telephone and automobile owners in every state; in 1928, 18 million went to persons on the magazine's mailing lists; four years later, 20 million ballots were sent out. Except for the 1932 poll, which proved to be remarkably accurate, the *Digest* findings for the presidential contests consistently overestimated the final Republican vote. ¹³

The final *Digest* poll came in 1936 when 10 million ballots went to subscribers and telephone and auto owners. Almost 2.4 million ballots were returned, giving Roosevelt only 42.9 per cent of the major-party vote; his Republican opponent, Alfred M. Landon, received more than 57 per cent. In the election, a Democratic landslide, FDR won 62.5 per cent and Landon 37.5 per cent. ¹⁴ The magazine had erred by a whopping 19.6 percentage points and it soon went out of business.

The spectacular error stemmed primarily from the fact that the magazine's mailing list was made up of subscribers to the magazine and names taken from telephone directories and automobile registration rolls. It included far too large a proportion of upper- and middle-income persons to be a true crosssection of the voting population. It was also uncorrelated with the people who actually voted in any given community, as distinguished from the adult population as a whole. ¹⁵

During the 1920s, when the *Digest* poll was enjoying success, advertising men were perfecting a new technique for measuring public opinion. The method involved testing the appeal of an advertisement or product by sampling the reactions of a relatively small number of persons carefully selected to represent the potential buying public. One of the first political candidates to use this technique was Mrs. Alex Miller, a Democrat, who in 1932 was the first woman to be elected Secretary of State in Iowa. Her son-in-law, a young man named George Gallup, conducted a poll for her based on the technique he had used in advertising and found that she had a good chance of winning in Iowa. Her victory confirmed his finding.

Three polling organizations of subsequent stature were started in 1935–36: The American Institute for Public Opinion (by Gallup), the Fortune Survey (by Elmo Roper) and the Crossley Poll (by Archibald Crossley). Each of these founders had been trained in market analysis for advertising agencies and each insisted that with a small sample of voters, scientifically chosen to give a true cross-section of the whole country, election results could be predicted with much more accuracy than with the far larger samples used by the *Digest*.

Although the Gallup, Fortune and Crossley polls all gained a solid reputation overnight by predicting that Roosevelt would win in 1936 with a substantial plurality, only the Fortune survey came close to the result. It gave the President 62 per cent of the popular vote—only 1.2 per cent more than he actually received. Gallup and Crossley both underestimated the Roosevelt plurality by nearly 7 per cent.

Aside from better sampling techniques, one reason that Gallup, Crossley and Roper were so much closer than the *Literary Digest* to the actual outcome was that the newer polls had made tests from month to month. These detected a strong trend toward Roosevelt. The *Digest* presented its findings cumulatively and made no allowance for possible shifts of opinion after late September.

To make their samples more representative, Gallup, Crossley and Roper adopted the practice of using quotas of population groups, drawn up to conform to the actual voting population of the country as shown by census data. Gallup, for example, made sure that his sample had approximately the same proportion of men to women, blacks to whites and Catholics to Protestants as the general population. Other factors used were occupation, income level, age, education, size of city, and geography.


Refinement of Techniques After 'Dewey Election'

By the late 1940s, polling techniques had come a long way since the *Literary Digest* fiasco of 1936. The 1948 presidential contest between President Truman and Republican Thomas E. Dewey proved that there was still a long way to go. As early as Sept. 9, 1948—almost two months before the election—Elmo Roper announced that Dewey was so far ahead that he would not take any further polls since it would take a “miracle” to turn a Truman defeat into victory. As late as Nov. 1, Roper announced that there had been no miracle and that Dewey would receive the 52.2 per cent of the vote he had forecast earlier. At the end of October, Gallup showed Truman trailing Dewey by 5 percentage points, 44.5 to 49.5.

Truman won the election with 49.9 per cent of the vote.¹⁶ Gallup could point out that his error of 5.4 percentage points was less than his 6.8 point deviation in the 1936 election when he had correctly forecast FDR's victory. But such fine points did little to allay public suspicion of the pollsters. They had been wrong and their “science” was in disrepute. Lindsay Rogers, in his classic study, *The Pollsters*, pointed out that a major reason for the miscalculation was failure to take into account the large number of voters—perhaps 15 per cent—who said they were undecided in the pre-election polls.¹⁷

The 1948 failure led to a search for better survey techniques. A few weeks after the election, Gallup announced that his organization would “inaugurate an exhaustive study of these undecided voters to seek evidence concerning their probable voting

behavior.” In subsequent polling, Gallup and others asked people how they would vote if the election were held that day—not how they planned to vote when the election actually came. And they tried to determine how the undecided voters were leaning.

