

LEE DRUTMAN

POLITICAL DYNAMISM

A New Approach to Making
Government Work Again

FEBRUARY 2016

About The Author



Lee Drutman is a senior fellow in the program on political reform at New America. He is the author of *The Business of America is Lobbying* [Oxford University Press, March 2015]. He also writes regularly for Polyarchy, a Vox blog. An expert on lobbying, influence, and money in politics, he has been quoted and/or cited in The New York Times, The Washington Post, The Economist, Slate, Mother Jones, Politico, and many other publications, and on Morning Edition, All Things Considered, Planet Money, This American Life, Marketplace, Washington Journal, and The Colbert Report, among other programs.

Drutman also teaches in the Center for Advanced Governmental Studies at The John Hopkins University. Prior to coming to New America, Drutman was a senior fellow at the Sunlight Foundation. He has also worked in the U.S. Senate and at the Brookings Institution. He holds a Ph.D. in political science from the University of California, Berkeley and a B.A. from Brown University.

Acknowledgements

Thanks to Heather Hurlburt, Konstantin Kakaes, Michael Lind, Annalise Nelson, Chayenne Polimedio, Mark Schmitt, Dane Stangler, Steven Teles, Levi Tillemann, and Philip Wallach for very helpful conversations and comments on this paper. Funding for this work was provided for by the Ewing Marion Kauffman Foundation.

About New America

New America is committed to renewing American politics, prosperity, and purpose in the Digital Age. We generate big ideas, bridge the gap between technology and policy, and curate broad public conversation. We combine the best of a policy research institute, technology laboratory, public forum, media platform, and a venture capital fund for ideas. We are a distinctive community of thinkers, writers, researchers, technologists, and community activists who believe deeply in the possibility of American renewal.

Find out more at newamerica.org/our-story.

About the Political Reform Program

On every dimension – elections, legislation, and in the states as well as in Washington – government increasingly fails to play its role in finding pragmatic solutions to known problems. Democracy is pulled and paralyzed by money, partisanship, and by the culture of the permanent campaign. Our institutions are not up to the challenge. The political reform program of New America seeks to develop new strategies and innovations to repair the dysfunction of government, restore trust, and rebuild the promise of American democracy.

Find out more at newamerica.org/political-reform.

Contents

Summary	2
Introduction	3
The Reform Agenda	17
Congressional Elections	17
Interest Groups	26
Congressional Staffing	31
Congressional Organization	35
On Political Feasibility and Prioritization	39
Conclusion	41
Notes	43

SUMMARY

Our current political system is increasingly described as broken and dysfunctional. Our governing institutions are widely derided and distrusted. Economic inequality continues to rise, and economic dynamism continues to decline. A growing number of citizens are angrily convinced that the system does not work for them. And they are not mistaken: Economic winners have used the political system to protect and expand their advantages, creating an economy in which the gains are distributed increasingly unequally.

To solve these problems, political reform is necessary. Yet at the very moment that our political system needs reform the most, reform thinking has been stuck in impractical utopianism that glosses over or simply denies fundamental realities of politics.

The reform vision is often alluringly simple. In the campaign material of Bernie Sanders, it is “Returning to a government of, by, and for the people – not the billionaires and giant corporations.” In the telling of Ted Cruz, it is breaking up “The Washington cartel” – the unholy “alliance of career politicians in Washington, in both parties, and the lobbyists in this town.”

While such straightforward populism speaks to the growing angers and anxieties, it has little to offer as a workable roadmap. Too often, reform visions treat politicians and organized groups (aka, “special

interests”) as irredeemably venal and corrupt while simultaneously viewing governance as something perfectible and politics as something solvable -- if only it could be taken away from the politicians and the special interests. The vision usually amounts to constraining political behavior through tight rules, or by circumventing politicians and organized groups entirely through some pure form of direct democracy and common sense wisdom. The implicit assumption is that absent malign influences, consensus would magically flourish (it won’t). The wishful faith in “The People” ignores the crucial ways that both interest groups and politicians are actually necessary for citizens to meaningfully organize and effectively realize their interests.

At the very moment that our political system needs reform the most, reform thinking has been stuck in impractical utopianism that glosses over or simply denies fundamental realities of politics.

The appropriate question is not how to constrain politicians and interests to take the politics out of politics. The appropriate question is how to empower politicians to act as policy entrepreneurs, putting forward new and innovative ideas to improve the general welfare, and how to bring

citizens into the process in ways that strengthen, rather than undermine, their collective capacity.

The answer, in short, is more politics: a political system that is fluid and competitive; a system that leverages diversity and creates opportunity for experimentation and change; a political system that expands, not limits, the combinatorial possibilities of political innovation and deal-making; a political system that helps citizens to aggregate and realize

their interests in the most efficacious ways, rather than simultaneously expecting them to be super-engaged and expert while giving them few meaningful choices.

I call this approach political dynamism. This paper makes the case for political dynamism as an affirmative vision of politics, and lays out specific reforms that would create the conditions for it.

INTRODUCTION

Our current political system is increasingly described as broken and dysfunctional. Our governing institutions are widely derided and distrusted. Economic inequality continues to rise, and economic dynamism continues to decline. A growing number of citizens are angrily convinced that the system does not work for them. And they are not mistaken: Economic winners have used the political system to protect and expand their advantages, creating an economy in which the gains are distributed increasingly unequally.

Ideas, innovation, and entrepreneurship are the lifeblood of healthy politics and healthy economies. Political-economic systems that enjoy long-run stability are those that create opportunity and space for new ideas to reliably challenge old ideas, for new sources of power to replace old sources of power with enough frequency to keep the overall system responsive to an always-changing environment.

Yet in the current political economy, it is too easy for

existing sources of power to shut out challengers, both in politics and economics. Competition has declined; barriers to entry have increased. The result is increasing political-economic stagnation, which preserves and deepens a status quo that allows a small fraction of economic winners to continue to gain at the advantage of the majority of citizens.

The core premise of this paper is that to break out of the current stagnancy, individual politicians have to be empowered to be policy entrepreneurs – forces for positive, general-interest change. They need the tools and opportunities to innovate, to build new networks and new coalitions, and to engage and aggregate citizens in meaningful ways. They need an environment that is both fluid and open enough to allow for new opportunities, and competitive enough to encourage innovation.

Empowering politicians may sound like an odd recommendation at a moment when so much of the

current political rhetoric involves bashing holders of electoral office as “career politicians.” But politics actually requires career politicians. Just as we wouldn’t want amateur doctors conducting surgery, or amateur pilots flying planes, we don’t necessarily want amateur politicians making our laws.

To be effective as a lawmaker is to build networks and relationships, to develop expertise, and to learn how to influence people and circumstances. This is precisely what politicians should do. The question is not whether politicians should be politicians. To think otherwise is to deny a tautology. The question is whether the ambitious energies that drive politicians can be directed towards the general welfare or not.

Certainly, men are not angels, as Madison famously put it, and there is no sense in forcing them to be so. We can rail against self-interest. Or we can accept that it will always be part of politics, and that our best hope is that institutions, rules, and norms can make it more likely that the self-interest that exists be the enlightened kind, not the destructive kind.

Just as we wouldn’t want amateur doctors conducting surgery, or amateur pilots flying planes, we don’t necessarily want amateur politicians making our laws.

As compared to other reform approaches, the political dynamism approach presented in this paper puts innovation and entrepreneurship front and center in our politics. It embraces competition, and sees the comparative openness and loose-jointed nature built into the American political system as its greatest source of strength and resilience, rather than something to be overcome through the right rules and the appropriate hierarchical order. And it attempts to expand citizen participation in meaningful ways, building on the

political opportunity framework developed by Mark Schmitt in an earlier New America policy paper.¹

While opening up the system does run the risk of some short-term instability, the alternative is far worse. Dynamism is necessary for healthy systems, because it allows a system to adapt to changing conditions. Too much short-run stability worsens the risks of long-term instability by preventing the system from adapting in a reasonable fashion, often leading to an over-correction. Systems that are resilient are able to adapt to changing environmental conditions. They are dynamic. Systems that are stagnant also tend to be brittle. And when they break apart, the consequences are often disastrous.²

Political dynamism addresses four areas for reform, with the following recommendations:

Congressional Elections

- Open up campaigns by empowering small donors
- Expand competition and party diversity through multi-member districts

Interest Groups

- Expand general-interest lobbying organizations

Congressional Staffing

- Increase staff sizes and salaries in Congress

Congressional Organization

- Decentralize power in Congress by expanding the role of committees and subcommittees

All of these reforms would benefit policy entrepreneurship. A campaign finance system free of big money donors would make it easier for potential policy entrepreneurs to get a start in Congress. Competitive elections would be a spur to policy entrepreneurship, and multi-member districts would create more opportunities for

challengers. Expanding general-interest lobbying groups would mean more external support for policy entrepreneurs. More staff in Congress would give policy entrepreneurs the resources they need to advance legislation. And a revitalized committee system would give policy entrepreneurs the venues they need to advance policy.

The first two reforms would improve citizen engagement directly. Empowering small donors would make citizens more relevant in helping candidates to run for office, and multi-member districts would make more elections competitive, giving citizens more meaningful choices. Larger general-interest groups would engage more citizens, and help them to aggregate their interests more effectively.

By opening up the political process to new voices and decentralizing power generally, partisan leaders and economic winners would have a more difficult time controlling anything. New fluid opportunity structures with broader citizen engagement would make it easier to build new coalitions to challenge the status quo, creating a more responsive and less partisan politics.

I'll elaborate each of these points in more detail in the pages to come. But first, I want to cover the current challenges that we face, explain why existing reform approaches are incapable of addressing them, and explain what I mean by policy entrepreneurship.

Our Current Dilemma

The rationale for this paper is that our current political system is dysfunctional, and in need of reform. There are two primary aspects of this dysfunction: elite capture/inequality and partisan polarization. I'll describe each of these briefly.

Elite capture/inequality

We increasingly inhabit a society where the rules of the economic marketplace confer great benefits on

only a very small group of individuals who either a) had the good fortune to be rich already,³ or b) had the foresight to enter one of a small number of professions that derive outsized rewards from the current rules.⁴

By every measure of wealth, those at the top are pulling away from those at the bottom. Income inequality is now at levels not seen since 1928.⁵ The wealth gap between those in the top 20 percent and everyone else is the widest measured during the 30 years for which the Federal Reserve has data.⁶ The share of wealth concentrated among the top 0.1 percent has risen from 7 percent in 1979 to 22 percent in 2012.⁷

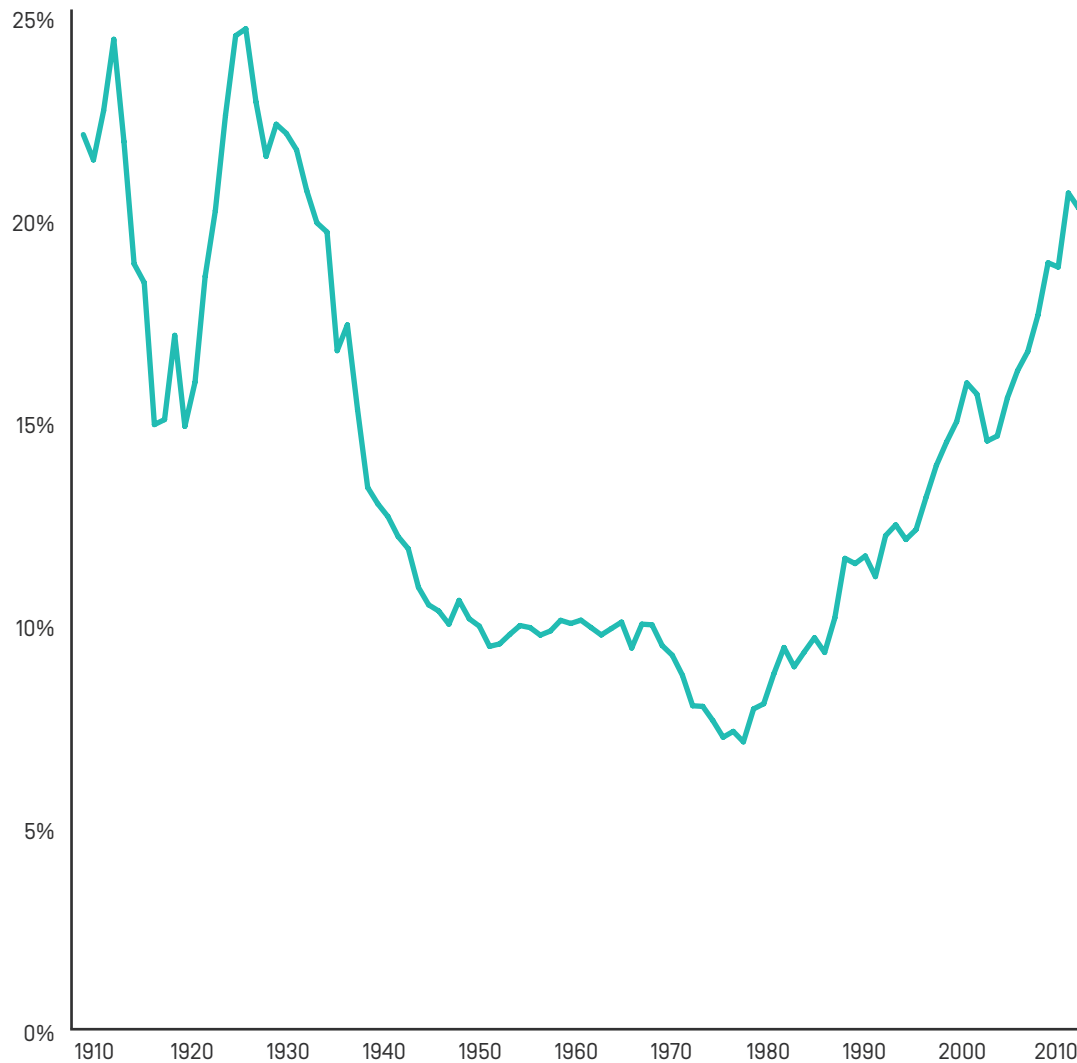
The rising tide at the top has not lifted all boats. Median income is now the same as it was in 1980⁸ and less than it was in 1989.⁹ Adjusted for inflation, median net worth is down from 1989, and it actually declined during the "recovery."¹⁰ Nor is there much room for mobility. Economic mobility in the United States is stagnant, and has been for decades.¹¹ This becomes more problematic as the gap between the haves and the have-nots continues to widen.

