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The Average Citizen's Failing Representation in Washington

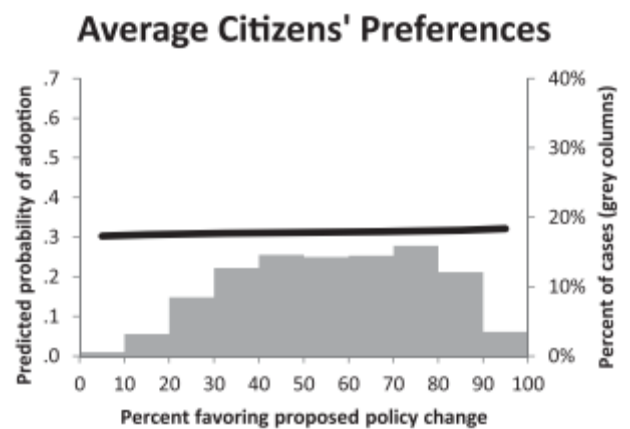
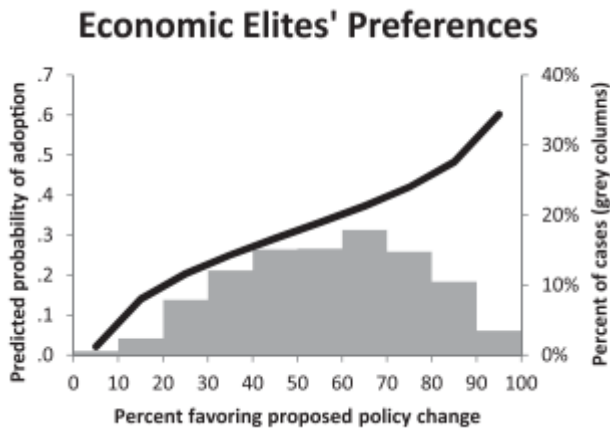
In the 2012 Arizona primary, the most populated county in Arizona had 200 polling places open for its turnout of 200,000 voters. In 2016, 60 were open for 800,000 voters.¹ Of the districts that were denied a polling place, many of them were poor and predominantly Latino neighborhoods.² Before even 1% of the vote was officially counted on Election Day, the Associated Press announced Hillary Clinton the winner of the Arizona primary, discouraging anyone still waiting in line at the polls from voting.³ Examples of voter suppression in Democratic and Republican elections alike don't stop in Maricopa County, Arizona. Gerrymandering has become a common practice among Republican states suppressing liberal minorities; the House of Representatives are 33 representatives more Republican than Democrat, but Democrats had 1.4 million more votes from the people than Republicans.⁴

What has happened to American democracy? Why does the government so blatantly suppress, disregard, and disrespect the popular vote that it's designed to serve? In the preamble to the United States' constitution, the goals of the constitution and American democracy are clearly outlined with six points, a critical point being "to promote the general Welfare."⁵ This is a goal in any democracy: represent the peoples' general wills, either through elected officials, elected laws, or a combination of both. Voter suppression displays the extent to which this general will has become insignificant to the federal government. In the United States' modern democracy, an increasingly obvious trend has surfaced that this general will is no longer being represented by the behavior of the federal government, which is supported by over-competitive elections and corruption.

This trend is proved by a recent Princeton study, explaining that, regardless of the average citizens' preference for adoption, there is a 30% chance that any proposed policy in Congress will be passed.⁶ Meaning, if 70% of average citizens would support a bill proposed in Congress, there is a 30% chance of the legislation being passed; if 0% would support it, there is still a 30% chance that Congress will pass it. The laws passed by the body that is supposed to represent the American people simply don't represent the American people. However, the study does show that other interests are being represented: the interests of economic elites. Figure 1 and 2 show the stark contrast between the lack of representation of regular citizens – the flat trend-curve in figure 2 – and the presence of representation of economic elites – the positively correlated trend-curve in figure 1.⁷ The fact that economic elites' interests are being represented – and not the average citizens' – is indicative of the corruption of the American federal system.

Figure 1

Figure 2



Each black trend curve shows the predicted probability of adoption, while the gray columns show the tallied cases of different policies' favorability in percent. Note the lack of correlation of policy adoption to its favorability by the average citizen.

The average citizens' trust in government has dropped significantly over time, also proving this lack of representation. In 1958, 73% of Americans said that they could trust the government to do what is right "all or most of the time."⁸ In 2015, this number has dropped to 19%.⁹ This drop in voter trust and the real lack of representation in government can be attributed to many phenomena occurring in the federal system, including corruption and poorly held elections. The issue of failed representation is tremendous in scope and has many facets, but legislation has been proposed that can approach the issue from many sides and solve the problem altogether. This legislation has inherent risks – such as the potential of loopholes and riders in the act manipulated by corrupt officials – which can be alleviated by decentralizing spending powers from federal to state levels.

