

# *report* PUBLIC JUSTICE

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## Election Hype and Political Stagnation

by  
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Despite what appears to be the heightened competitiveness of the upcoming November elections, voters should take note of the declining significance of the electoral process. Remember how important the Republicans thought it would be to win control not only of the presidency but of both the House and the Senate? Yet the Republicans, who now control all three, have achieved very little in the last four years and remain as divided among themselves as they do against Democrats on many issues.

And have you counted the actual number of truly competitive House and Senate contests that will be decided on November 7? A shift of a few seats in each chamber could determine whether the Democrats gain control of either one, but as a whole, probably fewer than 10 percent of the seats being contested are really competitive. Why? Because the gerrymandering of House districts over the past couple of decades means that a large majority of races will not even be close.

Furthermore, despite continuing national controversies over the Iraq war, terrorism, immigration, budget deficits, taxes, health care insurance, and lobbying, voter turnout is again expected to be less than 50 percent of the eligible voters. Why is that? Because most voters seem to be aware that lobbyists have more power than they do, and that their vote won't matter much. Many have also concluded that major problems won't be solved by Washington, regardless of who wins election.

*Washington Post* columnist David Broder (9/24/06) sees a bright side to what is now happening. He senses that more and more voters are turning against the Republican and Democratic parties and becoming independent. Many candidates, he says, are also trying to run somewhat independent campaigns. His hope is that this will mean a new commitment of voters and representatives alike to moderate, pragmatic, problem-solving, public-interest, government. But Broder is overly optimistic, in my estimation, because a stance of moderate independence in America will still require satisfying the interest

groups. (On the turn toward independent voting see also Marc Ambinder's, "A Nation of Free Agents," *Washington Post*, 9/3/06.)

In fact, even if a number of independents, like Joe Lieberman from Connecticut, get elected to Congress, they will have to align themselves most of the time with one party or another, or they will be shut out of all deliberations and negotiations. The fact is that winning elections and pursuing political advantage have increasingly become the chief goals of politicians. It should be the case that politics and elections exist for the sake of governing. Today, it is largely the other way around: politicians use government offices as a means of keeping or gaining partisan advantage. That's why Members of Congress and the president achieve so little while dedicating so much time and energy to trying to keep power and win elections. Even if either or both of the two major parties were to disintegrate because of the rise of independents, the independents would still have to try to muster a majority in Congress. And at that point they would become just one of the two major parties. The same cycle would then continue, because the two-party system and the massive influence of lobby groups would not change.

Our system, after all, is one that was designed from the start to frustrate the power of the national government. Only one national official is elected by American voters as a whole, and that is the president. In November, all those running for Congress—both House and Senate—will be elected by the voters in single districts or within a single state's borders. The priority of each representative who is elected will be to function in a way that benefits his or her district or state. Senator Lieberman (D-Conn.), who argued on the one hand for lobbying reforms and election-finance reform, nonetheless made clear during his losing primary race against Ned Lamont, that the bacon he has brought back to Connecticut from Washington is great for Connecticut. My point is that we do not have national parties with an ability to govern for the national good in the United States. Voters, therefore, have little if any control over what Congress does as a body of interest-group brokers, each of whom is conscious of the need to serve his or her home district or state. All that voters can do in the few districts and states where competitive races will be held this year is to throw out one interest-group broker for another and wait to see how he or she will play the same game in Washington.

One of the problems with this system is that we Americans are now a nationwide community of citizens and our nation can play a hugely constructive or destructive role in the world. We need a nationally elected Congress as well as a nationally elected president. We need disciplined, voter-accountable parties in Congress, not a grab-bag of individuals accountable to no authority except the congressional leaders who get to control much of the legislative process if their party wins more seats than the other party.

Another part of the governance problem is that when the first thirteen states created the federal government they gave Congress and the president authority to deal directly only with interstate commerce, defense, and foreign affairs. That is why the president tries to do as much as possible through the Pentagon and with defense spending. That is why Congress can almost never create a truly national policy on anything else, because the

authority to originate legislation on issues such as education, health-care, family policy, and much more rests with the states. For the federal government to act on these issues Congress must come up with lots of federal money to satisfy most representatives and senators in most states so that the federal government can gain the necessary leverage to bribe the states into an agreement that will hold for the nation as a whole. This typically means that whatever is said to be in the national interest is really whatever a majority of states (and their representatives and senators) believe is in the interest of their states. This system won't change even if independents manage to push Republicans and/or Democrats out of Washington.

