

## **5.3 Political Participation**

### **5.7 Explain how structural barriers impact third party and independent candidate success and 5.8 Explain the benefits and potential problems of interest-group influence on elections and policy-making.**

#### **STRUCTURAL BARRIERS TO ELECTING THIRD PARTIES IN AMERICA**

Representative democracies can take on many different forms. Parliamentary governments, for instance, are often characterized by a multi-party system. With proportional elections minor parties have the ability to get their voices heard within the government. In these systems a political party that receives just a small number of votes may still earn seats in the legislative chamber. Election law helps to explain why American politics has but two major political parties. Although it can be argued that minor parties still play an important role in American politics.

We continue to have only two major parties for a couple of important reasons. There are structural barriers to third party success in American politics. The rules governing our elections reinforce our two-party system. We have single member districts. In each election there is only one winner. Elections outcomes here are usually determined by a plurality. This means the most votes win. You do not need a majority to win in most elections, just more votes than your opponent. With two parties, however, winners in plurality elections are guaranteed a mathematical majority. This is also reflected in the Electoral College's winner-take-all rule.

French sociologist Maurice Duverger, more than any other, has codified this "law" of two party systems. Duverger's Law states,

In cases where there are three parties operating under [a single member district, plurality election system] the electors soon realize that their votes are wasted if they continue to give them to the third party: whence their natural tendency to transfer their vote to the less evil of its two adversaries in order to prevent the success of the greater evil. This 'polarization' effect works to the detriment of a new party so long as it is the weakest party but is turned against the less favored of its older rivals as soon as the new party outstrips it.

Put simply, the barrier to third party success can be explained in structural barriers. Where plurality elections exist alongside single member districts you should expect to find a two party political system.

More pragmatically, we have a two-party system because our political parties do not hold on to rigid platforms. Favored issues and positions on public policy shift over time. The parties want to attract voters. Holding on to dogmatic positions does not do this. Most issues in America have a binary characteristic; they are either/or and yes/no positions. American government is represented by a two-party system.

There are still minor parties who attempt to attract voters. Third parties are certainly allowed but they usually are not effective. Plurality elections make it almost impossible for third party candidates to win. Minor parties can play important roles. They often champion new issues in their platforms. If these new issues resonate with voters they generally do not propel a minor party but rather induce one of the two major parties to take it on as their own. For example, when a minor party in the 1990s championed fiscal responsibility, an issue that gained wide support, the Republican Party saw an opportunity and began to herald it in order to win elections more broadly. In this way third parties are often compared to bees. Once they sting they die. So it is with minor parties. Once a minor party gets noticed one of the two major parties begins to proclaim its cause making the third party's existence mute.

Third parties along with independent candidate success is limited in American politics. This should not be explained simply by their lack of resonance. Structural barriers along with the malleability of dominant party platforms best explain why third parties have a difficult time getting their candidates elected. And without winning elections even weakened parties find their survival dubious.

## THIRD PARTIES

<b>Types</b>	<ul style="list-style-type: none"><li>• Ideological - those based on a particular set of social, political, or economic beliefs<ul style="list-style-type: none"><li>◦ Communist Party, Libertarian Party</li></ul></li><li>• Single issue - parties that concentrate on a single public policy matter<ul style="list-style-type: none"><li>◦ Free Soil opposed the spread of slavery</li><li>◦ Right to Life opposes abortion</li></ul></li><li>• Candidate-centered party - those usually formed around a strong personality; may disappear when that leader steps aside<ul style="list-style-type: none"><li>◦ Teddy Roosevelt's Bull Moose Party</li><li>◦ George Wallace's American Independent Party</li><li>◦ Ross Perot's Reform Party</li></ul></li></ul>
<b>Contributions</b>	<ul style="list-style-type: none"><li>• Raise issues that other parties must address, and often incorporate into their own party platforms. "Champions not of lost causes, but of causes yet to be won" (e.g., Populist Party: direct election of senators, income tax, etc.).</li><li>• Voice for the fringe elements in society</li><li>• Safety valve for discontent in society</li></ul>
<b>Effects</b>	<ul style="list-style-type: none"><li>• Rarely win elections</li><li>• Influence the outcome of presidential elections (e.g., 1968, 1992, 2000) - "spoiler role"</li></ul>
<b>Obstacles</b>	<ul style="list-style-type: none"><li>• Two-party tradition (because of single-member legislative districts)</li><li>• Single-member, winner-take-all, plurality district system for congressional seats, as opposed to the multi-member, proportional system that is common in other countries</li><li>• Electoral College's winner-take-all system: Perot won 19% of the vote in 1992, but had zero electoral votes. Getting candidates on the ballot<ul style="list-style-type: none"><li>◦ Democrat and Republican candidates are automatically placed on state ballots</li><li>◦ Minor party candidates must persuade registered voters to sign petitions in order to have their names placed on the ballot.</li></ul></li><li>• Money; media coverage; exclusion from TV debates</li></ul>

