

More Democracy, Not Less Making OUR Governments Work for US

by Howard W. Hallman

Approximately 50,000 words

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To be written

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by

Howard W. Hallman

6508 Wilmett Road
Bethesda, MD 20817

Mon-Thurs: 301 694-2859
Fri-Sat: 301 897-3668

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** To be*

written

March 2, 1995

Preface¹

I am writing during the first month of the Republican takeover of the U.S. Congress. It is a fascinating time. In Congress conservative Republicans are ebullient. Liberal Democrats are apprehensive. Moderate Republicans are pleased but somewhat guarded. Conservative Democrats are ambivalent, favoring some of the Republican policy proposals but unhappy about being in the minority.

People around the country are watchful. A majority have voted for change in two successive elections. Now many are simultaneously hopeful but skeptical. They have heard promises before and then been disappointed with lack of accomplishments. Voters oriented toward the Republican Party see this as a time of great opportunity to bring about permanent changes in governmental policies. Voters with a Democratic orientation don't like

¹ To be rewritten as near publication as possible.

many of the Republican initiatives. Independents want certain kind of changes but fear another period of gridlock.

Whatever happens in the next two years it will be another episode in the long history of American democracy. But not the final episode. Many of us will wonder what might happen next.

Unlike soap operas, television mini-series, and weekly dramas with a continuing plot, we don't have to sit idly by and await what writers have concocted for the next episode. In the story of American democracy we citizens are part of the writing team, or can be if we choose. We have many opportunities to participate. We can help determine what our governments do and what they refrain from doing. That's what this book is about.

The numerous methods of democratic participation present here have broad applicability by persons of varied political persuasion. Participatory techniques don't have ideological coloration. They aren't Democratic, Republican, independent, liberal, conservative, moderate, populist, socialist,

radical right, radical left, or however else portions of the American electorate might be defined. All who believe in democratic elections, majority rule, minority rights, and freedom of speech and association will find ideas they can apply.

In the spirit of full disclosure, though, let me say who I am so that you the reader may be aware of any unintended biases. Like most Americans I don't like being placed in a narrow cubicle of identity. I eschew such restrictive labels as liberal and conservative.

I am a registered Democratic who seldom has voted a straight ticket. I am white, male, Protestant, and old enough to draw social security benefits. I am a native Kansan who has now lived more years in the East than the Midwest. I am a Christian pacifist and husband of an ordained United Methodist minister. I am a father and grandfather. I believe that strong families are the foundation of society and deserved to be protected and enhance. I recognize that families patterns vary but that all need to be

bound together by mutual love.

I am a defender of civil liberties. have participated in a variety of demonstrations, but believe that protestors have responsibilities to respect the rights of others. I am an advocate of free speech but wish that publishers and television producers were more self-disciplined in what they print and display, particularly regardings degrading sex and gratuitous violence.

I believe that the people of this country are wiser than credited by many so-called intellectuals. They possess a common sense of what is right and wrong. The electoral decisions of the majority and their policy preferences may not always prove to be the soundest in results achieved, but there is no adequate substitute for majority rule.

At the same time I am willing to dissent, to express views contrary to majority opinion, and to try and persuade others to accept my ideas.

I believe in racial equality and favor racial integration. I also recognize the enormous diversity of the American population and understand that

some groups at certain times want to be together by themselves. In the public domain and in our civic life, I am convinced that we need to come together from our many different backgrounds.

My initial career experience in public affairs was at the local level.

Therefore, it is hard for me to support centralization of authority and administration. But I believe that there are many responsibilities that only our national government can handle, especially in helping to guide a fair distribution of resources. But as I'll discuss later, I believe in the principle "no larger than necessary."

As one who has served as a public administrator, I have great respect for civil servants but am as critical as the average citizen of bureaucratic redtape.

I believe it is proper for most economic enterprises to be under private control, but I also believe that we the people need to use our governments to protect us from harmful practices of unrestrained private enterprise. I also believe that government enterprises are appropriate for certain tasks and

strongly favor the use of nonprofit organizations for a wide variety of
community services.

So I am an amalgam. But aren't we all? At might core I am a
democrat with a small "d". I write for others who are also.

Bethesda, Maryland

January

11, 1995

PART ONE. PREPARATION FOR PARTICIPATION

Chapter One

Put Aside Simplistic Solutions

Millions of Americans are now dissatisfied with the course of American democracy. Likely you are one of them.

The evidence is all around: Drop in the percentage of the population who vote. Opinion polls revealing lack of trust in public officials. Successful use of anti-government rhetoric by campaigners running for public office.

Turning away from the two major political parties by 20 percent of the voters in the 1992 presidential election. Even then a desire by some to vote for "none of the above". And now a new "third party" forming for the 1996 presidential election.

Other indicators of discontent are: Defeat of incumbent President George Bush in 1992. Two years later repudiation of incumbent Bill Clinton

by voting against Democratic candidates in the 1994 congressional election. The rise of negative campaigning on all sides, proven to win votes even though deplored by many citizens. Unrelenting attacks on government by new members of the Republican-controlled 104th Congress. Aspirants for the 1996 Republican presidential nomination running against Washington even though almost all of them have been part of the Washington scene for some or all of their political careers.

Further signs of disenchantment include: The term limits movement. The rise in talk show hosts mobilizing citizens against governmental agencies and policies. The organization of armed militia which view government as their enemy. Terrorist acts against government, mostly notably bombing the federal office building in Oklahoma City.

Lots of dissatisfaction, yes, but not to be totally lamented. Our wisest reaction should be to read these signs of dissatisfaction as useful indicators for American democracy. As pain in the human body reveals ailments in need

of treatment, pain in the body politic points us toward flaws in need of remedy. The grievances are real even though some of the proposed cures may not be the most appropriate response.

How, then, can we best respond to citizen dissatisfaction and join together to revitalize American democracy? In a phrase the answer is: Participate! Participate! Participate! Much greater participation by millions of Americans. All year-round.

But let's be honest about it. Participatory democracy is demanding for the citizenry. It's hard work and time consuming. But it's rewarding in accomplishments achieved as people work together with and through their governments. Democracy isn't easy, but it's worth it.

This book offers ideas on how you and other citizens can participate in many phases of American democracy. Voting is a decisive act of participation. But before voting comes election campaigns with numerous opportunities for citizen involvement. After elections are completed, the

processes of governance occur and open up many other channels for participation.

To set the stage for discussion of specific methods for achieving greater citizen involvement in American democracy, Part One of this book presents some fundamentals for participation. Although in this book I intend to accentuate the positive, I feel it is necessary to begin with a warning to avoid cure-all nostrums that promise quick remedies for complex problems. They create an illusion of remediation but don't come to grips effectively with underlying problems. We would be well advised to put aside simplistic solutions.

Term Limits

The worst of the simplistic solutions is term limits, a measure designed to restrict the number of terms that members of Congress or legislatures may serve. Pure and simple imposing term limits is an anti-democratic remedy because it constrains voter choice. Voters of each district, and they alone,

should be able to determine whether their representative deserves another term in office.

Term limits violate the fundamental principle of representative democracy. As Alexander Hamilton insisted in 1788 during ratification debate on the new U.S. Constitution, "the people should choose whom they please to govern them."ⁱ In applying this principle, the Framers of the Constitution established *length of terms* for members of Congress and the president of the United States, but not *number of terms* they may serve.

This outlook prevailed for 160 years. Then in 1947 the Republican-controlled 80th Congress, upset that Franklin D. Roosevelt had been elected president four times, passed a constitutional amendment specifying: "No person shall be elected to the office of the President more than twice." State ratification was completed in 1951, and it became the 22nd Amendment. Ironically since then only two presidents, Dwight D. Eisenhower and Ronald Reagan, both Republicans, have served two full terms

and might have considered a third term.

Now once again Republicans are leading a term limit movement, this time directed toward Congress and state legislatures. The initiators were primarily conservatives frustrated by their inability to produce enough winning candidates to gain control of Congress and many state legislatures. Feeling that they were a permanent minority, they searched for other ways to curtail Democratic majorities. Their solution was to change the rules by instituting term limits. Here and there they gained support of liberals who had lost attempts to unseat incumbents, sometimes described as "sore losers".

Stemming from a motivation to displace incumbents they can't defeat at the polls, term limit advocates have tapped into voter dissatisfaction with government. They place blame on long-term incumbents. So far they have persuaded voters in 22 states to pass measures limiting the number of terms that members of Congress and their state legislature may serve.

However, in 1995 the U.S. Supreme Court ruled that state-imposed limits on

congressional terms violates the U.S. Constitution.ⁱⁱ

For many voters, voting for term limits has been a way to send a message, to express dissatisfaction with the status quo. Interestingly in many Congressional districts a majority of voters have approved term limits, and at the same time they reelected incumbents who wouldn't have been eligible to serve again if term limits were in effect.

Beyond the repudiation of democratic choice, term limit advocates would impose restrictions on experienced service in legislative bodies that we would find intolerable in other fields. For instance, would we want to be treated at a hospital that had to discharge all physicians and nurses after six to twelve years of service? Would we want to put our money in a bank where no one had worked there longer than a dozen years? As Republican Congressman Henry Hyde exclaimed during congressional debate, term limits would lead to "the dumbing down of democracy".ⁱⁱⁱ

Government is a complicated enterprise. It takes time to learn

thoroughly how it works. We need experienced legislators to match long-time administrators of the executive branch. Otherwise members of Congress and state legislatures risk being outmaneuvered by career administrators, manipulated by legislative staff with long tenure, and unduly influenced by lobbyists who have been around a long time. In the competitive atmosphere of policy formulation, solid experience has great value.

The hypocrisy among legislators offering verbal support to term limits contributes to public cynicism about politics. Thus, in September 1994 most Republican members of the U.S. House of Representatives seeking reelection signed a Contract with America that included a promise for term limits. The signers argued: "Let's replace career politicians with citizen legislators. After all, politics shouldn't be a lifetime job."^{iv} Yet 90 of the signers, had already served three terms and would be ineligible for reelection if a three term limitation had been in effect. Fifty-four of them had served

six or more consecutive terms. Yet, none of these career politicians were willing to step aside and allow citizen legislators to take their place!

After the Republicans gained control of Congress in 1995, a decisive majority of the House of Representatives protected their careers by voting 297 to 135 against a constitutional amendment that would make term limits apply to past years of service. A measure to limit House members to three terms, but not retroactive, lost 114 to 316. A majority voted 227 to 204 in favor of a version that limited service in the House of Representatives to six terms and in the Senate to two terms (that is, a maximum of 12 years of service in each chamber). But this was far short of the two-thirds vote required for a constitutional amendment. The Senate didn't take up term limits.^v

Term limit advocates intend to make this an issue in the 1996 congressional election and press for a vote on a constitutional amendment again in 1997. If they are successful, at best it would take two to four years

to gain ratification by the required three-fourths of the state legislatures.

Since it's unlikely that a retroactive measure could gain congressional approval, it would be 2012 or later until any member of Congress would be affected by term limits.

American voters, though, in actual practice know a better and quicker way to replace incumbents: vote them out of office, district by district. This began to happen in the 1992 election season for 110 seats out of the 435 in the U.S. House of Representatives due to retirement or defeat at the polls, the highest turnover in 44 years. The trend continued in the 1994 election when 86 House incumbents were replaced, 48 by voluntary retirement but 38 through electoral defeat. But at the same time 90 percent of the House incumbents running for reelection were successful, reaffirmed by voters in their districts, who opted to return experienced legislators.

Turnover hasn't been as rapid in the U.S. Senate, but the Republicans picked up eight Senate seats in the 1994 election to gain control. And after

the election two senators switched their party affiliation from Democrat to Republican. In 10 states Republicans replaced Democrats as governor and took control away from Democrats in 19 state legislative chambers (houses of representative and senates).

In the 1994 election no Republican incumbent seeking re-election to Congress or as governor suffered defeat while numerous Democratic incumbents were voted out of office. Voters had a choice, and they exercised it. Its a much superior approach than arbitrary term limits.

In 1996 voters will have another opportunity to replace other congressional incumbents if they are dissatisfied. Or to reelect them. And again in 1998 and 2000. It can be a judicious choice of voters in each district, not the slam-bang approach of term limits.

Undoubtedly in future election campaigns term limit advocates will press candidates to pledge their support for term limits. As this occurs, we who believe in full democracy should mount a counter effort to press

candidates to commit themselves to free and open choice in elections.

Quoting Hamilton, we should ask candidates: "Do you favor allowing voters to 'choose whom they please to govern them?'" In this manner we can preserve the voter sovereignty that is an essential feature of democracy.

None of the Above

Going beyond a dislike for incumbents, some dissatisfied citizens don't like any of the candidates offered by the political parties. They don't even care for those running as independents. Their remedy is to add "none of the above" to the ballot so that voters may send a message of their displeasure. Among others, consumer advocate Ralph Nader and conservative political consultant Paul Weyrich favor this approach.

That's another over-simplified solution for American democracy. It's really a lazy person's alibi for not fulfilling civic responsibility. It may send a message, but it makes no contribution to solutions. Moreover, it violates the old political adage that "you can't beat somebody with nobody".

If you don't care for persons running for public office, you should work to get persons of your liking to run. Or run yourself. Enter the rough-and-tumble of politics. That's the true spirit of American democracy. It's so important that much of Part Two of this book deals with how to achieve far greater participation in the electoral process.

Vigorously pursuing the competitive approach, not term limits, was a major reason that Republicans were in a position to take control of the U.S. House of Representatives for the first time in 40 years after the 1994 election. Persons of other persuasions must do likewise if they want to get officeholders of their liking. You can choose to compete as a Democrat, a Republican, a third party candidate, or an independent. Forget about "none of the above".

Squawk Talk

Citizen dissatisfaction in recent years has been meat for an expanding

array of radio and television talk show hosts. By giving people an outlet for their frustration, these talk show hosts have become major players in the political arena. They have taken single issues, such as congressional pay raises, perks for members of Congress, proposed tax increases, regulation of lobbying, and other matters, and have encouraged citizens to air their views and call or write members of Congress. They have demonstrated a capability to instantaneously flood the capitol switchboard in Washington, D.C.

In contemporary America this kind of squawk talk is another way to send a message to public officials. In a historic sense it is part of the protest tradition, which at various times has featured rallies, marches, teach-ins, sit-ins, and nonviolent civil disobedience. It is an honorable heritage. It helps maintain a healthy democracy, for protest reveals aches and pains that require attention.

Valuable as it is for message sending, though, squawk talk is limited in its

ability to achieve solutions for significant public problems. Usually it is negative, attempting to block legislation or repeal a recently adopted measure. Rarely does it bring support for positive, problem-solving legislation. Moreover, squawk talk impacts only a tiny fraction of legislative business conducted throughout the year.

To exercise much deeper, more-lasting influence on a broader range of legislation, much greater stick-to-itiveness is necessary. This is the trait displayed by numerous interest groups. That's why they are so influential as lobbyists with Congress, state legislatures, and city and county councils.

Citizen activists who want to be similarly influential over the long haul can learn from them and apply practices of effective lobbyists for public benefit. This is a matter we'll consider in Part Three.

Balanced Budget Amendment

Another simplistic solution to what ails American democracy is the proposal for a balanced budget amendment to the U.S. Constitution. For

many years advocates of reduced federal spending have championed such a measure to require that expenditures not exceed revenues except in cases of national emergency. Among other reasons offered, proponents have argued that Congress and the president need the discipline of a constitutionally imposed requirement to balance the budget.

Both President Ronald Reagan and President George Bush strongly favored a balanced budget amendment. Yet neither of them ever submitted a balanced budget to Congress or offered a long-range plan that would achieve a balanced budget. Rather they pursued spend-and-borrow policies that more than quadrupled the federal debt in their combined twelve years in office, rising from \$700 billion in 1981 to \$3.2 trillion in 1993.

During their presidency, a balanced budget amendment came before Congress several times but never mustered the two-thirds vote in both chambers required for a constitutional amendment. When Republicans took control of the 104th Congress in 1995, they mobilized a majority well

beyond the necessary two-thirds in the House of Representatives but fell one vote short of two-thirds in the Senate.

The balanced budget amendment considered by the 104th Congress would require the federal budget to be in balance by 2002. However, before this amendment came to a vote, Republicans leaders refused to offer a detailed plan on how this objective could be achieved. They explained that "special interests" would mobilize to block a balanced budget amendment if they knew for certain that their programs would be cut. Their unstated message to the American people was: "we don't trust you to know the facts and support us as we act responsibly."

Subsequently, however, both the House and Senate budget committees produced seven-year plans to eliminate the annual federal deficit by 2002. A congressional majority approved a compromise plan in the summer of 1995. At that time President Clinton came up with his own plan to balance the federal budget in ten years. Then authorization and appropriations

committees undertook the challenge of working out details applicable to the fiscal year ending September 30, 1996. Various interest groups did indeed show up to press their case and defend their favorite programs from elimination or excessive cuts. Forces and counterforces swirled around the budget process. [More to be added after FY 96 budget is adopted.] That's as it should be, showing that vigorous pursuit of significant deficit reduction can occur without a constitutional amendment.

It's just as well that the balanced budget amendment wasn't enacted, for balancing revenues and expenditures every year is not necessarily a desirable or necessary objective. Very few households do so. We borrow money to pay for our house and our automobile. If we didn't, the housing and automotive industries would be sharply curtailed. Corporations borrow money, together totaling indebtedness on a level with the federal debt. Even though most state constitutions require a balanced budget, this usually applies only to operating expenses, and the states borrow money to pay for capital

projects, such as highways, public buildings, and other construction activities.

Although the federal government doesn't have a separate capital budget, part of its borrowing pays for long-term projects. Moreover, at certain times federal deficit spending enables the government to counter economic downturn, thus mitigating adverse impact of fluctuations in the economy.

Certainly budget makers need discipline, but it's a faulty solution to impose it by a constitutional amendment. This would remove flexibility to deal with unforeseen circumstances. Budget decisions should be made through the give-and-take of the political process. Furthermore, budget making should be opened to much greater public participation from beginning to end, a matter we'll discuss in Chapter 20.

Sending Messages Isn't Enough

To considerable extent support for a balanced budget amendment and term limits has arisen because citizens have wanted to send messages of dissatisfaction to elected officials. The desire to vote for none-of-the-above

and the quick response to instructions of talk show hosts are ways of expressing frustrations.

As such, there is no harm in sending messages. It is an old American pastime. Yet it's but a fraction of democracy. Democracy is also about elections and governance: voters choosing legislators, executives, and sometimes judges; legislators enacting laws; executive officials making policy decisions and administering national, state, and local governments.

You can't run a government solely with messages. You have to make decisions, sometimes very difficult choices among complex policy alternatives. You have to decide who will pay the cost of government and then enact revenue measures. With finite resources available you have to decide who will benefit most and who the least in budgetary allocations. Lots of hard choices.

You can vote for an independent candidate to send a message, or even refrain from voting, but somebody's going to be elected. For most of the last

200 years nearly all of these somebodies have been members of one of two major political parties. Occasionally a third party has gained control of one or both houses of a state legislature for a while or become the second ranking party. Now and then some third party members and independents have served as governors and mayors. It's conceivable that in 1996 a third party candidate could be elected president. But these are exceptions. In jurisdictions holding partisan elections the American people have entrusted government mostly to elected officials from the two major parties -- since 1860 either Republican or Democratic.

So if you want to increase your influence on who is nominated and elected to public office across the board, you need to get involved in the Democratic or Republican party. (More on this in Chapter 8.)

You can follow the urging of Rush Limbaugh and other talk show hosts and call your representative in Washington to protest a congressional pay raise or some other measure. You and other callers might even get your way

on that single issue. But the same session of Congress will enact thousands of bills that move through the legislative pipeline with little public attention.

This legislation, however, is noticed, supported, opposed, and caused to be modified by interest groups maintaining full-time presence in Washington.

If you want to gain greater influence on the course of many important legislative measures, you need to find ways to lobby directly in Washington, through grassroots mobilization, or in combination. Likewise for state and local government. (See Chapter 15 and 16.)

It is not enough to think that you elected change-oriented candidates and that they will take it from there. Almost certainly they will stray in some way or other from the course you thought they would pursue. You need to keep in touch and let them know your views all through their term in office.

Government in the United States goes on all year long. So does the electoral process, even though it may gain public visibility only during periodic

election campaigns. Intermittent participation by voting once or twice a year and sending a message now and then is insufficient. If American democracy is to flourish, citizens need to find ways to achieve ongoing participation in the processes of government. Accordingly, citizen involvement in governmental affairs should occur year-round.

After all, government in American democracy is "us", not a bunch of bickering politicians set apart. Its successes and failures are ours, not those of a separate political class. The challenge is not for "us" to send messages to "them" but rather for millions of citizens to become more fully involved in the ongoing processes of government. What we need is more democracy, not less.

October 2, 1995

Notes

i. Jonathan Elliot, ed., *The Debates in the Several State Conventions on the Adoption of the Federal Constitution*. 2nd edition. Philadelphia: J. B. Lippincott, 1861. vol. 2, p. 257.

ii. U.S. Term Limits, Inc. et al. v. Thornton et al. [complete citation to be added]

iii. *Congressional Record, Proceedings and Debates of the 104th Congress, First Session*. March 29, 1995. Vol. 141, No. 58, p. H3905.

iv. Republican National Committee, *House Republican Contract with America: A Program for Accountability*. Washington: Republican National Committee, 1994. p. 1.

v. *Congressional Record, Proceedings and Debates of the 104th Congress, First Session*. March 29, 1995. Vol. 141, No. 58, p. D438.

Chapter Two

Believe in Government, Our Servant

At Gettysburg in 1863 President Abraham Lincoln summarized the American system as "government of the people, by the people, and for the people."ⁱ This positive outlook on government may be our aspiration, but nowadays a strong anti-government sentiment prevails in the United States.

This was highly evident in the 1994 election campaign and is occurring again in 1996. It is heard in speeches by members of Congress. Talk radio is full of it. Fax and computer networks buzz with anti-government rhetoric. Rather than seeing government as a means for achieving solutions, many insist that government is the problem. Some say, the enemy.

What an astounding loss of faith in government by citizens of the longest-standing democracy in the world! What a drift from the ideals and aspirations of the founders of the United States of America!

To reverse this trend we need to return to basics, to reexamine what we believe, to reaffirm our commitment to the democratic way of life.

For this purpose our catechism can be our two founding documents: the Declaration of Independence and the Constitution of the United States, especially its Preamble. What they state is what we believe. They set forth our democratic ideals and delineate our goals for government. They establish the standards by which we measure our performance.

Let us then listen to the words of the Declaration and the Preamble with fresh ears. Let us reflect on their meaning for us today.

We can start with the words of the Declaration of Independence. For more than 200 years its inspirational message has been the most profound influence for democracy around the globe.

We hold these truths to be self-evident,

Not "I" but "we" acknowledge truths so apparent that they require no

explanation. They are religious and philosophical truths, really matters of belief, not factual descriptions derived from reason and analysis.

That all men are created equal.

(Today we would say "all persons".)

This claim of equality boggles the mind. It seems folly against common sense because it is contrary to our observation that people are not equal in mental and physical capacity. Nor are they equal in wealth, and have never been in recorded history. Abraham Lincoln realized this when he explained:

*"the authors ...did not intend to declare all men equal in all respects. They did not mean to say all were equal in color, size, intellect, moral developments, or social capacity. They defined tolerable distinctness in what respects they did consider all men equal -- equal in 'certain inalienable rights'."*ⁱⁱ

How do people get these rights?

they are endowed by their Creator

In a nation where religious freedom is fundamental, we use different names and concepts to identify our Creator: God, Allah, Eternal Thou, Ground of Being, Nature, even natural law. Whatever our perception of

Creator, the Declaration insists that our basic rights are found in the very makeup of the Universe.

with certain inalienable rights

A right is something that we have a just claim to. Something inalienable belongs to us with certainty. We cannot surrender it or give it away even if we want to. These rights are ours without asking simply because we are entitled to them as human beings. We may not always have full expression of our basic rights, but they belong to us forever. We can always press our just claim for them.

*That among these are Life, Liberty,
and the pursuit of Happiness.*

Previous writers had used the phrase "life, liberty, and property". So did the "Declaration and Resolves" of the First Continental Congress. But Thomas Jefferson and his colleagues substituted "pursuit of happiness" to emphasize deeper fulfillment than mere possession of property.

"Life." The right of existence. The right to be born, to grow up, to

achieve a satisfactory place in society, to grow old, to die a natural death.

The fulfillment of fundamental human needs. The assurance that life cannot be ended capriciously.

"Liberty." The right to be oneself. Freedom of expression and belief. Freedom from arbitrary use of power by government and private institutions. Not to be treated as a possession of another person. As Jefferson wrote in another context, "The God who gave us life, gave us liberty at the same time: the hand of force may destroy, but cannot disjoin them."ⁱⁱⁱ

"Pursuit of happiness." For our founders happiness had a broader meaning than in our contemporary speech. Today we might say self-fulfillment, achieving a sense of human dignity, a feeling of self-worth within a supportive community. Elsewhere Jefferson suggested that schools should teach children that "their own greatest happiness...is always the result of a good conscience, good health, occupation, and freedom in all just pursuits."^{iv}

*That to secure these rights,
Governments are instituted among Men.*

(And "Women" we would add.)