The most important improvement in post-1948 polling techniques was the switch from quota to probability sampling. In probability sampling, interview areas are picked in a mathematically random manner throughout the nation and interviewers are assigned a set pattern of households to survey in each area. The theory of probability was set forth in 1713 by Swiss mathematician Jacques Bernoulli. It holds that if an equal number of black and white beans are in a bin, and as many as 1,500 of the beans are scooped out at random, in 19 times out of 20 one color will outnumber the other by no more than 3 per cent. 

Other polling refinements included attempts to detect any strong biases the respondent might have, the reasons for his views and the intensity with which he holds his opinions. Improvements in polling techniques were apparent in national pre-election surveys after 1948. For Gallup, the error between survey forecasts and election results declined from an average of about 4 percentage points in presidential and congressional elections from 1936 to 1948 to an average of 1.4 percentage points from 1950 to 1972.

Improvements in polling research were spurred not only by 1948 errors but by competition from a growing number of polling groups. Among the better-known groups nationally were the Sindlinger Co., established in 1955; Louis Harris & Associates, set up in 1956 after Harris severed his connections with the Roper organization; Daniel Yankelovich, Inc., which started in 1959; and Oliver Quayle & Co., which began operations in 1962. Each conducts both public and private polls for a host of political and corporate clients.

Less well known are groups like the Opinion Research Corp. of Princeton, N.J., the largest surveyor of public opinion in the country. Started in 1938, ORC offers, according to its promotional literature, “a full range of survey research services to meet corporate, governmental and other organizational needs for information and analysis.” There are also a number of academic survey organizations, the most prestigious of which are the University of Michigan's Survey Research Center, established in 1946, and the University of Chicago's National Opinion Research Center. In addition, there are several state polls, including the Texas Poll, begun by several newspapers in 1940; the Iowa Poll, set up by the *Des Moines Register* in 1943; the Minnesota Poll, sponsored by the *Minneapolis Tribune* since 1944; and the California Poll, developed by the Mervin Field Research Corp. in 1946.

As the number of polling groups grew and the questionable and sometimes disreputable methods used by some of them came to public attention, there was increasing concern about regulating the surveyors of public opinion. This concern was voiced not only by legislators but by pollsters themselves who feared that

unscrupulous poll-taking or reporting by a few would reflect badly on all of them and their craft.

Effort's to Establish Standards for Poll-Takers

As far back as the 1920s, there were efforts in Congress to establish committees to investigate polls. In 1943, Sen. Gerald P. Nye (R N.D.) pushed unsuccessfully for legislation to require pollsters to disclose the size of their samples and to keep records of all their surveys for two years. In 1963, the Texas legislature passed a bill—vetoed by Gov. John Connally—requiring information on the design and procedures of any published pre-election poll to be filed with state or county officials. The bill stated that action could be taken against any organization that “knowingly publishes, or causes publication or aids in publication or submits for publication any erroneous statement or set of figures or percentages that tends to diminish or destroy any person's chances for election.”

The most recent congressional attempt to establish standards for pollsters was a “Truth-in-Polling Act,” a bill introduced by Rep. Lucien N. Nedzi (D Mich.) in 1968 and reintroduced in identical form in 1971. The bill stipulated that anyone conducting a public poll must file information about it with the Librarian of Congress. This information would include: the name of the person who commissioned the poll; the size of the sample and how it was chosen; when and how the polling was done; the questions asked and the results.

The House Administration Subcommittee on Library and Memorials, under Nedzi's chairmanship, held hearings on the bill in 1972. Most of the leading pollsters testified and many of them expressed concern that the provisions did not apply to private polls—the principal offenders—and that the bill might violate First Amendment guarantees of free speech and free press. Nedzi stopped pushing for the bill after being told by those pollsters covered by it that they were making every effort to regulate themselves.

The two principal organs of self-regulation are the American Association of Public Opinion Research and the National Council on Published Polls. The association, established in 1947, consists of more than 800 individuals who are involved or interested in public opinion polling. The council, set up in 1968, comprises 25 polling organizations and, like the association, strives for higher standards of professionalism and better understanding and interpretation of poll results by the news media and the public. Both organizations have developed a set of standards for disclosure very similar to those proposed in the Nedzi bill. The representatives of groups belonging to the council are virtually all involved in the association, and there is considerable cooperation between the two organizations. Their reach is limited, however, because membership is voluntary.

Difficulties in Regulating Pollsters

Possibility of Constitutional Barrier to Regulation

Suggestions for dealing with polling cover a wide spectrum. At one end, there are those who believe that polling has become such a problem that the only solution is to outlaw it. At the other extreme, there are some who deny that polling is much of a problem. Thus, they contend there is no need to restrict or regulate it. There is doubt that polls can be abolished except in name. Pressure and partisan groups presumably would continue assessing and reporting what they consider to be public opinion. Their methods would almost certainly be less scientific and their results far less reliable than reputable pollsters can provide today. More important is the question of how prohibition could be squared with First Amendment rights to free speech and a free press.