Certainly, there are many ways to analyze the data and measure the trends. But the basic takeaway is almost always the same: some people are doing very well, and some of them are doing very very well. But most people are trying to meet rising expenses of housing and healthcare on stagnant or declining income, and having a hard time of it. They are growing increasingly angry as a result, and frustrated with a political system that has failed to respond.

For a long time, defenders of the free-market system were willing to tolerate a certain amount of inequality as the inevitable by-product of a dynamic capitalist economy. A rising tide, they argued, would lift all boats. Instead, the emerging evidence is that we have reached levels of inequality that are actually undermining growth.¹² Free-market advocates also increasingly note that the economic rules that we have in place actually undermine market competition for those at the top, limiting

Figure 1

Share of U.S. wealth held by top 0.1%



Source: Piketty/Saez

potential growth and dynamism in order to protect a small set of beneficiaries.¹³ And economic dynamism, as measured by the rate of new firm entrances into the market, is declining.¹⁴

While some of the inequality can be attributed to technological change and global factors, it is crucial to acknowledge that public policy sets the rules of the economic marketplace, both in general and in particular sectors. Market rules pick winners and

losers, either directly by determining barriers to entry, or indirectly by taxing and regulating certain activities while subsidizing and protecting other activities.

There are various ways in which economic winners translate their advantages into politics to affect these rules, maintaining and expanding policies that allow them to further their gains at wider expense: They play an outsized role in the selection

and financing of candidates¹⁵; they devote extensive resources to direct lobbying¹⁶; they organize for political activity more easily than diffuse publics;¹⁷ they benefit from obscure rules and venues that protect their power;¹⁸ they fund policy research to distort the intellectual climate around their issues;¹⁹ they hire prominent and well-connected political insiders for their causes²⁰; they build grassroots organizing networks to advocate for favored policies.²¹

While no single political input translates into any single output with reliable certainty²², collectively these efforts do affect the range of possible policy outcomes.²³ Many general interest changes to the status quo power of entrenched incumbents are simply off the table because no politician sees

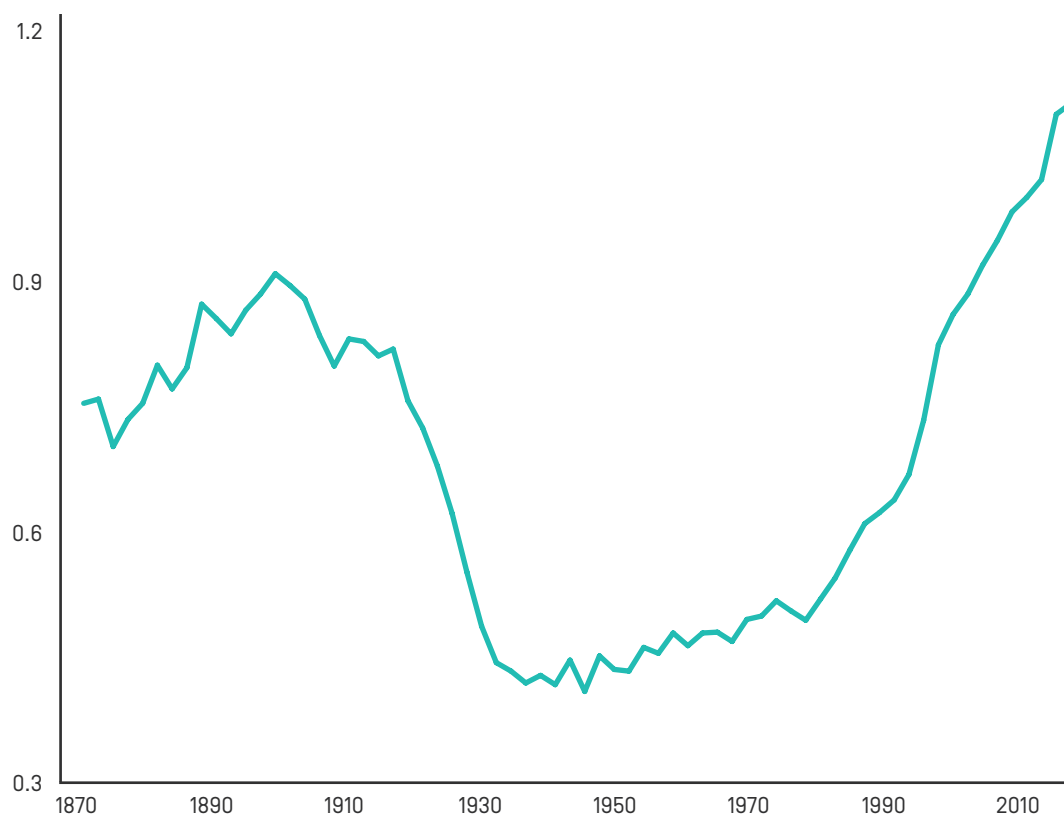
much gain in taking on an issue where success is unlikely.²⁴

Partisan Polarization

The two political parties in the U.S. are now very far apart from each other.²⁵ Widespread disagreement on many fundamental issues has created gridlock on a growing number of policy areas.²⁶ Both parties increasingly see their own success as tied to the failure of the other side, a kind of zero-sum politics that is the opposite of the spirit of compromise that Madison and other Founders envisioned.²⁷

This partisan gridlock is detrimental to the health of the political system in many ways, but I will highlight two that are particularly relevant to our conversation.

Figure 2
Partisan Polarization of the U.S. House



Source: Poole/Rosenthal. Polarization is a measure of differences in Party DW-NOMINATE scores.

First, it makes more issues into partisan issues, reducing possibilities of cross-cutting coalitions necessary for policy entrepreneurship. Certain issues, particularly economic issues, have always been relatively polarized. But other issues have become much more partisan over time, such as education, science, transportation, and health care.²⁸ As more and more issues get sucked up into the maw of partisan polarization, there are fewer chances for creative coalition-building.

Second, it makes the political system much less responsive overall, which fuels a negative cycle of distrust and anger. Absent the very rare circumstances of unified government with a filibuster-proof majority in the Senate, high polarization means gridlock, which means that Congress just doesn't get much done.

Unfortunately, not all problems solve themselves without public policy intervention. As unaddressed problems worsen because gridlock prevents Congress from solving them, this further fuels public anger and distrust. The bitterness and nonproductivity of partisanship also contributes (rightly) to the sense that our political institutions have failed us, as evidenced by the persistent double-digit approval ratings of Congress.²⁹

Voters dislike Congress, so members of Congress bash the institution and tout their own thriftiness

– how they are cutting their staff, tightening their belts, saving taxpayers money.

Yet this cost-cutting is counter-productive. It further limits Congressional policy capacity, which makes it harder for Congress to think through issues and be responsive, which further fuels anger, which further limits policy capacity. When committees and subcommittees no longer have resources or space to legislate, when individual offices lack independent analytical policy capacity, more and more policymaking is centralized in partisan leadership. The reinforcing growth of partisanship and centralized power creates a serious bottleneck on the processing capacity of Congress, which causes it to be less responsive and productive, further contributing to public frustration and institutional distrust.

Why We Need a New Reform Approach

Before I make the case for a new reform approach, I want to spend a little time explaining why the current reform approach is inadequate. This section will discuss the mistaken assumptions and expectations that have led to a reform approach that is far too focused on limiting the range of acceptable political activity, rather than channeling and expanding political energy towards a greater public purpose. This section may come across as a

Voters dislike Congress, so members of Congress bash the institution and tout their own thriftiness—how they are cutting their staff, tightening their belts, saving taxpayers money.

bit theoretical to some readers. But bear with me. Theoretical underpinnings matter. A theory of a flat earth leads to many mistakes on a planet that is actually round.

The flat earth premise of the traditional reform approach is the assumption (usually implicit, though sometimes explicit) that politics is something that can and should be solved: that is, if only we could wrest the process free from “corruption,” the “public interest” would surely flourish; that political conflict only exists because of malign influences in the political system, and that, through the right reforms, it would be possible to rid the system of those malign influences and reach a universal and fair compromise (even though no such universal standard has ever been agreed upon in the history of mankind).

There will always be winners and losers in society. And those who lose will almost always feel cheated by the outcomes. They will demand of government that something be done, out of justice, fairness, liberty, or some of the many universal principles that are not entirely reconcilable.³⁰ And leaders will have to decide who is right. And whatever decision they make, some people will be happy; others will be less so. And if one set of actors is wronged repeatedly, they will feel really angry, and really sure that the process is rigged. If there were one universal, undisputable standard for resolution, we surely would have found it by now. Yet, we continue to hope for it, like some kind of lost Atlantis.

The reform vision is often simple. Consider two examples from the 2016 campaign. On Bernie Sanders’ website, the promise is “Returning to a government of, by, and for the people – not the billionaires and giant corporations.”³¹ In the telling of Ted Cruz, it is breaking up “The Washington cartel” the unholy “alliance of career politicians in Washington, in both parties, and the lobbyists in this town.”³²

Certainly, it is valuable to have an ideal to work towards. But an unrealistic ideal is a recipe for frustration. Unrealistic demands tend to be as

counterproductive in politics as they are in human relationships.

Two process claims tend to proliferate in most reform conversations about politics: that “The People” should rule, and that reasoned expert discussion of “The Facts” should triumph. I’ll call these majority rule and technocracy. Some reformers prefer one claim, some the other. Some assume that the two approaches would wind up at the same place.

Majority Rule

Among the most-quoted phrases in the political reform lexicon is the closing line of Lincoln’s Gettysburg address: the promise that the Great Civil War should not have been in vain because “government of the people, by the people, for the people, shall not perish from the earth.” See the Sanders quote above.

And by “the people” reformers often mean “average people” or “ordinary people.” But who is an average or ordinary person?

And by “the people” reformers often mean “average people” or “ordinary people.” But who is an average or ordinary person? Average is statistical abstraction that imposes a strange homogenization on a very heterogeneous nation of 320 million people. “The People” is a very strange reification of so many differently-situated individuals, with different religions, races, wealth, values, and ideas. Who among this great mass is “ordinary”?

Certainly, majority rule is a reasonable decision principle, but it’s important to acknowledge that there are very few issues of overwhelming public consensus, especially when it comes to policy solutions. While it is true that wide majorities across both parties share the same fundamental frustration with the state of our politics (it’s broken; it’s rigged;

throw the bums out), there are deep divisions on what to actually do about it. Roughly half of the country wants government to take a more active role in regulating the excesses of the economy; the other half sees big government as the fundamental problem causing the excesses.