## INTEREST GROUPS INFLUENCE ON ELECTIONS AND POLICY-MAKING

Interest groups try to influence public policy for a group of people with common concerns. Called by many different names these "special interests" or factions are organized to "lobby" or effect change at every entry point of public policy. Remember James Madison in Federalist 10 said such activity was natural. "The causes of faction," Madison wrote, are "sown in the nature of man." Nevertheless a vast majority of Americans, close to 75%, believe interest groups have too much power and authority over Washington DC. Perhaps this is true because people with better than average incomes are the most likely to join interest groups. Yet our pluralistic political system allows for the free flow of competing interests. Many of the largest lobbying firms have offices on K Street in Washington. For this reason interest groups are often referred collectively as K Street.

Interest groups have proliferated in the United States because of social diversity, federalism, weak political parties and fragmented institutions. Interest groups are more common here than in other democracies because of our unique American political culture. Feelings of civic duty and high levels of political efficacy help to explain the large number of interest groups in America. Interest groups are another example of a linkage institution.

Do not forget that we are "a nation of joiners." Guided by self-interest, we naturally join groups that share our concerns. The First Amendment protects us when advocating for issues and appealing to our government for assistance. Free speech and the right to petition are fundamental to our civil liberties and civil rights. Though we may cringe a bit when we learn that interest group activity last year spent almost \$4 billion "lobbying" or influencing the federal government, our political efficacy is strengthened when our government acts responsively to our collective requests.

The act of influencing is called lobbying. A professional who works for any given interest group is called a lobbyist. Political scientist Bryce Harlow has studied lobbyists. He stated,

The coin of lobbying, as of politics, is trust . . . truth telling and square dealing are of paramount importance in this profession. If [one] lies, misrepresents, or even lets a misapprehension stand uncorrected—or if someone cuts his corners too slyly—he is . . . dead and gone, never to be resurrected or even mourned.

One can imagine why lobbyists are often portrayed in sleazy ways. Yet the policy making process depends upon the expertise and connections provided by lobbyists. Nicholas W. Allard has argued, “Lobbying is an Honorable Profession.” Allard wrote,

The most basic function of the lobbyist is to educate by providing information, and it is axiomatic that legislators benefit when they can consider information from a broad range of interested parties. The increasing scope and complexity of legislation and regulation as the United States evolves and becomes ever more entwined in a global community has further magnified the importance of lobbyists’ expertise. As Thomas Susman explains, ‘Government has become sufficiently complex that, without the information lobbyists bring to legislators, decision making would be—at best—poorly informed.’ It is true, as one former highly regarded Senate aide and now chief lobbyist for a major university points out, that members of Congress and staff are not dependent on lobbyists’ information and often do their own research. However, lobbyists often have information not available to members and staff, and they perform a critical function by confirming information and even informing lawmakers of unintended consequences of their proposals. Without such feedback, legislators and regulators might fail to achieve their objectives and could even do more harm than good. It is sometimes the case that without input from the erstwhile ‘beneficiary’ of a new law or regulation, the provision would produce unwelcome results.