Structural Issues with Elections: Strategy and Superdelegates

Of the problems associated with voter representation, one of the most significant is the use of superdelegates in the Democratic Presidential nomination election.¹⁰ In order to win the nomination, a candidate must win a majority of delegates; of the total amount of delegates to be won, 85% represent the popular vote, and 15% are represented by individuals who are closely affiliated to the Democratic National Convention: superdelegates.¹¹ Thus, even if a democratic candidate has only 35% of the public's vote in regular delegates, he or she may still be nominated as the Democratic presidential candidate due to the 15% of superdelegates that he or she may be pledged. This system of superdelegates was instated in the Democratic Party after Governor George McGovern won the Democratic popular vote for nomination and lost the general election in a landslide to Richard Nixon.¹² After this loss, the Democratic Party decided to use superdelegates to strategically pick a nominee that could compete against Republicans in the general election.¹³ This "strategizing" is the same animal that Republican Richard Nixon

employed during the Watergate scandal, that current campaign managers employ to help candidates equivocate important questions. It curbs the primary goal of elections – choosing the most qualified and represented candidate – and focuses on raw competition between organizations. The elected government has lost sight of its people’s interests, which is why only 19% of Americans believe it’s capable of “doing the right thing.”¹³

Corruption and the Revolving Door: a Case-Study of the FDA

Problems in the election process affecting the general will’s representation are generally overshadowed by the issues of corruption; as stated above, Congress votes according to economic elites’ approval of issues, not the average American’s. One of the most easily spotted examples of corruption in the executive branch is the corruption of the Food and Drug Administration (FDA). Over the past 30 years, 90% of drugs that the FDA has approved were not appreciably effective than drugs already on the market, and 1 in 5 of all approved drugs resulted in serious harm to their users.¹⁴ The FDA receives much of its funding from corporate sources, making it vulnerable to the industry’s influence.¹⁵ The pharmaceutical industry is developing ineffective and harmful drugs, and the FDA is approving them because it wants continued support from the industry. As a result, thousands of people die each year from the use of poorly approved prescription drugs.¹⁶

The FDA’s corruption doesn’t stop at the pharmaceutical industry, however; one of its favorite members of industry is Monsanto, an “agrochemical company.”¹⁷ In 1994, the FDA approved a drug for cattle invented by Monsanto – rBGH – that was rejected in both Europe and Canada.¹⁸ The drug’s labelling guidelines were approved by the FDA’s commissioner for policy and former Monsanto lawyer Michael Taylor.¹⁹ These labelling guidelines forced companies

who were not using the cattle drug to include, somewhere on their products, that there is no difference between products with rBGH and products without rBGH.²⁰ Companies that refused to pay for Monsanto's cattle drug due to its potential harm to consumers were not only barred from advertising their products' relative safety, but were also forced to change their labels and advertise a possible lie in favor of Monsanto. The FDA's purpose is to regulate the food and drug industry to favor of the average citizen, not its most involved corporation. In this sense, the corrupt FDA and many other agencies like it have completely lost sight of the average American's interests. Taylor's conjunctive involvement in both Monsanto and the FDA is not a unique case in the government, and corruption of its kind has been coined as "the revolving door."

Taylor's conflict-of-interest in Monsanto and the FDA is a prime example of the revolving door, which is a concept that is growing in prevalence as corruption grows in the United States' political realm. The revolving door refers to the continued employment of individuals as lobbyists or federal officials in an interested industry, or, in the case of Michael Taylor, the continued employment of interested industry-professionals in a government agency.²¹ Government agencies hire ex-professionals from large corporations to gain financial support from these businesses, letting industry manipulate policy-making. Industries hire government professionals to gain inside information of the government. In this sense, jobs and political positions are used as bargaining chips, and agencies like the FDA are corrupted from their purpose of serving the public to instead serving industry.

The list of professionals that have worked at both a federal agency and Monsanto is shockingly long, and illustrates the true prevalence of the revolving door in American politics; there are 11 different cases and counting of people being professionally involved in both the

Monsanto Corporation and a federal agency.²² Furthermore, Monsanto is only a case-study – lists of the revolving door-professionals involved in departments of the federal branch extend into the thousands of professionals.²³ Some of these professionals are simply and innocently using their networks they established during their careers in industry, but many, as shown through Monsanto, are more interested than simply another a job.