A second problem is the issue of trade-offs. Cognitively, most people have a hard time with trade-offs.³³ Generally, people want lower taxes and more services, and left to their own devices, they would vote for both, denying the trade-off.³⁴ Most people are also very bad with long-term thinking.³⁵

A third problem is that citizens are generally ill-informed about politics.³⁶ Certainly, there is evidence that when given the tools and conditions for informed deliberation, most citizens do make pretty good decisions.³⁷ But the fact is that most choose not to. As Bruce Cain nicely sums it up, “Political science research has consistently shown that citizen time and effort is effectively on a budget. Only a few are supercitizens while many are slackers with other life priorities.”³⁸

Cain devotes a chapter of his book, *Democracy More or Less: America’s Political Reform Quandary* to what he calls the “Participation Paradox,” critiquing the reformist tendency towards ever-expanding elections. The problem is that, given most citizens’ limited interest in politics, more elections only tax their limited capacity further, leading to worse choices and more opportunities for narrow interests to take advantage of low electoral turnout. And, as Sarah Anzia has shown, narrow interests do indeed benefit from low-turnout elections.³⁹

A fourth problem is that citizens often compensate for their own limited knowledge by turning to political elites for opinions. Considerable political science research shows that most public opinions were elite opinions first,⁴⁰ though sometimes the transmission takes many years.⁴¹

Certainly, there are limits. People can only be led to believe what they are already receptive to believing. But the larger point is that analyzing public opinion as something independent from elite leadership is not possible. Mass public opinion originates in elite

public opinion. This means that there’s no getting rid of politicians. Citizens need political leaders to help them organize political choices.

Without citizen engagement and elections, democracy falls apart. But it’s important to be realistic about what citizens can accomplish, and to think about ways to make their participation more effective.

Of course, this is only a problem if you want “the people” to exert an independent influence on politics. Alternatively, if you assume that politicians are important actors precisely because they can help citizens better understand and realize their interests (as this paper does), this is not a problem.

None of this is to minimize the role of citizens in the process. Indeed, they are essential. Without citizen engagement and elections, democracy falls apart. But it’s important to be realistic about what citizens can accomplish, and to think about ways to make their participation more effective. It does democracy no great service to empower citizens by giving them more direct authority without creating meaningful conditions for effective citizen participation.

As Cain puts it unequivocally in dismissing the promise of direct democracy, “The aspiration of replacing representative government is both illusory and paradoxical: illusory because citizens do not have the time, resources, or expertise to make decisions at most levels of government, and paradoxical because it creates new delegations in the interests of controlling the old ones.”⁴²

The Promise of Technocracy

Frustrations with the cognitive limitations and political passions of the public frequently lead to the hope that much of the important work of policymaking can be taken out of public view,

moved to experts insulated from the passions of the people, who understand what would improve the general welfare of the country far better than the country's citizens themselves.⁴³ The technocratic elites, after all, understand trade-offs. They don't fall prey to all the cognitive limitations, particularly the short-term thinking that makes long-term planning so difficult. And they aren't prone to the passions and instabilities of politics.

And while highly trained policy analysts are better at recognizing trade-offs, they too can be misled, particularly in their ability to regulate industries. They rely on industry experts for data and expertise⁴⁴; they go easy on industry because they aspire to cash out someday⁴⁵; they look to industry as the source of cultural legitimacy.⁴⁶ Experts are also prone to their own cognitive limitations, getting overly attached to favored solutions in spite of evidence.⁴⁷ They lose a connection to the real lives of real people, unchecked by some form of democratic accountability. And much as they may deny it, their decisions are political decisions because they are still decisions over limited resources and trade-offs over priorities and values.

Experts often become so overly enamored of their own theories and drawn so deeply into their narrow niches of expertise that they lose broader perspective.

Moreover, as Phil Tetlock has demonstrated in a long-term study of expert predictions, too much expertise is most often a hindrance on solid judgment.⁴⁸ Experts often become so overly enamored of their own theories and drawn so deeply into their narrow niches of expertise that they lose broader perspective. They get lost in the details - but only the details that fit with their theory (the other details they of course dismiss as irrelevant). All this causes them to be very bad at predicting the future, far worse than generalists who can see the bigger picture and are not so deeply

invested personally in any single problem or any single solution.

WHY WE STILL NEED POLITICIANS AND INTERESTS

So neither citizens nor experts alone are a great basis for rule. Where does that leave us? A final dose of political theory can help us here, and then we will move on to the solutions section.

James Madison's classic attempt to reconcile these competing principles of immediate citizen interest and detached wisdom was expressed in Federalist #10, one of the most insightful political statements ever produced. Madison concluded (rightly) that faction was inevitable in society. Differences of opinion, status, geography, and so on, would always divide people. "The latent causes of faction are thus sown in the nature of man." For this reason, any attempt to rid politics of faction was doomed to fail.⁴⁹

Madison noted two proposed solutions to the supposed "mischiefs of faction," stubbornly persistent proposals that appear to have been in circulation at the time: "the one, by destroying the liberty which is essential to its existence; the other, by giving to every citizen the same opinions, the same passions, and the same interests." Madison rightly dismissed the first as a "remedy...worse than the disease" and the second as "impracticable as the first would be unwise."⁵⁰ Remarkably, these solutions are still being bandied about today. There are still those who want to rid politics of factions (these are the voices that say things like "ban all lobbyists" and "don't let special interests participate"). And much political reform thinking still bends aspirationally towards the never-realizable goal of universal consensus.

Madison's solution was representative government, with a strong deliberative aspect. The factions might never agree. But a republican form of government could establish a process whereby citizens pick delegates, who would then weigh the different claims. In particular, our system would create one body very close to the citizens—the popularly-elected House—which is the only legislature in

an advanced democracy with elections every two years (every other legislature has at least three year terms), providing unusual closeness with the people. The Senate (which was originally appointed, not directly elected) would be the place for careful deliberation, the cooling of passions.⁵¹ And the more diverse and expansive the body of lawmakers, the less likely it would be overwhelmed by “Men of factious tempers, of local prejudices, or of sinister designs.”⁵²

Ultimately, Madison left us this positive vision of government:

“to refine and enlarge the public views, by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of their country, and whose patriotism and love of justice will be least likely to sacrifice it to temporary or partial considerations. Under such a regulation, it may well happen that the public voice, pronounced by the representatives of the people, will be more consonant to the public good than if pronounced by the people themselves, convened for the purpose.”⁵³

It’s a vision that ultimately depends on the quality of the lawmakers. We must delegate. We can’t micro-manage. We must empower lawmakers to do their jobs.

Lawmakers should be the reconcilers of competing claims: they listen to the public and face elections that require them to do so. But they also deliberate. They develop expertise. They also educate the public, and help the public to figure out what ought to be the best policy. This leadership role is crucial and too often maligned.

We also cannot expect perfection. Policy always picks winners and losers. There are trade-offs in all policies, and very few policy outcomes are Pareto efficient, in that everyone is either better off or as well off as they were before. Expecting too much out of our politicians leads to disappointment, which leads to cynicism and anger, which leads to distrust,

which comes to rob politicians of the resources that they need to do their jobs, which leads to further disappointment, and so on.

Attempts to rid the political system of interests or factions or money or lobbyists are pointlessly utopian. Attempts to rid society of government itself are also pointlessly utopian. Rather, we need to make the political system work as well as possible, given these timeless truths:

- 1) Factions will always exist in society and thus in politics
- 2) Full and lasting consensus can never be achieved
- 3) While the people are the foundation of democracy, there are limits to their ability to decide public matters directly

These truths will resonate with critics of traditional reform approaches, who have some very important points to make about the lack of realism in most traditional reform visions, as well as the value in embracing political wheeling and dealing, rather than bemoaning it, and the necessity of carving out some space for that to dealing to happen outside of public scrutiny.⁵⁴ But as responses to these critics by both Mark Schmitt and Thomas Mann and E.J. Dionne convincingly argue, these “reform skeptics” are too often guilty of their own version of utopian thinking—their faith that leaving political leaders entirely to their own devices will unleash self-correcting energies has no historical precedent, and relies on a number of unlikely assumptions that are especially ill-suited for the current realities of the political landscape.⁵⁵

Where then does that leave us? From the “reform skeptics,” I take seriously the call for realism, and the need to embrace the energies of politics, rather than engage in the ultimately counter-productive struggle to restrain them. From the traditional reformers, I take seriously the concerns about imbalances of power, and the importance of popular participation as a countervailing force against elite

capture. What I offer here might be seen as a sort of synthesis of these different perspectives drawing on the insights of both perspectives, while attempting to avoid their pitfalls.

Many of the underlying assumptions this paper are similar to the pluralist approach that Bruce Cain offers in *Democracy More or Less*. As Cain writes, the pluralist approach: “accepts the reality that there are empirical limits to citizen interest and knowledge and that interested individuals and organizations must inevitably carry out some representation. It prioritizes aggregation, consensus, and fluid coalitions as means of good democratic governance. It recognizes that good political design incorporates the informal patterns of governance as well as the formal processes of government.”⁵⁶ Moreover, “it relies on democratic contestation between interest groups and political parties to foster accountability.”⁵⁷ I take these insights very seriously.

I’ve tried as best as possible to ground my approaches in political science literature, making sure that there is actual empirical support for the claims presented. While some recommendations are necessarily speculative, I’ve tried to find historical precedent as much as possible.

WE NEED TO CONFRONT BOTH INEQUALITY AND POLARIZATION

A final challenge of political reform at this particular moment in time arises from the dual nature of the problem we confront. We must find a set of solutions that can tackle both the problems of inequality arising from the excessive influence of wealthy and corporate elites and the bitter partisan polarization that is undermining the functioning of our government.

Unfortunately, reform thinkers have too often approached problems separately, and sometimes at the expense of each other.

Those who are concerned about the disproportionate power of money in politics tend to be relatively unconcerned about polarization, or at least see it as a secondary problem. They are too quick to dismiss concerns that without some version of transactional politics to grease the wheels, there would be nothing to bring the warring camps together⁵⁸ and that empowering citizens more directly and without intermediation may have the effect of further empowering the most polarized and intense passions, leading to a more divisive and dysfunctional politics.⁵⁹ To the extent that many

We must find a set of solutions that can tackle both the problems of inequality arising from the excessive influence of wealthy and corporate elites and the bitter partisan polarization that is undermining the functioning of our government.

policies to reduce inequality require affirmative changes to the status quo, these criticisms need to be taken seriously.

Those who are primarily concerned about polarization, conversely, tend to see wealthy and corporate donors as centralizing factors, pointing out that they are bipartisan in their access-seeking and temperamentally moderate.⁶⁰ Solutions that make it easier for wealthy donors to be even more active in politics are unlikely to do much to reduce inequality or bring much needed dynamism and openness to the political process. They will just further entrench the existing sources of power, making politics even more stagnant, and fuel more anger and discontent.

The vision I offer is one that embraces politics, but is also careful about the different possibilities of politics. Institutions, structures, and rules all matter. There are many types of politics. None are perfect. But some are better than others.

The Importance of Policy Entrepreneurs

In a republican form of government such as ours, we delegate the responsibilities of policymaking to elected officials, and they in turn provide us with policy alternatives.⁶¹ Therefore, the quality of our public policy depends on the quality of our elected leaders, the pressures they face, and the opportunities and resources that they have to pursue general interest policy goals. All stories of general interest policy change revolve around the actions of key elected officials, whose leadership, energy, and personal networks are the driving factors in policy change.

I call these actors “policy entrepreneurs,” a term that will be familiar to political scientists as a descriptor of politicians who make policy change happen. It’s a useful term because it captures the spirit of innovation and ambition that drives these actors.

As James Q. Wilson has written, policy entrepreneurs “serve as the vicarious representative

of groups not directly part of the legislative process.”⁶² They are advocates and brokers, flexible enough to allow for ambiguities and adjustments, and dedicated enough to keep fighting. “Entrepreneurs are ready to paddle,” wrote John Kingdon, “and their readiness combined with their sense for riding the wave and using the forces beyond their control contribute to success.”⁶³

Entrepreneurs often bring together new cross-cutting coalitions, fostering unexpected alliances in ways that create new policy openings.

To be successful, entrepreneurial politics that aim at general interest policy change have traditionally required what E.E. Schattschneider famously called the “expansion of conflict.” Schattschneider’s basic insight is that political fights are determined to a great extent by the audience. Many policies that benefit narrow interests hide in obscurity, and benefit from what Schattschneider called “privatization of conflict.” As he wrote, “A tremendous amount of conflict is controlled by keeping it so private that it is almost completely invisible.”⁶⁴

The most effective way for a policy entrepreneur to triumph over a narrow concentrated interest is to mobilize widespread support for the change. As Schattschneider explains, “Conflicts are frequently won or lost by the success that the contestants have in getting the audience involved in the fight or in excluding it, as the case may be.”⁶⁵ Entrepreneurs often bring together new cross-cutting coalitions, fostering unexpected alliances in ways that create new policy openings. They benefit when audiences are not previously committed to sides.

In Wilson’s analysis, successful acts of policy entrepreneurship require someone “who can mobilize latent public sentiment (by revealing a scandal or capitalizing on a crisis), put the opponents of the plan publicly on the defensive

(by accusing them of deforming babies or killing motorists), and associate the legislation with widely shared values (clean air, pure water, health, and safety)”⁶⁶ This often involves redefining issues in ways that engage new actors, thus not only representing the groups not already involved in the process, but also actively engaging them, building coalitions capable of sustaining action.