This was, and remains, a refreshing concept of the purposes of government. Not merely to control the unruly and maintain social order, though that can be a purpose. Not to sustain power for the ruling class. Not to protect the interests of property. Rather our government should function to assure our basic human rights.

*Deriving their just powers
from the consent of the governed.*

A government that secures basic rights and also maintains public order can be a powerful instrument. Our founders fully realized this because they suffered from arbitrary power exercised by the British crown. Taxation without representation was one of their major concerns. Accordingly they insisted that the powers of government are just only if they are derived from the consent of the governed. This is such an important matter that I devote the next chapter to the idea of consent.

How to establish such a government became the task of the American founders after declaring independence and winning the war against the British. This was not easy to accomplish. Those of us nowadays who are so impatient with our inability to find quick solutions should recall that a dozen years elapsed between the issuance of the Declaration of Independence and the ratification of the U.S. Constitution.

In the Preamble the Framers clarified the purposes of government to which the people give their consent.

We the People of the United States...

Again, "we".

...do ordain and establish this Constitution of the United States

in order to achieve six fundamental purposes.

(1) *form a more perfect Union*

A major challenge to the Framers was finding a way to balance the need

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for central authority for certain tasks while retaining significant roles for geographically dispersed units. The product was our federal system with two sets of representative government: state and national. The national government and the state governments are separately accountable to the people. In this sense, Americans have dual citizenship. Moreover, local governments, though legally creatures of the states, functionally form a third set in a kind of three-arena federalism. (See Chapter 22 for more on federalism.)

(2) establish Justice

Two kinds of justice deserve attention: legal and social. Legal justice emphasizes that government, in enacting, applying, and enforcing public laws, should treat everyone equally and fairly. It means also taking positive actions to remedy unfair and unequal application of the law. Social justice stresses that government should be responsive to human needs. Government, as the people's instrument, has a legitimate concern to assure

that the fruits of our economic system and other benefits of society are available to everybody in fair proportion.

(3) insure domestic Tranquility

Today we might say "law and order" rather than "domestic tranquility".

Laws, enacted with the consent of the governed, help to provide the order that is necessary for a workable society. They give structure to relationships among people and provide stable guidelines for conduct. Without law, fairly observed and enforced, liberty will perish. But order which maintains a status quo of injustice and inequality is tyrannical. Thus, social change seeking greater justice, even with some tumult, is not inconsistent with the broader goal of insuring domestic tranquility.

(4) provide for the common defence

Having just fought the British in order to achieve independence, our founders realized that they needed unity to defend themselves from any future aggressors. To handle this task the Constitution centralized

responsibility in the federal government, designating the president as commander-in-chief and assigning the Congress the power to declare war.

The Executive Branch would be in charge of relations with other nations, but Congress would have authority to approve treaties.

(5) promote the general Welfare

In some respects the idea of "general welfare" incorporates the Declaration's commitment to "life" and "pursuit of happiness" into the Preamble. Government is instituted to secure these rights. This is a positive function. Representatives of the people, who run the government, are alert to social and economic problems, to unmet community and human needs. They use governmental authority in response, always conditioned by gaining the consent of the governed.

*(6) secure the Blessings of Liberty
to ourselves and our Posterity.*

Liberty is another of the inalienable rights set forth in the Declaration. In one sense a concern for liberty limits the powers of government by

protecting individuals from laws that take away freedom and from arbitrary actions by governmental officials. In another sense government has a positive role to play in protecting individuals from abuse by other citizens who would curtail their liberty through coercion.

From their own experience as former colonists, the Framers understood liberty to be so precious that they wanted it both for themselves and for future generations. They wanted it for us. We can praise their vision and be grateful for their commitment.

As we reflect on our two founding documents, it's interesting to note that neither the Declaration of Independence nor the Constitution of the United States uses the term "democracy". Yet, there can scarcely be a better description of democracy than the Declaration's formulation of the why and wherefore of government:

Who?

The people

How? through their consent

Do what? institute government

Why? to secure inalienable rights

Which ones? life, liberty, and the pursuit of happiness

For whom? equally for all persons

We the people are sovereign. We have the supreme power. Not a king, not a landed aristocracy, not a powerful economic elite, not an uncontrolled bureaucracy, not a military junta, not a dictator. Democracy is a system of government grounded in the sovereignty of the people.

This was the sentiment expressed in the Declaration of Rights adopted by the Virginia House of Burgess in June 1776 three weeks before the Second Continental Congress approved the Declaration of Independence. In words written by George Mason, the Virginians noted "that all power is vested in, and consequently derived from, the people; that magistrates are their trustees and servants and at all times amenable to them."^v

A dozen years later in one of *The Federalist* essays written to explain the new Constitution, James Madison spoke of the federal and state governments as "agents and trustees of the people".^{vi}

These are excellent terms to describe governmental officials in the United States: our agents, our trustees, our servants. We give them their powers and responsibilities. We choose them directly and indirectly. We decide what we want them to do. They are accountable to us. This is the true spirit of American democracy.

This is a much more wholesome attitude than the outlook of those who view government as the enemy and demonize public officials. They are completely wrong, for as President Andrew Jackson insisted in 1832, "There are no necessary evils in government. Its evils exist only in its abuses."^{vii}

These abuses may be in unjust laws, such as those that once allowed slavery and mandated racial segregation. There may be occasional misconduct by public officials, sometimes corrupted by private interests.

But government isn't inherently bad. Moreover, with rare exceptions those who work for government are good, upright people who are trying to earn a living while performing public service in a respectable job.

As we were reminded by the tragic bombing of the federal office building in Oklahoma City on April 19, 1995, federal employees are human beings, just like you and me. They have husbands and wives. They have children. They are our neighbors, not our oppressors. So are state and local officials. They deserve our respect, not our enmity.

Within the framework of this positive outlook toward our governments, there's still plenty of room for us to argue over the size of government. There's leeway for us to consider whether government should undertake particular activities or leave them to the private sector. There's opportunity to debate about the best assignment of responsibility among national, state, and local governments. But this debate should be conducted without demonization of government and its employees.

One of the strong features of the American system of government is its adaptability. Each generation has the right to change its configuration. Our forbearers gave initial consent to the original structure. Subsequent generations consented to a variety of alterations. We today can make our contemporary governments what we want them to be. With thorough participation we can join together to assure that our governments function effectively as our agents, our servants.

October 2, 1995

Notes

i. Abraham Lincoln's address at the site of the Battle of Gettysburg on November 19, 1963. Transcript of oral version. The World Book Encyclopedia (1963). vol 7, p. 162.

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- ii. Speech at Springfield, Illinois, June 26, 1957 in *The Life and Writings of Abraham Lincoln*. Edited by Philip Van Doren Stern. New York: The Modern Library, 1940. p. 422
- iii. "A Summary View of the Rights of British America" (1774) in *The Complete Jefferson*. Assembled by Saul K. Padover. New York: Duell, Sloan, and Pearce, 1943. p. 19.
- iv. "Notes on the State of Virginia" in *The Complete Jefferson*, pp. 667-8.
- v. Henry Steel Commager, ed., *Documents of American History*. Vol. 1, 9th edition. Englewood Cliffs, N.J.: Prentice Hall, 1973. p. 103.
- vi. James Madison, *The Federalist No. 46*. New York: The Modern Library, 1937. pp. 304-5.
- vii. Andrew Jackson, "Veto Message [of a bill to continue the Bank of the United States], July 10, 1832." In *A Compilation of the Message and Papers of the Presidents, 1789-1897*, James D. Richardson, ed. Washington: Government Printing Office, 1896. vol. 3, p. 590.

Chapter Three

Recognize That Consent Is Continuous

In the rhetoric of dissatisfaction with American government, we often hear virulent attacks on "special interests". Newspaper editorial writers and columnists, radio and television commentators, candidates for public office all rail against interest group representatives who assemble in Washington and state capitals in order to influence government policy for their groups' benefit.

To this criticism I offer two comments in reply.

First, the functioning of interest groups is a natural phenomenon in a democracy, a point I'll return to toward the end of this chapter and later in this book.

Second, there's much beneficial knowledge to be acquired from how interest groups ply their trade. They understand how government works.

They know how to affect governmental policies and practices. Citizens who aren't very active in political life but want to be more involved can properly learn from how interest groups function. Citizens can then apply this practical wisdom for public benefit.

The prize "secret" of interest groups is their recognition that in American democracy consent of the governed -- that crusty old phrase from the Declaration of Independence -- is a continuous process. Realizing this, the most effective interest groups are active all year long. Day in, day out they attempt to influence the outcome of elections, legislation, executive policies, appointment of executive officials and judges, and the inner workings of governmental bureaucracy.

So too should we citizens if want to revitalize American democracy and increase its effectiveness. We should realize that we ought not limit our consent-giving to voting once or twice a year and letting elected officials take it from there. Before we vote we should interact with candidates

throughout the election campaign. After they take office we should keep in touch with public officials in many different ways. And we should expect them in turn to look to us for our opinions on policy issues and to take our views into account in the decisions they make. If they don't, we should replace them. That's what consent of the governed is all about.

By way of introduction to how this can be achieved, this chapter runs through the main elements of the consent process as it occurs in elections and in governance. Later Parts 2 and 3 probe more deeply into how we can make the most out of continuous, interactive consent

IN ELECTIONS

Elections have three main stages: positioning by aspirants to public office, campaigning by announced candidates, and voting by the electorate. The consent process occurs in all these stages. (For ideas on constructing a campaign calendar, see Chapter 5.)

Positioning

Most candidates for public office or reelection position themselves to run during a period of weeks, months, sometimes years before they formally announce their candidacy. This initial interaction with segments of the public is likely to affect how they perform in public office in the future, and it affects present performance of incumbents seeking reelection.

Newcomers. For persons who have never held public office, the positioning period serves as a tryout. They seek name recognition through a variety of activities, perhaps associated with the political party of their choice or in civic endeavors. They explore who might support them in a primary election or in party caucuses and convention. To build this support they start taking stands on public issues. Conversely party blocs and interest groups make contact with positioners who are gaining visibility in order to find out their views on various issues.

Incumbents seeking reelection. Most persons holding public office in the United States at any one time would like to serve an additional term, or

more.

Therefore, soon after election day they start thinking about reelection.

Legislators realize that how they vote on various bills and how they perform services for their constituents will affect their chance for reelection. They cannot rest on the mandate of the last election and totally ignore the views of their constituents. Therefore, their performance as elected representative intertwines with positioning themselves for the next election. Interest groups know this, maintain regular contact, and keep track of voting records.

Elected executives who want to be reelected also keep an eye on the next election in the decisions they make and the programs they initiate. They use the visibility of their office to retain and broaden support among particular interest groups and segments of their party. These groups in turn seek to influence executive policy making.

Incumbents seeking another office. A different set of dynamics occurs when incumbents intend to seek another office, such as a city council member

wanting to become mayor. a state representative wanting to move to the state senate, a U.S. senator or governor wanting to run for the presidency. They have to become known to a broader constituency. This may lead them to vote differently on legislation or make different kinds of executive decisions than they would if they paid heed only to their present constituents.

Thus, in these several ways positioning is the beginning of interactive consent for newcomers seeking election to public office and is a continuation for incumbents seeking reelection. (For more on positioning, see Chapter 6.)

Campaigning

This interaction widens as aspirants for public office formally announce their candidacy. In partisan elections with party labels on the ballot, candidates first seek their party's nomination, determined in a primary election or at a party convention, sometimes in combination. In nonpartisan elections candidates strive to become one of the top two votegetters in the primary election. After that party nominees or

nonpartisan finalists compete in the general election.

The goal for candidates is to win more votes than their opponents at each stage. This is likely to be only a plurality of those voting in a primary election but a majority of delegates in a party nominating convention. In the general election a plurality is sufficient unless state law mandates runoff if no candidate receives a majority. For the U.S. presidency a majority of electoral votes is required.

Candidates therefore have to figure out how to build support from a sufficient number of voters to emerge victorious. In partisan elections they have to appeal to segments of their party to gain the nomination and to a broader electorate in the general election. In nonpartisan elections the electorate is the same in the primary and general elections, though turnout is usually less in the primary.

Issues. Candidates may have a core of followers based upon personal loyalty, party connections, racial and ethnic identity, and ideological

commitment, but they usually have to find ways of drawing in broader support. Therefore, they stake out positions on public issues to attract the votes of particular elements within the electorate. Party blocs and interest groups realize this and encourage candidates to take favorable stands on their issues. Although every campaign promise isn't kept, this interaction around issues generally tells voters what they are consenting to if they elect the candidate. It forestages public policy decisions the winners will make when installed in office. (See Chapter 7 for more on influencing campaigners and Chapter 9 on how to negate negative campaigning.)

Finance. Election campaigns cost money, sometimes large amounts. (A rare exception is a popular incumbent running for reelection with no opposition.) The larger the territory the greater the reliance on television to reach voters, thus increasing campaign costs. Therefore, candidates and their key supporters often start fundraising during the positioning period and continue it as the campaign progresses. Many incumbents commence raising

funds for reelection soon after the previous election.

Although many candidates do their best to obtain numerous small contributions, most are inevitably drawn toward individual donors and interest groups capable of making large contributions. Interest groups operate political action committees (PACs) for this purpose. In return for their financial support they expect candidates to be sympathetic to their issues and to be accessible to them if elected. (See Chapter 10 for ideas on reforming campaign finance.)

Campaign workers. These days many, perhaps most, candidates have their own campaign organization, separate from the party organization although not necessarily antithetical to it. They have a core of close advisors, volunteer and paid, sometimes including hired consultants, and try to draw in a widening circle of campaign workers, mostly volunteers. Regular party workers, who are supporting all party nominees, are involved. Various interest groups encourage their members to work for candidates favorable to

their concerns.

Many citizens seeking political involvement find that campaign activity is an easy entrance into politics. Some persons get involved because they want to influence the candidate's position on particular issues. Others want to get in line for government jobs if the candidate wins. And indeed winning candidates often look to their top campaign aides and prominent, visible supporters in filling jobs in their office and elsewhere in government.

Voting. Election day is the decisive event. It is then that citizens give their consent to have particular individual represent them in public office. A bundle of factors enter into voter choice, such as party identity, political philosophy, economic interest, agreement on some issues but not all, perhaps dislike for incumbents or other candidates on the ballot, and sometimes race and gender. (See Chapter 11 on getting out the vote.)

The winners receive the most votes but not necessarily support from a majority of people residing in their election district. Given the level of voter

turnout, it is quite likely that those voting for the victors constitute a minority of the adult population. Frequently they are a minority of registered voters. Where the ballot contains three or more candidates, they are sometimes a minority of those voting unless there is a runoff election.

Therefore, in a narrow sense only persons voting for the winners have formally consented that these individuals shall govern. Persons who voted for losing candidates can claim that they did not give their consent to the winner. Hence the bumper sticker: "Don't blame me. I voted for [name of loser]." Those who didn't vote at all can also assert that they did not consent.

But in a broader sense the entire citizenry consents to the electoral system that allows candidates receiving the most votes to take office and govern. We accept the winners and allow them to exercise the powers of government. We consent to the legitimacy of the electoral process even though we vote for losing candidates or do not vote at all.

IN GOVERNANCE

The winners have their own views on the meaning of consent. After they are installed in office, they might claim that their election gave them a mandate to enact particular legislation or adopt specific executive policies. They explain that they stated their views during the campaign and that by electing them the voters consented to the policies they now seek to adopt.

However, rarely does the vast majority of voters perceive the election of public officials to be a referendum on detailed public policies. Most voters don't read party platforms or candidates' position papers and don't listen to campaign speeches. And even voters who study the issues carefully may disagree with some of the policy positions of the candidates they vote for. Moreover, voters may cast ballots for candidates for different offices, such as U.S. representative, U.S. senator, and president, who themselves disagree on particular issues.

So it isn't clear who has the mandate. The election determines who

shall govern, not a whole range of policies they will adopt and carry out.

Accordingly, we citizens ought not look upon elections as the only means of providing our consent. Rather we should recognize the necessity of keeping in touch with our elected officials and should seek to influence their decisions during their term in office. That's what interest groups do. Therefore, we must realize that the consent process doesn't terminate on election day but rather moves into the domain of legislative and executive decision making.

Post-election. This interaction commences immediately after the election and before winning candidates take office. Interest groups get in touch with the winners and their staffs to reinforce contacts made during the campaign. They seek commitment on policy issues and offer names of potential appointees to government jobs.

Coalitions of interest groups develop their strategy for the upcoming legislative session, knowing who will be in control. If there is to be a different legislative majority or a new president, governor, mayor, or county executive,

interest groups and coalitions refine their strategy for dealing with the new legislature, the new administration.

Thus, the interactive consent process continues.

Legislative Process

Interactive consent is achieved in the legislative process through a combination of outreach by legislators and initiatives of citizens and interest groups.

Stages. The U.S. Congress, state legislators, and the legislative bodies of counties, municipalities, and towns have a regular process for considering and adopting legislation. Typically the stages include bill drafting, introduction of bills, referral to committee, committee hearings (in local government sometimes hearings by the entire council), committee consideration and often modification of the legislation, floor action by the entire body. In bicameral bodies, including Congress and 49 state legislatures (Nebraska is the exception), the process is carried out in each chamber and differences in bills

are resolved through conference committees. After the legislative body approves legislation, the chief executive in many jurisdictions has power of approval or veto. The legislative body may override a veto, usually by an extraordinary majority, such as two-thirds.

Openness. The regularity and openness of the legislative process makes it relatively easy for individual citizens and interest group representatives to follow the course of legislation and seek to influence the outcome. Printed documents are available, such as bills as introduced, committee reports, amended bills, journal of floor action, and in larger bodies transcript of floor debate. Open public hearings provide opportunity for witnesses to be heard. Moreover, most legislators habitually meet with constituents within their districts.

Lobbying. Interest groups and individual citizens closely follow legislation related to their concerns and try to influence the outcome. For many campaign involvement and post-election contacts serve as a purposeful

prelude to lobbying during the legislative session. As the session begins interest groups endeavor to have a hand in drafting bills. They try to obtain appearance for their witnesses at public hearings. They seek to influence committee action and the outcome of floor debate.

Lobbyists perform their work at the capitol, courthouse, city hall, and other places where legislators gather. They also urge grassroots supporters to write and fax their views, contact legislators in their home districts, and sometimes send delegations to the capitol. Grassroots organizations not regularly represented by lobbyists take their own initiatives. Sometimes they form coalitions and then retain lobbyists to represent them. (See Chapter 15 on grassroots organizing and Chapter 16 on lobbying legislators.)

Throughout the legislative process interest groups contend with one another for influence, and legislators sort out the conflicting demands placed upon them. In this manner interactive consent is continuously present.

Executive Decision Making

In American government elected chief executives and their principal appointees are active policy makers, not merely passive instruments for implementing legislative enactments. However, the pathways of executive decision making aren't as clearly defined as the legislative pathway, and they tend to be less open. Nevertheless, some executive process are open to citizen involvement, and sometimes interest groups probe and press to influence the formation of executive policies. (See Chapter 14 for more discussion of decision-making pathways.)

Budget. The budget contains the most important set of policy proposals made by government on a regular basis. It determines who will benefit from and who will pay for governmental activities. Typically budgets are developed and proposed by the chief executive and then considered and adopted by the legislative body.

The budgetary process starts with preparation of requests by various administrative departments. Their requests go to a budget office which in

behalf of the chief executive formulates the total budget, including both projected revenues and expenditures. The chief executive submits the budget to the legislative body for its consideration, possible modification, and adoption.

Budget making ordinarily commences mostly out of public view, though some interest groups try to influence departmental recommendations.

Usually budget matters don't become public until the chief executive submits the budget to the legislative body. At this stage interest groups appear at public hearings and otherwise seek to influence budgetary decisions. There are, however, a few local jurisdictions deliberately seek much fuller citizen input in the early stages. (See Chapter 20 for more on budget making.)

Legislative proposals. In addition to the budget, chief executives, their staffs, and administrative departments frequently develop other kinds of legislative proposals. Sometimes this is almost completely an internal process, but oftentimes it occurs through collaboration with particular interest

groups and legislative committee members and staff. Even when not invited, some interest groups seek to influence departmental and chief executive legislative proposals. (See Chapter 17 for more on lobbying executive officials.)

Regulations. New laws set out basic requirements for governmental programs and regulatory matters and usually leave the details to administrative departments. Departments then write regulations and guidelines, publish drafts for comment, make modifications as appropriate, and adopt the final version. Astute interest groups pay as much attention to this process as they do to enacting the original legislation.

Planning activities. Working within the framework of laws, regulations, and appropriations, executive departments plan and implement many different kinds of projects: highways, airports, ports and waterways, water treatment and sewage disposal plants, parks and playgrounds, schools and other public buildings, neighborhood revitalization, rural development,

and many more. Planning has a variety of stages: problem analysis, setting goals and objectives, developing strategies, sometimes site selection, project design, often public hearings, and adoption.

Over the years numerous governmental agencies have developed and refined ways to achieve citizen participation, often starting fairly early in the planning process. Where affected citizens and concerned interest groups don't have this opportunity, they often assert themselves and seek to impact the planning process. (See Chapter 18 for further discussion.)

Thus, in a variety of ways citizens and interest groups are involved in executive decision making as another expression of interactive consent.

INSTRUMENTS OF CONSENT

To facilitate interactive consent American democracy has developed two major instruments: political parties and interest groups.

Political Parties

Political parties began functioning in the 1790s not long after the new

U.S. Constitution went into effect. They appeared in Congress and in a number of states and localities and were a major factor in the 1796 presidential election. They have been active ever since in jurisdictions where public officials are chosen in partisan elections, including the federal government, the states, five-sixths of the counties, and one-fourth of the municipalities. Many municipalities and most school boards, though, have nonpartisan elections.

In partisan elections political parties offer a focus of identity for candidates and voters. They facilitate the nomination of candidates for public office and help organize, finance, and carry out campaign activities. In governance party affiliation provides the basis for organizing legislative bodies into majority and minority blocs and is an important factor in filling top policy-making positions in the executive branch.

In Chapter 8 we look more fully at the roles of political parties in the consent process.

Interest Groups

Interest groups have been around as long as political parties, having shown up at the First Congress when it assembled in New York. They provide a group basis for participation in interactive consent.

Interest groups consist of individuals, economic enterprises, and other organizations which share particular concerns and band together to influence public policy. Although some editorial writers, columnists, scholars, and civic activists deplore their existence, interest groups are natural and inevitable in a flourishing democracy. Today virtually everyone in the land is part of one or more interest group, including their critics.

Interest groups focus especially on the legislation process and executive decision making. To strengthen their influence, many of them also get involved in election campaigns and pay heed to selection of executive policy-making officials. Some interest groups also try to influence public opinion as an indirect means of affecting governmental policies. The roles

they play will come up repeatedly in later chapters.

And so we see that continuous, interactive consent is the key that unlocks the door to much greater citizen participation in American democracy.

It can occur in numerous ways.

In fact there are so many ways to participate that getting involved may seem like an overwhelming challenge to citizens who aren't very active but want to be. Voting is fundamental and should be everyone's responsibility. Beyond that it is a matter of choosing which tasks most suit your interests and capabilities. You can't do everything, but others are available to do what you cannot.

The next chapter enumerates the variety of choices available. Later chapters probe these choices in greater depth.

October 2, 1995

Chapter Four

Commit Yourself to Rear-Round Participation

The quest for public office is one of the highest callings of American democracy. It offers opportunities for public service as a legislator or an elected executive. It places aspirants and officeholders in the midst of the consent process, continuously interacting with citizens during election campaigns and during terms in office.

Chapter Five

Get A Calendar

If you want to play a part in revitalizing American democracy, your involvement must be timely. Otherwise, you may miss out on opportunities to participate.

Elections of public officials in the United States occur on schedules determined by law. To be on the ballot candidates must file nominating petitions by predetermined times. Many states have voter registration deadlines prior to elections. Political party officials are chosen on timetables established by state law or the parties' own rules. Legislative bodies meet at times set forth in constitutions, charters, and statutes. Most state legislatures have deadlines for introduction of bills, and a majority of state legislatures are required to adjourn by fixed dates. Governmental budgets have to be submitted by pre-determined dates and adopted before the fiscal

year begins.

Thus, the time element is a pervasive feature of American democracy. Accordingly, if you want to be an effective participant in elections and in governance, you will find that a calendar is an essential tool.

ELECTIONS

The common practice of American democracy, as most readers already know, is to have a pair of elections for public officials. The primary election narrows the field of candidates, who then compete in the general election.

Partisan elections with candidates' party affiliation on the ballot occur for the national government, the 50 states (with some offices excepted), 83 percent of the counties, and 25 percent of the municipalities. The other counties and municipalities, most school boards and local districts have nonpartisan elections.

For partisan elections each party has its own primary to select its

candidates for the general election, except that in some states a party convention substitutes for the primary. In nonpartisan elections the primary narrows the field to the two top votegetters for each position to be filled. In addition, state law usually permits independent candidates to get on the general election ballot by petition.