Between the abolitionists and the do-nothings are those who advocate some form of regulation. Regulating pollsters, while perhaps desirable in theory, would involve numerous difficulties. Who, for example, would do the regulating? Who would be subject to regulation? Syndicated columnists Rowland Evans and Robert Novak periodically do some interviewing and, from this, assess “public opinion” for their readers. Members of Congress send letters to their constituents asking for an opinion on various issues. The American Rifle Association and Procter & Gamble also conduct polls. Should these groups be regulated in the same way as Gallup or Harris? And finally, how should pollsters be regulated?

Legislation to regulate pollsters and efforts at self-regulation have concentrated on the public polls, most of which already comply with the suggested standards. Pollsters who regularly disclose their methods tend to favor efforts to bring private polls under some sort of control. What they support even more are attempts to educate poll users, principally the news media, on the proper reporting of survey results. Most would agree that it is impossible, for constitutional reasons, to prohibit the publication of a poll that does not reveal why, how and when it was conducted. But they want the reader or listener to be told about the missing information.

Proposals to Limit or Ban Pre-Election Surveys

In the case of pre-election surveys, which are said to have the greatest effect and to generate the most interest of any polls, it is suggested that a ban be imposed on their publication long before an election or immediately before it. The reasoning behind such proposals is that polls taken a year or more before an election merely serve to identify the best-known but not necessarily the best-qualified candidates, while discouraging able but relatively unknown contenders. Polls taken on the eve of an election might create a bandwagon effect.

Efforts to prohibit pre-election polls have a long history in the United States. Even in the years before the *Literary Digest* fiasco, Rep. Walter M. Pierce (D Ore.)

introduced bills in Congress to ban the publication of poll results. Pierce feared that publication would create a bandwagon effect or discourage people from voting. France and Germany both prohibit the reporting of poll results until after the election. In Britain, there has been considerable pressure for such a ban. A parliamentary committee recommended in 1967 that pre-election poll results remain unpublished for three days before an election. The House of Commons rejected the recommendation.

Opponents of the proposal argued that the evidence of any bandwagon effect was far from conclusive and that prohibition would be an infringement of freedom of the press. One of the most frequently heard objections came from Harold Wilson shortly after his ouster as Prime Minister in the 1970 election—an election he was expected to win on the basis of preelection polling. “Disenchantment with the polls has revived proposals that the publication of poll results should be forbidden by law for a given time before an election,” Wilson said. “It is unlikely to occur. For one thing, private polls would continue to be taken; rumors about their results would circulate and might even lead to speculation on security markets.”

Most, but not all, established American pollsters agree with Wilson. They have argued that the demand for pre-election surveys is so great that someone or some group less reliable or objective than they would fill the vacuum if they were prohibited from reporting voter intentions. Taking exception to this view is pollster Daniel Yankelovich. He tries to focus more on the issues than on who is leading whom. ²⁰ Yankelovich believes that preelection polls influence voting and he favors their elimination. Another suggestion is to prohibit candidates, once they have declared their intention to run for office, from paying pollsters to conduct surveys for them. Legislation to this effect, however, would not prevent the candidates themselves or their supporters from taking surveys, however unreliable they might be.

Proposed deadlines on the publication of polls are not limited to pre-election surveys. During the House Judiciary Committee's investigation of charges against President Nixon, many pollsters considered suspending their poll-taking out of concern that the results might influence committee members in their vote on impeachment. There was even more worry about the influence of polls on Nixon's standing if the impeachment proceedings reached the full House for a vote. The President's resignation saved the pollsters from having to decide whether to suspend their surveys or to make them unavailable for publication.

Advocacy of Licensing by Federal Government

Many of the proposals to regulate polling raise the question of whether the cure might be worse than the disease. Among the suggested reforms are government licensing of pollsters, the creation of a government or quasi-governmental agency to conduct or monitor polls, the appointment of a commissioner of polls, the

establishment of a private group to investigate abuses and changes in the way public opinion surveys are financed.

Licensing, advocates contend, would enable the media and public to distinguish objective from biased polling. Pollsters who engaged in questionable survey methods would simply not be licensed. However, the wide variety of scientific and unscientific, formal and informal polls now published would make it difficult to establish criteria for licensing. For example, would journalists who write columns after interviewing people be required to have a license? What about private polls that are not intended for publication but are subsequently leaked to the press?