But politicians do not act alone. They also rely on outside support. As Wilson argues, “Entrepreneurial politics depends heavily on third parties...the media, influential writers, congressional committee staff members, the heads of voluntary associations, political activists.”⁶⁷

While there is much to be said for encouraging policy entrepreneurship, a few notes of caution are in order.

First, a political system that encourages entrepreneurship runs the risk of increasing both constructive and destructive entrepreneurship. Some might argue that a current fad for “disruption” runs the risk of upending traditions that have worked well enough, and that the wisdom of the American system of government is precisely in its conservative resistance to change. Politics is already unstable as it is. Why make it more so?

Here, it’s important to clarify what is and is not policy entrepreneurship. Policy entrepreneurship involves affirmative policy innovation and change, not mere obstruction. A Senator who abuses the filibuster to gain publicity while failing to offer productive alternatives or build no coalitions is not an entrepreneur. Policy entrepreneurship involves building something new. A gadfly is not an entrepreneur.

Unfortunately, there is no way up front to ensure only positive entrepreneurship. The best we can do is try to get the incentives and structures right. Ultimately, it is up to the voters to decide which acts of entrepreneurship they wish to reward, and which they wish to punish. Assuming that politicians care about re-election (an assumption

that is the foundation of much political science), the re-election incentive should push them towards general interest policies. But we can do more to help voters to better evaluate potential acts of policy entrepreneurship.

We also need to acknowledge that not all policies will work as planned, including reforms. Society is complex and constantly changing, and interventions always have unexpected consequences. Government should be in a position to respond. Some interventions will fail. Others will succeed. Some will work to solve one problem, but be extraneous and counter-productive once that problem is solved. We must be willing to take chances and adapt. We must adopt the spirit of FDR, who in a 1932 campaign speech, offered this timeless encapsulation of the spirit of policy entrepreneurship:

“The country needs and, unless I mistake its temper, the country demands bold, persistent experimentation. It is common sense to take a method and try it: If it fails, admit it frankly and try another. But above all, try something.”⁶⁸

“It is common sense to take a method and try it: If it fails, admit it frankly and try another. But above all, try something.”

Some Historical Grounding

Reform should be based in realism rather than utopianism. Therefore, I will ground my analysis in two paradigmatic cases of general interest policy entrepreneurship: the 1978 deregulation of the airline industry and the 1986 Tax Reform Act.⁶⁹

The 1978 airline deregulation removed the old price and entry regulatory scheme that the Civil Aeronautics Board (CAB) had applied to the airline

industry for decades, replacing it with a much more open, pro-competitive regime, over the opposition of the airline industry. The deregulation codified into law with the Airline Deregulation Act of 1978. The CAB went out of existence in 1984.⁷⁰

The 1986 Tax Reform Act closed about \$300 billion worth of loopholes and eliminated a wide array of tax shelters, effectively raising corporate taxes by 40 percent. It greatly simplified the tax code and it passed despite the objections of a wide range of business lobbying groups.⁷¹

While both of these policy successes were considered unlikely at the time, they came out of a political environment that made these kinds of policy entrepreneurship possible.

Indeed, in the 1980s and even into the early 1990s, several important political science books collectively made the hopeful claim that general interest policy entrepreneurs could indeed triumph over concentrated economic winners.⁷² In the optimistic telling of Levin and Landy, there was a genuine “concern for *the substantive goodness of policy*. Those who can persuasively assert that they have invented the better mousetrap can claim political attention. Ideas, and those who have mastered them, come to play a larger role than they would in pure preference politics.”⁷³ (My italics) In Kingdon’s memorable borrowing from Victor Hugo,

there was nothing (nothing!) more powerful than “an idea whose time has come.”⁷⁴

In both cases, these entrepreneurs were not party leaders. But they were ambitious and had enough power and reputation and resources to succeed politically, despite the political obstacles.

The guarded optimism that emerges from these books is a refreshing tonic to today’s stagnant politics. It’s also a reminder that our political system is capable of being reasonably responsive and innovative under certain conditions—conditions that are not so far into the distant past as to be unhelpful in our current moment. Indeed, the overarching insight of these books was that “policy entrepreneurs” could make big changes. It was possible to take on existing powers to enact general-interest policy. Certainly they were ambitious politicians, concerned about their stature, and eager to win elections. But the system worked to channel their incentives towards general-interest policy.

Airline deregulation involved the work of several policy entrepreneurs, most notably Sen. Ted Kennedy (D-Mass). Tax reform depended on entrepreneurial work by Senators Bill Bradley (D-N.J.) and Bob Packwood (R-Ore), among others. In both cases, these entrepreneurs were not party leaders. But they were ambitious and had enough power and reputation and resources to succeed politically, despite the political obstacles.

Packwood, in particular, is an intriguing example of an entrepreneur. Though he had a long history of using the tax code to distribute benefits to favored groups and was considered Congress’s “top PAC-man” (in that he got contributions from everywhere),⁷⁵ he was also an independent maverick of sorts. He was an open and aggressive critic of Ronald Reagan within the Republican Party, and



President Ronald Reagan signs the Tax Reform Act of 1986. Photo: Courtesy of the Ronald Reagan Library.

he “always took pride in his outspokenness.”⁷⁶ His outspoken views forced him out of the leadership of the Republican Senatorial Campaign Committee. He was also up for re-election in 1986 when tax reform was thrust upon him by the House passing a bill. He saw an opportunity to boost his own stature and help his re-election by standing up to special interests, and doing something historic.

Certainly, much has changed between now and then. Polarization was at much lower levels than it

is now, and lobbying, especially business lobbying, had not yet assumed its swampy thick ubiquity. Government institutions were better equipped with adequate staffs. And a less centralized leadership structure in Congress meant more opportunities for individual policy entrepreneurs to operate through the committee system, particularly the sub-committees. Some of these are reversible through institutional choices. Others are not reversible directly, but can be mitigated.

THE REFORM AGENDA

The remainder of this paper lays out a specific reform agenda, covering four areas:

1. Congressional elections
2. Interest groups
3. Congressional staffing
4. Congressional organization

In each section, I’ll describe how I believe things should work, how they’ve gone astray, and how we could make things work better. While the following pages will offer a number of policy proposals, I have chosen breadth over depth in order to give a more big-picture view than is customary in political reform discussions. Rather than oversell any single reform, I’ve tried my best to treat democracy as a complex system full of interacting pieces,

recognizing that making government work will require several interdependent changes.

1. Congressional Elections

Key recommendations:

- Open up campaigns by empowering small donors
- Expand competition and party diversity through multi-member districts

How it Should Work

Elections are the keystone of democracy. Without competitive elections, the accountability mechanism connecting representatives to citizens falls apart. Competitive elections are also necessary in promoting policy entrepreneurship,

since competition is the best spur to innovation. Elections should provide incentives for candidates and parties to compete over who has the best new ideas for solving public problems, and who has the best record of producing general-interest policy solutions.

As R. Douglas Arnold argues in *The Logic of Congressional Action*, electoral challenges loom large as the spur for general-interest policy entrepreneurship.⁷⁷ But absent meaningful general election challenges, many members of Congress are more likely to worry about the “attentive publics”—the narrower concentrated interests who are much more likely to reward or punish members are certain to vote based on these issues, especially in primaries.⁷⁸

Challengers not only try to hold incumbents accountable for votes they’ve taken and policies they’ve supported. They also have a strong incentive to introduce new policy solutions. In the words of Gary Jacobson, “a challenger cannot hope to win without reordering the campaign agenda.”⁷⁹ Challengers have incentives to propose new policies and new programs. Even if challengers lose, incumbents might be forced to respond to the challenges they have raised. Tracy Sulkin calls this phenomenon “issue uptake.” In a study using data from the 1990s, she found considerable evidence for this phenomenon—incumbents did take on issues raised by their challengers.⁸⁰

For elections to be competitive, there must be some portion of voters who are not reflexive partisan voters, just as competitive markets can’t exist with unshakable 100 percent brand loyalty. At least some share of voters must be willing to consider candidates regardless of partisan identity, allowing some space for issues and records to matter.

The politics of the 1986 tax reform provide a good example of the importance of electoral competition. In the 1984 campaign, Reagan’s advisors believed that Democratic candidate Walter Mondale was going to release a major tax reform plan. This played a key role in spurring the Reagan administration to release a tax reform plan of its own, particularly a

Elections should provide incentives for candidates and parties to compete over who has the best new ideas for solving public problems

general-interest one that lowered individual rates and raised corporate tax rates.⁸¹

Democrats, however, were not so quick to concede the issue. Democratic House leader Tip O’Neill wanted the Democrats to get credit, too. O’Neill told Ways and Means Committee chairman Dan Rostenkowski: “Danny, this is our issue. You know, Gephardt and Bradley started this, and whatever you do, don’t let [The White House] steal it on us.”⁸² Rostenkowski was in many ways an unlikely reformer, but perhaps this competitive challenge helped spur him into a staunch supporter who then used the force of his personality to get the House to approve the bill.

While the back-and-forth between the Reagan administration and House Democrats and Democratic Senator Bill Bradley may have set the stage, ultimately, it was Republican Senator Bob Packwood, chair of the Senate Finance Committee, who took the final step in shepherding legislation through the Senate. Packwood was up for re-election in 1986, and needed a strong policy success to tout. He had won in 1980 with 52 percent of the vote, and anticipated another close margin. He also had some presidential aspirations.⁸³

Why It Doesn’t Work the Way It Should

Our electoral process now suffers from two pathologies that cut against political entrepreneurship:

1. Very few elections are now competitive
2. The obstacles to running for office are high, and designed to weed out new ideas

VERY FEW ELECTIONS ARE NOW COMPETITIVE

In the upcoming 2016 U.S. House elections, most seats are already decided for one party or the other. Of the 435 seats, as of this writing just 16 are considered “toss-ups” (meaning they could go either way) by the Cook Political Report. Adding seats in the “lean” category (meaning they are “considered competitive races, but one party has an advantage.”), we’re still only at 30 seats.⁸⁴ In 2014, 82 percent of House races were decided by at least 15 percentage points, including 17 percent that were not contested at all by either of the two major parties.

The Senate is only slightly better. Just five seats out of 34 up for election in 2016 are genuine “toss-ups” by Cook’s assessment (Florida, Illinois, New Hampshire, Nevada, Wisconsin), and another four are in the “lean” category.⁸⁵

Yet, even in these seats, two-party competition is not really about winning over swing voters. That’s because swing voters have essentially vanished, a consequence of the intense partisan loyalties that arise when two parties leave no space for potential overlap.⁸⁶

With elections less competitive, turnout naturally declines. After all, citizens have little motivation to

vote in elections where they are unlikely to make a difference, and candidates and parties have little incentive to waste resources on educating and turning out citizens when the results are already entirely predictable. Considerable research supports this conclusion: the more competitive the election, the higher the turnout.⁸⁷