Corruption of Federal Elections: Super PACs and Corporate-Run Elections

The problem that best culminates both the issues with elections and the issues of corruption is the problem of campaign-finance. After the Supreme Court’s ruling on *Citizens United vs Federal Elections Commission* in 2010, companies and organizations were able to fund private election campaigns in favor of a certain candidate without limits on donations to organizations known as “super-PACs”.²⁴ The names of donors must be released by these super-PACs – but only after six months, allowing exorbitant and suspiciously corrupt donations from corporations to remain anonymous until after Election Day.²⁵ Since 2010, super-PACs continued to play a critical role in major elections. In the current 2016 election, of which the general election hasn’t even begun, super-PACs have raised more than \$612 million for presidential candidates.²⁶ America’s economic elites, who are really being represented by politicians, accounted for over half of these donations.²⁷

With so much money in political campaigns, it’s almost impossible for politicians to remain pure in representing their voter’s interests. Those that don’t accept donations and influence from super-PACs and other discrete campaign donations simply can’t compete with politicians that do, and they’re voted out of Congress as their names are relatively less-advertised. Political activist Larry Lessig explains that super-PACs have “produced a Congress

that's not sufficiently sensitive to what the rest of us think because they are so over-sensitive to what the [economic elites] think".²⁸ In the first quarter of 2011, while America was in the midst of two wars, experiencing extremely high rates of unemployment, and facing a government shutdown, Congress spent the most amount of time on the issue of interchange fees – whether or not a bank can charge more for debit-card swipes at a retail establishment, or if the retailer gets to pay less.²⁹ The details of interchange fees won't be explored further in this paper because they don't affect anyone reading this – unless, of course, a CEO from a large bank or retailer is reading this paper, and not a regular citizen. The fact that interchange fee-controversy was the primary issue Congress addressed in 2011, rather than any of these other pressing issues, shows Congress's true allegiance to big business and not the American people.

A Solution to Corruption: the Anti-Corruption Act and Decentralization

Fortunately, legislation that addresses all of the issues due to corruption and elections has been crafted and is currently being lobbied towards all levels of American government – not only the federal level, but state and municipal levels as well. This piece of legislation is called the “The American Anti-Corruption Act” (AACA) and was written by a team of constitutional attorneys to ensure its legitimacy in American government.³⁰ The AACA addresses the concerns of super-PACs by placing a limit on each donation to a super-PAC, which many other campaign-finance organizations (such as regular PACs) must already follow.³¹ The AACA also places barriers on professionals engaged in the revolving door. Under the AACA, government officials will not be able to seek employment until they officially leave office; further, partaking in any lobbying activity or profession by these officials will be illegal for several years.³² The AACA creates a better avenue for voter participation as well. It allocates a \$100 tax credit to each citizen to be donated to the candidate of his or her choice.³³ With voters more involved in the election

process and politicians more accountable to their respective voting citizens rather than their donating corporations, voter suppression will be more detectable by the average citizen and the outrage following blatant suppression of citizens' interests will be stronger. Measures will be taken to stop unfair practices like those seen in Maricopa County, and the voting establishment in America will be ultimately improved to represent the people's interests.

The AACA approaches many facets of American corruption, and is almost an ideal solution. However, the problem with the AACA is not in its composition, but in its identity. It is a law, and, like all laws presented in Congress, it is susceptible to edits made by corrupt politicians, compromising the integrity and effectiveness of the act. These edits may create loopholes in the act for certain corporations to donate unlimited amounts to campaigns through avenues other than super-PACs, or make exceptions for some agencies to engage in the revolving door. These corrupt edits are natural and almost inevitable with an act in Congress, but, with the stipulations outlined above, the act can do no more harm than good. At the least, with a \$100 tax credit for citizens, Americans will be more involved with their political system and less indifferent towards its corruption.

If further measures were to be taken to alleviate the risks of polluting the AACA with corruption, the best and most secure way of doing so would be to devolve some responsibilities of agencies like the FDA from the federal government to the states. Giving the already corrupt federal government less responsibility would put less of America's capital at risk to corruption. Furthermore, state governments are not as easily corrupted as the federal government because a state population's interests are clearer and more homogenous than the nation's population's divided interests. This is due to their smaller size and more localized forms of accountability; diverging from the public's interests will be more obvious to a smaller, united population, and

stopping corruption through the election of easily-known and local officials with integrity will therefore be facile. After passing the AACA on both federal and state levels, it would therefore be prudent to devolve some of the federal government's power to the more accountable state governments.

Conclusion: Take Action and Vote

In the American federal government, the representation of the American people has been trumped by the interests of the economic elite, and elections have been shaped to favor a polluted institution more powerful than the popular vote. American government, designed by the founders to be fueled by ambition, has used this same fuel to overthrow the representative population designed to keep government in check. Now, action must be taken by its people to re-gain these checks and keep their rampant government under control. The AACA has been passed only in some municipalities, but through the lobbying of politicians in office and the election of officials that approve this act, it can be passed on state levels and, eventually, the federal level.³⁴ Furthermore, decentralization is a primary factor of many current politicians' philosophies, represented in both parties by members of the Republican Liberty Caucus and the Democratic Freedom Caucus.^{35,36} While many politicians involved in these caucuses may not represent the reader's personal views completely, it's important to note the redeeming qualities a philosophy of decentralization can have in a politician. As votes are continued to be suppressed and representation disregarded, it's critical that the American public use its remaining avenues of power to fight for their liberty. If they cannot win this battle for representation, then the Great Experiment of America will be over, and an aristocracy, oligarchy, or even monarchy may take its place.

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