The government, it is argued, is already the largest pollster in the world and few question the reliability of Census Bureau findings. But there is a large difference between the statistical data collected by the Census Bureau and the politically sensitive, often controversial, information that pollsters seek. With distrust of government and government officials so widespread, it might be asked, would official polls enjoy much credibility? The same objections that are voiced with respect to government licensing or polling are also made about the creation of a government office to oversee polls. What individuals or groups would it have power to regulate, what sanctions could it apply and who would regulate the regulators?

Some of those who believe that direct government involvement in polling would create more problems than it would solve suggest the establishment of a private organization to look into complaints from individuals or groups who believe they have been harmed by a particular poll. Such an organization might be modeled on the Fair Campaign Practices Committee, a group of prominent citizens from both major parties which seeks to increase public sensitivity to unfair political campaign tactics. ²¹

Albert H. Cantril, currently president of the National Council on Published Polls, suggested in testimony before the Nedzi subcommittee on Sept. 20, 1972: “[T]o minimize the journalistic pressures now operating on the public polls, a search should be begun to find a new economic base for the public polls. In my judgment, it is only in this way that more basic, subtle and comprehensive analysis of opinion will be brought about. The resources required would be comparatively modest and perhaps available from foundation sources. The polls would then be freed and not have to rely upon the newspapers almost exclusively as their outlet.”

Most reputable pollsters agree that self-regulation is eminently preferable to government regulation. They believe, or would like to believe, that as polling techniques improve and the news media and public become more aware of the methods and reliability of the various survey organizations, biased and pressure-group polling will become increasingly suspect. Their reputations, perhaps even their ability to survive, they insist, depend on objectivity and accuracy. The months before the 1976 election will be a time for testing both qualities.

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Footnotes

[1] Sev. for example, William A. Holmes, "Gallup Poll for Jesus." *Christian Ministry*. March 1975.

[2] The Yankelovich poll. a quarterly national survey entitled "Time Soundings." was published in *Time* magazine. Feb. 23, 1976. *The New York Times*-CBS poll, the first of a series to assess voter attitudes on the candidates and issues, appeared in *The New York Times* on Feb. 13. 1976.

[3] Richard M. Scammon and Ben J. Wattenberg, *The Real Majority* (1970). pp. 144-145.

[4] Quoted by George Gallup in *The Sophisticated Poll Wateber's Guide* (1972). p. 4.

[5] Edwin Newman, *Strictly Speaking* (1974), pp. 92–93.

[6] Ken Bode, “The Pertls of Polling.” *The New Republic* Jan. 17, 1976. p. 14.

[7] Testimony before the House Administration Subcommittee on Libraries and Memorials. Sept. 19, 1972.

[8] Gallup, for example, typically interviews five persons in each of 300 areas; Harris conducts 10 interviews in each of 150 locations.

[9] Louis Harris, “Mr. Harris Cries Foul,” *National Review*. Feb. 14, 1975, pp. 164–165. Harris wrote in response to an article by Professor James Payne that appeared in the magazine, June 21, 1974.

[10] George Gallup, *The Sophisticated Poll Watcher's Guide* (1972), pp. 155–156.

[11] “Public Opinion Versus Popular Opinion,” *The Public Interest*, fall 1975, p. 188.

[12] *Polls: Their Use and Misuse in Politics* (1972). p. 9.

[13] Despite the poll's Republican bias, the magazine correctly forecast the outcomes of presidential elections between 1920 and 1932. Its success was due in large part to the lack of close elections in those years and the absence of issues that would divide voters along income lines.

[14] Of the total votes cast, the figures were 60.79 and 36.54. See Congressional Quarterly's *Presidential Elections Since 1789* (1975).

[15] See “Polls in Election Campaigns,” *E.R.R.*, 1968 Vol. II. p. 545.

[16] To Dewey's 45.1 per cent.

[17] Lindsay Rogers, *The Pollsters* (1949). p. 134.

[18] George Gallup is fond of explaining the theory of probability by quoting A. Conan Doyle, the creator of the Sherlock Holmes series. According to Doyle; “While the individual man is an insoluble puzzle, in the aggregate he becomes a mathematical certainty. You can never foretell what any one man will do, but you can say with precision what an average number will be up to. Individuals vary, but averages remain constant.”

[19] The First Amendment: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof: or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble and to petition the Government for a redress of grievances.” See “First Amendment

and the Mass Media,” *E.R.R.*, 1970 Vol. I, p. 49.

[20] In a recent Yankelovich survey for *Time* magazine, for example questions on issues like the economy, the death penalty, decriminalization of marijuana, government social programs, foreign aid and alienation were far more numerous than those on the 1976 presidential contenders.

[21] The New York-based committee was formed in 1954 “to raise ethical standards of election campaigns.” primarily through public education.