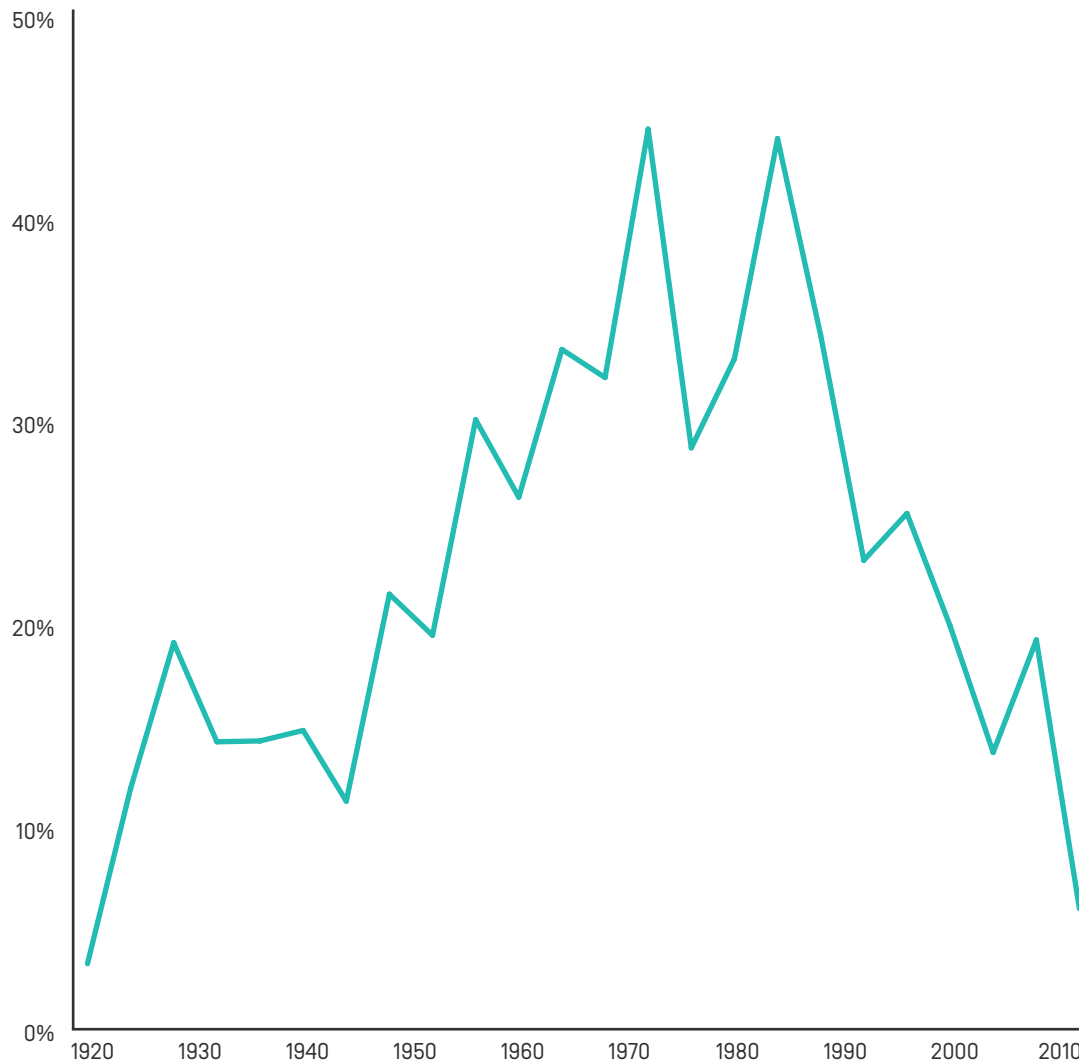
From the 1960s through the 1990s, about a third of congressional districts and a majority of states were potentially competitive between the two parties. Because the parties were less distinct, there were more swing voters willing to evaluate the candidates on their ideas and their records. Moreover, because the parties were not nearly as geographically sorted, many districts and states were more balanced between the two parties.⁸⁸

Perhaps the clearest measure of this is the rise and fall of split-ticket voting. From the mid-1950s to the mid-1990s, on average a third of districts picked one party for president and the other party to represent them in the U.S. House. Incumbents might have won at high rates, but it was because they worked hard at it, making sure they represented all their constituents well. If they didn’t, they knew their districts would be up for grabs.

Swing voters have essentially vanished, a consequence of the intense partisan loyalties that arise when two parties leave no space for potential overlap.

Figure 3

Ticket-splitting among U.S. Congressional Districts



Source: Brookings Vital Statistics on Congress.

Districts voting for one party in Congress, the other for president.

As potential swing voting declined, so did electoral competition. Now fewer and fewer members have to worry about a general election challenge. Instead, their fears increasingly turn more to the primary elections, where small concentrated interests are most likely to play an outsize role.

THE OBSTACLES TO RUNNING FOR OFFICE ARE HIGH

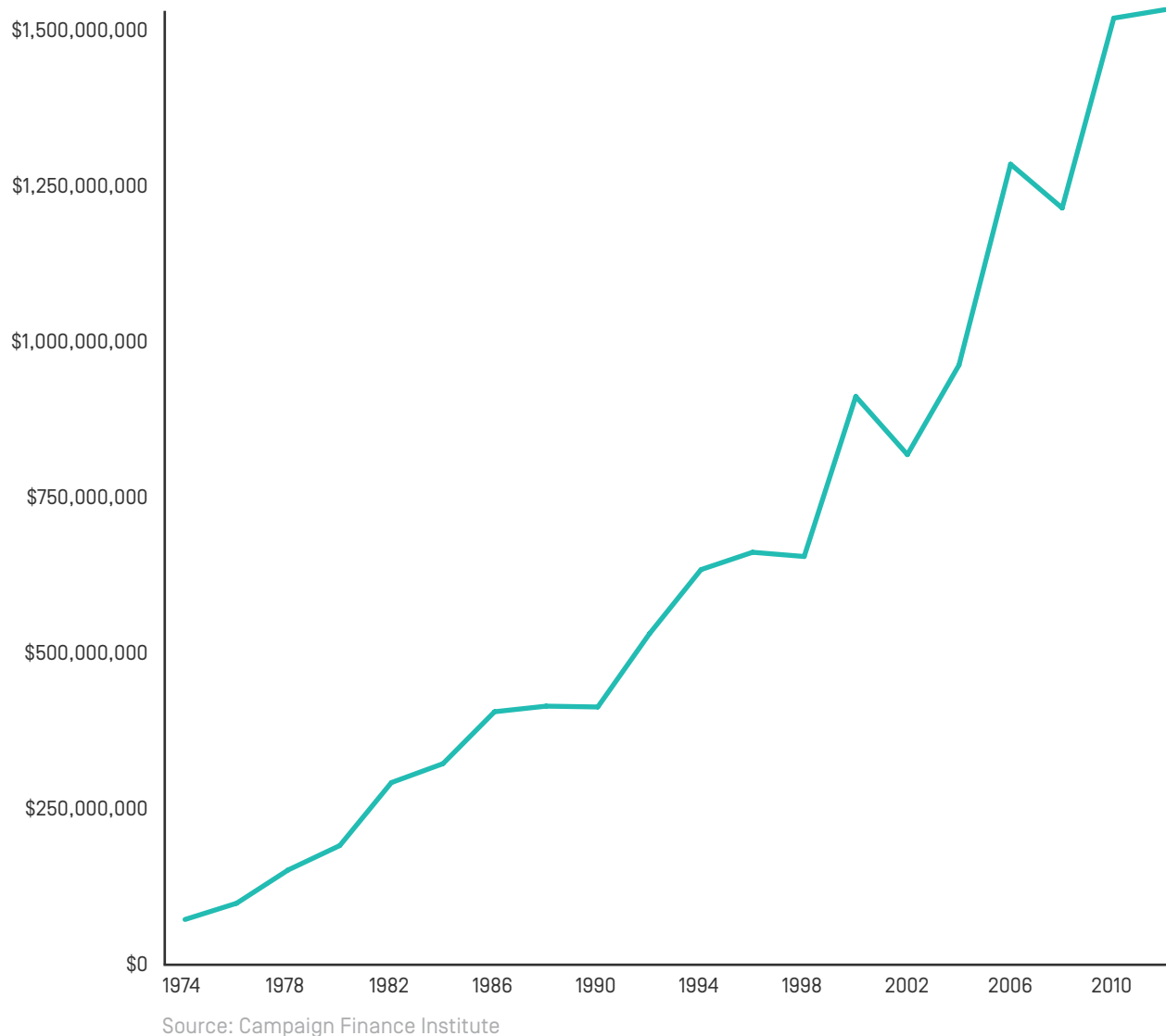
A second problem with our current electoral system is that it costs too much damn money. On average, it costs about \$1.6 million to land a House seat, and about \$10.5 million for a Senate seat.⁸⁹ And

you’ve got to start raising that money right away to demonstrate your viability as a candidate. As Rahm Emanuel once put it: “The first third of your campaign is money, money, money. The second third is money, money, money. And the last third is votes, press, and money.”⁹⁰ In other words, if you

don’t have access to individuals willing to part with large sums of money to support your candidacy, you’ve got no business running for office. Party leaders, who control considerable sums of money, are not interested in helping candidates who can’t raise their own money.

Figure 4

Total Cost of U.S. Congressional Elections



In our current high-cost system of privately funded elections, challengers face incentives that mitigate against introducing new issues and new ideas into campaigns. To run for office now, either as a challenger or an incumbent, is also to spend endless hours on the telephone and at fundraisers,⁹¹ assuring big donors that you share their concerns and that you will represent them once elected.⁹²

Big donors are generally after one of two things: access or ideology. Sometimes both. Access-oriented donors are mostly business interests, seeking to maintain themselves in good standing to keep Congress from enacting policies that would harm them, and maybe doing them a favor every now and then, when it's convenient and good for the member. For this reason they donate almost entirely to incumbents and mostly reward those who support the status quo, though sometimes they are open to challengers, particularly in open-seat elections when they expect the challenger to win. Ideological donors really want their party to win, and reward partisan loyalists. Many of them are quite wealthy, and quite passionate about politics.

However, ideology aside, large Republican and Democratic donors share one thing in common: they are almost all very rich, which means they are concerned about policies that maintain their own economic status.⁹³

All of this significantly limits the potential for genuine policy entrepreneurs to get very far. To raise money, candidates and potential candidates generally stick to safe issues that they know they can raise money off of, issues that appeal to some set of the very wealthy donors who play a disproportionate role as political gatekeepers.⁹⁴

Then, once that money is raised, much of it goes to pay partisan consultants to help candidates perfect their poll-tested messaging and run a steady stream of increasingly negative ads, since party leaders and donors want to be sure the campaigns are not run by amateurs.⁹⁵ This reliance on consultants also crowds out space for new ideas and potential policy entrepreneurship.

No wonder, then, that the 2014 congressional election was nicknamed the “Seinfeld Election” because it was a campaign about nothing.⁹⁶ Candidates and parties continued running on the same tired, but safe (from a fundraising perspective) issues, and party leaders kept recycling the same tired talking points and anodyne slogans.

Perhaps it is over-optimistic to hope that campaigns could be otherwise in our current partisan media environment and culture of limited attention spans and click-bait social media. Still, experiments in citizen deliberation should give us at least some bit of hope that it is possible to expect more out of our public discourse than what we have now.⁹⁷ In fact, experiments suggest that many people would be much more interested in politics if they felt it were more substantive.⁹⁸

How It Could Work Better

We need an electoral system that stimulates and encourages policy entrepreneurship, rather than discourages it. This requires two things: making our elections more competitive and fixing our broken campaign finance system. These are both heavy lifts, but I'll start with campaign finance reform because it is probably the easier lift of the two, given widespread public understanding of the problem and support for some kind of reform.

First, we need to make it easier for potential policy entrepreneurs to run for office. The big problem with the current fundraising system is that it weeds out candidates who cannot raise large sums of money from wealthy donors and/or excite strong ideological bases.

The traditional reform move here has been to state that we need to get all money out of politics, or at least put in place tight limits. This is impractical and probably counterproductive, since tight limits are unlikely to deter those who wish to participate, but rather just encourage them to find less transparent ways of doing so. Many also spend relentless energy on the simple promise to “Overturn Citizens United”⁹⁹ presumably by a constitutional

We need an electoral system that stimulates and encourages policy entrepreneurship, rather than discourages it. This requires two things: making our elections more competitive and fixing our broken campaign finance system.

amendment. While *Citizens United* certainly increased the potential influence of wealthy donors, it is not as if the pre-2010 campaign finance regime was a halcyon model of equality and fairness (rich donors still had a considerable advantage). Nor is a constitutional amendment a useful strategy.

Some in the “reform skeptics” camp have suggested an alternative strategy of giving political parties more resources, some going even as far to suggest removing limits on their ability to receive donations so that they can compete with the outside groups that have been empowered under *Citizens United*.¹⁰⁰ The argument here is that political parties want to win elections, and so will move to the middle to capture the “median voter.”¹⁰¹

This approach is problematic for a number of reasons.¹⁰² First, it assumes that there are actually many competitive districts where parties would run moderates. As discussed above, there are very few. Moreover, it assumes that there are enough swing voters who would respond to moderates. Again, as discussed above, this is not the case. The problem is that the “median voter” theory—the idea that the two parties should converge on a mythical middle—has always been an ill fit for the peculiarities of American elections and interest group politics,

and especially so in today’s environment of highly polarized voters, low-competition, high-cost elections, and intense policy process lobbying between elections.¹⁰³

A more productive strategy is to expand political opportunity, leveling up dispersed countervailing forces to challenge the nexus of concentrated wealth and power.¹⁰⁴ This is the logic behind a bill introduced by Rep. John Sarbanes (D-Md.). Sarbanes’ bill, The Government by the People Act, gives every citizen a \$25 “My Voice” tax credit (if you contribute \$25 to a campaign, you get \$25 off your tax bill). It also creates a 6-to-1 “Freedom from Influence” matching fund (for every \$1 you spend, the government kicks in \$6 in public funding). The 6-to-1 small-donor matching is modeled on a successful program that exists in New York City.

Under the current system, members of Congress know if they go to a lobbyist-hosted fundraiser, they can pull in \$10,000—enough to make it worth their time. By contrast, under the matching proposal, if a constituent can get 30 friends to each pledge \$50, that’s \$1,500. Then, with the 6-to-1 match, that’s another \$9,000, bringing the total up to \$10,500—better than the D.C. fundraiser.