A series of questions about the election schedule, working backward in time from the general election, can help you prepare your election calendar. You can find out the precise dates in your state and locality from the local or state election board, from a political party, from a civic organization such as the League of Women Voters, or in state statutes.

When is the general election held?

Congress: First Tuesday after the first Monday of November (ranging from November 2 to 8) in even numbered years (1996, 1998, 2000, etc.).

President and vice president: Same date in years divisible by four (1996, 2000, 2004, etc.)

Governors: Also, first Tuesday after the first Monday of November (except Louisiana). Of the 48 governors serving four year terms, ___ are elected two years opposite the president (1998, 2002, 2006, etc.), and ___ are elected in odd numbered years (1997, 2001, etc. or 1995, 1999, etc.). The two governors with two year terms (New Hampshire and Vermont) are elected in ___ numbered years.

State legislators: Same date, most (?) in even numbered years, others in odd numbered years.

Other state officers: Likewise.

An exception: Louisiana has a Sunday election for state officials four weeks after its primary, which is held the second to last Sunday of October.

Local general government (counties, municipalities, towns): In 34 states on the first Tuesday after the first Monday in November to coincide with state and/or national elections. In two states on that date or in May. In 14 states on other dates ranging from March to October as determined by

state law except by city charter in Delaware).

School boards and special districts: Usually the same as local general government but may vary.

Thus, your election calendar may have more than one date for general elections: national and state in November and perhaps local elections at some other time.

What is the nominating process?

To be on the general election ballot, candidates must be victorious in a nominating process unless they enter via petition as independent candidates.

Methods of nomination are determined by state law. The primary is the most common method, used in all the states for some or all elected offices.

Political party conventions are also held, often in combination with a primary.

Primaries come in three varieties: closed, open, and blanket. For state offices 35 states have closed primaries "in which voters receive only the ballot

of their party choice". Twelve states (Vermont, Virginia, South Carolina, Tennessee, Missouri, Michigan, Wisconsin, Minnesota, Montana, Utah, Idaho, and Hawaii) have *open primaries* "in which voters receive a ballot for all parties and select the party of their choice in the privacy of the voting booth". Two states (Washington and Alaska) have a *blanket primary* in which the ballot contains the candidates of all parties, and a voter may choose among the parties but can indicate only one choice for each office. Louisiana places all candidates of all parties on a single ballot. Candidates receiving over 50 percent of the vote are elected to office, but if no one receives a majority, the top two votegetters compete in a runoff election.ⁱ

Fourteen states provide for some permutation of a political party convention for some or all offices. They include Connecticut, New York, Delaware, Virginia, South Carolina, Alabama, Michigan, Indiana, Illinois, Iowa, Kansas, Colorado, New Mexico, and Utah.

These methods for nominating candidates for state offices generally

apply to nominating candidates for Congress and local offices. The pattern for selecting delegates to presidential nominating conventions may vary from this pattern.

What is the practice in your state and locality?

When are primary elections and nominating conventions held?

There is a wide variation.

Presidential: In 1996 Democratic primaries in __ states, Republican primaries in __ states, starting in New Hampshire in February and finishing in ____ in June. Elsewhere caucuses and state nominating conventions held in same period. Other parties sometimes follow same primary schedule or have state conventions. National presidential nominating conventions usually occur in July or August, as determined by each party.

Congressional: Dates determined by state law, ranging from February to September (20 in May or June, 20 in August or September). In many but not all states the congressional primary coincides with date of the

presidential primary. Four states use a different date in presidential election years than for mid-term congressional elections. In seven states when no candidate gains a majority vote or a sufficient plurality (such as over 40 percent) there is be a run-off election two to four weeks later between the two top votegetters.

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Chapter Five

Make a Roster, Mark A Calendar

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If you want to make an impact on elections, you will find that two simple tools are useful: a roster of offices to be filled in local, state, and national elections and a calendar on which you can lay out the election schedule.

MAKING A ROSTER

Altogether there are 513,200 popularly elected officials in the United

States. That's approximately one for every 485 inhabitants.

Ninety-six percent of these elected officials serve in local government: 493,890 altogether. State government has 18,828 elected officials, and the federal government has 542. So you can see that much of the electoral action is local.

In two-thirds of the states, the election of local, state, and national officials takes place at the same time. In most of the other states, state and national balloting occurs together and local elections are separate.

Whichever way it is, we voters are required to sort through a long list of candidates for a bundle of offices when we go to the polls.

This task is easier for persons automatically voting a straight party ticket. But even then the ballot is likely to contain candidates for some offices filled on a nonpartisan basis, such as city council in many localities, the school board, and others. So we still have to choose.

If we want to go beyond voting and get involved in election campaigns,

we have to decide where to put our efforts. Do we concentrate only on certain offices, or do we deal with all of them?

For many of us the immediate response is to focus our attention on candidates for offices with widest scope of responsibility. They include the elected chief executives of general purpose governments: president, governor, mayor, and county executive; and the legislative bodies: Congress, city or town council, county commission or council, and state legislature.

But if we look closer, we discover that the ballot contains candidates for other offices holding significance for us because of the policy-making latitude they possess. Here is a sample:

- *Law enforcement officials, including district attorney, sheriff, constable.*
- *Judges in many jurisdictions (either initial election or voting whether to retain appointed judges after a period of service).*
- *Board of education, in some locales superintendent of schools, and*

state superintendent of public instruction (or education commissioner).

- *Boards of special districts, such as those dealing with housing and community development, industrial development, airports, highways and bridges, drainage and flood control, water supply, sewerage, solid waste management.*
- *State commissioners with regulatory responsibilities related to agriculture, corporations, insurance, labor, public land, and utilities.*
- *State and local offices with major financial responsibilities, such as auditor (or comptroller) and treasurer.*

In addition, many localities have a variety of elective offices whose duties are mostly administrative but need to be filled with competent persons, such as assessor, coroner, recorder of deeds, register of wills, and tax collector.

To help you sort it out, you may find it useful to make a roster of all offices you vote for, length of term, and when they come up for election.

You may be able to obtain a complete listing from the local election board.

But if it isn't readily available, you can collect sample ballots for all local, state, and national elections occurring in, say, a two year cycle and make a total list for yourself.

You can then use your roster to determine which offices you will give the most attention. You can decide how you want to get involved, such as by supporting certain candidates, helping find other candidates if you don't like who's been running, getting involved in a political party or a nonpartisan alliance, or possibly becoming a candidate yourself.

Partisan or nonpartisan. On your roster you should note whether the offices are filled through partisan or nonpartisan elections. In *partisan elections* the candidates' party affiliation (Democratic, Republican, some other party) is listed on the ballot. This practice occurs for national offices, state government (with some offices excepted), 83 percent of the counties, and 25 percent of the municipalities. The other counties and municipalities,

most school boards and special districts have *nonpartisan elections* where party affiliation isn't listed. Frequently both partisan and nonpartisan offices appear on the same ballot.

This distinction is quite important because political parties are heavily involved in nominating candidates for partisan offices. Nonpartisan elections are political, too, but with a different kind of dynamics as alliances form and sometimes quasi-parties not connected to the national parties function locally.

Nominating process. Most elections in the United States have two official stages: a *nominating process* and then a *general election*. Methods of nomination are determined by state law and political party rules. The *primary election* is the most common method, used in all the states for some or all elected offices. Political party conventions are also held, often in combination with a primary.

In partisan elections victorious candidates in the party primary or

convention appear on the general election ballot. In nonpartisan elections the primary narrows the field to the two top votegetters for each position to be filled in the general election. In addition, state law usually permits independent candidates to get on the general election ballot by petition. Some states require runoff elections when no candidate receives a majority or a stated plurality (such as over 40 percent).

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ELECTION CALENDAR

With your roster in hand you are then in a position to begin constructing

a calendar showing the schedule for the two-stage election process. Where local elections occur on different dates than state and national elections, your calendar might have four election dates each year: a primary and general election for each set.

To help you prepare your election calendar, I present a series of questions about the election schedule, working backward in time from the general election.ⁱⁱ You can find out the precise dates in your state and locality from the local or state election board, from a political party, from a civic organization such as the League of Women Voters, or in state statutes.

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- *Other state officers are similar.*
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- *Louisiana has a Sunday election for its governor, state legislature, and other state officials in odd number years (?) four weeks after its primary, which is held the second to last Sunday of October.*

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Extra:

Seven out of ten of our elected officials serve on governing bodies. This totals 356,636 members of Congress, state legislatures, county, city and town councils, school boards, and boards of special districts. Elected chief executives number 16,243. The remainder of our elected officials serve as judges and various other officers and are members of other elected boards. (See Table 6-1 in the next chapter for further breakdown.)

Table 5-1 provides a breakdown, including several categories of local government.

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Total: United States

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Source: U.S. Bureau of the Census, *1992 Census of Governments, Volume 1. Government Organization, Number 2. Popularly Elected Officials.* Washington: Government Printing Office, 1995. p. 1.

If you want to play a part in revitalizing American democracy, your involvement must be timely. Otherwise, you may miss out on opportunities to participate.

Elections of public officials in the United States occur on schedules determined by law. To be on the ballot candidates must file nominating petitions by predetermined times. Many states have voter registration deadlines prior to elections. Political party officials are chosen on timetables established by state law or the parties' own rules. Legislative bodies meet at times set forth in constitutions, charters, and statutes. Most state legislatures have deadlines for introduction of bills, and a majority of state legislatures are required to adjourn by fixed dates. Governmental budgets have to be submitted by pre-determined dates and adopted before the fiscal year begins.

Thus, the time element is a pervasive feature of American democracy. Accordingly, if you want to be an effective participant in elections and in

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a political party or a nonpartisan alliance? Or possibly becoming a candidate yourself?

To help sort out your choices, you may find it useful to make a roster of all offices you vote for. On this list you can indicate the length of their term of office, whether the number of terms are limited, when the next election will be for that office, and whether the incumbent is eligible for reelection.

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You might want to organize your roster by categories in order to focus your attention on where you want to concentrate. Here are some suggestions. More information about terms in office and term limits are presented in tables at the end of this chapter.

General Purpose Government

Political scientists refer to the federal government, the states, counties, cities, towns, and townships as "general purpose governments" because they deal with a variety of functions. Their top policy-making officials generally receive the most attention in elections because of the wide scope of their responsibilities. They are as follows:

Elected chief executives

- **President, vice president:** elected for four year term in years divisible by four (1996, 2000, etc.); limited to two terms.
- **Governors:** Two are elected for two year terms in even numbered years; 48 have four year terms, of whom 9 are elected at the same time as the president, 34 two years opposite, and 5 in odd numbered years; __ governors are limited to two terms.
- **Lieutenant governors:** In 42 states, elected at the same time as governor.
- **Mayors:** elected in 15,176 municipalities and 602 towns; nearly half

serve four year term while others serve one, two, or three year term;

time of election varies; and term limits applicable to 11 percent.

- **County executives:** elected in 602 counties; [find information on term. time of election]

Legislative bodies

- **Congress:** 435 representatives elected for two year terms; 100 senators elected for six year terms, one-third every two years; four territories and District of Columbia elected non-voting delegates; elections in even numbered years; no term limits.
- **State legislatures:** 49 bicarmeral, Nebraska unicameral;

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ii. Sources

Chapter Six

Position Yourself to Run for Public Office

If politics is an essential element of American democracy, as I have insisted in Chapter 4, then seeking elective office is a high calling of public life. Winners join the ranks of persons chosen by the people to govern as executives, legislators, and members of elected boards. Persons so chosen gain the opportunity for public service with important policy-making responsibilities.

If this is your calling, you can seek to become one of the 513,200 popularly elected officials in the United States. That's approximately one for every 485 inhabitants.

You may want to become one of the 16,243 chief executives of general purpose governments: president, governor, county executive, mayor. You have even more opportunities to join 356,636 members of the governing

bodies for our 85,006 governmental units: Congress; state legislatures; county, municipal and town councils; school boards; and boards of special districts. Or you can seek to become one of the 36,430 members of other elected boards and or to win one of the other 103,891 elected positions with state and local government. This array of popularly elected officials is presented in Table 6-1 on the next page.

If you feel called to seek one of these elective offices, you must realize that you are embarking on a long journey along a highly competitive pathway. Your quest begins by getting in position to become a candidate. You go public by formally announcing your candidacy. In partisan elections you campaign for your party's nomination (unless you're running as an independent). In nonpartisan elections you compete in the primary without a party label. If victorious in the first round, you move into the general election campaign. It is a venture requiring lots of time and effort.

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| | |
|---|------------------|
| <i>Chief executives of general purpose government</i> | |
| President, vice president | 2 |
| Governors, lieutenant governors | 92 |
| County executives | 371 |
| Mayors of municipalities | 15,176 |
| Mayors of towns | <u>602</u> |
| | 16,243 |
| <i>Governing bodies</i> | |
| U.S. Congress | 540 ^a |
| State legislatures | 7,461 |
| County | 17,274 |
| Municipal | 107,542 |
| Town, township | 51,770 |
| Public school systems | 89,419 |
| Special districts | <u>82,630</u> |
| | 356,636 |
| <i>Other elected boards</i> | |
| State | 1,164 |
| County | 9,268 |
| Municipal | 3,211 |
| Town, township | <u>22,787</u> |
| | 36,430 |
| <i>Other elected officials</i> | |
| State | 9,944 |

| | |
|-----------------------|----------------|
| County | 30,259 |
| Municipal | 8,364 |
| Town, township | 48,651 |
| Public school systems | 5,214 |
| Special districts | <u>1,459</u> |
| | 103,891 |
| TOTAL | 513,200 |

^a Includes five non-voting delegates from territories and District of Columbia.

Source: U.S. Bureau of the Census, *1992 Census of Governments, Volume 1. Government Organization, Number 2. Popularly Elected Officials*. Washington: Government Printing Office, 1995.

The crucial first step in your quest for public office is positioning yourself to run. Because this process may not be well known to neophytes, this chapter is devoted to the subject. If you have no intent to run for office, you still might gain from learning how positioning occurs, for this knowledge can help you as you go about influencing positioners, the subject of the next chapter.

POSITIONING METHODS

Positioning usually begins long before the deadline for filing a petition of candidacy for public office. Even well-known persons -- sports heroes, astronauts, movie and TV stars, members of famous families, successful corporate executives, public officeholders seeking another office -- usually have to position themselves in order to be appropriately aligned toward the particular office they seek.

Political Party Affiliation

Elections in the United States come in two varieties: partisan where

party affiliation of candidates is carried on the ballot and nonpartisan where it is not. Partisan elections occur for president and vice-president of the United States, all governors and lieutenant governors, 49 of the 50 state legislatures (Nebraska is the exception), and most other state elected officials. Partisan ballots are also used in 83 percent of the nation's counties but in only 25 percent of the municipalities. Most school boards and special district boards are chosen in nonpartisan elections.

If you aspire to an office elected on a partisan ballot, you have to determine your party affiliation -- Democrat, Republican, a smaller party -- unless you choose to run as an independent. Although party labels don't appear on nonpartisan ballots, in some locales slates of candidates gain the endorsement of the Democratic and Republican parties or of local parties not affiliated with the major national parties.

In elections where party labels are a factor, it may be that your party identity is so strong that you would consider running only as a Democrat or a

Republican. But maybe you have only a loose party commitment, or none at all. Maybe you would consider changing parties because you feel uncomfortable where you are now or because you see more opportunities for advancement in the other party. Or perhaps you don't like either of the major parties and would prefer to run as a third party candidate or as an independent.

In you are considering the latter course, you should be aware that persons identified as Democrats and Republicans hold virtually every elective office in the United States chosen on a partisan ballot. You can send a message by running as an independent or as a third party candidate (or by voting for one, as did 20 percent of the voters in the 1992 presidential election). However, long tradition reinforced by state electoral laws give a strong advantage to the two major parties.

Presently Democrats and Republicans compose 99 percent of the 8,063 elected officials serving as president, vice president, members of Congress,

governors, lieutenant governors, and state legislators, as revealed in Table 6-2. Of the remainder, 49 serve in the nonpartisan, unicameral Nebraska legislature and 20 are independents or third party affiliates. Furthermore, in counties and municipalities holding partisan elections for their chief executive and governing body, most winners come from the two major parties.

Table 6-1. Political Party Affiliation of State and Federal Officials¹

| Position | Total | Democrat | Republican | Nonpartisan | Other |
|----------------------|--------------|----------|------------|-------------|-------|
| President | 1 | 1 | | | |
| Vice President | 1 | 1 | | | |
| Members of Congress | 535 | 251 | 283 | | 1 |
| Governors | 50 | 19 | 30 | | 1 |
| Lieutenant Governors | 42 | 18 | 24 | | |
| State Legislators | <u>7,424</u> | 3,838 | 3,409 | 49 | 18 |
| [check data] | | 8,063 | | | |

1. Data are for January 1995, as projected in November 1994 when there were 9 vacancies in state legislatures and one undecided electoral contest. To be updated in final editing

Third party and independent candidates have the important function of sending messages of dissatisfaction with the two major parties and offering new policy ideas, but rarely do they get elected. Conceivably Colin Powell running as a candidate of the Ross Perot-initiated Independence Party could be one of those exceptions in the 1966 presidential election. But even then

Republicans and Democrats between them would retain control of Congress and state governments.

Therefore, if you want to win a partisan election, your surest route is to run as a Democrat or a Republican. (For more on political parties, see Chapter 8.)

Gatekeepers

As you embark on the quest for public office, you should start with a calendar showing dates of candidate filing deadline, party caucuses and conventions, primary and general election days, and other significant dates, as discussed in the previous chapter.

Then you should draw a road map of the pathway to election, showing successive stages and the gatekeepers who decide which aspirants pass through to the next stage. This will reveal who you must position yourself to impress favorably.

In the beginning you are your own gatekeeper. You decide for yourself

whether you want to initiate the quest for office or respond to urging of friends and political associates to run. But you may want to consult with your spouse, other family members, and close personal advisers. Key questions to answer are laid out toward the end of this chapter.

After a period of exploration and positioning you have to decide whether to become a formal, announced candidate. This usually requires filing a declaration with election officials. It may require gathering signatures on a petition of candidacy, so you will need to recruit workers to circulate petitions and to appeal to enough registered voters to reach the minimum required. (See Chapter 5 for sources of information on the required process in your state.)

This is an open process, so virtually anyone with political ambition may enter the contest. However, to have the best shot at winning party the nomination in a partisan election you may want to have the endorsement of party leaders or of a major bloc within the party. Therefore, an early focus

of positioning may be to make a favorable impression on significant endorsers who can ease your passage through the party nominating process. In tightly controlled party organizations their approval might be decisive. In loose-knit parties leadership endorsement can be at least a plus unless you are openly courting support from an anti-leadership faction.

In nonpartisan elections there may also be significant endorsers, such as parent-teacher associations in school board elections and civic leagues, business and labor organizations in municipal elections.

Beyond gaining initial support from key leaders you will want to position yourself to win favor with persons who will participate in party caucuses and conventions or in the primary. You must win approval of a majority, or at least a plurality, of these gatekeepers to get through to the next stage. Thus, you must move from initial positioning activities into serious efforts to get your supporters to turn out for party caucuses or be elected to the party nominating convention where they occur, and vote in the primary election.

On beyond the nominating gatekeepers is the electorate who will determine the winner in the general election by majority vote, or perhaps only by a plurality in multi-candidate elections. And constantly looming in the background are editorial writers, columnists, newspaper reporters, radio and television talk show hosts, and others who influence public opinion.

Thus, in your positioning you need to figure out how to gain support from a widening number of persons as you move through successive gates into different stages of the electoral pathway. One of your challenges is to win support of the smaller number required in the early stage without alienating the larger numbers needed later. You may attract enough zealous partisans on a particular issue to win your party's nomination or to emerge among the finalists in a nonpartisan primary. But in the process you may foster strong misgivings among independent-minded voters so that your chance of winning the general election is greatly diminished.

Accordingly you should sketch out the map of your entire journey as you

begin to position yourself to seek elective office.

Gaining Recognition

If you want to run for public office but lack immediate name recognition, you must find ways to become known and develop a favorable reputation in the district where you want to run.

You may decide that your best chance is to build support within your political party or one of its caucuses, with an advocacy organization that supports candidates, or with civic groups active in nonpartisan elections. For the organization of your choice you can take on volunteer tasks, such as stuffing envelopes, handing out leaflets, making phone calls, attending rallies, bringing friends to add to crowd size. You can join special committees to work on issues and plan tactics. Sometimes you can obtain a staff or volunteer assignment with an elected official. To become known more widely, you can go out as a speaker for your organization, write letters to the editor, place phone calls to talk shows, and appear on one yourself as you

become better known.

An alternative (or even complementary) approach is to go beyond party and caucus by initiating civic endeavors. You can head a drive to collect food and clothing for the needy or for victims of hurricanes, floods, and earthquakes. You can organize a neighborhood crime prevention campaign, start a mentors program for boys without fathers, form a girls club. You can become active and take leadership roles in nonpolitical organizations, such as church or synagogue, parent teacher association, service club, women's civic group, veterans organization.

It may be that you are already engaged in such activities because of religious or civic motivation with no intention of running for office. Then you find that you get an urge to seek elective office, or you are pushed into running by friends. What you have done for other reasons turns out to have positioned you to enter the political arena.

These civic activities provide you lots of contacts as a potential candidate

and offer visibility. They also give you valuable experience in group dynamics and coalition building. The nonpartisan nature of many civic endeavors can be an asset because they show that you are a public-spirited citizen, not narrowly constricted to one party or beholden to a highly-vocal, single-purpose interest group.

Recruitment

Although most candidates for public office nowadays come forth on their own, occasionally a selection committee of a political party, a caucus, or an advocacy organization will reach out and recruit someone to run. This sometimes occurs, for instance, in searching for somebody to run against an entrenched incumbent, perhaps encouraged and assisted by the state or national party committee. It also happens as a result of factional fights within parties when a rising faction tries to wrest control from the dominating leadership. And sometimes a particular caucus, such as for women, African Americans, Latinos, tries to settle on its single best candidate

to carry its banner in the primary contest.

The selection committee is likely to look at persons who are already positioning themselves and may also think about other persons who are politically active but haven't made any obvious positioning moves.

Sometimes a party or caucus committee will start grooming particular individuals for the next election, or the one thereafter. Part of your positioning strategy should therefore be to align yourself for endorsement by a selection committee. Even if not endorsed, you can run, but this kind of endorsement is usually beneficial.

Timing

The best time for non-incumbents to enter the positioning pathway varies according to the office, geographic spread, and renown of the positioner. In recent decades most aspirants to be president of the United States commenced the positioning process more than four years in advance. Persons interested in becoming governor may wait until after a gubernatorial

election to position themselves for the next time around, but some make a longer quest. Aspirants for the U.S. Senate may take a two-year lead, and so also for the U.S. House of Representatives. Persons wanting to run for the state legislature, local council, or school board may give themselves a year's lead time, and sometimes longer.

Timing is affected by whether an incumbent is likely to be running for reelection. Where the incumbent won't be a candidate because of term limit or an announced intent not to seek reelection, competition for the nomination is likely to be greater and positioning is likely to commence earlier. But even if the incumbent is running for reelection, some challengers start positioning themselves long in advance.

If you are a new aspirant for public office, your timing decision is crucially important. If you don't enter the positioning pathway soon enough, your chance of winning is greatly diminished. If you wait until a month before the filing date to get into position to seek the nomination, you

may find that one or more aspirants have already preempted your most likely set of supporters.

Succession of Offices

It is common in the American political system for elected officials to move from one office to another. Often the second office serves a larger territory than the first: going from the state house of representatives to the state senate, from city council or the state legislature to Congress. Of it may be a move from a legislative post to the executive branch: from city council to becoming mayor, from the state legislature to being governor. Some governors run for the U.S. Senate, and some members of Congress become governors. A majority of the U.S. Congress previously held elective office. So did every president of the United States of this century except Herbert Hoover and Dwight Eisenhower, and both of them held prominent appointive positions.

This means that if you would like to become a member of Congress,

mayor or governor, you might first seek another office. Party leaders and party blocs recruiting candidates for wider offices often look among elected officials holding other positions and who therefore are already known to voters. In this manner the positioning process extends across offices and governmental jurisdictions and may stretch over the course of several elections.

DECIDING WHETHER TO RUN

If you think you may want to run for public office or if you are approached to run, the positioning process can help you determine whether you really want to enter the political arena. It can also help you assess your chances of winning. Here are some questions you can answer:

- What office do I want to seek? What are the district boundaries?

(This may affect choice of residence.)

- Is there a succession of offices for reaching my goal? If so, what are they?