What we need is something much more significant than election-campaign finance reform, or lobbying reform, or the growth of independent voters and representatives. We need a fundamental change in the electoral system that will help to produce national parties that are truly competitive and whose elected representatives will be answerable to party members and voters rather than to lobbyists. We need a system change that will lead to the representation of the real diversity of American voters in Congress and that will, thereby, draw voters out of their apathy into participation in elections and politics. We need 75 percent or more of voters to vote instead of 50 percent or less. We need reform that is even more substantial than Thomas E. Mann and Norman J. Ornstein call for in their new book, *The Broken Branch: How Congress is Failing America and How to Get it Back on Track*.

Small steps in the direction of significant electoral reform are taking place in a few cities and counties around the country (see, for example, [www.betterballotcampaign.org](http://www.betterballotcampaign.org) and [www.fairvote.org](http://www.fairvote.org)). But we are nowhere near the kind of reforms that are needed for the country at large. One proposal for reform, that the Center for Public Justice has put forward for more than 20 years is to change House elections to a system of proportional representation (PR). (See the Center's *Guideline #3 on Citizenship* at [www.cpublicjustice.org/guidelines](http://www.cpublicjustice.org/guidelines) and James W. Skillen, *In Pursuit of Justice: Christian-Democratic Explorations*, chap. 8, "Citizenship and Electoral Reform.") If each state eliminated all congressional districts and allowed any number of political parties (not only two) each to field a number of statewide candidates corresponding to the number of House seats to which the state is entitled, voters could then cast their votes for the party they really believed in. No votes would be lost as happens in a simple majority system. When the votes were tallied, each party would gain as many House seats as its percentage of the statewide vote entitled it, no more, no less. If the Republicans got 40 percent of the vote, they would win 40 percent of the seats. If the Democrats got 40 percent of the votes, they would win 40 percent of the seats. If the Libertarian Party, or Green Party, or Conservative Party won five percent of the vote, it would win five percent of the seats. If a Public Justice Party won 10 percent of the votes, it would win 10 percent of the seats.

Not only would such a system allow the diversity of American voters some real choices for a change, it would also compel parties in different states that share common principles and platforms to work together to build a national party. If all Republicans, or all Greens, or all Libertarians across the country did not bind themselves in a tight agreement about what they would aim to achieve when their elected representatives arrived in

Washington, they would have no coalition of forces in Congress. This process would begin to force the emergence of truly national parties with national agendas. These parties would also have to decide ahead of time (and make public) which interest groups were supporting them and on what terms they would take those interest groups into account in their legislating. Voters would then be able to decide which party to support and would be able to help shape an overarching agenda for the party whose elected representatives would remain more accountable to its members and voters than to the interest groups.

This fundamental system-reform would eliminate gerrymandering altogether and forever. Each state would become a multi-member single district for House elections, never again needing to go through a redistricting process. The new system would make all voters and parties independent in the sense that each party could stand on its own philosophy and its own platform. National parties representing a diversity of nationwide views of government would emerge. Lobbyists would be demoted to second place (instead of first place) in Washington. And every race in every state would always be competitive. No party could win any votes simply by pointing out the defects of its opponents. Each party would have to stand for something in order to win support or it would have no chance of succeeding or enduring.

The November election gives us an opportunity to look at all of the interconnected pieces of the American electoral and governing systems. We must look at all the pieces together to see how they affect one another. And after the election-night hoopla ends and the television stations have announced the winners of the various horse races, we should stay alert to see what happens next. Because if this election is like most of elections of the past few decades, relatively little will happen after the election, because Congress and the president will be in much the same position as they were beforehand. Big issues of immigration, health care, the war in Iraq, and budget deficits will not change much. And within a month, the campaign for the presidential election of 2008 will begin and everything else will go on just as before.

The time has come to wake up to reality and to assess our system for what it is rather than for what we have been taught to imagine it to be. The time has come for fundamental changes in our electoral system. Only then will citizens be in a position to effect significant change in government and to hold their representatives accountable.

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[This article is an edited version of a speech Dr. Skillen presented at the University of Michigan on October 5, sponsored by the Center for Faith and Scholarship.]