A campaign finance system that incentivizes candidates to spend more time with their constituents has the potential benefit of not only engaging more citizens, but of doing so in a way that gives political leaders the opportunity to explain themselves more directly than they would in the 30-second ads they would buy with the money they raise at the Washington fundraisers and the cold-calling of wealthy donors from windowless rooms.

It also gives more citizens a chance to feel more efficacious in the process. The more citizens get drawn in, the more they tend to stay involved, joining together to stay informed and active.¹⁰⁵

Another related approach is to give citizens vouchers that they can contribute directly to candidates, parties, or groups that support candidates. In November 2015, Seattle approved a new city-wide voucher program, giving all citizens four \$25 vouchers (total: \$100) that they can contribute to campaigns, giving us the first experiment in this new approach.¹⁰⁶ Rick Hasen also makes a compelling leveling-up argument for citizen vouchers in *Plutocrats United: Campaign Money, the Supreme Court, and the Distortion of American Elections*.¹⁰⁷

The more citizens get drawn in, the more they tend to stay involved, joining together to stay informed and active.

Both matching funds and vouchers are innovative ideas to expand citizen participation. But both come with caveats. A small-donor matching system may run the risk of candidates doubling down on their most loyal partisan supporters. And a voucher system may simply put money in the hands of citizens who don't want the responsibility of spending it.

Still, these are small risks given the failures of the status quo. They may take time to work as a new

generation of candidates and organizers figure out how to operate in the new system. But they at least put the incentives in the right place: they give campaigns and intermediary institutions stronger incentives in organizing citizens, and they give citizens more of a stake and an incentive to get involved in the earlier stages where they can make a difference.

The second problem is electoral competition. The standard move here among reformers is to blame gerrymandering and argue for independent nonpartisan or bipartisan redistricting commissions. As President Obama put it in his 2016 State of the Union address: "I think we've got to end the practice of drawing our congressional districts so that politicians can pick their voters, and not the other way around. Let a bipartisan group do it." Such is the conventional, poll-tested wisdom.

But considerable political science suggests that this would only have a marginal impact on electoral competition, given that much of the polarization and electoral non-competitiveness is due to geography and ideological sorting. After all, states are not gerrymandered. And even states are becoming less competitive.¹⁰⁸ Moreover, to the extent that the goal of partisan gerrymandering (the most common kind) is to spread out your party's voters most efficiently, this creates more potentially competitive seats and makes your party more vulnerable in occasional wave elections.¹⁰⁹

The main problem is that our current winner-take-all, single-member district approach to elections is a poor fit for an electorate that is loyally and predictably split between two parties that compete evenly only in a vanishingly small part of the country. The United States is increasingly becoming two one-party nations, instead of a two-party nation. Deep blue Democratic strongholds now dominate most large cities, college towns, the Northeast, and the West Coast. Ruby red Republican strongholds take up most of the South, the Great Plains, the Mountain states, and most of the suburban and rural areas in between. Rather than compete directly against each other, both parties

increasingly occupy their separate territories, with diminishing overlap and disappearing common accountability.

This disappearance of competition is disastrous for policy entrepreneurship, both because it creates few opportunities for new policy approaches and because competition provides valuable incentives for entrepreneurship.

To create more meaningful electoral competition and to reduce zero-sum polarization, we need to move to multi-member congressional districts with ranked choice voting, a proposal developed by FairVote.¹¹⁰

To understand how this would work, imagine a hypothetical state with five districts, in which Republicans win four of the districts by a 60 percent to 40 percent margin, but Democrats win one by a 90 percent to 10 percent margin. In such a state, Republicans would have won 50 percent overall the popular vote (assuming consistent turnout across districts), but that would have translated into four out of five seats, because of the way the districts were drawn.

But imagine if instead of electing members in single districts, all voters participated in a single election and the top five vote-getters all went to Congress. Moreover, imagine if voters got to rank candidates in order of preference, so that if their preferred candidate was at the bottom of the vote-getting, they could transfer their vote to their second-choice candidate. And if that candidate fell to the bottom, they could transfer to a third-choice candidate.

This would likely have several positive consequences. One, it would produce a votes-to-seats share that more accurately reflects the actual national voting patterns.

This approach would also likely make the parties more internally diverse, since it would create space for different types of Republicans and Democrats to run alongside each other without worrying about taking away each other's votes (since, if they were

This disappearance of competition is disastrous for policy entrepreneurship, both because it creates few opportunities for new policy approaches and because competition provides valuable incentives for entrepreneurship.

to lose, their voters would be able to transfer their support to other Democrats or Republicans).

This would also create space for third parties, who could run without worrying about being spoilers, and potentially garner a fifth of the support in a larger district. The United States is the only democracy in the world with just two parties.¹¹¹

A more multi-party system would in turn have a number of benefits.

The first is that it would bring more voters into the political process, both because more parties mean more likelihood a voter will find a party that speaks to her concerns, and because a more competitive party environment will give more parties more incentives to mobilize more voters.¹¹²

A multi-party system also creates an environment where it's much less likely for any single party to see unilateral control within its reach, meaning that it is more likely for parties to seek compromise and build coalitions.¹¹³ More parties also generally produce more dimensions of conflict.¹¹⁴ This allows for more coalitional possibilities.¹¹⁵ This multi-dimensionality also produces more possibilities for potential policy entrepreneurs.

Certainly, among the suggestions this paper proposes, a revision to our electoral system is probably the furthest afield from current reform conversations. But it is actually less radical than it may originally appear. While we currently have single-member districts, the original vision

for Congress was multi-member districts. Most representatives in the first Congress were elected from multi-member districts, and some states continued to use multi-member districts until 1970. Ten states use multi-member districts to elect representatives to their state legislatures, and most cities use multi-member districts for city council elections.¹¹⁶

While all electoral systems have trade-offs, it's clear that our current electoral system is failing to produce the conditions necessary for political dynamism. The lack of competition in most elections is a fundamental flaw. Without competition, there is little spur to innovative entrepreneurship.

The gatekeeping effect of wealthy donors is also a fundamental flaw. A system where those who benefit the most from the current rules play a disproportionate role in selecting who runs and who does not is a system that is very likely to perpetuate the status quo while limiting opportunities for new ideas.

2. Interest Groups

Key Recommendation:

- Expand general-interest lobbying organizations

How It Should Work

No policy entrepreneur works alone. As discussed above, all successful policy entrepreneurs work with third party, intermediary organizations. Such organizations play two important roles in entrepreneurial politics:

1. They can organize and channel citizen participation; and
2. They are sources of new ideas and information.

In the 1960s, new issues, like environmental and consumer protection, emerged because third

party organizations, especially the Ralph Nader-led consumer groups, helped to raise them and mobilize public support. They wrote reports, they generated press coverage, and they worked with members of Congress to implement solutions. They channeled concerned citizens unhappy with the status quo and provided both resources and political pressure for change.

A key driver of the 1986 tax reform was a report that revealed half of the largest companies paid zero income taxes at least once between 1981 and 1983. The report came from Nader-supported advocacy group, Robert McIntyre's Citizens for Tax Justice. It generated significant press interest and also stimulated a steady stream of related revelations that contributed to the narrative that the tax system was a national embarrassment. As Murray and Birnbaum noted in their history of the 1986 tax reform, "In the tax debates ahead, Bob McIntyre's one-man report would turn out to be more influential than all the firepower the corporate lobbyists could muster."¹¹⁷

Airline deregulation benefited from a consensus of economic expertise among academic and think tank elites. Between 1967 and 1975 the Ford Foundation contributed \$1.8 million (about \$11 million in 2015 dollars) to the Brookings Institution to study economic regulation, funding that contributed to 22 books and monographs, 65 journal articles, and 38 doctoral dissertations that collectively built a very strong case for deregulation.¹¹⁸ The American Enterprise Institute also played an active role in supporting reform.¹¹⁹ Nader was also a strong supporter of airline deregulation and mobilized his consumer advocacy networks in support of it.

It's not just the existence of general-interest intermediary organizations, but also the comparative balance of resources. In an earlier period, corporations and business associations simply didn't have as many resources invested in Washington. This made it easier to mount a challenge against them. Derthick and Quirk, writing in 1985, suggested that one of the reasons that airline and trucking deregulation passed was



The Airline Deregulation Act of 1978 allowed U.S. domestic operators to compete with Pan Am on global routes, bringing down consumer fares. Photo: Arthur Tress / Wikimedia Commons and National Archives and Records Administration.

because the industries simply hadn't anticipated such a challenge and hadn't invested all that much in Washington. This led the authors to conclude that, "Interest group regimes today derive much of their apparent power merely from the absence of challenges—that is, from the inattentiveness of political leaders and allied forces that might launch an attack on broadly based grounds—and not from any reliable ability to defeat such challenges when they occur."¹²⁰

Resources do not need to be perfectly equal, but for general-interest policy entrepreneurs to have a shot, they need large-scale general-interest intermediary groups who are not entirely overwhelmed by the potential opposition. There are enough David and Goliath stories of general interests triumphing over concentrated interests to prove that money is not destiny. But David at least needs a slingshot. And a single Goliath is more susceptible to a rock-to-the-head than a small army of Goliaths.

More broadly, large intermediary organizations have great potential for citizen mobilization and education. In an earlier time, many citizens participated in large membership groups, which helped them both understand politics better and aggregate their interests into organizations whose

breadth and size gave them meaningful political standing.¹²¹ As Theda Skocpol puts it succinctly, "Organizations concentrate resources, voice, and clout in democratic politics."¹²²

Why It Doesn't Work the Way It Should

Writing in 1990, Robert Salisbury remarked on the growth of interest groups generally, and argued that "more groups" meant "less clout" for any single organization. Using the passage of the Tax Reform Act as his opening vignette, Salisbury noted the "heavy irony" that "just when the number and variety of organized interests represented in Washington were at an all-time high...the ultimate decision process should largely screen out those interests."¹²³ For Salisbury, this was a "paradox," but it could be resolved. The "growth in the number, variety, and sophistication of interest groups" had brought about "a transformation in the way much public policy is made." The transformation was that the "process is not dominated so often by a relatively small number of powerful interest groups as it may once have been."¹²⁴ New groups helped to force open the political process, breaking up existing cozy relationships. This created uncertainty, and instability, but also openness and possibility.

But in the years since the mid-1980s, the openness Salisbury observed has solidified into hierarchy.

There may be roughly 14,000 organizations with registered lobbyists in Washington, but most are very small. The top 100 organizations in Washington now consistently account for about 40 percent of all spending. Between any two years, there is now a 90 percent overlap in the list of the top 100 organizations. Between 1998 and 2009, the threshold spending to be in the top 100 more than doubled, from \$2.36 million to \$4.93 million—about 70 times what the median lobbying group spends.

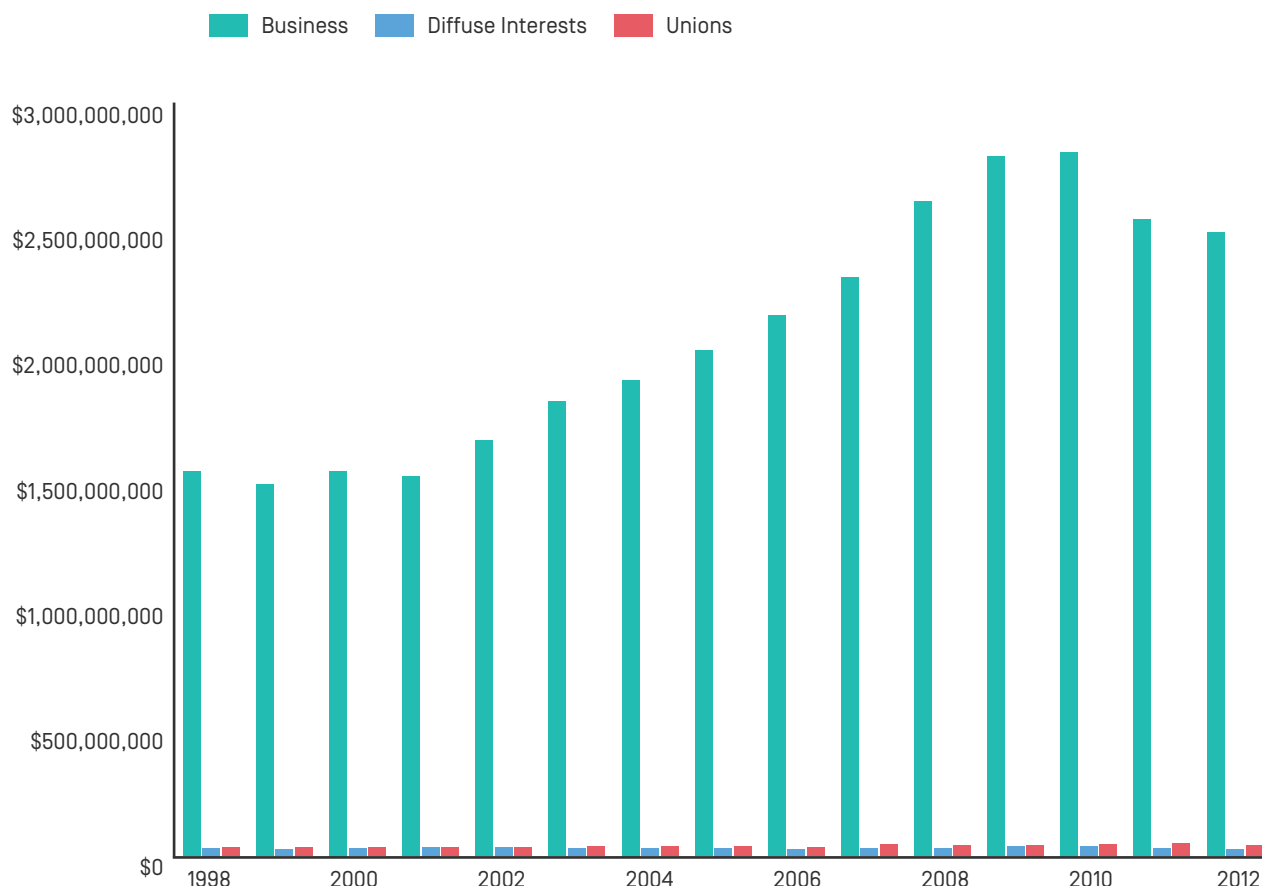
¹²⁵ And of the top 100 groups, 95 now are either businesses or business associations. The most active businesses and business organizations now have upwards of 100 lobbyists representing them.¹²⁶