- *What political party should I affiliate with? Or should I run as an independent?*
- *For the office I want, when will there be an opening when the incumbent isn't seeking reelection? At the next election or a subsequent one? (Because of term limit, announced intent of incumbent not to seek reelection, prospect that he or she will be running for another office.)*
- *If the incumbent is likely to seek reelection, what are my prospects? If she or he is from the opposite party, can I win my party's nomination? If from my party, should I challenge the incumbent in the primary?*
- *Even if the incumbent seems assured of reelection, should I run to raise issues or to build an initial base for a second try?*
- *Who can I get to support me? What individuals, caucuses, organizations?*

- *Where can I raise campaign funds? Who can help me?*
- *Who else is interested in running? What are their strengths and weaknesses, their support and public appeal? How do I compare?*
- *What opposition will I face from elements within my party or from advocacy organizations involved in electoral politics?*
- *Should I form a slate with candidates for parallel offices? (Such as persons running in neighboring city council or state legislative districts.)*
- *What is my chance of winning -- excellent, fair, poor? How can I improve my chance?*
- *Do I want to commit the time required for campaigning and holding public office? (Even a part-time office demands a lot of time, and full-time positions may take 60 to 80 hours a week.)*
- *Can I afford to work for the salary? (Some salaries for elective officials may seem high, but there are a lot of hidden expenses.)*

- *How will it affect my family? Such as possible negative publicity?*

The long hours I will put in? The possible economic burden?

- *Are there skeletons in my closet that the opposition will reveal?*

- *Can I stand the heat of campaigning? The prospect of invasion of my*

privacy by the media? Attacks by opponents? Do I have the right

temperament for competitive politics?

Thus, the positioning period is a time for self-analysis. If you contemplate seeking an elective office but discover enough negatives, you may decide not to run now, and perhaps never. In this manner a certain amount of self-screening out occurs during the positioning period.

If you conclude that you have the desire to run, you can announce your candidacy and enter the competition. Through your positioning you have prepared yourself to gain approval of the gatekeepers of the nominating process: political leaders, caucus participants, convention delegates, and primary voters who will determine whether you will win the nomination.

Then you will move into the general election campaign.

HOW TO CAMPAIGN FOR ELECTION

Discussion of detailed techniques of political campaigns is beyond the scope of this book, but there are many sources to assist you.

Usually the most readily available source of practical knowledge is the advice of persons in your vicinity who have previously run for office. Local political party officers and staff might help you, though they often stay neutral until the party's nominees are determined. There are also experienced campaign consultants available for hire.

The national committees of the two major parties publish how-to-campaign manuals for congressional, state, local candidates of their parties. These national committees and the congressional campaign committees of both parties provide training for party nominees and offer assistance in fundraising. Contact:

Democratic National Committee
430 South Capitol Street, SE

202 863-8000

Washington, DC 20003

Republican National Committee

202 863-8500

301 First Street, SE

Washington, DC 20003

Many state Democratic and Republican party committees do likewise.

Some smaller parties and independent organizations that nominate or support candidates for public office also have available how-to-campaign material for their members.

Information about state election laws and campaign financial reporting requirements can be obtained from the state elections officer at the state capital in your state.

The Federal Election Commission (FEC) provides oversight of campaign financing for congressional and presidential elections and has information on rules and reporting requirements.

Federal Election Commission

202 219-3420

999 E Street, NW

Washington, DC 20463

A number of books are available that offer detailed advice on how to campaign. Among them are the following:

Cathy Allen, *Political Campaigning: A New Decade*. Washington: National Women's Political Caucus, 1990.

Ann Beaudry and Bob Schaeffer, *Winning Local and State Elections: The Guide to Organizing Your Campaign*. New York: Free Press, 1986.

Judge Lawrence Grey, *How to Win a Local Election: A Complete Step-by-Step Guide*. New York: M. Evans and Company, 1994.

Sandy Huseby, *How to Win an Election*. New York: St. Martin's Press, 1983.

Jewel Lansing, *101 Campaign Tips for Women Candidates and Their Staffs*. Saratoga, CA: R & E Publishers, 1991.

Edward Schwartzman, *Political Campaign Craftsmanship: A Professional's Candid Guide to Campaigning for Public Office*. 2nd edition. New York: Van Nostrand Reinhold Company, 1984.

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Chapter Seven

Influence Positioners and Campaigners

From Demo2.062

INFLUENCING POSITIONERS

Because persons positioning themselves to seek elective officer are trying to establish a broad base of support, advocacy organizations often find that this is a good opportunity to promote their cause with the positioners.

If you are a leader of an advocacy organization, look around and see who is getting ready to run for office: for the school board, city council, county council, mayor, county executive, state legislature, governor, Congress, president of the United States. Some of them will already hold policy position diametric to yours, so there's little point in talking with them. Others will be strongly supportive of your positions. Some will be unknown quantities or will be uncommitted. They are the ones particularly worth

approaching.

You can educate them on your issues. Provide written information. If appropriate, take them on site visits. Invite them to your meetings. You don't necessarily have to make a commitment to support them if they announce their candidacy. Among other reasons, you will want to see who else is running, who is most supportive of your cause, who is mostly likely to win.

At the same time positioners may want to avoid making firm promises to promote your cause. They are testing the water and are becoming aware of various cross-currents. Ultimately strong positions on particular issues will gain some votes and lose others. They may prefer to wait taking positions on very controversial issues. But you can still talk with them.

Even with these ambiguities, contact by advocacy organizations with positioners is worthwhile. It can be the beginning of a relationship that will blossom later, or it can be a deadend. Not knowing which positioners will

ultimately be elected, advocacy organizations can be in touch with a number of them.

PUBLIC BENEFITS

Individuals positioning themselves to run for political office are motivated by personal ambition and a desire for public service. Political party units, caucuses, and interest groups screen candidates and endorse one in hopes of winning. It's a competitive process that has public benefits.

As potential candidates position themselves, party leaders and other political activists observe them, note what they do and what they say, judge their accomplishments and their character, and consider whether they are appropriate candidates for public office. Unsuitable candidates to whom voters aren't likely to consent are screened out or encouraged to modify their positions and their mode of operation. Those who don't suffer defeat at the polls. Many strive but few are chosen.

Positioning functions as an early part of the consent of the governed.

Prospective candidates, seeking recognition and staking out positions on public issues, interact with the public. Learning what the public thinks on particular issues, they may tailor their positions to reflect majority opinion. They may also educate the public on new ideas and learn how to advance unpopular views in a manner that will gain support. This exchange can have an effect on future policy decisions.

The positioning period is an opportunity for advocacy organizations to gain support for their positions from potential candidates before they have taken a public stand on particular issues. This kind of early involvement enables citizen activists to make advantageous connections that they can intensify when formal campaign begins. It lays the groundwork for future lobbying of those who are elected.

Incumbents positioning themselves for reelection keep in touch with constituents and track public opinion. This influences the votes of legislators and the policy decisions of elected executives. Lobbyists offer election

support to incumbents they favor. All of this is a manifestation of the interactive nature of the consent process, occurring continuously.

Accordingly, what happens along positioning roadways is as much a part of the consent of the governed as election day. Numerous public policy decisions are affected by the positioning process.

So even if you're not a candidate for election, give attention to those who are or who seem to have this ambition. Try to influence them in the early phase when their positions are fluid. All campaign commitments aren't observed, but many are. Thus, interaction with positioners and announced candidates is a worthy endeavor.

And don't forget, "you can't beat somebody with nobody!"

Chapter Eight

Infuse Political Parties

Since the 1790s political parties in the United States have been important factors in elections and in governance. Therefore, another important calling for persons wanting to revitalize American democracy is to become involved with a political party.

If you feel this is your calling, this chapter describes opportunities available to you. Even if direct party participation is not for you at this time, you may want to understand better how parties fit into the American political system.

First, you should note that political parties have impact mainly in jurisdictions where public officials are chosen in partisan elections, that is, where the ballot indicates party affiliation of candidates. That covers a lot of territory: the federal government, the 50 states, 83 percent of the

counties, and 25 percent of the municipalities, including most of the larger ones. The remaining municipalities and counties, most school boards, and numerous special district boards rely on nonpartisan elections, but even there localized, quasi-parties sometimes function. Also, 14 states elect all or some of their judges on partisan ballots.

Second, you should realize that political parties contribute to elections and to governance in different ways.

In elections political parties:

- Offer a focus of identity for candidates and voters.
- Facilitate nomination of candidates for public office.
- Organize, finance, and carry out campaigns in general elections.

In governance party affiliation:

- Provides the basis for organizing legislative bodies into majority and minority blocs and working out legislative policies.

- *Is a significant factor in recruiting persons to fill top policy-making positions of the executive branch.*
- *Helps form connections between elected chief executives (president, governor, mayor) and legislative delegations of their parties.*
- *Sometimes opens up channels of influence on executive policies, regulatory matters, and awarding grants and contracts.*

The political parties -- Democratic, Republican, and smaller parties -- are organized primarily to compete in elections. In American government a political party as such doesn't govern, as occurs in parliamentary systems. Rather legislators with the same party affiliation join together in majority and minority blocs with their own structure and authority. Elected executives and their political appointees form a separate bloc, though ordinarily not structured as a distinct party unit. The president, governors, and mayors have liaison staff to facilitate their party relationships and sometimes pick the party chair in their jurisdiction.

If you are an ordinary citizen and not an elected official, your greatest opportunity for direct involvement in a political party is in its electoral roles. That's the main focus of this chapter. In Part Three we'll pay more attention to the roles of political parties in governance and how you can use that channel of influence.

Extent of Two Party Dominance

For most of its history the United States has featured two major parties competing for and claiming most governmental offices filled in partisan elections. Since the early days the Democratic Party has been one of these, and since the 1850s the Republican Party has been the other.

Smaller parties have come and gone, capturing some offices in state and local government for a while and occasionally a few seats in Congress.

Independent candidates have entered the contest and sometimes won. But the Democratic and Republican parties have retained their dominance, reflecting habit, tradition, and momentum and aided by state election laws

that give advantage to established parties.

Therefore, if you want to associate with parties that produce most of the winners, you should become active as a Democrat or a Republican.

But instead you may choose to get involved with a smaller party or support independent candidates. They don't often win, but they offer additional choices of candidates and often present a clearer policy focus than the big parties. This enables dissatisfied voters a way to send messages, as they did in 1992 when 19 percent of those voting in the presidential election cast their ballots for Ross Perot. Subsequently Perot's United We Stand America has transformed itself into the Independence Party in order to nominate a candidate for president but not necessarily a full slate of congressional candidates.

If you decide to forgo any kind of party involvement and function as an independent voter, you will be part of 20 to 30 percent of the electorate who act as the swing vote in numerous elections. Because of this magnitude,

major party candidates will frequently appeal for your support. But you will also find that independent voters alone don't make up a large enough bloc to elect candidates unaffiliated with a major party unless they get lots of help from Democrats and Republicans. Thus, political affiliation is always a factor in the electoral equation.

In governance the dominant position of Democrats and Republicans in filling elective offices is significant, but political affiliation by itself isn't all-controlling. Interest groups frequently make significant impact on governmental policies, and citizen use other channels than party connections to influence legislators and elected chief executives, matters we'll explore in Part Three. Thus, there are other ways for political participation than working as part of the Democratic and Republican parties. But active affiliation with one of the major parties remains an important channel for involvement in the workings of American democracy.

Focus of Identity

Beyond functioning as organizations to compete in elections, political parties serve as a focus of political identity. Party labels of candidates helps voters during election campaigns to sort out their choices. Among persons identifying themselves as Democrats and Republicans, party loyalty at the polls ranges from strong (nearly always voting a straight ticket) to weak (often splitting the ticket). Among persons identifying themselves as independents some lean towards the Democrats, others toward the Republicans, thus adding a flavor of party identity to nominally independent voters.

If you decide to get involved with one of the major parties, you will discover that you don't actually join the Democratic Party or the Republican Party. You don't pay membership dues or sign a pledge of creedal adherence. The closest you come to formal affiliation is by stating your party preference in voter registration or at the primary polling place, and at that in only three-fourths of the states. You become an active Democrat or

Republican simply by being active in party affairs.

As you do, you will learn that neither the Democratic nor the Republican party maintains ideological purity, though now and then some party leaders make the attempt. In neither party can party officials order legislators and executives from their party to adopt party-approved policies. Instead legislative bodies, as we have noted, are controlled internally by legislators sharing a common party affiliation. Party identity provides bonding, and legislators so united are a power unto themselves. Likewise elected chief executives and their appointees form separate blocs within their party. Thus, the Democratic and Republican parties have numerous nuclei rather than a single command center.

Individual or Bloc Involvement

You can become involved in the party of your choice individually or as part of a bloc of persons sharing a particular political ideology. Ofttimes the latter course is associated with a particular leader.

Thus, liberals who supported George McGovern in his losing bid for the presidency in 1972 moved heavily into the Democratic party structure in many states and worked for changes in rules for the national party convention. In 1974 they were a dominant force among a large group of newly elected members of Congress, who changed the way Congress functioned.

During the 1980s Governor Bill Clinton of Arkansas and other Democrats styling themselves as moderates formed the Democratic Leadership Council to offer policy alternatives to those of liberals. It formed one of Clinton's bases when he ran for the presidency in 1992.

Also in the 1980s Rev. Jesse Jackson formed the Rainbow Coalition to advance his candidacy for the presidency and to influence Democratic Party policies. The Rainbow Coalition continues to function as a bloc within the Democratic Party even though Rev. Jackson occasionally flirts with the idea of running for president as an independent.

In 1989 Rev. Pat Robertson formed the Christian Coalition to strengthen his base among evangelical Christians in his quest for the Republican presidential nomination. After he lost that bid, the Christian Coalition increased its issue focus but its supporters have continued to be involved in the Republican party. They have pushed candidates to support particular policy positions, moved into the Republican party structure, and become a dominant force in 18 states and a substantial influence in 13 more.

In 1994 a broad band of conservative activists with strong anti-government feelings, sparked particularly by the House Republican Campaign Committee, worked together to produce a Republican majority in Congress. This resulted in changes in congressional structure and operations and a flood of conservative legislation.

Such efforts of party influx and takeover, full or partial, are fair game for any ideological group within a party which wants to organize and take advantage of party rules and procedures. It is also something to resist by

persons of other persuasions.

Points of Entry

Whether you are acting individually or with a bloc of like-minded persons, you'll find that in most localities and states the Democratic and Republican parties are remarkably open to those who persist. You don't have to have an invitation to participate, but you do need to know how the parties are organized, how they function, when and how best to be part of party activities. With this knowledge and a strong commitment you can infuse the political party of your choice.

The most readily available entry points for party involvement are found at the local level. The easiest entry is to serve as a party volunteer and choose from a wide variety of necessary tasks to perform. If you don't have a ready contact, just ask around or look up the party committee's number in the phone book.

The next level of involvement is to attend party caucuses and other

meetings that are open to all party members. In some states such gatherings play a role in the nominating process by recording preference among candidates or selecting delegates to nominating conventions.

A more competitive entry is to seek election as a precinct leader, some other officer, or a delegate to a party convention: local, congressional district, state, or national. No one knows for sure the total number serving as party officers and convention delegates, but perhaps between them the Democratic and Republican parties have close to half a million. Thus, there are numerous opportunities for interested citizens.

PARTY STRUCTURE AND OPERATIONS

If you want to get involved in party machinery, to participate in selection of party officers and convention delegates, to become one yourself, you must first learn about your party's structure and procedures. This varies from state to state, though there are similarities. You'll have to search out the precise pattern for your state.

Often (but not always) the party's state central committee publishes a manual describing party structure and rules of operation. The secretary of state at the state capitol may have such information, especially if it is codified in state law. If the latter is the case, laws related to political parties will be found in the state statute book.

Nonpartisan organizations, such as the League of Women Voters, may have publications about party political organizations and operations. Some partisan organizations -- such as labor unions, business and trade associations, ideological groups -- have handbooks available for their members.

From this information you can determine what, who, when, and how of party operation.

Precincts

The operational base for American political parties is the approximately 175,000 local voting districts, often called "precincts", sometimes "divisions"

or some other name. Each has a precinct leader (or a similar title), or can have (for in some precincts this office is unfilled by one party, sometimes both). Depending upon the state, they are chosen by party members voting in the primary or general election, by party caucus, or through appointment by a city or county party official. This is the best point of entry -- something that some ideological groups, such as the Christian Coalition, understand well these days as they try to take control of state parties.

Precinct leaders recruit and direct the activities of block workers and other volunteers. They reach out to voters in their precinct, distribute campaign literature, collect funds, and get out the vote. In some cities precinct leaders come together in ward committees. In many states they play a role in selecting members of city, county, and state party committees and in choosing convention delegations.

Local Committees

Local party committees are built upon the precinct foundation. The Democratic and Republican parties have committees in virtually all of the 3,043 counties in the United States and in a large number of cities, New England towns, and township with strong governmental powers. They usually operate under rules specified by the state central committee or state law, but in their operations they are basically autonomous.

Typically county and city committees are composed of all precinct leaders. They elect the chairperson, who directs local party activities and may represent the county on the state committee. Thus, a county chairperson is an important figure in party politics.

For the primary election local party leaders in some locales offer a slate of candidates for local and state offices, sometimes even for Congress. A more common pattern nowadays is to let candidates compete, and then the local party supports the winners in the general election. Frequently candidates direct their own campaigns but welcome political workers drawn

from the regular party organization.

Local committees are free to take positions on public issues on their own. They cannot be forced to follow a party line issued by the state committee or national committee, but more often than not they are loyal to these broader entities. If local party officials don't like the candidates offered by their party's state or national unit, they usually sit on their hands rather than oppose them outright.

Legislative District Committees

Where a state legislative district or a congressional district encompasses more than one local governmental jurisdiction, local party committees come together in the nominating process. In some states they hold nominating conventions to select the party's candidate. In other states the candidate is chosen in a primary election, and the aggregate of local committees supports her or him in the general election.

State Committees

Because each state may establish its own political party structure, state party committees vary greatly around the United States. They range in size from fairly small to quite large. Most commonly state committee members are elected in the primary election or by local party conventions, but in some states county chairpersons form the state committee. The committee formally elects the state chairperson, but in many instances the governor or the last gubernatorial candidate determines who it will be.

State committees play a role in selection of party nominees for state office: governor, lieutenant governor, attorney general, and other elected executive officers. In yesteryears party leaders in many states decided their party's nominee and got it ratified by the state convention or in the party primary election. This happens less frequently now because candidates usually come forth as self-starters, but sometimes party leaders have a hand in recruiting who they think will be a strong candidate and then issue an endorsement. In several states the state committee is responsible for

organizing and conducting a nominating convention for state offices and candidates for the U.S. Senate.

Like local committees, state party committees are autonomous and are not directed what to do by the national committee. However, during the past 20 years many state committees have received technical assistance and financial contributions from their national committee. They in turn have offered assistance to local party committees, such as computerized lists of registered voters, training for candidates, and sometimes financial donations.

Choosing Local and State Party Officers

As you get involved in your local and state political party, you may want to participate in choosing party officers or to be one yourself. To do so, there are a number of questions to answer.

What political party offices are elected? What offices are appointed?

They may include precinct leaders, county committee members, county chairperson, state committee members, state chairperson, delegates to party

conventions which meet to nominate party candidates and perhaps to choose party officials.

Who elects these officials? Registered party members? Anyone who shows up at a caucus or at the primary polling place and declares party affiliation? Members of a party committee choosing members of the next level committee (such as county committees electing state committee members)?

Who chooses persons to fill appointed party position? Are they confirmed by some committee?

When does selection occur? This is one of the most important things to know and provides another use for your political calendar. Election for particular party positions may occur every two or four years. If you miss one election or get started too late to mount an effective campaign, you'll have to wait until the next round two to four years later.

Where election occurs through a bottom-up process, such as precinct

leaders electing county committee members, who in turn elect state committee members, you have to anticipate the sequence. Thus, groups trying to take over a state committee first must get their people elected as precinct leaders and then county committee members. Controlling factions trying to block takeover must compete in the same party election. If the process has several stages, it is likely to stretch out over many months.

How does election or appointment occur? Does a candidate for a party office have to file a petition of candidacy? Or merely show up at a party meeting and be nominated from the floor? In the case of an appointed position, is confirmation by a party committee required?

National Committees

The Republican National Committee is composed of 165 members: the party chair plus a committeeman and a committeewoman from each of the 50 states, District of Columbia, American Samoa, Guam, Puerto Rico, and the Virgin Islands. The Democratic National Committee consists of

approximately 400 members, who include the chair of each state and territorial party, the highest ranking officer of the opposite sex, additional positions assigned each state on a population basis, representatives of Democratic elected officials, Young Democrats, and Democratic Women.

Each national committee selects its own chair, but usually they accede to the choice of the incumbent president or the party's presidential nominee.

The central task of the national committee is to organize and run the quadrennial national convention to nominate the party's candidate for president. As an extension of this responsibility, the national committee establishes rules for selection of delegates from the states, such as when state primaries may be held and the gender composition of delegates. Court rulings have affirmed the right of the national committee to adopt binding requirements that state party organizations must observe even if it means changing state laws.

Presidential campaigns these days are controlled by the candidates and

their staffs while the national committees play supportive roles. Within various states there may also be candidate-centered campaign organizations with state party committees in support.

The national committees of the two major parties sometimes issue policy statements on public issues. Their chairs make speeches, appear on TV talk shows to discuss policy issues, and grant news interviews. However, the chairs and the national committees as a whole lack formal authority to order the president, if from their party, to adopt specific policies. Nor can they tell party members in Congress what legislation to enact or how to vote on specific bills. Often, though, the national committee and party units in Congress have effective working relationships, but as co-equals, not one ordering the other what to do. When the national chairs communicate their views to elected officials, they are more like lobbyists with good connections than party commanders.

Nor can national party committees command state and local

committees how to act. They do, however, get involved in state and local party affairs by making financial contributions to candidates, offering technical assistance and training to party officials and candidates, and in some instances helping to obtain a strong candidate to run for an open seat in Congress or against an incumbent of the other party.

Party Conventions

Both major parties hold national conventions during the summer preceding the presidential election. Fourteen states provide for some permutation of a party convention for nominating for state officials and candidates for the U.S. Senate, usually in combination with a primary election. Some of these states feature conventions in congressional districts to select candidates for the U.S. House of Representatives, and sometimes for nominations to the state legislature and local offices.

Whereas precinct officials and members of local, state, and party committees serve for specific terms, delegates to party conventions are

chosen just for that event (though many hold other party positions). In 1992 the Democratic National Convention had 4,287 voting delegates, and the Republican National Convention had 2,209. In one cycle of local and state nominating conventions for local and state office, approximately _____ [to be determined] persons serve as delegates. So here's another spot for political involvement.

Party members usually seek election as convention delegates in order to support a particular candidate or slate of candidates. The candidates themselves often decide who may run in their behalf for delegate positions.

Delegates to national and state conventions adopt party platforms, specifying policy positions on a broad range of issues, but these platforms aren't binding on officeholders elected on the party ticket. Although disputes over platform language may produce a lot of heat at the party convention, the adopted document rarely enters into campaign debate and is quickly forgotten after the election.

If you want to get involved in selecting convention delegates or to become one yourself, you'll need to answer a similar set of questions that we addressed in choosing party leaders. They include: What positions as delegates are available? Who selects them? When does this occur? (Another use for your calendar.) How is it accomplished?

Here, too, a realistic sense of timing is essential. This requires knowing the schedule and looking ahead to what must be done by particular deadlines. As aspirants for public office position themselves to run long before election day, so also aspirants to become party delegates may want to position themselves well ahead of the time when delegate selection takes place.

Party Units in Legislative Bodies

Democrats and Republicans serving in Congress and state legislatures compose separate, self-contained units within their parties. Party members meet as a caucus in each house of the legislative body, decide what kind of operating structure they want, elect officers, sometimes select chairs or

positions of ranking minority of the various legislative committees, and adopt legislative policies and strategies. Each party unit within each house is a power unto itself, not beholden to the unit from the same party in the other house or to the state or national committee. There is usually communication with these other units, often cooperation, and sometimes strong collaboration. But this is a relationship of co-equals, not a hierarchical command system.

Thus, in 1994 Republicans members of the U.S. House of Representatives acted on their own in drawing up and proclaiming their Contract with America. Although they received financial support from the Republican National Committee to publish it in *TV Guide*, they spoke only as Republican candidates for the House of Representatives and not for the Republican Party as a whole.

In addition to legislative policy committees, Democrats and Republicans in each chamber of Congress have their own campaign committees -- a total

of four. These committees raise money to help with campaign expenses of the more vulnerable incumbents seeking reelection and to assist candidates challenging incumbents of the other party or running for open seats. They offer consultation to non-incumbent candidates. Sometimes they work with political leaders in particular districts to recruit strong candidates to run against the other party's incumbents or to contest for open seats. During the two year period prior to the 1994 election, the House Republican Campaign Committee was particularly active and contributed substantially to Republican success in that election.

Like many other aspects of year-round democracy, infusing political parties requires long-range planning and steady involvement over many weeks and months, even years. In the four year cycle of presidential elections, it should commence soon after an election is over, that is, almost four years before the next one.

If you don't like party nominees, you can send a message by voting for independent and third party candidates. But if you want the parties to nominate persons more to your liking, you will need to get involved in party activities in greater depth and longer duration.

There are many callings in American democracy. If yours is for political party activity, there are numerous opportunities. They take effort. But that's true of all citizenship responsibilities.

References

[To be added: names and addresses of national parties, United We Stand America, Christian Coalition, Rainbow Coalition, etc.]