Though the First Amendment protects lobbying their behavior is closely regulated not unlike campaign finance. All lobbyists must register with the government and file regular statements that itemize their activity. In addition to money and gift limits there are restrictions placed upon the “revolving door” of lobbying. The revolving door describes those elected officials and bureaucrats who are hired by lobbying firms to influence their former office. Nevertheless, many of our democratic values protect lobbyists against draconian restrictions.

Of course hiring a lobbyist is not the only way to influence policy. Through letter writing, demonstrating and other like-minded activities anybody can play the role of an interest group. When everyday citizens participate as an interest group this is called grassroots. Too many of us are free riders, we want to enjoy the privileges of interest group activity without participating ourselves.

There are many techniques that interest groups use to influence policy. They write policy proposals that later are introduced as bills; they conduct important research; they testify before important Congressional committees; use ballot initiatives; write amicus briefs; litigate by filing lawsuits; and they help candidates campaign. Interest groups can affect litigation by writing amicus briefs. By far the single most important commodity held by interest groups is information. Notice making a lot of noise by demonstrating is not a strategy used often. Flying under the radar actually works best. If public opinion is aroused the work of interest groups can often be harder. This is why many interest groups try to remain bipartisan. They want to influence policy in both Democratic and Republican Administrations. Lobbyists are checked from misrepresenting too many facts because they fear losing a particular Congressman’s trust and confidence. Without access interest groups cannot influence.

What are Effective Tactics of Interest Groups
<ol style="list-style-type: none"><li>1. Mass mailing (computerized and targeted)</li><li>2. Litigation – groups often take an issue to court if they are unsuccessful in gaining the support of Congress (used by NAACP, ACLU, NOW, etc.)<ul style="list-style-type: none"><li>○ Amicus curiae briefs – someone who is not a party to a case who offers information that bears on the case but that has not been solicited by any of the parties to assist a court</li></ul></li><li>3. Use of mass media<ul style="list-style-type: none"><li>○ Independent expenditures</li><li>○ Issue advocacy</li></ul></li><li>4. Boycotting</li></ol>

5. Electioneering – working for the success of a particular candidate, party, ticket, etc., in an election
  - Funneling volunteers to campaigns
  - Encouraging members to vote
  - Campaign contributions
  - Endorsement of candidates
  - “Targeting” of unfriendly candidates
  - Issuing “report cards” to rate candidates
6. Initiative, referendum and recall at state and local levels
7. Lobbying – attempting to influence policymakers, often by supplying data to government officials and their staffs to convince these policymakers that their case is more deserving than another's

## **IRON TRIANGLES VS ISSUE NETWORKS**

In addition to working within party coalitions, interest groups exert influence through long-standing relationships with bureaucratic agencies, Congressional committees, and other interest groups; such relationships are described as “iron triangles” and issue networks and they help interest groups exert influence across political party coalitions.

Interest groups can exert public policy influence through “iron triangles.” “Iron triangles” have been called sub-governments. “Iron triangles” are commonly defined as, “...A coalition of key policy makers including members of Congress, powerful special interest lobbies, and key career bureaucrats.” Together these three agents of power and influence coalesce around a narrow issue. “Iron triangles” are tightknit and rigid relationships between common interests. Dairy farmers, for instance, represented by members of Congress on the House Agriculture Committee hire American Dairy Association lobbyists to influence rule making in the Department of Agriculture. All three components share a vital interest, protecting dairy farmers. As long as these “iron triangles” operate outside of the public eye reform is difficult. Longstanding policy benefits stay in place. With the advent of information technology, “iron triangles” have grown more and more out of favor. Political scientists now prefer using the term “issue networks.”

Hugh Heclo coined the theory of “issue networks.” “Issue networks” are “much more fluid coalitions in which sometimes anonymous participants from both inside and outside of government coalesce around a particular issue on an ad hoc basis...[Issue networks] are temporary coalitions whose members are motivated by passion and ideals as much as by the chance of some economic gain from involvement in the policy process.” “Issue networks” involve more players, casting wider webs of influence and strategy. In our time, educational policy has been impacted in this way. National, state and local agents along with reformers, publishers and educators have teamed up to institute new standards and assessment tools.