More broadly, the imbalance between business interests and general interest organizations lobbying on behalf of diffuse publics has widened into a chasm. The lobbying spending of business

organizations is now 34 times the lobbying spending of all diffuse interest and union groups combined, a ratio that has increased steadily over several decades.¹²⁷

Figure 5

Spending on Washington Lobby



Source: Author calculation from federal lobbying data cleaned by the Center for Responsive Politics

Part of the problem on the general-interest side is that there has been a proliferation of competing single-issue groups, rather than mass-membership groups.¹²⁸ Many of these groups are quite small. Their ability to perform the key entrepreneurial support functions of intermediary organizations suffers as a result. Their ability to widen the scope of conflict tends to be limited. Moreover, because they are often funded to work on a single issue in

a crowded space, they work hard to distinguish themselves from other comparable groups. While they may build coalitions, considerable time and energy tends to be wasted by such groups getting like-minded groups to agree on strategy and positions, and then getting them on board for each letter. These organizational inefficiencies waste what are already limited resources on the general-interest side.

Moreover, as polarization has increased, most single-issue groups have cast their lot with one party or the other.¹²⁹ This makes them more dependent on the success of a single party, which exacerbates the problem of polarization and potentially reduces the independent leverage of the groups.

All of this undermines the potential for dynamism and policy entrepreneurship, because it makes it difficult for potential entrepreneurs to widen the scope of conflict in support of general-interest policy changes. The harder it is to build a new cross-cutting coalition, the harder it is for entrepreneurs to challenge the forces of status-quo preservation that are better organized now than ever before. A diminished and fractured landscape of intermediary organizations also diminishes the prospect for meaningful and efficacious citizen participation.

How It Could Work Better

Policy entrepreneurs would benefit from larger general-interest intermediary organizations that can work with policy entrepreneurs to support and enact policy reforms in potentially cross-cutting ways.

However, considerable evidence and theory tells us that groups representing general-interest publics face significant obstacles to mobilizing on the same scale that economic winners have mobilized.¹³⁰ Therefore, some intervention is required.

An obvious recommendation emerges from the stark differences in spending pictured in above: General-interest groups need far more resources. It's just not even close. Some of that money will have to come from private donors and foundations, which need to make some big investments in groups that can do the kind of large-scale organization necessary for effective political power.

But public policy can also help. One approach would be to develop a matching system for a new class of "citizen lobbying" groups to organize and advocate on behalf of general interests.

Such organizations would get a 6-to-1 match in public funding as long as they didn't raise any contributions over, say, \$500, and received no support from for-profit entities. We could also require these new "citizen lobbying" organizations to spend the majority of their budget on lobbying and citizen engagement.

As with campaign finance, vouchers and/or tax credits can be a supplement or complement to matching. We can collectively give everybody money to invest in intermediary organizations, creating a new and hopefully flourishing market for broad-based citizen group representation.

Another solution would be to develop a system of "public lobbyists" who advocate on behalf of perspectives that are currently under-represented in Washington. We could allow anybody who feels like they have an under-represented perspective on a public issue to start a petition.

Here's how it could work: Once a petition gains a certain threshold number of signatures (say 25,000), its perspective would get included in a regular deliberative poll that Congress conducts to test for public support.

If that perspective gains a certain threshold level of support (say 25 percent), Congress could allocate "public lobbyists" to ensure that policymakers hear this under-represented perspective, and that members of Congress would have support for legislating on the issue, should they want to. This would involve creating a team publicly-funded lobbyists, who could build up specialized expertise in a particular set of issues and allocate their time based on relative need.

While any system does run some risk of being gamed, the risks of doing nothing to re-balance our advocacy system are far greater. If we want a representative democracy, we need to take affirmative steps so that all interests are actually represented in the policy process, and that citizens

have ways to channel their energies towards organization rather than allow themselves to become cynical because of their own sense of powerlessness.

Finally, to make it more difficult for economic winners to deepen their policy gains through narrow, under-the-radar policy changes, Congress could create a system whereby all lobbying advocacy is disclosed, collected, and mapped. Then, relevant committees could invite the sides that are not represented to participate, as is commonly done in the European Union.¹³¹ The key point is to make sure that perspectives that are not otherwise represented get an adequate hearing in policy debates, especially those debates that are not likely to generate much public interest because of their arcane nature.

Some traditional reformers might argue that the solution here is far simpler than what I've suggested: just make lobbying illegal and/or just prevent corporations from participating in politics. This may seem simple. But not only would it be impossible to implement (however you define lobbying, there will be loopholes and workarounds). More fundamentally, it would cut deeply against the values of civic participation and political speech that are fundamental to our democracy and deeply enshrined in our jurisprudence. Again, in Madison's phrasing, it is a cure worse than the disease. We should expand participation, not limit it.

We should also learn some lessons from the 2007 Honest Leadership and Open Government Act (HLOGA), which placed additional restrictions on lobbying activity. While there is little evidence that the law reduced the influence of lobbyists, it did make lobbying less transparent by raising the costs to registering as a lobbyist.¹³² More broadly, the more tightly we regulate lobbying, the more of a compliance burden we put on general-interest lobbyists, who are 1) less likely to be able to afford legal advice to ensure compliance than those with deep pockets; and 2) tend to be more cautious in testing the limits because they could lose their tax-exempt status if they violate the law.

Others, especially those in the "reform skeptic" camp, might argue that we already have large-scale intermediary organizations, and they are called political parties. Therefore, we should strengthen the two parties, rather than contribute to the larger problem of fragmentation by undermining them.¹³³ Political parties are certainly important actors, but in a system with only two parties, strong polarization, and a close national balance of power, all conflict inevitably is reduced to a single dimension. This makes parties more likely to pursue zero-sum trench warfare, rendering them not particularly dynamic.¹³⁴ For entrepreneurship and dynamism to occur, it helps if there are multiple issue dimensions of conflict and multiple ways of building coalitions.

For entrepreneurship and dynamism to occur, it helps if there are multiple issue dimensions of conflict and multiple ways of building coalitions.

3. Congressional Staffing

Key Recommendation:

- Increase staff sizes and salaries in Congress

How It Should Work

Policy entrepreneurs, like economic entrepreneurs, need human resources. Behind successful acts of policy entrepreneurship like airline deregulation and tax reform dedicated staffers put in thousands of hours of work: endless research, long drafting sessions, careful preparation of hearings and testimony, coalition building, political strategizing. These were complex issues that required considerable expertise.

In 1975, Ted Kennedy was able to attract Stephen Breyer, then a Harvard Law professor to work on a congressional subcommittee. Kennedy gave Breyer a large staff and six months to prepare hearings on the airline industry. The study produced new academic findings and sizable evidence of anticompetitive pricing. Whole days of hearings were devoted to subjects as specific as demonstrating that intrastate fares in states without intrastate fare regulations (e.g., Texas and California) were cheaper than in states with regulation. The hearings were also very well covered in the press.¹³⁵ The Civil Aeronautics Board, which played a key role in deregulation, was also able to attract high-quality staff, which contributed to the successful advocacy of deregulation: “they were all young and very bright; several were brash.”¹³⁶

Staff also played a key role in the 1986 tax reform. As Murray and Birnbaum wrote, “The hardworking tax staffs, both on the tax committees and in the personal offices of the tax writers themselves, were among the Swiss guard of aides on the Hill.”¹³⁷ The Joint Committee on Taxation had a number of top-flight economists. While Senator Packwood may have had the inspiration to do tax reform with a 25% top marginal tax rate by skewering a whole lot of tax loopholes, he relied on the Joint Committee, with its 40-strong team of economists, lawyers, and

accountants, to do much of the actual writing and number-crunching. Murray and Birnbaum wrote that Rob Leonard of Ways and Means and William Wilkins of Finance were “as savvy tax attorneys as could be found anywhere.”¹³⁸

Policy entrepreneurs, like economic entrepreneurs, need human resources.

The Joint Tax Committee was in many ways the leading source of in-house expertise, and its reputation played an important role in making Packwood’s proposal a reality. In *The Power Game*, Hedrick Smith recounts an episode during the 1986 tax bill fight, when Packwood turned the stage over to David Brockway, the chief of staff of the JCT, at a press conference. As Smith wrote, Packwood was “letting the public in on the secret of staff power...he was admitting for all to see that Brockway and the Joint Tax staff were his brains trust...As issues have become more intricate, complex and technical, and as members of Congress have grown busier, their staffs have become more indispensable.”¹³⁹

As Michael Malbin wrote of the Joint Tax Committee in a 1980 book on congressional staff, *Unelected Representatives*, “The advice is more than technically expert. The joint tax committee gives the members a neutral institutional memory of the sort political appointees in the executive branch get from the better career civil servants.” Malbin noted that the permanent staff provided members with “more help understanding complex tax issues than they could possibly get from their ever changing cadre of legislative assistants.”¹⁴⁰

Congress had staff because it invested in staff. Between 1970 and 1979, Congress roughly tripled its committee and policy support staff, from 1,669 to 4,377.¹⁴¹ Congress also expanded its policy capacity by creating two new in-house (almost exclusively merit-based) think tanks: the Office of Technology Assessment (OTA), created

in 1972 to help Congress get smart on emerging technologies; and the Congressional Budget Office (CBO), created in 1974 in the wake of the Nixon budget impoundment crisis to give Congress more of a brain on budgetary matters. Both attracted high-quality experts whose reports and analyses improved policymaking. Committee policy staff also increased in the 1970s because of the proliferation of new subcommittees.¹⁴² These expanded subcommittees provided more potential venues for entrepreneurship, as I will discuss in more detail in the next section.

These increased staffs were key drivers of the expansion in congressional entrepreneurship. More staff meant members could be more ambitious.

These increased staffs were key drivers of the expansion in congressional entrepreneurship. More staff meant members could be more ambitious. In 1981, Robert Salisbury and Kenneth Shepsle put forward the concept of “U.S. Congressman as Enterprise,” remarking that the impressive expansion of congressional staffs had changed how Congress, and in particular the Senate worked. “Staffers do enormously expand the scope and range of each member’s policy-relevant activity,” they noted. “A given member is able to draw not only upon the skills and talents of his or her personal staff but on certain committee or subcommittee personnel as well. A committee chairmanship thereby adds a sizable cadre of assistants to a member’s enterprise. A subcommittee chairmanship likewise yields significant assistance.”¹⁴³

As Congress got smarter by hiring more experts, Derthick and Quirk could optimistically conclude in 1985 that, “Expert analysis, oriented towards broad conceptions of the public interest, is more thoroughly institutionalized in and addressed to the

national government than ever before. This creates an unprecedented potential for linking the forces of expert analysis and mass sentiment as the basis for action.”¹⁴⁴

Why It Doesn’t Work the Way It Should

Around 1980, Congress stopped adding internal capacity. And as the external demands increased, the existing staff became less and less equipped to handle them.¹⁴⁵ A key moment came in 1995, when Newt Gingrich cut back significantly on congressional staff, especially in key committee positions, and killed the Office of Technology Assessment.¹⁴⁶ Gingrich may have been doing what he thought was good politics, channeling what he took to the public’s dissatisfaction with big government. He may also have wanted to clean house, since Democrats had been in power for 40 years and presumably many of the existing staffers were Democrats.