October 2, 1995

Chapter Nine

Negate Negative Campaigning

Negative campaigning has been on the rise in the United States since the 1980s. It has worsened in each succeeding election. It's time that we citizens eliminate this dark blot on American democracy.

Far too often candidates, rather than emphasizing their own qualifications and positions on public policy issues, run TV ads presenting negative images of their opponent. Sometimes it's harsh invective, sometimes subtle though still devastating attack. On occasion candidates or their henchmen spread scandalous information about the opponent's private life and may even smear his or her family.

At worst the negative campaigners play on popular racial, ethnic or religious prejudice in ways that increases intergroup conflict. They emphasize the politics of fear rather than hope.

Although politicians aren't necessarily meaner than the average citizen, they tend to be more ambitious. They want to get elected or reelected and sometimes believe that this goal justifies almost any means they can get away with. It's become so bad that during the 1994 election campaign a number of officeholders seeking reelection who had previously avoided such tactics relied heavily on negative campaigning.

Most politicians are pragmatists. They use techniques that work. They note that many of us respond to negative information about their opponents. In spite of criticism by some segments of the public, politicians discover that negative ads take enough votes away from their opponent to make it worthwhile. We the public allow ourselves to be swayed by the negative.

This is nothing new in American politics. Indeed, some past campaigns have been even nastier than what we've seen in recent years. But past practices don't make it right. Nor does apparent success in winning

elections today.

The best remedy for negative campaigning is self-discipline by candidates. Just say no. You who are candidates can choose not to engage in this practice. You can decide that you won't partake in the politics of fear. You can conclude that getting elected is not worth the price of participating in divisive campaigning that is harmful to our democratic way of life. You can forbid all of your supporters from using smear tactics.

But if some candidates persist in negative campaigning, we citizens must find ways to end the practice. Candidates who are attack victims need constructive methods for rebuttal and mitigating the effect.

WHAT CITIZENS CAN DO

We citizens can press candidates to cease their negative campaigning. We can call them to task when they do.

Seek Commitment to Fair Campaign Practices

We citizens can ask every candidate to agree to carry out fair campaign

practices. This needs to be done in every jurisdiction with electoral contests: local government, state legislative districts, congressional districts, statewide for state offices and U.S senatorial contests, for presidential primaries and the nationwide campaign for the presidency. Coalitions of citizens in these various jurisdictions should draw up a set of campaign standards and ask each candidate for public office to pledge to follow such practices.

One model comes from the Fair Campaign Practices Committee, as follows:ⁱ

Code of Fair Campaign Practices

There are basic principles of decency, honesty, and fair play which every candidate for public office has a moral obligation to observe and uphold in order that, after a vigorously contested but fairly conducted campaign, our citizens may exercise their constitutional right to a free, untrammelled, and informed choice of those to whom they will entrust their welfare and that of the Nation. Public office is a public trust which may be undertaken only by those of unblemished character. Every candidate for public office is expected

by the voters to adhere to the following basic understandings:

I SHALL conduct my campaign in the best American tradition, discussing the issues as I see them, presenting my record and policies with sincerity and frankness, and criticizing without fear and without malice the record and policies of my opponent and his party which merit such criticism.

I SHALL uphold the right of every qualified citizen to full and equal participation in the electoral process.

I SHALL condemn the use of personal vilification, character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or his/her personal or family life.

I SHALL condemn the use of campaign material of any sort which distorts, misrepresents, or otherwise falsifies the facts regarding any candidate, as well as the use of malicious or unfounded accusations against any candidate which aim at creating or exploiting doubts as to his/her loyalty and patriotism.

I SHALL condemn any appeal to prejudice based on race, sex, creed, or national origin.

I SHALL condemn any dishonest or unethical practice which tends to corrupt or undermine our American system of free elections or

which hampers or prevents the full and free expression of the will of the voters.

I SHALL IMMEDIATELY AND PUBLICLY REPUDIATE support deriving from any individual or group which resorts, on behalf of my candidacy or in opposition to that of my opponent(s), to the methods and tactics which I condemn.

We citizens can publish and widely distribute lists of those who do and who don't subscribe to fair practices. We can establish review committees to monitor campaign advertising, speeches, video and radio presentations and then point out practices that violate the Code of Fair Campaign Practices.

Protest against Negative Ads

Whenever a negative ad appears on television and radio and in newspapers, we can write the candidate in protest. Such letters will be most influential when they come from the candidate's supporters or supposed constituency, but anyone can write. Here are some samples, based upon ads and practices of recent campaigns:

Dear Senator:

I saw your ad on television tonight where a pair of white hands were crumpling a job rejection letter. The narrator implied that the job went unfairly to a black person and that your opponent favors taking jobs from deserving whites and giving them to undeserving blacks. Your appeal is racism, pure simple. As one who has voted for you twice previously because you want to cut the federal deficit, I deplore this racist approach. I urge you to cease this kind of negative campaigning and to focus on really important issues, such as getting more jobs for everybody in our state.

Yours truly,
Charlotte Piedmont

Dear Mr. Vice President:

As a life-long Republican, I'm appalled at your TV ad suggesting that our opponent willingly lets black murderers out of prison so that they can rape white women. You and I both know that it's not true. This appeal to racist fears should have no place in the party of Abraham Lincoln.

With best regards,
Herbert Alfred Wendell, III

Dear Governor:

Your TV ad indicating that your opponent will severely cut social security benefits has my 80-year old aunt very upset. Her only

income comes from social security, so her fears are easily aroused. However, the Republicans support a strong social security system as much as we Democrats. So please stop causing the old folks needless anxiety.

*Sincerely,
Willie Franklin*

Dear Mr. Chairman:

I'm greatly disturbed that the national committee of our party has hired private investigators to inquire into the personal lives and finances of the relatives of our opponent. As a major contributor, I'm deeply disturbed that my money is going for this purpose. Families of politicians have a right to privacy, just like the rest of us.

I realize that the opposition is bringing up matters in the private life of our candidate. But because it is done to us doesn't make it right. That's insufficient justification for using the same methods in dealing with our opponent. Somebody's got to put a stop to this unsavory practice. So please call off your investigators.

*With best regards,
Judith Post*

Dear Mr. Chairman:

As the TV commentators pointed out, an entire evening at our party's national convention was devoted to "defining the opponent".

It was all negative, and a lot of it was grossly exaggerated. That's terrible. A waste of time and money. At a time when the nation is crying for leadership we should have used this exposure on national television to offer a positive vision for America.

Maybe your expert political consultants think we can pick up votes by going negative, but I for one believe we should emphasize the positive. And I'm surprised that our candidate, who seems to be a decent person, would permit a "garbage" evening at the convention.

*Sincerely yours,
Betty Nance
(Mrs. Richard R.)*

Many politicians will continue negative campaigning as long as they believe it picks up more vote than it loses. We need to let them know that we find this style repulsive. We need to insist that they accentuate the positive and eliminate the negative.

WHAT CANDIDATES CAN DO

If you're a candidate and your opponent launches a negative campaign against you, there are ways to respond without stooping to a negative counterattack. Humor may be the best response.

Countering Negative Ads

For example, in the Democratic primary for U.S. Senate in Wisconsin in 1992 the two candidates perceived as frontrunners levied a barrage of negative attacks on each other. The third candidate, Russ Feingold, considered an underdog, gained from this and rose in opinion poll ranking. To take advantage of public revulsion of mudslinging and to avoid being a victim, he ran a TV ad showing the other two candidates throwing mud at one another. Then as some mud hits Feingold, he says, "Oh, oh! I must be gaining on them!" He won the nomination and was elected to the Senate.

[Add other examples. Perhaps with pictures.]

When my older daughter was in first grade, she learned an effective way to counter name-calling that seems to be a routine part of child culture. A TV ad could be based upon her technique, as follows:

Scene one. Two six-year old boys (or girls) in a schoolyard.

First boy: You're a stinkeroo and a mealy-mouth mushhead!

Second boy: Ha! I'm rubber, you're glue. The bad things you say about me bounce off and stick on you!

Scene two. The two candidates in cartoon style.

Your opponent: [Accusing you of something.]

Key words appear on screen, such as "quotas", "tax and spend".

You: I'm rubber, you're glue. The bad things you say about me bounce off and stick on you.

The key words bounce off you and stick on him/her.

Narrator: [Citing some action or speech by your opponent or his/her appointees that do what he/she has accused you of, such as preferential hiring or tax increases.]

Another TV ad might feature you, the candidate, in an informal setting, speaking in conversational tone:

Candidate: My friends, you have been hearing my opponent and his supporters say all kinds of bad things about me. But for some strange reason, he [she] never wants to talk about the problems that concern you most, such as

[unemployment, environmental hazards, etc.]

It reminds me of a preacher who wrote his gestures on the margin of his sermon. At one point, it said, "Look up at Heaven." [Look up with raised arms] At another place, "Point in scorn." [Point finger at camera] Toward the end of the sermon, the note said, "Argument weak here. Yell loudly."

That's the way with my opponent. He's [she's] weak on the issues so he [she] tries to distract you the voter with loud accusations about me and my family. I know you're too smart to be fooled by this diversion from matters that really concern you. So I suggest that you call or write him [her] and ask him [her] to stick with important issues.

Thereafter on the stump, the candidate could mention the latest attack by his or her opponent and say, "It reminds me of the preacher...." and the audience would immediately get the point and laugh without the candidate completing story.

Ingenious campaign media specialists can come up with many other humorous ways to counter negative campaign advertising.

In Candidate Debates

If as a candidate you are debating an opponent who is very abusive, you can tell the preacher story, or you can use a method suggested by Buddha.ⁱⁱ

[To audience] Friends, you have heard my opponent unleash a scurrilous attack against me. You may wonder how I'm going to respond.

I simply want to ask him [her] a question.

[Turning to opponent] (Name), if you offer me a gift and I don't accept it, to whom does the gift belong? Obviously the gift still belongs to you. Likewise with your abuse. I don't accept it. You may keep it for yourself.

And if your audience is appreciative of a more earthy approach, you can add:

[To audience] Let me put in another way. It's like spitting into the wind. The spittle blows right back into your own face.

[To opponent] That's way it is with your abusive words. People in this state who insist upon fairness and friendly debate will blow your abuse right back on you. [Pulling out a handkerchief] And to show you that I have no ill-feelings, I offer you my handkerchief to wipe it off.

A Hebrew proverb teaches:

*A soft answer turns away wrath,
but a harsh word stirs up anger.*

Then it adds:

*The tongue of the wise dispenses knowledge,
but the mouth of fools pour out folly.ⁱⁱⁱ*

There's no reason why the soft answer can't have some good natured humor. Then add serious discussion of the issues. We voters are wiser than many politicians give us credit.

Revulsion with negative campaigning is growing but it was still widely practiced during the 1994 congressional election campaign. It's time for citizens to rise up and force its banishment in future campaigns.

August 12, 1995

Notes

i. Copyright by Fair Campaign Practices Committee, Inc., Washington, D.C.
Feminine gender added.

ii. C. M. Case, *Non-violent Coercion*. pp. 25-26

iii. Proverbs 15:1-2.

PART THREE. PARTICIPATING IN GOVERNANCE

Chapter Thirteen

Understand Who Governs

OK, we've elected them -- over 500,000 public officials in local, state, and national governments. Now what? How do we assure ourselves that they do what we want them to do?

The summary answer is: We participate in governance. We get involved in processes of legislative enactment and executive policy making. We keep track of legislators, elected executives, and their appointees as they carry out their responsibilities. We interact continuously with those who govern.

This leads to another question: Who really governs?

Some observers claim that government is controlled by a "power structure" composed of top public officials and well-connected citizens drawn

from highly influential interest groups. Sometimes it is referred as "The Establishment". Indeed, these terms have entered popular speech and consciousness.

Is this true? Does a narrow, tightly controlled group determine major governmental decisions?

There's a particle of truth in these descriptions, but it's far from the whole truth. Certainly in most communities, in the states, and in the nation as a whole, determination of public policy isn't solely in the hands of elected officials. Other influential persons play important roles in decision making. But it is neither as controlled nor as exclusive as concepts like "establishment" and "power structure" suggest it to be.

If that's the case, who does governs anyway? That's something you need to know if you want to participate more fully in public affairs. You need a clear understanding about who the real decision makers are and how they go about making decisions if you want to exercise your own influence.

EXPERIENCE WITH CITIZEN ASSOCIATIONS

Although most of us don't have first hand experience as an elected public official, we have had direct experience in democratic decision making in organizations we belong to: neighborhood associations, churches, synagogues, civic groups, service clubs, lodges, labor unions, trade associations, and many others. Some of these organizations have staff, others are solely volunteer. We can build on our experience in them to obtain better comprehension of the public decision-making process.

If we examine the dynamics of these organizations, we notice a division of labor and a differentiation of roles, influence, and power. A few persons, such as elected officers and committee chairs, initiate policy which the governing board or attendees at membership meetings review and approve.

The president of the association and other officers have leadership across the board, and so does the staff director if there is one. But on most issues these officers will not have the intensity of interest that committee members

have on matters within their jurisdiction. So while every association member, everyone on the governing board has equal voting rights, some members have greater influence on particular concerns. To the extent that committee chairs and officers control the agenda and maximize their influence on decisions, they have greater power.

In these associations some persons are leaders, others are followers. A person may be a leader on one issue and a follower in other matters.

Officers are chosen by the members and may have power to appoint committee chairs, so there is democratic accountability. At the same time there may be other persons on the governing board or in the association at large who hold no office but who have influence because of their wisdom, social stature, financial contributions, or leadership of a minority faction.

Thus, an association may have both formally elected and appointed leaders and informal leaders within it. Although an organization chart may show a neat hierarchy of officers and committees, policy determination is

most frequently guided by a leadership coalition rather than a single leader with unchecked power.

Members have formal control of policies through decisions made by voting at business meetings with the majority prevailing. But long before the matter comes to a vote there is a lot of talk and often negotiations. Talk occurs not only in the formal setting of committee meetings and the business session of the whole body but also informally among leaders and advocates of particular positions. Most often an effort is made to achieve a consensus rather than force a vote on every jot and tittle.

To reach consensus advocates of different viewpoints make compromises, especially if they are interested in moving ahead. Formal votes are reserved for major issues where division is apparent and no ready mutual accommodation is in the offing. On the whole bargaining is the most common mode rather than showdown votes, although the latter may generate the greatest emotion and receive the most attention. Thus, there

is much more to decision making in democratic organizations than the final vote on issues.

GOVERNING COALITIONSⁱ

The kind of leadership coalition we observe in citizen associations also occurs in the decision-making processes of government. Rather than a command hierarchy suggested by typical charts of governmental organization, it is more accurate to say that governments in American democracy are directed by governing coalitions.

"Governing" describes the function. "Coalition" describes an alliance between persons possessing power and influence, not all holding governmental positions. It indicates that power is pluralistic but acknowledges that the governing group is limited in numbers.

In Local Government

The governing coalition in municipal government will almost always include the elected officials -- mayor and members of city council -- and also

the appointed city manager, if there is one. In county government, likewise: elected county executive, county commissioners or members of county council, and appointed county administrator. Similarly for township governments.

In addition, a governing coalition of local government is likely to include some of the following, though not necessarily all at the same time: administrators heading public agencies; leaders of the victorious political party; representatives of business and labor; leaders of ethnic, racial, and religious groups active in public affairs; leaders of other organized interests, such as social welfare organizations, vociferous issue groups, and strong neighborhood associations.

Except for the elected chief executive, each member of the governing coalition represents a minority. And most likely the chief executive's electoral majority was built upon a political base consisting of a collection of minorities, each with its particular interests. That's why governing is a

coalition enterprise.

Within a governing coalition some will have more power than others, and the respective degree of influence will vary from one issue to the next. Moreover, the balance of power will be in a constant state of flux. If one person or group isn't exercising its full potential of influence, then another person or group is likely to claim more than its proper share. But if this second group goes too far, the first group, or a third or fourth group will begin to resist. Thus, a governing coalition is quite dynamic.

Around each cluster of decisions there is probably a subcoalition. One subcoalition might deal with housing, another with highways, a third with tax policies, and fourth with employment programs, and so on. Some subcoalitions are basically tripartite, consisting of administrators, legislators, and representatives of advocacy organizations. Memberships in subcoalitions may overlap but are never identical.

Leaders who are in several subcoalitions have different weights in each

depending upon the strength of influence and depth of feelings of the group they represent. The mayor or county executive usually has a role in most of the subcoalitions. This makes the overall structure what political scientist Robert Dahl has called an executive-centered coalition.ⁱⁱ

A governing coalition is no monolith. Internal decision making is characterized by continual bargaining. Participants are constantly negotiating, trading support, building and reinforcing alliances. For the most part this isn't a formal process conducted around a table as in bargaining during labor-management negotiations, although some of this occurs in meetings of legislative committees and advisory boards. Rather it is informal, subtle, and sometimes quite elusive.

Although ultimately formal decision are made by elected officials -- the chief executive and the local council -- they will usually take into account the views and strengths of others in the coalition, and even those outside the coalition in the opposition. Even a mayor or county executive who is reputed

to be the local political boss lacks total command authority, for he or she has to constantly touch base with leaders outside of government and sometimes has to bargain with his or her own appointees.

Some governing coalitions will try to preserve the status quo while others will initiate change. In either case the coalition, as a leadership group, will be committed to objectives that aren't necessarily shared by the entire citizenry. Nevertheless, the key leaders of the coalition will claim that their policies represent a broad community consensus. Often this is the case, but not always.

Even though an outsider may believe there is an unbreakable solidarity that excludes any new participant, an effective governing coalition will admit new individuals and representatives of groups which are showing increased strength and have enough in common with the coalition to be a useful working partner. Participants in governing coalitions who become out of phase with the objectives of the coalition or who lose their supporters will be

eased out, or simply ignored.

If you are a leader of an advocacy organizations, you will often find that it's better to be represented inside a governing coalition or a subcoalition than remaining entirely on the outside. Insiders talk with one another, bargain, and work out compromises that later emerge in policy proposals and legislation offered for formal adoption. Having a voice in such proceedings can be valuable -- if it's real and not merely manipulated for appearance sake.

However, if your participation in meetings and on committees is merely window dressing, you may be better off to remain outside. From that vantage point you can mobilize your supporters to pressure legislators and executive officials who have legal authority to make the final decision. You can carry this into election campaigns.

In State and National Governments

The same kind of governing coalitions function in state governments and

in the national government, though they are more complex and subcoalitions are more diversified. The governor and leading state legislators, the president and leading members of Congress play central roles but seldom have unrestricted dominance. They have to bargain among themselves, with their own appointees, with career administrators, with political party leaders, with interest group representatives, and with other persons who have influence because of campaign contributions, moral stature, or ability to mold public opinion through the media.ⁱⁱⁱ

Local elected officials, staff from their statewide organizations, and local party officials may be participants in the state's governing coalition.

Representatives of local government, governors, state legislators, and state political parties may participate in the national governing coalition and subcoalitions dealing with concerns of local and state governments. Business and labor representatives and other kinds of interest groups try to get into the inner workings of subcoalitions dealing with their concerns.

Take virtually any subject that national and state governments deal -- foreign policy, defense, international trade, transportation, housing, health, welfare, education, environment, natural resources, and dozens more -- and you will find a coalition working out policies during the various stages of decision making. Persons with official positions -- president, governor, chairs of authorizing committees and appropriation subcommittees on that subject -- will have the most power and influence, but their authority is contained by the bargaining that is an inevitable part of the political process.

Relation to Representative Democracy

Governing coalitions are widespread in local, state, and national government in the United States. They have predominant roles in decision making.

You may think that this violates fundamental principles of American democracy. It doesn't. The functioning of governing coalitions fits into the framework of representative government in two ways.

First, elected officials are principal participants and retain ultimate decision-making authority. They were democratically chosen for this role and can be replaced at the next election.

Second, persons from outside government who are involved in governing coalitions represent a variety of interests. Their participation achieves a kind of group representation supplementary to the elector process.

Furthermore, interest groups not represented can mobilize public support to overturn unofficial decisions of the governing coalition when it comes to vote in the legislative body (city, town, or county council, state legislature, Congress). They might even gain assistance from legislators who, though elected, are not included in the governing coalition. Thus, broad-based democracy can prevail.

Even so, we should ask of any governing coalition: Do all groups and viewpoints have equal access for inclusion within the governing coalition? Often the answer is: No, they don't.

If the answer is negative, remedies are threefold. First, elected officials, who are supposed to take a holistic view of the common good, have an obligation to achieve very broad participation in public decision making. This includes truly representative consultation during the policy formulation process. (See Chapters 18, 19, and 20 for ideas.)

Second, citizens and interest groups not adequately represented can examine the decision-making process, learn its stages, determine who is influential at each stage, seek to make an impact, and maybe gain representation in the inner workings of governing coalitions. This is such an important matter that I devote the next chapter to discussion of decision-making pathways.

Third, where segments of the population aren't well enough organized to participate effectively in the dynamics of governmental decision making, strenuous efforts are needed to help them organize. Chapter 15 contains ideas on grassroots organizing.

In these several ways the governing coalitions that seem to form naturally in local, state, and governments can be enhanced through much wider and deeper citizen participation in governmental decision-making processes.

August 9, 1995

Notes

i. This section is an elaboration of my previous writing on this subject in *The Organization and Operation of Neighborhood Councils* (New York: Praeger Publishers, 1977), pp.126-8.

ii. Robert Dahl, *Who Governs?* New Haven: Yale University Press, 1961.

iii. A superb exposition of how coalitions functioned in Washington during the Reagan years is offered by Hedrick Smith in *The Power Game: How Washington Works* (New York: Random House, 1988; paperback by Ballantine Books, 1989), especially chapter 13, "The Coalition Game: The Heart of Governing".

Chapter 14

Locate Decision-Making Pathways

And so we learn in Chapter 13 that some well-connected citizens, often representing particular interests, are quite influential in public policy making through their participation in governing coalitions. If that's the case, can we ordinary citizens gain influence beyond our vote on election day?

Yes, we can. Definitely. But to do so, we must have a clear understanding of who makes decisions, when, and how.

In a strictly legal sense public policy decisions in the United States are finalized by legislative bodies and elected executives at particular moments in time. But in practice these formal decisions are the end product of processes involving a variety of persons inside and outside government, usually extending through many weeks and months, sometimes years.

To comprehend how this occurs, it may be helpful to visualize sets of

decision pathways laid out in sequence of stages. Legislators work along the legislative pathway as they introduce bills and work them through to final passage. Executive officials move along other kinds of decision pathways that end with formal adoption of executive policies, regulations, and project plans.

Legislators and elected executives don't traverse these decision pathways alone. They are accompanied at various stages by staff, their supporters, outside experts, interest group representatives, political party officials, and others. Some of their traveling companions are part of the governing coalition and have especially strong influence. Others are not. Often public officials encounter opponents along way.

Although current practices may block some stretches of a decision pathway from public participation, there is considerable openness for citizens who want to get involved. Generally legislative pathways are more open than executive.

So, if you want to influence the outcome of legislation and executive policies, you should know the decision pathways and be prepared to spend considerable time along the way. You may find it helpful to draw a roadmap demarcating the main stages of the journey. If the process has an established timetable, you will need a calendar. You should also prepare a roster of who key decision makers are at various intervals and try to gain a sense of what motivates and influences them.

LEGISLATIVE PATHWAYS

Legislative bodies in the United States -- the U.S Congress, state legislatures, city and county councils, township boards -- have regular procedures for enacting laws. This establishes the legislative pathway.

In unicameral legislative bodies, such as most local councils and the Nebraska legislature, the major steps along the path are shown in Figure 14-1.

Figure 14-1. Legislative Pathway in Unicameral Body
[Redraw with footsteps]

Drafting bill ->

<- Referral to committee

<- Introduction

Public hearings ->

Committee consideration ->

<- Floor action

<- Report to whole body

Chief executive approval

In bicameral bodies, such as the U.S. Congress and 49 state legislatures, a bill passed by one house goes to the other house for committee consideration and floor action. Sometimes similar bills are considered simultaneously in the two houses. Differences are then resolved by a conference committee with members drawn from both bodies. The bill next returns to the two houses for final action before going to the president or governor. The pathway to conference and back is illustrated in Figure 14-2.

Figure 14-2. Completion of Legislative Pathway in Bicameral Bodies

Passage of House bill ->

<- Passage of Senate bill

-> Conference Committee <-

-> Final passage by House ->

<- Final passage by Senate <-

Chief executive approval

The president of the United States, governors of the 50 states, and some (but not all) mayors have the power to veto as well as approve legislation.

When this happens the pathway returns to the legislative body for an opportunity to override the veto, an action usually requiring an extraordinary majority, such as three-fifths or two-thirds.

In American democracy the legislative pathway runs mostly through an open field. There is a written trail of bills as introduced and amended, committee reports, and published journals of legislative debate and action. Although on occasion the pathway may go out of sight in some legislative bodies, such as when committees are "marking up" bills, final consideration occurs in full public view.

Most state legislatures have time limits on their sessions and deadlines for introduction of bills (see Chapter 5). Congress has deadlines for passage of the budget resolution and appropriation bills (not always observed), and leaders of the two houses set target dates for consideration of particular bills and adjournment. Therefore, you will need a calendar to keep track of the schedule as well as your roadmap of the legislative decision pathway.

With these tools and determination you can enter the legislative pathway and assert your influence. Chapter 16 is devoted to detailed exposition of

what you can do along the way.

Legislators

Elected legislators are the most important sojourners along the legislative pathway. It is they who introduce bills, conduct public hearings, participate in committee meetings, offer amendments, and speak on the floor. They alone may vote on proposed legislation. But how they vote is determined by a variety of factors and a complex web of relationships.

***Political party affiliation.** As we saw in Chapter 8, political party affiliation provides the basis for organizing majority and minority blocs in legislatures chosen in partisan elections. Each bloc chooses its own leaders and determines which of its members serve on particular committees.*

Members from the majority serve as chairs of committees. Although party blocs don't absolutely control the legislative votes of party members, voting in Congress and the state legislatures follows party lines more often than not.

***Constituents.** Legislators ordinarily pay a lot of attention to the views*

and interests of constituents in their home districts. Sometimes they will "vote the district" rather than follow party leadership. They were, after all, elected to represent their district, and they want to maintain public support in order to be reelected.

Ideology. Another factor is ideology. Democrats in Congress are (to use conventional labels) conservative, middle-of-the road, and liberal. Republicans are conservative (two vintages: "radical" and "traditional") and moderate. Similar configurations occur in state legislatures. Legislators of particular persuasions oftentimes function as blocs within their party and sometimes form ideological blocs across party lines.

Personal relationships. Among legislators personal relationships have considerable influence on the course of legislation. This might be based upon party affiliation and ideology, but it can also relate to personality and friendship patterns cutting across party and ideology. Among legislators there is a considerable amount of horse-trading: "I'll support you on this vote,

if you'll support me on that one"; "I owe him one"; etc.

Power. Although the vote of each legislator counts the same, some legislators have more power than others, especially where they chair committees or hold other leadership positions. This can be an important factor in establishing relationships among legislators.

Staff. Legislators have staff to help them with legislative duties and constituent service. Legislative committees have staff assigned to the majority under the chair's direction and staff for the minority under the ranking member. Staff who are personally close to legislators and committee staff who have been around a long time are often quite influential as they accompany legislators along the legislative pathway. Often staff-to-staff relationships enter the picture.

Other Sojourners

Other people join legislators on this journey. Citizens, interest group representatives, officials from the executive branch, and political party

leaders accompany them, often openly but sometimes in the shadows. There is no phase of the legislative process where outside influence is absent.

Executive officials. In American government chief executives, other elected executives, cabinet officers, and administrators have extensive relationships with legislators. They propose bills, testify for and against pending legislation, mobilize public support, and negotiate over wording of bills with legislative committees. In Washington the White House and federal executive departments maintain legislative liaison staff. Bureaus within departments often have close relationships with key legislators and legislative staffs on within the bureau's domain. A similar pattern occurs in state and local government.

Interest groups. As significant bills move along the legislative pathway, interest group representatives continuously interact with the legislators who determine the fate of the legislation. They work with legislators and legislative staffs in drafting bills. They testify at public hearings, suggest

changes in wording when committees take up bills, and sometimes try to get bills killed in committee. They mobilize grassroots support for and against legislation when it comes to the floor, hang out in the lobby outside the legislative chamber, and indicate support for or opposition to particular amendments.

Frequently a three-way relationship develops between legislators, executive officials, and interest groups concerning particular programs and policies. Some describe this as triangular, even calling it an "iron triangle" to denote its strength. Others characterize it as a network. It can also be viewed as the workings of a governing subcoalition on that subject.

Political party leaders. Leaders of political parties and party staff have a special relationship with legislators. They share the same party identity. They have worked closely together in election campaigns.

Oftentimes they have formed personal friendships. Although in most jurisdictions party leaders aren't able to tell legislators how to vote, they have

ready access to offer their views. Legislators in turn are usually willing to listen to opinions of their party colleagues.

Interactive Consent

This complex web of relationships occurs along the legislative pathway where a variety of legislation moves along simultaneously but at differing speeds. Each piece of major legislation has a different configuration of relationships.

Not every citizen, not every interest group gets involved in every piece of legislation. Rather particular individuals and interest groups deal with matters that concern them most. Although ultimately elected representatives enact laws, appropriate funds, and levy taxes (subject to the chief executive's approval), the final product is shaped through continuous interaction with the public. The process allows all active citizens to have a part if they assert themselves. (See Chapter 16 for more ideas on how to influence legislation.)

PATHWAYS OF EXECUTIVE DECISIONS

In American democracy executive officials, elected and appointed, have important policy-making roles. By common practice the executive branch is the initiator of many new programs and laws that go before the legislative body for consideration and approval. After legislative enactment executive departments have considerable discretion in program implementation. Likewise with laws enforcement and regulatory action. Furthermore, the president, governors, and some mayors have authority to issue executive orders carrying the weight of law.

Unlike the legislative pathway where the process of enacting laws is clear and standardized, the pathways of executive decision making display different configurations and are sometimes quite obscure. Several examples can serve as illustration.

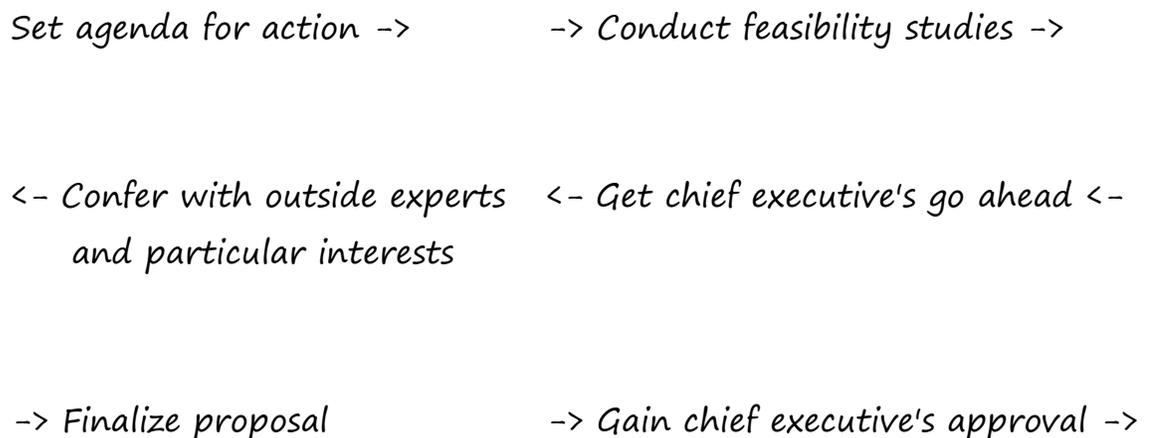
From the beginning of the American republic elected chief executives, cabinet officers, and department heads have initiated new programs and

laws. Legislators do, too, but being one of many, they don't gain as much attention

as the chief executive. Furthermore, the chief executive and operating departments have far more staff assistance than legislators to help them in program development.

Executive proposals don't spring to life full-grown but rather are rather the product of an often lengthy policy-development process. The general outline of the decision pathway leading to program proposals is shown in Figure 14-3.

Figure 14-3. Decision Pathway for Executive Program Initiatives



<- Transmittal to legislature

<- Public announcement <-

-> Legislative action <-

<- Efforts to gain public support <-

Program initiatives happen because some individual or group determines to act. Frequently candidates for president, governor, mayor use the election campaign to set the agenda for what they want to accomplish if elected. Consequently diverse interests try to get their attention and have their concerns put on the agenda. Appointed department heads have their own agendas and are also urged by interest groups to initiate particular endeavors. Sometimes career officials take the initiative.

Thereafter, program proposals go through a process of internal studies by departmental staff and units in the office of chief. There is likely to be a widening array of contacts with outside experts, interest group representatives, and key legislators and their staffs as appropriate, usually in

confidence or with minimal publicity. The chief executive is kept informed and responds to key policy questions as they arise. After a while the program proposal is ready for public announcement, which is followed by efforts to gain public support and legislative approval.

This general pattern has many variations with a considerable range in the extent of public participation at successive stages. Where executives and departments work mostly in secret, especially in the early stages, citizens must probe diligently if they want to be involved, a matter we'll take up in greater depth in Chapter 17. But it is possible for the program development process to be quite participatory, as we'll consider in Chapter 19.

After the legislative body has approved a new program, enacted the necessary law or ordinance, and appropriated funds, the executive department has the task of adopting program guidelines and regulations. This is another instance of executive policy making, outlined in simplest terms

facilities, new school buildings, neighborhood rehabilitation, economic revitalization, and environmental protection. Occurring within the framework of general laws and program authorization, these projects require a multitude of policy decisions. A typical decision pathway is shown in Figure 14-5.

Figure 14-5. Decision Pathway of Project Planning



Forty years ago governmental agencies conducted this kind of project

planning with their own staff and consultants mostly out of public view until they were ready to announce their plans and hold public hearings. Since then diverse participatory processes have developed to bring citizens and interest groups into earlier stages of project planning, as we'll review in Chapter 19.

These three illustrations are generalized descriptions. You will have to make your own roadmap of the decision pathway for particular executive policy-making activities you want to influence. (See Chapter 17 for ideas on lobbying executive officials.)

COMBINED PATHWAYS

We have looked at executive and legislative pathways separately, but often they occur sequentially or overlap. This happens, for instance, when the president, governors, mayors, and county executives offer full-blown legislative proposals. These are developed by administrative departments and units of the chief executive's office, as we have noted (Figure 14-3),

sometimes with contact with key legislators, but not always.

Once legislation is introduced, the chief executive and appointive officials are in close touch with legislators. The executive task forces and working groups which developed legislative proposals continue to function. They review changes proposed within the legislature and try to work out compromises. Interest groups are similarly involved.

After legislation is adopted and turned over to the executive branch for implementation, further policy decisions are made in the form of regulations, guidelines for grant-making, and written administrative policies.

Sometimes key legislators and their aides keep track of these executive decisions and offer their input. Interest groups are also so engaged.

A generalized, combined decision pathway is shown in Figure 14-6.

Figure 14-6. Combined Executive-Legislative Decision Pathway

Formulation by department ->

<- Acceptance by chief executive

Consideration and approval by legislative body ->

<- Drafting regulations by department

Public comment ->

Final approval by department

In this manner the intricacies of both executive and legislative pathways are present and to some extent overlap. Executive-legislative relationships are important at all stages.

If you are tracking this process, your map may be a little complex and

your involvement may stretch over a longer time. But that's the nature of the process. You'll have to be persistent and do your best to offer input at crucial moments.

American democracy features numerous opportunities for citizens to journey along legislative and executive decision-making pathways with legislators, executive officials, and interest group representatives. Some stretches of the pathways are prickly. Some are seemingly barren and dull while others feature lush landscapes and exciting relationships. A sojourner must be prepared for varied conditions. It is not necessarily an easy journey and is certainly not a trip for lazybones. But it's an essential trip if you want to be influential.

August 15, 1995

Chapter Sixteen

Lobby Legislators

Lobbying by interest groups is an essential element of American democracy. I say that even though I realize that both "lobbying" and "interest groups" have a bad name among many people. That's because of occasional abuses, not because of their productive contributions to governance.

Interest groups form naturally because individuals, economic enterprises, and other kinds of organization have common concerns. Accordingly, they band together to influence public policy. Virtually every American is part of one or more, including talk show hosts, editorial writers, and other critics who deplore them. Democracy needs them to articulate group interests which decision makers need to take into consideration in enacting legislation and adopting executive policies.

Lobbying is a natural enterprise in a democracy. It has been occurring in the United States since the First Congress convened in New York in 1789 and continues unabated today. Lobbying is a means for citizens and interest groups to voice their views and preferences between elections. It is an integral part of continuous, interactive consent that is a hallmark of American democracy.

Lobbying is an occupation open to all comers. It is another worthy calling for citizens committed to making our government of, by, and for the people to function more effectively. This chapter offers ideas on how to lobby legislators, based upon the experience of successful lobbyists. The next chapter explores how to lobby governmental executives.

HOW LEGISLATIVE BODIES FUNCTION

General government in the United States has numerous legislative bodies: the U.S. Congress, 50 state legislatures, five territorial legislatures, and the governing bodies of 3,043 counties, 19,279 municipalities, and 16,656 towns and townships. There are also 15,834 elected school boards and 31,555 special districts with elective boards. To lobby them effectively you need to know how they are organized and how they function.

As a starting point, here are some key axioms derived from the experience of successful lobbyists in dealing with the legislative bodies of general government. (School boards and special district governing boards tend to have fewer formalized blocs and follow different kind of procedures, so these axioms are less applicable to them.)

- Legislative bodies of general government in the United States tend to be more pluralistic than monolithic. Ordinarily members are beholden first to voters in their district who elected them and secondly

to particular constituent groups which strongly supported their campaign. If chosen in a partisan election, they are likely to be loyal to their political party, but the intensity of party domination varies considerably.

- Where legislators are chosen in partisan elections, the formal internal structure of the legislative body is usually based upon majority and minority party affiliation. There is variation in the dominance of the top legislative leader: speaker of the house, senate majority leader, city and county council president. Some hold tight reins while others have only loose control. The top leader and committee chairs may form a cohesive oligarchy, but sometimes leadership is quite fractured.
- Some legislators have more power and influence than others, based upon leadership positions they hold, their knowledge of particular subjects, and their commitment to specific issues. Committee chairs are usually quite powerful, and often subcommittee chairs are very

influential. A particular legislator may be a dominating force on certain matters but a follower on other issues.

- Beyond the formal committee and party structure, many legislative bodies have caucuses and informal groupings reflecting a variety of interests: African American, Latino, women, urban, rural, and many more. Some of these cut across party lines.
- Although voting in committee and on the floor is the formal mode of decision making, informal bargaining, compromise, and consensus seeking are strong factors. Personal relationships (both good and bad) between individual legislators and among legislative blocs are often determinative.
- Legislative staff is commonplace, both for individual members and committees. Often top staff members are quite influential in drafting legislation, writing committee reports, and participating with other staff in fashioning compromises. Nonetheless, legislators themselves

retain final decision-making authority.

To be an effective lobbyist you need to understand both the formal organization and procedures of the legislative body you are dealing with and also the informal network of relationships among legislators, executive officials, and various lobbyists. You should comprehend the legislative process and know who key decision makers are at different stages. You should seek a particularly close relationships with legislators who will take the lead on your issues, both publicly and in the inner workings. You should be well acquainted with legislators' personal staff and committee staff who are influential in getting legislation through the maze.

Because legislation is often complicated and many bills are in the hopper at a time, you are likely to find it useful to be part of a coalition with other lobbyists who have similar interests. You can work out a division of responsibility for following different bills and making contacts with legislators and their staffs. You can combine your strengths at crucial times in the

legislative process and mobilize grassroots support together.

LEGISLATIVE PROCESS

Good timing is essential for achieving legislative success. As a lobbyist you should know and follow both the electoral and legislative calendars.

Your work begins long before the legislative session opens, starting during the election campaign and continuing after the election. Chapter 7 lays out ways you can be active in election campaigns. Such activities helps you to get in position to be influential once the legislature convenes.

Legislative Calendar

To be an effective lobbyists you must know the legislative pathway (see chapter 14 for a pictorial delineation). You should be aware of every step of the way as bills are drafted and become law and gear your tactics to the different phases of the legislative calendar.

To consider how this can occur, let us review the process typical for the U.S. Congress and state legislatures. The process of city and county councils

in adopting local ordinances may not be quite as complicated but is likely to have most of the same steps.

Bill Drafting

A variety of authors draft bills for introduction into the legislative hopper: legislators themselves, their personal staff, legislative committee staff, a bill-drafting office of the legislative body, staff of the elected chief executive, operating departments, and interest groups. In many instances a bill is a product of a triangular relationship of legislative committee staff, departmental staff, and an interest group or coalition.

The way legislation is originally drafted is quite influential. Bills as introduced provide the focus for public hearings and committee discussion and serves as the framework for amendments. Therefore, on legislation of great importance to you, you should seek out the bill drafters and offer your input. You even present a draft bill for consideration.

Economic interest groups especially give attention to bill drafting

because a word here, a clause there can be determinative of future regulation, lack of regulation, of economic gain or loss. Organizations of state and local officials get involved in formulating legislation affecting their jurisdictions. Cause-oriented organizations with a sizable lobbying and research staff focus on matters of their concern. During the drafting stage these various lobbyists pay attention to both executive officials and legislators, and they seek to become part of the network that produces legislative proposals. And so should you for your interests.

Introduction of Bills

A bill may be introduced by a single legislator or a number of sponsors. The latter is especially the case for major legislation. In order to show that the bill has support from a broad cross-section of legislators, as a lobbyist you can help to line up cosponsors at the request of the initial sponsor or at your own initiative. If you have grassroots connections, you can get local citizens to contact their legislators, asking them to cosponsor particular legislation.

For bicameral bodies you need to work both houses during all stages of legislative process. Often similar bills will be introduced in each house, and sometimes identical bills. This may come about through cooperation between representatives and senators, but frequently lobbyists play a role in orchestrating this cooperation. Where the two houses have different views on particular issues, lobbyists try to get a bill more favorable to their interest introduced in one house to offset a weaker or more adverse bill under consideration in the other house.

Many bills are introduced but only a fraction become law, perhaps only one out of ten. Thus, a legislator may show a response to interest group pressure by introducing a bill, knowing that it has no chance of final passage. As a lobbyist, you should realize that some bills have a much greater chance than others. You can focus your attention on building support for or against legislation that is most likely to clear committee and come up for consideration on the floor of the legislative body.

The U.S. Congress, state legislatures, and most city and county councils function through committees and subcommittees. Committees hold hearings on bills, make amendments, approve or disapprove bills, and report the ones approved to the whole body for consideration. Because of the crucial role of committees, you should do what you can to get your bills introduced and handled by a member of the committee with jurisdiction, preferably by the committee chair, a subcommittee chair, or some other high-ranking member of the majority party.

Public Hearings

In conducting public hearings committees and subcommittees tend to concentrate on major legislation that has a strong chance for enactment in some form. They will almost always hold a hearing on bills pushed by the executive branch. Sometimes a loud public clamor forces them to conduct hearings on controversial legislation that they would like to block. You can help create that demand.

In Congress most hearings are held by subcommittees rather than the full committee. Subcommittees usually invite a limited number of witnesses to testify. Rarely do they hold hearings to listen to anyone who shows up, though some field hearings tend in this direction. Favored witnesses are executive branch officials, credentialed experts, and representatives of powerful interest groups. Citizen organizations, even those with a broad, grassroots membership are less frequently represented at congressional hearings.

Subcommittee chairs usually select the primary witnesses, but the ranking minority member often is afforded an opportunity to propose witnesses. Other committee members can also make suggestions. This means that subcommittee majority and minority staff are crucial actors in developing lists of potential witnesses. You can therefore offer suggestions to them as well as to the chair directly. You can also work through other subcommittee members, who can propose witnesses to the chair.

State legislatures function in a similar fashion in calling witnesses to testify and holding public hearings, though many of them make less use of subcommittees. City and county councils likewise hold public hearings structured to hear from their chief executive, department heads, experts, and citizens. Local councils are more likely than are state legislatures to hear from all who want to speak.

If you or a witness to speak in your behalf gain an opportunity to testify at a legislative hearing, you should prepare a written statement that will become part of the hearing record. At the hearing, though, you should speak directly to committee members, maintaining eye-to-eye contact, without reading your statement. In your testimony you should offer illustrations from your personal experience and address what you know to be concerns of key committee members. If a committee member asks a question that you can't answer, you can promise to provide further information later for inclusion in the hearing record.

At local and state legislative hearings particularly, you can have your supporters attend. At some moment during your testimony you might call upon have them stand up to show their support for the position you are advocating.

In addition to testifying and suggesting witnesses, you can write questions that committee members can ask at a hearing. Give them to staff of friendly members on the committee. Such questions can be addressed to the chief executive's representative and to expert witnesses, including those with an opposite viewpoint to yours.

Committee Mark Up

After hearings on a bill are completed, the legislative committee or subcommittee meets to "mark up" the bill (as they say in Congress), that is, to rewrite it as deemed appropriate. These days legislative committees tend to have open meetings that the public can attend, though in some legislative bodies the work occurs out of sight in executive sessions. It is a crucial

moment in the life of a bill, for amendments can correct flaws, can yield compromises that broaden the support for the legislation, or can water down the legislation or even change its purpose.

Accordingly you should devote a lot of attention to the mark-up process.

If the meeting is open, you or an associate should appear early to get a front row seat if possible. You can talk with friendly legislators and their staffs during breaks in the proceedings. You can suggest language which the legislator can offer when the committee reconvenes. You can provide data for the legislator to use in committee discussion. As appropriate, you can mobilize grassroots pressure on particular committee members related to crucial issues under consideration by the committee.

Floor Action

When a committee completes its work on a bill, it reports the bill for consideration on the floor of the legislative body. The timing for bringing up the legislation is usually determined by the legislative leadership: speaker of

the house, majority leader of the senate, a policy committee of the majority party, or by the Rules Committee in the case of the U.S. House of Representatives. Sometimes leaders of the minority party negotiate on the timing. Therefore, you may want to get in touch with the leadership to press for floor action, or to delay consideration.

In anticipation of floor action on a bill, the sponsoring legislators and committee leaders line up support among their colleagues. Legislators in opposition seek out other legislators to vote against the bill or to support amendments that would dilute the bill's intent. You can join in this endeavor. Make your own contacts with legislators, share information on how they stand with the bill's sponsor, and work closely with the sponsor to put pressure on uncommitted legislators.

In Washington lobbyists and lobbying coalitions commonly divide members of Congress into five categories, based on their positions on particular issues. "1" is most supportive and "5" is least supportive. If you

do this, you should give particular attention to the "3's", the swing vote.

Then try to pick up some "4's" and keep in touch with the "2's" so that they don't stray from the fold. Because of time constraints you can usually take the "1's" for granted and consider the "5's" as hopeless.

On major legislation you will want to send out legislative alerts to your grassroots networks so that legislators will receive lots of mail, faxes, and phone calls from the folks back home. If you have connections with radio talk show hosts, you can encourage them to generate phone calls.

The day or days the bill is up for consideration on the floor, you should sit in the gallery and patrol the lobby outside the chamber to shore up support (or opposition) and to try to persuade the still-uncommitted. When amendments are offered, you can pass the word on whether you support or oppose it.

Conference Committee

In bicameral legislatures this process is repeated in the second house.

Then the bill goes to a conference committee composed of members of the two houses. For you as lobbyist it is similar to the mark-up session: finding out what compromises are being considered, offering support or opposition, suggesting alternative language. However, the process usually goes so fast and has so many nuances that it is difficult to muster grassroots pressure on the conferees.

The wording of the bill that the conference committee agrees on goes back to the two houses for approval or rejection but not further amendments. Although conference reports are almost always accepted, sometimes you and other lobbyists can press for disapproval with the hope that the legislation will die or that the bill will go back to conference for further change.

Chief Executive

The bill as enacted goes to the president, governor, mayor, or county executive for approval or veto. If his or her position on the legislation is unclear or possibly in opposition, you can urge him or her to sign (or veto) the

act or ordinance. You can also encourage your grassroots contacts to send a similar message to the chief executive. Even earlier in the legislative process, you might urge the chief executive to threaten a veto unless particular changes are made in committee, on the floor, or in conference committee.

In sum, to be effective as a lobbyist you should follow legislation through every single stage along the legislative roadway. Lacking a direct voice or a vote, you are totally dependent upon what legislators do. This puts a premium upon personal relationships, both with members and with legislative staff, established through physical presence and a steady acquaintance.

Although seldom can you as a lobbyist change the vote of a legislator who has announced her or his position on a bill, you can exercise quiet influence and friendly persuasion at many points along the way.

GRASSROOTS LOBBYING

Frequently lobbyists based in Washington and state capitols tie in with grassroots networks and mobilize persons from around the country and the

state at particular times in the legislative process. In addition, numerous grassroots organizations initiate lobbying on their own without full-time representation at the capitol. This effort, too, must have an acute awareness of the legislative calendar.

If you are a grassroots lobbyist, you can start building connections with present and future legislators by getting involved in the election campaign, supporting candidates favorable to your point of view, and developing personal relationships with them. Your specific legislative efforts can commence between the election and the opening of the legislative session. You should request a meeting with your representative, discuss what is likely to be coming before the state legislature or Congress, offer your views on major issues, and find out your representative's position. You might suggest scheduling similar meetings periodically during the legislative session, especially at times when the representative has returned home for recess and has more time than during a hurried weekend visit.

Once the legislative session begins, your grassroots organization can benefit from a connection with a lobbyist working in the capital. This occurs most easily when your local group is an affiliate of a state or national organization that has a presence in the capital, but it can also happen through a network connection with a broad-based coalition. Many public interest organizations publish newsletters that are available on a subscription basis and provide a running account of what's happening on different pieces of legislation.

With this knowledge available your grassroots organization is in a position to keep its members informed about legislation of interest and to encourage them to make phone calls and write letters at crucial moments in the legislative process. Particular attention should be given to members of committees which are about to mark up legislation and to all members just before a bill comes onto the floor for consideration.

At climatic moments your grassroots organization can send delegations

to the state capital and to Washington to push particular legislation. This is especially effective if it is part of a concerted campaign through which many local groups join together, have a joint briefing session, and then fan out to talk with their representatives.

For all meetings with legislators, you and fellow grassroots advocates should be well prepared, should know the issue and the proposed legislation, and should be ready to present your case in a succinct manner. Illustrations drawn from personal experience are useful, and so are examples of how the legislation would be beneficial or harmful to the district. Courtesy is of utmost importance. Expression of anger, even to legislators strongly opposed to the group's position, is almost always counterproductive.

Sometimes inside lobbyists will advise grassroots affiliates to flood the office of the speaker of the house or majority leader of the senate with letters and phone calls on certain issues, such as bringing up legislation that has been blocked or allowing certain amendments to be offered. Now and then

letters also should go to the president or governor, urging veto or threat to veto particular legislation.

In dealing with Congress and state legislatures, inside/outside lobbying can be a powerful combination. One strengthens the other. Grassroots organizations benefit from inside connections, and inside lobbyists are much more effective when they relate to a grassroots network.

Locally inside/outside lobbying is more likely to be an integrated operation. Grassroots organizations have much more convenient access to members of city and county councils, and organizations with headquarters downtown or at the county seat are easily in touch with their local members.

In these various ways you can be a lobbyist or be represented by one based in Washington and at your state capitol, county courthouse, and city hall. You and your associates can engage actively in grassroots lobbying all year long. By enhance regular contact between citizens and their

representative you are adding strength to American democracy.

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October 2, 1995

Chapter Seventeen

Lobby Executive Officials

From Demo2.

Once legislation is enacted and appropriations are approved, responsibility for governmental programs is turned over to the executive branch. Long before that the elected chief executive, his or her aides, and a variety of executive departments have been on the act, for often they are the source of legislative proposals.

We citizens generally feel that we have much greater access to our legislators than to the chief executive and department heads. We often feel cut off from important decision-making processes within the executive branch of government. And with the heavy reliance on TV ads in political campaigns, we often find that we have very little direct contact with candidates for president, governor, even mayor and county executive. This

is an important factor in voter discontent.

From earlier draft of Chapter 14.

For some kinds of executive decisions and under some styles of executive management, the decision pathway may not be publicly revealed or readily open to public participation for most of the journey. This occurs, for instance, on matters of national security where decision makers don't want to reveal secrets to the enemy or don't even want friendly nations to learn prematurely about policy changes. It happens in domestic policy on politically sensitive issues, such as consideration of reduction in benefits to particular groups, modification of programs where many interests have a stake, prospective tax increases, planning of public facilities that nobody wants in their neighborhood, and other controversial matters. Moreover,

many executive officials are secretive by nature and don't want outside interference in what they consider their domain of expertise. Or they want to deal only with insiders who are members of the governing coalition.

Numerous other governmental executives, though, are willing to reveal their policy-making processes. They provide information to the public and invite participation through advisory committees, community meetings, hearings, and other means. They have a commitment to democratic participation, or at least find it to their advantage to bring legislators, interest groups, and the general public into the policy-making process. Furthermore, there are a variety of laws for public disclosure of proposed actions and also requirements for public hearings (see Chapter 17).

Whether openly mapped or kept secret, the executive decision-making pathways are there. Legislators, interest groups, and concerned citizens discover them and try to get on board. Eventually policy recommendations become public, sometimes by leaks, sometimes through carefully timed

announcement, and a broader band of sojourners gets involved in considering policy proposals.

Most likely a small number of travelers starts the journey along a particular policy-making pathway. Others join along the way. In the beginning it may be the chief executive and a few personal staff, department heads and their staffs, or military chiefs and their aides. After a while others from within the executive branch are invited in. Outside experts allied with the inside initiators enter the picture.

As the shape of the new policy emerges, key legislators are informed, are asked their views, and provided an opportunity to comment on tentative proposals. Supportive interest groups are informed and allowed to have input. In this manner the proposal becomes a product of the governing coalition, or subcoalition on the matter of concern.

While this is going on, interest groups which might oppose new policies or programs try to find out what is going on and push their way onto the

decision pathway. Sometimes executive officials invite citizen organizations to participate in order to broaden the base of support. Sometimes these groups assert themselves and get involved through their own initiative (see Chapter 17). As this happens the decision pathway starts getting crowded.

Although many executive officials prefer to move quietly and privately along the early phase of a policy-making pathway, they are more willing to open the process to public participation during the middle phase and as the time for general public disclosure approaches. Moreover, American democracy has developed methods for citizen participation to occur at the very earliest stage, particularly in local government, as we'll review in Chapter 19. Many mayors and other executive officials accept this as the normal approach, indeed have themselves previously been citizen participants.

In these various ways public participation along executive policy-making pathways is part of the continuous, interactive consent of the governed. It

occurs in bits and pieces. Government is involved in a wide range of activities and pursues many different paths in formulating and adopting policies for these activities. Individual citizens and interest groups tend to seek involvement mainly on matters affecting them. Thus, participation is segmented. For any particular program or project it involves only a small slice of the citizenry. However, in aggregate a considerable portion of the population gets involved in ongoing executive decision making in the course of each year.

Consent6.132

Chapter 13. Pathways of Executive Policy-Making

In most units of American government, elected chief executives -- the president, governors, county executives, mayors -- have the final say on legislation. They may sign or veto bills passed by the legislative body, or under some circumstances may allow legislation to become law unsigned.

Their power to veto -- including their ability to threaten a veto -- provides chief executives bargaining leverage when bills are still under consideration by the legislative body.

Even earlier in the legislative process chief executives have important roles. They use their annual state of the nation (state, county, city) address to set forth a package of legislative proposals. On other occasions chief executives and departments under them propose legislation. Their staff and departmental personnel help draft bills. Department heads and bureau chiefs testify at public hearings and interact with legislators as bills move along the legislative pathway.

In American government the annual budget is the single most important policy document adopted on a regular basis, for it determines who benefits from public expenditures and who pays the bill. In most jurisdictions the executive branch draws up the budget and presents it to the legislative body for consideration. Executive officials follow the budget through the

legislative process.

When new laws go into effect, executive departments draft and adopt regulations dealing with administrative details. They work out implementation procedures and issue program guidelines. Ordinarily the planning of public projects, such as new parks, highways, water and sewerage systems, various other public facilities, whole neighborhoods and business districts, is handled by executive departments. In all of these undertakings, executive officials display ample initiative and exercise considerable discretion. They are important policy-makers.

Accordingly, the pathways of executive policy-making are critically important in American government. Citizens join public officials along these pathways as another significant method for gaining the consent of the governed.

Notices and Hearings

As a means of overcoming executive secretiveness, various laws require

public disclosure of proposed projects and proposed regulations. Federal agencies use the daily *Federal Register* for this purpose. State and local governments rely on the classified section of daily and weekly newspapers, sometimes supplemented by display ads in the news section. These notices invite public comment within a specified period.

In addition, public hearings are required for certain kinds of projects. Usually hearings occur fairly far along the decision-making pathway after the public agency has produced a fully-developed project proposal or drafted a complete set of regulations. By then planners, program administrators, and executives have already made a bundle of tentative policy decisions. However, there are exceptions where the public is offered opportunity to have input much earlier during the fact finding and analytical stage of policy development. (More on this more open approach in chapter 19.)

Chapter Eighteen

Engage in Participatory Planning

Lobbying legislators and executive officials is a necessary and legitimate aspect of democratic participation. It is important activity at all levels of American government: local, state, and national.

By its nature lobbying has the flavor of an adversarial relationship. Interest groups and individual citizens pressure legislators to adopt or reject specific legislation. They press executive officials to approve particular policies favorable to their interests. At the same time other groups are seeking outcomes beneficial to different sets of interests. It is a competitive process, often resolved through compromise but sometimes marked by clear winners and losers.

There are other modes of participation that have a more collaborative flavor. Citizens enter decision pathways fairly early along the way and

participate in the deliberative processes that precede final decision making.

Dialogue occurs among citizens reflecting various interests and between them and public officials. When disagreements arise, efforts are made to find mutually acceptable solutions. Although at any time the participating citizens have the option of using lobbying techniques to get their way, emphasis is upon cooperation and working partnership.

There is ample experience around the United States with participatory planning of this sort. Much of it has occurred in local government, but some state and federal agencies have fostered citizen involvement in planning and policy formulation. Moreover, several citizen organizations have pioneered ways to achieve much deeper citizen involvement for grappling with national issues. We draw upon this experience in this and the two following chapters.

NEIGHBORHOOD PLANNING

One of the strongest and most positive body of experience is resident involvement in neighborhood planning. Forty years ago residents usually

entered this process only after the professional planners had produced a plan and offered it for review at a public hearing. Nowadays in numerous cities and urban counties, residents participate in the early stages of the planning process.

Where local government functions in a participatory mode in neighborhood planning, citizens are involved from the very beginning. They offer their own perspective in defining problems to be solve. They help set goals and objectives, develop strategies, offer suggestions for specific projects, and comment on proposals of the city planners. They testify at public hearings and take part in plan implementation.

Neighborhood planning with this sort of resident participation can be envisioned as proceeding along a pathway described in Figure 13-1:

Figure 13-1. Pathway of Neighborhood Planning
[Redraw with footsteps]

Define problem --> Set goals & objectives --> Develop strategies

-->

<-- Specify projects <--
Delineate land use

Work out implementation process --> Complete proposed plan
-->

<-- Planning department approval <-- Neighborhood committee
approval

Planning board public hearing --> Planning board approval -->

City council approval <-- City council public hearing

Citizens Committee

A key to this approach is having a neighborhood planning committee that truly represents diverse viewpoints within the neighborhood. This can be accomplished through appointment by an official neighborhood council,

selection by a broad-based neighborhood coalition, or direct election by residents. If significant segments are omitted by this process, the initial committee can add other members. Selection in some manner by the residents is preferred to appointment by the mayor, city council, or other public official.ⁱ

Problem Identification

Effective planning requires a clear focus on problems to be solved and objectives to be accomplished.

Problem identification is partly subjective, partly objective. Residents perceptions are a crucial ingredient: what bothers them, what they would like their neighborhood to become, what obstacles they must overcome. A neighborhood planning committee can deal with perceptions by holding public hearings, meeting with small groups, sending out questionnaires, and sponsoring door-to-door surveys. Simultaneously staff, whether city or neighborhood-based, can assemble relevant data on housing conditions,

unemployment, welfare, school achievement, health, crime rates, traffic, and other matters.

Studying problems provides opportunities to broaden involvement in the planning process. Task forces on various issues can draw in persons with special knowledge and concern: merchants, employers, parents, teachers, youth leaders, youth themselves, seniors, field personnel of city departments, and others. Task force members can fan out to talk with other people. Task forces can sponsor public meetings open to anyone who wants to offer ideas on problems and their solutions. Staff of public and private agency can feed in their own analyses and proposals to the neighborhood planning committee.

Formulating Plan Components

As problems come into sharper focus and solutions begin to emerge, the neighborhood planning committee and the staff assisting it can begin to formulate the neighborhood plan, or plans for different components.

The neighborhood planning committee can then hold a series of meetings to present the plan to residents, receive comments, and then make revisions. If public funding is expected, it is likely that the plan will have to go to one or more public bodies for consideration: planning commission, community development agency, budget bureau, mayor, city council. One or more of these bodies may be required to hold a public hearing. This will give the neighborhood committee, residents, and other interested persons to offer their view publicly.

Official Review and Adoption

In the process of reviewing the neighborhood plan, a public agency, the mayor, the manager, or city council officials may want to make modifications in matters within their jurisdiction. Optimally they will do this in consultation with the neighborhood planning committee, perhaps through bargaining and consensus-seeking.

If the neighborhood planning process goes smoothly, there will be a lot

of consultation at all stages: citizens consulting with public officials just as they expect public officials to consult with them. Give-and-take of this sort can produce adjustments and compromises that yield a plan with widespread support. Experience in numerous cities indicates that this is possible.

The participatory planning process may take longer than by producing a plan by city staff acting alone, but adoption will usually be easier.

Moreover, it's likely that the plan will be implemented quicker than occurs when citizens become aware of proposals late in the process and stir up a storm to block unwanted elements. Continuity of citizen participation from beginning to end enhances democracy and achieves better results in solving community problems. Citizens who have help draw up plans will be full and willing participants in its implementation.

TRANSPORTATION PLANNING

To be written.

NATURAL RESOURCES PLANNING

To be written.

ANALYSIS

In addition to these illustrations of citizen involvement in planning for neighborhoods, transportation systems, and natural resources, there is a solid body of experience of where continuity of citizen participation is achieved in planing other endeavors. This includes community development programs, capital improvement projects, community crime prevention, parental participation in their children's schools, and citizen involvement in solving with environmental problems.

Representative Participation

In these efforts citizens who are involved on a continuous basis represent the larger body of the citizenry. It is a style of representative participation that fits comfortably with the broader structure of representative government.

This is a necessary approach where the population is too large to assemble in one place, such as in the traditional New England town meeting. It is a valid approach if participants are elected or selected by citizen organizations in such a manner to provide a full cross-section of interests and viewpoints from the affected community.

Furthermore, the work of citizen planning committees feed into policy-making processes in which elected officials are the ultimate decision makers. Their accountability to the electorate provides a safeguard against special interests which may try to take over citizen participation processes.

Benefits and Costs

There are a number of benefits to this approach. By involving persons most affected, problems can be better defined. Citizens often have good ideas for solutions. They can provide feedback on public agency proposals at an early stage when modifications can be made and unsound ideas dropped. The interchange provides opportunities for conflict resolution and

consensus building early in the planning process. By participating in the deliberations on public policies, citizens are more likely to support program implementation and project execution. They are also more likely to undertake their own complementary activities. It is yet another way for achieving continuous, interactive consent of the governed.

There are costs. Decision making may take longer. There are expenses for staff, reports, and meeting facilities. Where public officials give only lip service to the process and ignore citizen views, alienation and distrust may increase.

The way around the time factor is to extend the planning schedule to allow sufficient time for participation. If done properly, widespread citizen support will develop for projects and programs developed in this manner. In contrast, quite a few projects planned without participation are blocked by citizen opposition at a late stage and the whole planning expense is wasted. All around the country are uncompleted interstate highway stubs, testifying

to the waste of planning without citizen input.

Beyond these costs and benefits, citizen involvement in neighborhood planning, budget making, and other decision-making processes serves as a school for democracy. Many persons gain their first opportunity for involvement in public life in their neighborhood organization and other citizen units. They learn the give and take of decision making. They come to realize that democracy is more than voting once or twice a year and making an occasional contact with public officials. They gain very practical lessons in year-round democracy.

Through citizen participation processes new talent develops. Some move on to other civic activities, some run for public office, and others take appointive positions with government. In the last thirty years this has been a particularly important method for leadership development among African Americans, Hispanics, and recent immigrant groups.

Serving as informal schools for democracy, citizen participation

processes train public leaders and prepare them for responsibilities they will undertake in future years.

September 28, 1995

Notes

*i. For more on selection methods and other aspects of neighborhood planning, see William M. Rohe and Lauren G. Gates, *Planning with Neighborhoods* (Chapel Hill: University of North Carolina Press, 1985). Also see*

Budget making - extra

Or, a revenue crunch may offer temptations to use "smoke and mirrors", as they say in Washington, pretending to solve budget difficulties while not really doing so. This leads to displays of hypocrisy: talking big about the need for balanced budgets but never taking the drastic actions necessary to bring it about. The result is deficit spending, especially in the federal government.

If you are one of those who want to keep governmental spending under control, you can choose between two courses of action. The first is to put overall restrictions on taxes and spending and then leave it to public officials to work out details of cutbacks in governmental programs and services. The second course is to participate in the process of determining priorities for public spending, to join in making difficult choices.

During the past 20 years citizens groups and political leaders in a number of states and localities have pursued the first course by pushing

through measures to set ceilings on property taxes. Because most state and local governments are required to balance revenue and operating expenditures, revenue curtailment forces elected officials to decide which programs to cutback or eliminate.

At the national level advocates of reduced federal spending have championed a balanced budget amendment to the U.S. Constitution.

Several times the issue has come to vote in Congress but never gained the two-thirds votes in both houses required for a constitutional amendment.

After failing again in 1995 to enact a balanced budget amendment, the Republican-controlled 104th Congress embarked on the second course of action. House and Senate majorities agreed to a budget resolution containing a seven-year plan to eliminate the annual federal deficit by 2002.

Then congressional committees went to work on details applicable to the fiscal year ending September 30, 1996. President Clinton, who had his own plan to eliminate the annual federal deficit in ten years, vetoed some of

the appropriation bills, but by [when] [outcome - to be completed].

Although the congressional budget process has few formal procedures for public participation, numerous interest groups sought to influence the outcome. The best connected worked from the inside, and others exert whatever pressure they could muster through direct contacts and grassroots mobilization. Altogether it was a significant skirmish in a continuing battle over federal budget choices, a struggle that will recur annually in the years ahead. **GETTING INVOLVED IN BUDGET MAKING**

The heat of debate over the federal budget and the vigor of state and local tax limit campaigns verify the importance of the budget as a focal point of governmental policy making. That being the case, we should ask: where are citizens in the process? The answer is: scarcely involved in most governmental jurisdictions.

Chapter Twenty

Get In On Budget Making From The Beginning

The biggest issue of all in American politics these days is government spending and taxation. This was abundantly clear in November 1995 when a contentious budget dispute between the Republican-dominated Congress and President Clinton's Democratic administration resulted in a shutdown of a big chunk of the federal government for a week. It wasn't a pretty scene, but it was the right arena to sort out profound differences over governmental priorities and alternative visions for American.

That's because the budget is the most consequential policy document adopted on a regular basis by our governments, national, state and local. By allocating resources the budget determines what various public agencies will do in the coming year and who will benefit from their services. By demarcating revenue sources the budget indicates who will pay for services,

capital improvement projects, and other governmental activities.

Budget making isn't an easy process. It forces agonizing choices among competing programs. It pits worthy cause against worthy cause, interest groups against interest groups. Proposals to expand services evoke the specter of tax increases to pay for them. Proposals to lower taxes generate the possibility of cutbacks in popular programs. The process is made more difficult by the contradictory messages we citizens send to our chief executives and legislators: cut taxes but don't touch our favorite programs.

But for all its importance, the budgetary process receives a scant amount of public participation. Most citizens are mere spectators in the annual struggle over federal, state, and local budgets. We assume that budget making is too complicated for us, or we don't know how to gain access to the process. So we defer to our elected representatives and their staffs of technical experts. Moreover, in most jurisdictions public officials are content to handle the budget by themselves. Citizen involvement is quite limited

except where well-organized interests force themselves into the process.

This should change. We citizens need to be thoroughly involved in budget making from beginning to end. After all, it's our money they're spending.

THE BUDGET PATHWAY AND ITS SOJOURNERS

If we citizens are to achieve fuller participation in governmental budget making, we first need to know the budget pathways of our local, state, and national governments. We need to learn who the usual sojourners are. We need to understand where and how we can be part of annual journey. We must and insist that we accompany our public officials all along the budget pathway.

The budgets of most governments in the United States are developed by the office of chief executive, that is, under the direction of the president, governor, county executive or administrator, mayor, city or town manager, superintendent of schools, chief administrator of a special district. The

budget is then presented for consideration and adoption by the legislative body: Congress, state legislature, county commission or council, city and town council, school board, special district commission.

Usually the chief executive is assisted by a budget officer and staff. The budget office seeks requests from operating departments, modifies these requests with guidance from the chief executive, and then produces a comprehensive budget. The chief executive submits the budget to the legislative body and publishes it for public review. The legislative body holds public hearings to take testimony from departmental representatives and citizens and then makes revisions it deems appropriate. If the legislative body is controlled by members of a political party different from the chief executive's party, it sometimes draws up an alternative budget of its own. Legislative modifications or replacement of the executive budget leads to negotiations between the two branches. Then the legislative body adopts the budget.

The president, governors, and many mayors have authority to approve the adopted budget, or to veto it. Most governors are able to veto particular items without disapproving the entire budget.

In this typical process citizens usually don't enter the budget pathway until fairly late. After the budget is published, some citizens and interest groups analyze it, testify at public hearings of the legislative body, and lobby legislators to support certain items or to adopt particular amendments.

Only very sophisticated interest groups are involved earlier by contacting specific departments and asking them to seek funding for a particular service or project in the departmental budget requests. These interests may even carry their advocacy to the chief executive while the budget is still being developed.

In this pattern citizens may be able to affect certain aspects of the budget, but they have very little influence on overall budget priorities. Because most local and state budgets have to balance expenditures and

revenues, it is difficult to make major changes after the budget has been published. An increased expenditure for one item has to be balanced by a decrease elsewhere or by revenue increases. That's hard to accomplish that late in the budgetary process.

But it doesn't have to be that way. We citizens can and should claim a much larger role in budget making. We should be more assertive and force our way onto the budget pathway early in the process. And we should insist upon changes in the budgetary process to achieve citizen involvement all along the pathway.

In practice we should pursue both courses simultaneously: asserting ourselves into the budgetary system as it now exists while seeking transformation to a much more participatory approach.

LOCAL BUDGET MAKING

For most of us, local budget making is most accessible because the budget makers are near at hand. So we can start there in seeking to increase

citizen involvement. But it is also possible, and highly desirable, for citizens to have much larger roles in federal and state budget making, a matter we'll take up later.

Ordinary Local Budget Pathway

Counties, cities, and towns tend to follow the pattern of executive-initiated budget making. The typical local budget pathway has seven stages, as follows:

Stage One: Advanced Preparation

Chief executive and budget office projections

Departmental anticipation

Budget office issues instructions

Stage Two: Departmental Requests

Develop requests

Submit to budget office

Stage Three: Budget Office Review

Review departmental requests

Confer with chief executive

Prepare budget documents

Stage Four: Chief Executive Determination

Make key policy decisions

Prepare budget message

Submit budget to council

Stage Five: Council Adoption

Public hearings

Executive sessions

Adoption

Chief executive approval or veto; possible override

Stage Six: Implementation

Allocations and allotments

Goes into effect

Transfers and amendment

Stage Seven: Audit

If you want to influence a local budget, you should begin by undertaking three preparatory tasks:

(1) Draw a decision pathway of the budgetary process.

(2) Make a calendar showing when the different stages of budget making must be started and completed.

(3) Develop a roster of key participants along the way.

Because the budget must be adopted by the beginning of the next fiscal year, the calendar is especially important. Some of the dates may be established by state law, others by local practice.

With these tools in hand, you can offer your input to the right person at the right time. The earlier you are involved the better. (A booklet listed in references at the end of this chapter presents in-depth discussion of techniques on how to impact typical local budget making.)

Exemplary Local Experience.

While you are working within the framework of the typical local budgetary process, you can also press your local officials to adopt new approaches that provide much fuller citizen participation. There is a solid body of experience in such cities as New York, Dayton, St. Paul, and Portland,

Oregon on how this can be achieved. In these places the city governments actually invite and encourage citizens to participate from the earliest stage as working partners. They even allocate public funds to make this possible.

These exemplary local budgetary process have several common ingredients.

- Citizens have their own organizations to work out priorities and make budget recommendations. Most frequently these are neighborhood associations or district councils of neighborhood representatives, but sometimes citywide organizations and coalitions with a particular focus, such as social welfare, economic development, and environment also get involved.
- These citizen organizations have staff support. This might come from their own staff, consultants they hire, or personnel assigned by a public agency.
- City government has an office designated to receive citizen budgetary

proposals, to transmit them to the budget office and city departments, and to provide feedback to citizens on departmental response. This citizen liaison office sometimes provides technical assistance to citizen associations or allocates funds for their use.

- City departments accept the idea of citizen input early in the budgetary process and work within that framework.
- This process is scheduled over a sufficiently long period to allow time for meaningful citizen involvement to occur.

Participatory Budget-Making

How it works can be illustrated by going through the stages of the budgetary pathway and considering how neighborhood organizations (which are among the major participants) are involved.

Stage One: Advanced Preparation. The neighborhood organization either has a neighborhood plan upon which to base its recommendations or has a system to determine residents' priorities for the upcoming fiscal year.

This might occur through citizen surveys, neighborhood meetings, committee meetings, or a combination. Citizens are doing this at the same time that city departments are engaged in their own advanced preparations.

Stage Two: Departmental Requests. Just before city departments start working out their budget in detail, neighborhood organizations submit their proposals to the city liaison agency, which transmits them to the respective departments. In this manner city departments consider neighborhood proposals simultaneously with proposals from their own bureaus.

Departments inform the citizen liaison office how they respond to neighborhood requests, and that office provides feedback to the neighborhood organizations.

Stage Three: Budget Office Review. The budget office receives departmental and citizen requests, reviews them, and puts them together in a total budget. Similarly a citywide citizen advisory committee or a set of citizen task forces reviews budget requests that have come from departments,

neighborhood organizations, and other citizen organizations. The budget office takes into consideration comments and recommendations from the citizen advisory bodies in making its composite recommendation.

Stage Four: Chief Executive Determination. As the earlier stages have proceeded, the mayor or city manager is kept abreast of citizen recommendations as well as departmental requests and provides guidance to the budget office on how to respond. The chief executive takes into consideration these varied requests in making final decisions on the budget to submit to city council.

Stage Five: Council Adoption. As in other cities, neighborhood organizations and other citizen groups send representatives to council hearings on the budget. But having been intimately involved during earlier stages, this is a less crucial moment for them. They are likely to be supportive of the total budget even though not everything they requested is included. Sometimes, though, they will propose adjustments and upon

occasion will oppose certain elements. City council retains its authority to amend and adopt the budget. In some of the sample cities the mayor has final approval or veto of the budget, subject to override by city council with an extraordinary majority.

Stage Six: Implementation. Citizen organizations are less involved in the implementation stage, but a citywide advisory committee may be consulted about proposed major changes in big ticket items, such as capital improvement projects.

Stage Seven: Audit. Although citizen organizations usually don't get involved in the financial audit project, neighborhood organizations may have an evaluation system of their own to watch over the projects they proposed and to provide feedback for the next budgetary cycle.

In cities providing significant roles for citizens throughout the budgetary process, there is constant interchange between citizens and public officials at all stages. Final decision-making authority remains with the chief executive

and city council, but there is strong citizen input early in the process when it can be truly influential.

The cities cited -- New York, Dayton, St. Paul, and Portland, Oregon -- have 15 to 20 years experience with participatory budget-making. The process in New York is built into the city charter, in St. Paul is local elaboration of a state law, and in the other cities is established by local ordinance. Citizens and local officials elsewhere could benefit from studying this experience and adapting it to their situation.

FEDERAL BUDGETARY PROCESS

In contrast to this exemplary local experience, citizens are mostly shut out of the federal budgetary process the way it now works. But that could change if we insisted on it.

Current Federal Practices

The federal budgetary process starts in summertime about fifteen

months prior to the fiscal year that begins October 1 of the following year.

The Office of Management and Budget (OMB) issues guidelines to federal departments and lays out a schedule for submission of requests.

Departmental proposals go to OMB in the fall. Working under guidance from the president, OMB makes cuts (rarely increases). Cabinet members have the right to appeal to the president but use this right sparingly.

By December the budget is nearly complete. A few leading supporters of the president in Congress may be kept informed on some aspects of the emerging budget, but most members of Congress are in the dark on details. Final adjustments are made in January, including economic projections and decisions on revenue measures. The president submits the budget to Congress toward the end of January or in early February.

If members of the president's party control Congress, they will usually wait for the president's budget and work from it. If the opposition is in control, they are likely to start developing their own version before receiving

the president's budget. This, for instance, was the case with the Republican-controlled 104th Congress in 1995 and 1996.

Each house of Congress has a budget committee. They hold hearings in February and March, inviting witnesses from the administration, some outside economists, a small number of other experts, but hardly anyone from citizen advocacy organizations. In a break with this established pattern, in February 1995 the House Budget Committee under new Republican leadership held hearings at several locales around the country on general budget alternatives, though not on a precise budget proposal. Later, however, the Republicans kept the budgetary process as closed to full participation as had their Democratic predecessors.

By May or June Congress adopts the budget resolution, which establishes spending levels for 18 major functions of government and outlines the revenue package to pay for the budget. Usually the House of Representatives and the Senate pass different versions. The differences are ironed out in a

conference committee and brought back to each chamber for passage. Being an internal document of Congress to provide guidance to authorization and appropriation committees, the budget resolution isn't subject to presidential approval or veto.

Even while the budget resolution is under consideration, authorization committees commence their work. Each committee deals major sets of programs (such as agriculture, labor and human resources, national security). They start holding hearings on what expenditures to authorize for the coming fiscal year. Meanwhile subcommittees of the appropriations committees in each chamber begin hearings on how much money to appropriate. At the same time the House Ways and Means Committee and the Senate Finance Committee start working on revenue measures and "entitlement" programs, such as social security, medicare, welfare, and medicaid.

These committees and subcommittees hear both government and civilian experts, generally with a broader range of witnesses than the budget

committees. But they usually don't bring in many representatives of membership-based, citizen advocacy organizations. Nevertheless, advocacy organizations busily undertake direct lobbying and mount grassroots campaigns to influence decisions of authorization and appropriations committees. Only at this advanced stage is citizen input very strong.

The budget becomes law through passage of 13 appropriate bills, each covering different sets of governmental activities, and a reconciliation bill assuring that all revenue measures, appropriations, and entitlements achieve budgetary objectives. These bills often deal not only with financial matters but also substantive changes in governmental programs, especially the reconciliation bill. The president may approve or veto any or all of these bills. If a bill is vetoed, Congress may override by a two-thirds vote in each house or can modify the bill to meet the president's objections.

This entire process is supposed to be completed by September 30, the day before the new fiscal year begins. But if all appropriation bills and the

reconciliation bill aren't passed by then, Congress has to pass a continuing resolution to keep the government going until all appropriations are enacted.

The budget crisis of 1995 came about because the Republican-controlled Congress was exceptionally tardy passing the appropriate and reconciliation bills. Congress passed a short-term continuing resolution. When it was about to expire, the Republicans use a second continuing resolution as a sledge hammer to force President Clinton to accept Republican budget priorities, which he refused to do. [To be completed after the FY1996 budget is fully adopted.]

Ways to Increase Participation

This breakdown in federal budget making calls for changes in the process, especially substantial increase in citizen participation. This is something we citizens should demand and insist upon.

Part of the solution requires us to be more assertive under the present

system. To influence the federal budget the way the process now works, we can apply the lobbying techniques discussed in Chapter 16 (for Congress) and Chapter 19 (for the Executive Branch). We can seek as early involvement as possible, beginning a year before the fiscal year begins when departments are commencing work on the following year's budget (even before next year's budget has been enacted). We can find out who develops budgets in various departments and offer our views to them. We can contact the Office of Management and Budget, which makes up the budget for the president. Then when the budget goes to Congress, we can follow it step-by-step through the budget resolution, authorization, appropriations, and the reconciliation bill.

This kind of citizen-initiated input can come about through a combination of lobbying organizations based in Washington and grassroots mobilization, activated through legislative alerts. In this manner citizens all around the country can make their views known on particular issues at

crucial moments during the budget process .

Beyond such initiatives by interest groups and individual citizens, we should insist that provision for much greater citizen participation is built into the federal budget process. One way would be to achieve broader public discussion of national priorities of expenditures and taxation and to feed these citizen views into budget formulation. A second way would be to obtain greater citizen input to different parts of the budget during the early stage of budget preparation and continue through subsequent stages on a systematic basis.

Setting national priorities. At this writing (November 1995) our elected political leaders -- the president and members of Congress -- are still trying to agree upon a long-range budgetary plan to eliminate the annual federal deficit. This is not a one-time decision because every year a new budget has to be developed and approved. It's a process in which we citizens need to have a greater role.

What is urgently needed is a thorough-going national dialogue on the federal budget with everything on the table: defense, tax breaks, tax rates, interest payments, social security, agriculture and business subsidies, other entitlements, and every governmental program. Many of these were left off the table by Congress in 1995 in adopting its seven-year deficit reduction plan.

As one means of achieving wider participation in federal budget making, citizen budget forums could be held in every congressional district in the United States. They can use the methodology of issue forums we discussed in the previous chapter.

To be truly effective, citizen budget forums should examine budget choices that include alternatives not considered "political feasible" by conventional wisdom. Here are some examples.

The present military budget is based upon an assumption that the United States might have to fight simultaneously two regional wars without

allies: one in the Korean peninsula, the other in the Middle East. Respectable organizations, such as the Committee for National Security, the Center for Defense Information, and the Federation of American Scientists, have questioned this assumption and have developed budgetary proposals with substantial reductions in defense spending for the post-Cold War era. A variety of citizen advocacy organizations and peace/justice offices of a number of religious organizations also favor military cutbacks. The alternatives they propose should be seriously considered.

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off table. Congress, the president, and even a special bipartisan commission haven't been able to develop acceptable limits to these high-cost items.

Citizen budget forums could come to grips with these significant expenditures in the federal budget and offer recommendations.

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And so should every single program in the federal budget. Nothing should be left off the table.

These citizen budget forums should be ongoing enterprises, not merely one-shot affairs. Perhaps some national organizations could agree on an

agenda through which different topics would be taken up in successive months. They could prepare and publish nonpartisan background material on a range of budget choices. To reach a widespread audience such material could be distributed through supplements in daily and weekly newspapers and in special tabloids sold at supermarkets and drug stores. Public and commercial television could put on programs with discussion of the issues by experts and representatives of interest groups.

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Well-informed citizens can seek what is best for the nation as a whole.

Annual participation. In addition to citizen budget forums dealing with broad national priorities, citizens should have ample opportunities to be heard each year during preparation of the president's budget and later as Congress

takes up the federal budget.

Thus, in September and October when the departments are working on their budgets, the cabinet secretaries could hold public hearings so that a cross-section of interests and the general public could offer recommendations for the departmental budget. Regional and area directors of various departments could conduct similar hearings around the country. The president could also hold several public hearings that focus on overall budgetary issues, such as deficit reduction and taxation. Witnesses before the president could include representatives of state and local government, business, labor, consumers, social welfare, environmentalists, religious organizations, and other broad interests.

At these executive budget hearings the president, cabinet secretaries, and regional and area directors could ask all witnesses to respond to three questions:

- What expenditures do you want included in the budget?

- *If you recommend increased spending, what expenditure reductions elsewhere in the budget will you publicly support?*
- *What revenue measures will you publicly support to get the federal deficit under control?*

This approach would not only provide citizen input early in the federal budgetary process, but it would also encourage persons representing various interests to broaden their horizon and look at the total picture. It would seek to develop support for difficult measures needed to achieve deficit reduction.

The congressional budget committees, when their turn comes, should hear from a broader range of witnesses than they do now. This can be accomplished not only through conventional hearings in Washington but also by satellite television linkage with witnesses situated in other locales around the nation. All witnesses could be asked the three key questions: what expenditures do you propose, what expenditure reductions and revenue

increase do you favor to pay for it? Citizens could be asked not only to make recommendations on expenditure cuts and revenue measures, but also to pledge to support these measures, no matter how unpopular. Computer networks could also be used to obtain more citizen input.

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OTHER JURISDICTIONS

Our discussion has dealt primarily with budget making in local and national government. Citizens also need to pay heed to the budgetary processes of other governmental jurisdictions.

State Budget Making

In scale state governments stand between federal and local government. In budgetary practices they are more like federal than local. The state budget office pulls together requests from state agencies and under the governor's guidance prepares the annual state budget. The governor

presents the budget to the legislature where it goes to committees in both houses. [more to be written]

State governments could embark upon their own processes for early and continuing citizen involvement in budget making. Citizen budget forums could function around each state. Governors, department heads, and district directors could hold hearings well in advance of finalization of the governor's budget. State legislative committees could hear from a wider range of witnesses than they do now. They could use television linkage to hear from witnesses scattered around the state and could conduct field hearings. They could use computer networks.

School Districts

To be written.

Special Districts

To be written

Because many crucial public policy decisions are made in the course of developing federal, state, and local budgets, it is highly important that citizens be involved in the early stages of budget making. Although executive budget makers and legislators might find this an intrusion into what they have considered their exclusive domain, it would bring much greater democratic participation into this highly important process of governmental decision making. Most likely it would result in superior budget decisions and would gain greater public acceptance of tough budget choices.

REFERENCES

For ideas on how to exert influence in typical local budget making, obtain

Citizen Involvement in the Local Budget Process from

*Center for Community Change
1000 Wisconsin Avenue, NW
Washington, DC 20007.*

For information on how to conduct budget forums, contact

*Committee for a Responsible Federal Budget
220½ E Street, NE
Washington, DC 20002*

For information on how to conduct issue forums, contact

*Kettering Foundation
200 Common Road
Dayton, Ohio 45459.*

January 22, 1996

Excerpt from
Chapter 20. Get In On Budget Making from the Beginning

from a book in preparation
PARTICIPATE! PARTICIPATE! PARTICIPATE!
21 Ways to Revitalize American Democracy

by Howard W. Hallman

Ways to Increase Participation

This breakdown in federal budget making calls for changes in the process, especially substantial increase in citizen participation. This is something we citizens should demand and insist upon.

Part of the solution requires us to be more assertive under the present system. To influence the federal budget the way the process now works, we can apply the lobbying techniques discussed in Chapter 16 (for Congress) and Chapter 19 (for the Executive Branch). We can seek as early involvement as possible, beginning a year before the fiscal year begins when departments are commencing work on the following year's budget (even before next year's budget has been enacted). We can find out who develops budgets in various departments and offer our views to them. We can contact the Office of Management and Budget, which makes up the budget for the president. Then when the budget goes to Congress, we can follow it step-by-step through the budget resolution, authorization, appropriations, and the reconciliation bill.

This kind of citizen-initiated input can come about through a

combination of lobbying organizations based in Washington and grassroots mobilization, activated through legislative alerts. In this manner citizens all around the country can make their views known on particular issues at crucial moments during the budget process .

Beyond such initiatives by interest groups and individual citizens, we should insist that provision for much greater citizen participation is built into the federal budget process. One way would be to achieve broader public discussion of national priorities of expenditures and taxation and to feed these citizen views into budget formulation. A second way would be to obtain greater citizen input to different parts of the budget during the early stage of budget preparation and continue through subsequent stages on a systematic basis.

Setting national priorities. At this writing (November 1995) our elected political leaders -- the president and members of Congress -- are still trying to agree upon a long-range budgetary plan to eliminate the annual federal deficit. This is not a one-time decision because every year a new budget has to be developed and approved. It's a process in which we citizens need to have a greater role.

What is urgently needed is a thorough-going national dialogue on the federal budget with everything on the table: defense, tax breaks, tax rates, interest payments, social security, agriculture and business subsidies, other entitlements, and every governmental program. Many of these were left off the table by Congress in 1995 in adopting its seven-year deficit reduction plan.

As one means of achieving wider participation in federal budget making, citizen budget forums could be held in every congressional district in the

United States. They can use the methodology of issue forums we discussed in the previous chapter.

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November 27, 1995

6508 Wilmett Road
Bethesda, MD 20817

Mon-Thurs: 301 694-2859; Fri-Sat: 301 897-3668
620-0232

Fax: 301

Chapter Twenty Four

Renew Our Pledge

We are nearing the end of our quest to discover ways we can revitalize American democracy. We started by restating our belief in government, our servant, instituted to achieve the basic ideals expressed in the Declaration of Independence and organized to carry out the essential purposes summarized in the Preamble to the U.S. Constitution. We examined how consent of the governed is a continuous, interactive process which requires millions of citizens to be engaged all year round. We explored the many, many ways we can participate in elections and in governance.

Now it is time to rededicate ourselves to the fundamentals of American democracy, derived from these founding documents, and to commit ourselves to fulfill our citizenship responsibilities. Such a commitment is contained in our "Pledge of Allegiance".

First written in 1892 and expanded in 1923-24 and 1954, the "Pledge" in its deepest meaning affirms basic American principles. As a statement of patriotism, it expresses a genuine love of country without threatening harm to other nations. Reflect on the words.

I pledge allegiance to the flag of the United States of America

Flags have long been flown by nations and city-states, kings and emperors, fiefdoms and warrior tribes. The flag serves as a symbol, a visual representation of the nation or kingdom. Led into battle, it becomes a rallying point for combatants. Wrapped around the casket of a deceased soldier or political leader, it shows honor and respect. Carried in parades and displayed in public places, it evokes devotion and loyalty.

The flag's importance, though, is not in its design, its color, the material of which it is made, not even in the manner of display, but rather in what it symbolizes. We pledge our allegiance not to a piece of cloth but rather to the nation, to the United States of America.

Almost too easily we say "United States", virtually as one word. But if we enter our historical memory, we recall the struggle for unity among the American colonies. It gained expression first in the two Continental Congresses, then in the weak Confederation of States, until finally the Federal Union was established under the U.S. Constitution. Individual states chose freely to unite but to retain their own identity.

"We the people", as the Preamble indicates, are sovereign. For this nation spanning a continent and beyond, we have decided to have different extensions of government -- national, state, and local -- to serve our needs. These various governments are our agents, our trustees, indeed our servants.

The same Continental Congress that adopted the Declaration of Independence appointed a committee to design a seal to be a symbol of national unity. And what a committee! Its members were Benjamin Franklin, John Adams, and Thomas Jefferson. As a national motto for the Great Seal, they chose a Latin phrase, "E pluribus unum". "Out of many, one".

The "many" still existed, but they were united. The United States of America. Emphasize "united".

But unity hasn't been easy. We remember the decades-long struggle to keep the Union whole. We call to mind the agonizing debate over whether one nation could be half-slave, half-free, and the wrenching, bloody Civil War. We recall the Reconstruction era when national supremacy asserted itself in the South, then was replaced by a robust states-rights movement that resisted application of the U.S. constitution's protection of human rights. Fresh in our memory is the civil rights movement of the 1950s and '60s that culminated in assertion of federal authority over state laws on voting rights, access to public accommodations, and other basic rights.

Today tension between the national government, the states, and local governments is contained with bonds of fundamental unity that permits peaceful resolution. This is the United States to which we pledge our allegiance.

and to the Republic for which it stands

*In *The Federalist* James Madison defined a republic as "a government which derives all its powers directly or indirectly from the great body of the people."ⁱ In other words, with the "consent of the governed." Today we refer to this as representative democracy.*

Throughout this book we have seen how consent is a continuous, interactive process. It goes on all year long in myriad ways: through election campaigns, lobbying legislative bodies, and involvement in executive decision making.

In pledging our allegiance to representative democracy, we citizens are making a commitment to vote and to participate year-round in other ways. Public officials who make this pledge are making a commitment to respect the will of the people and to carry out the responsibilities of office in a trustworthy manner. The non-voter and the derelict official are violating their pledge.

one Nation

We are one nation. Not two nations, one black and one white. Not two nations, one rich and one poor. Not two nations, one Democrat and one Republican. Not several nations, Protestant, Catholic, Jewish, Muslim, agnostic.

To be sure, we are a diverse people. We fill numerous occupations, proudly claim many ethnic backgrounds, worship in different ways, have varied life styles, and have wide variation of consumer preferences. We have disagreements on political and social issues. Indeed, those who push for uniformity of opinion and conformity to a single norm don't understand the true nature of American life.

We honor our diversity. But within this diversity, we are committed to being one nation that assures freedom for everyone and is respectful of individual and group differences.

under God

The U.S. Constitution guarantees freedom of religious belief and worship. It prohibits establishment of an official religion. This freedom allows us to describe God in our own manner and even to deny that God exists. (God's existence, though, is not dependent upon our belief or creedal formulation.)

Within this scope of religious freedom, we acknowledge in the pledge of allegiance that our nation is under God's domain. This is true for all humankind and for all nations, whether or not they admit it. There is one Eternal God for the whole Universe.

We are all equally endowed by the Creator God with inalienable rights of life, liberty, and the pursuit of happiness. So states the Declaration of Independence. Americans who deny the rights of others are breaking their pledge to "one Nation under God".

indivisible

Again we affirm our fundamental unity, asserting that our nation cannot be split asunder. This does not disavow our diversity, nor thus it

nullify the federal principle through which national, state, and local governments all have important roles to play. Rather it asserts that we will not allow our diversity to tear us apart.

To remain indivisible, we continuously seek to enhance our sense of community as a nation. We strive for a "we feeling" that comes from shared ideals and aspiration and is achieved by working together for common objectives. It provides a national sense of purpose that respects individual differences and finds a place for them in common endeavors.

Stated another way, we make a commitment to wholeness. The whole is composed of many parts. When one part is ailing or disabled, the whole is weakened. Retaining our indivisibility requires us to strengthen the weak elements of our society, to remedy deficiencies that prevent us from achieving wholeness.

with liberty and justice for all

Our "Pledge of Allegiance" commits us to seek both liberty and justice for

everyone. It is well that they are paired. As both air and water are essential for human life so also both liberty and justice are essential for a flourishing democracy.

Too often, though, political partisans emphasize one and slight the other. Thus, there is a tendency for liberals to stress a concern for justice and civil liberties but to show little concern for an overbearing, centralized government. In contrast, conservatives seek freedom from governmental control, especially over the economy, but have less interest in civil liberties and the role of government in achieving social justice. Libertarians want government to refrain from interfering with individual conduct and to take a laissez faire approach to business, even though injustice may result.

Although liberty and justice are inseparable in authentic application, for discussion purposes we can consider them one at a time.

For America's founders living under the restrictions of British rule, liberty was so precious that Patrick Henry could proclaim, "give me liberty or

give me death!" The Declaration of Independence specified liberty as one of the three inalienable rights. The Preamble of the U.S. Constitution stated that one of six fundamental purposes was to "secure the Blessings of Liberty to ourselves and our Posterity."

The original Constitution contained varied provisions to protect our liberty. For instance, the Constitution prohibits a religious test for office, assures the writ of habeas corpus and trial by jury, and prohibits ex post facto laws. Experience had taught the framers that such basic rights should be built into the fundamental law of the land.

Quickly the first ten Amendments added other basic rights. The First Amendment guarantees free exercise of religion, freedom of speech and of the press, the right of the people peaceably to assemble, and to petition the government for redress of grievances. Through numerous rulings the U.S. Supreme Court has firmly upheld the right to express unpopular opinions. The Court has protected a wide latitude of religious beliefs and practices,

including the right of school children to refuse to salute the flag on religious grounds. Thus, when we say the "Pledge of Allegiance" with "liberty for all", we are upholding the right of free speech, including protest activities and other expressions of dissent.

The Fourth Amendment protects us from unreasonable searches and seizures. The Fifth Amendment provides protection against self-incrimination and double jeopardy for the same offense, and it protects all persons from deprivation of life, liberty, or property without due process of the law. The Sixth Amendment establishes the right of a speedy and public trial by an impartial jury in criminal cases, the defendant's right to confront witnesses against him or her and the right to have assistance of counsel in defense. The Eighth Amendment prohibits excessive bail and fines and cruel and unusual punishments. The Fourteenth Amendment, adopted after the Civil War, applies the due process clause to the states.

This is the bundle of liberties we commit ourselves to in the "Pledge of

Allegiance". When we worry that alleged criminals and other persons we don't like might be taking advantage of these constitutional rights, we should remember that their rights are encompassed in our pledge of "liberty for all".

Likewise in the "Pledge of Allegiance" we make a commitment to justice for all. In doing so we can remember that to "establish Justice" is another one of the six fundamental purposes specified in the Preamble of the Constitution. One of the Federalist essays written to explain and defend the new Constitution affirmed, "Justice is the end of government. It is the end of civil society."ⁱⁱⁱ

Holding this belief, the framers gave considerable attention to constitutional provisions assuring a system of legal justice. They created an independent judiciary. Many of the basic rights enumerated in the Constitution and its Amendments relate to the judicial system. It is no wonder that the portico of the Supreme Court of the United States displays the motto, "Equal Justice Under Law."

Justice also has social and economic dimensions. The Declaration of Independence places "life" as the first of three inalienable rights that government is founded to secure. To "promote the general Welfare" is yet another basic purpose of government specified in the Constitution's Preamble.

Instructed by these fundamental principles, we use our governments to be instruments for remedying social injustices, for assuring that all people have adequate food, shelter, and medical care. We use the taxing powers of government to achieve a degree of redistribution of wealth by basing taxes on the ability to pay and by directing services to persons and communities in greatest need. We reaffirm this commitment each time we pledge to support "justice for all."

So we see, the "Pledge of Allegiance" is very people oriented. It promises "liberty and justice for all". It insists that we are one people indivisible. As a Republic, we the people give our consent to those who

represent us in running the government, but we continuously interact with them to influence various policy-making processes. Being "one Nation under God", we acknowledge that God reigns over all of us.

Knowing that God is the Lord of the Universe, we realize that God reigns over other nations as well. From this knowledge it is a natural step for us to assert that "liberty and justice for all" is an aspiration of all humankind. The quest for vital democracy is global in scope.

Thus, we can extend our love of native land to love for all of Earth and its people. As common inhabitants of this planet, we share a common destiny. Rather than rallying around the flag to war against other Earth dwellers, we can perceive of our flag as a symbol of our commitment to global unity, indivisibility, liberty and justice for everyone on our planet. We can sing:

This is my song, O God of all the nations,
a song of peace for lands afar and mine.
This is my home, the country where my heart is;
here are my hopes, my dreams, my holy shrine;

*but other hearts in other lands are beating
with hopes and dreams as true and high as mine.*

*My country's skies are bluer than the oceans,
and sunlight beams on cloverleaf and pine;
but other lands have sunlight too, and clover,
and skies are everywhere as blue as mine.
O hear my song, thou God of all the nations,
a song of peace for their land and for mine.ⁱⁱⁱ*

August 12, 1995

Notes

i. *The Federalist, No. 39.* New York: The Modern Library, 1937. pp. 243-4.

ii. *The Federalist, No. 50.* p. 340

iii. Lloyd Stone, 1934.