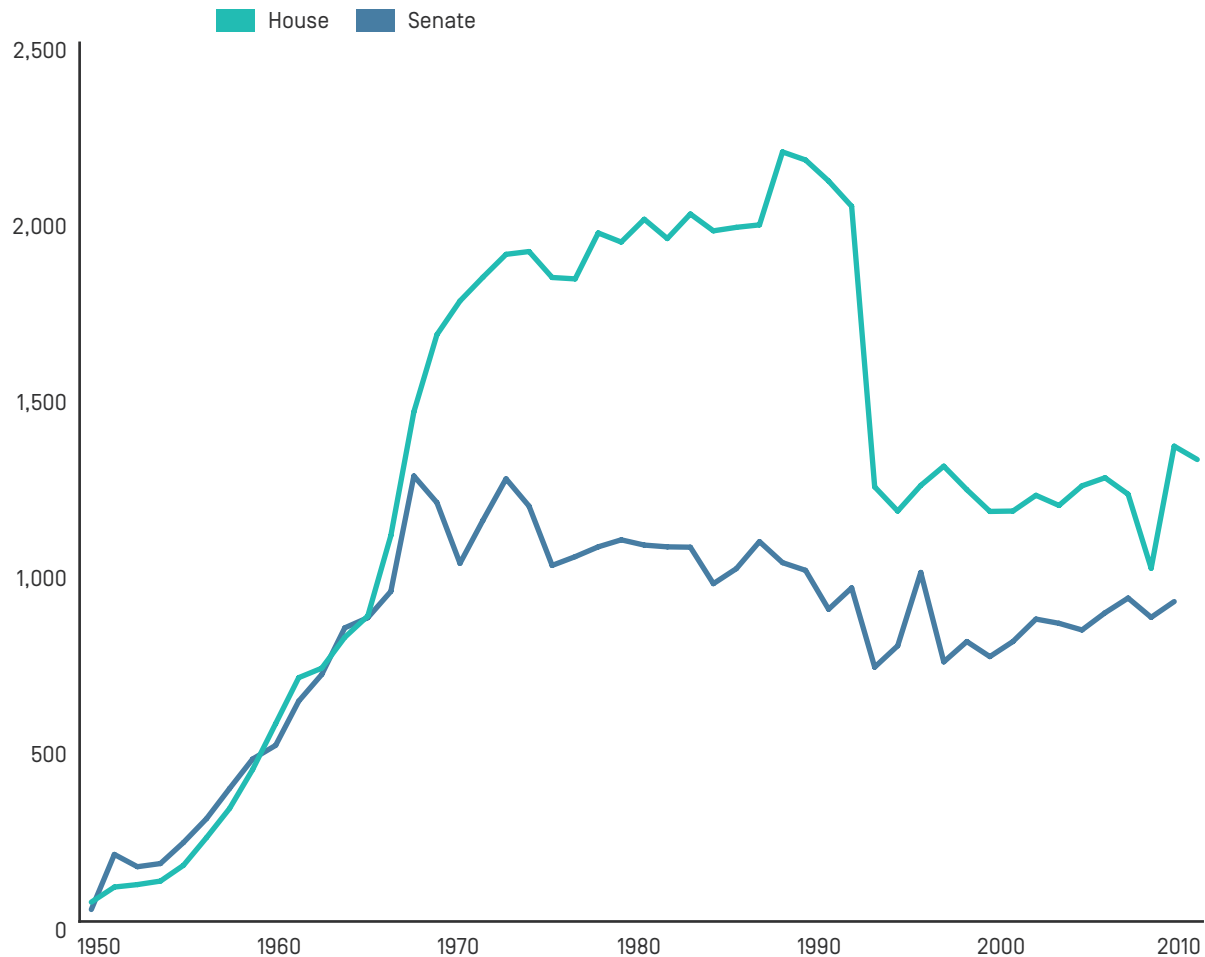
But once Gingrich made those cuts, there was no going back. As congressional capacity has remained stagnant and declining, this has constrained the policy ambitions of individual congressional offices and committees. The limited resources that exist in Congress are increasingly taken up with media and constituent demands. You can see this in the staffing patterns. A growing percentage of staffers now work in district offices to handle constituent service.¹⁴⁷ The only area where congressional offices are adding staff is in communications and media.¹⁴⁸

Since 1980, Congress has reduced its committee staff by roughly one-third, shedding capacity in positions most likely to house genuine policy expertise.¹⁴⁹ Independent research arms of Congress, like the Government Accountability Office (GAO) and the Congressional Research Service (CRS) are also in decline, adding to further reductions in Congress’s internal knowledge.¹⁵⁰

It’s not just the low absolute staffing levels. It’s also the high turnover. Increasingly, Congress is a place where 20-somethings and sometimes 30-somethings put in a few years, rise through the ranks, and

Figure 6

Congressional Committee Staffing Levels



Source: Brookings Vital Statistics on Congress

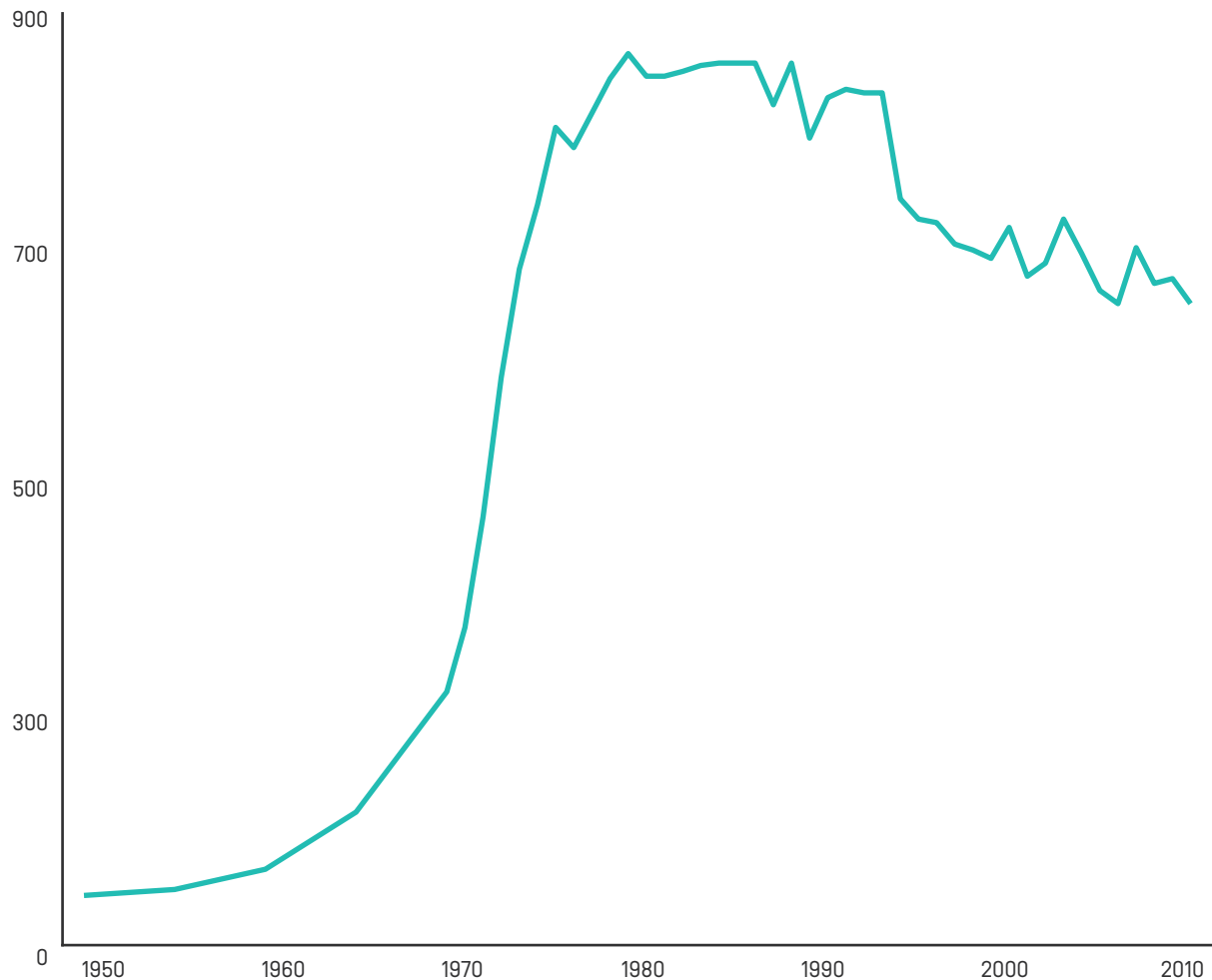
then move on to earn some real money, often as lobbyists. With comparatively low pay (especially compared to what they could be making elsewhere) and long, unpredictable hours, it's hard to retain talented staffers.¹⁵¹

Because congressional offices don't have enough of their own staff, especially experienced staff, they must turn to outside organizations who can

provide necessary policy support.¹⁵² The problem here is that that additional outside capacity is now largely provided by economic winners, as discussed above.¹⁵³ This limits the ability of would-be entrepreneurs to advance innovative general-interest policies that challenge status quo powers. This takes many issues of genuine policy entrepreneurship off the table. It also means that congressional offices are fundamentally reactive.

Figure 7

Congressional Research Service Staffing Levels



Source: Brookings Vital Statistics on Congress

How It Could Work Better

There is a very straightforward solution to the problem of resources. Congress could hire more and more experienced staffers. Right now, the operating budget of the House and the Senate adds up to little more than \$2 billion—about 0.06% of the total federal budget (\$3.6 trillion), and less than the estimated \$2.6 billion that business spends annually on reported lobbying.¹⁵⁴

Both the House and the Senate should triple the budget for committee staff, and aim to double the personnel (paying more money to hire very top people). This would obviously also mean re-invigorating the committees, which I'll discuss in more detail in the next section.

Committee staff should be hired by the committee on a professionalized, long-term basis, rather than simply serving at the pleasure of whomever chairs the committee at that given moment.

Committee staff would also rotate to do details in member offices. Each congressional member of the committee would have one committee policy staffer detailed to her office on a two-year basis, to help the member with committee issues. Committee staff would go back and forth over time between working exclusively for the committee and working for particular members. Because individual staffers would be employed by the committee, their jobs would not depend on whether individual members won or lost their seats. This would free them up to push more challenges to the status quo, since they would be less tied to electoral fortunes of individual members, and more concerned about the long-term policy implications.¹⁵⁵

There are two possible objections here. The first is that if members have larger budgets for staff, they will simply use those budgets to hire media specialists and constituent service experts to bolster their image, without any significant investment in policy analysis (since this is what they are already doing). The second objection is that giving members more staff will further contribute to the fragmentation and individualism of Congress, particularly in the dysfunctional Senate.

Certainly, both of these are genuine risks. One way to mitigate these concerns is to concentrate resources in committee positions, where more of the policy work takes place, and to make the positions less tied to individual members, as discussed above.

As with many of the reforms proposed here, we should not expect an immediate effect. There will be some transition. But over time, an experienced cadre of congressional policy staff would build back the institutional knowledge that has increasingly been lost through high turnover. They would also build back a sense of stewardship that comes from treating a job as a long-term career, rather than a short-term gig in preparation for making real money elsewhere.

Having policy staff would also alter the job of being a member of Congress. Genuine policy entrepreneurs would be more attracted to running

for Congress if they knew it meant a real staff and a subcommittee perch where they could accomplish something, rather than just being another powerless voice in a fundamentally dysfunctional institution.¹⁵⁶ Additionally, today's congressional staffers are often tomorrow's members of Congress. More staff means a larger potential field time of talented individuals who can build deeper policy knowledge and develop networks and relationships to help them be future policy entrepreneurs.

But perhaps the simplest case is this: Somebody is going to be writing policy and making laws. Either it will be lobbyists primarily representing the current crop of economic winners, or it will be by publicly-paid staffers—with much more independence—who work under the direction of democratically-elected public representatives and are much more likely to think in general-interest terms.

4. Congressional Organization

Key Recommendation:

- Decentralize power by expanding the role of committees and subcommittees

How Things Should Work

The 1970s were a comparatively good time for policy entrepreneurship because a vibrant subcommittee system gave potential policy entrepreneurs space to develop and advance new policy proposals, often independent from party leaders and out of immediate public view.

A number of political scientists have written about the relative openness and fluidity that resulted from this relatively decentralized policymaking arrangement.

Barbara Sinclair has described the system that emerged in the 1970s as “more open, less bounded, and less stable; it is characterized by a much larger and greater diversity of significant actors, by more fluid and less predictable lines of conflict.”¹⁵⁷

Gregory Wawro argued that the decentralization of the 1960s and 1970s played a key role in stimulating entrepreneurship, giving individual members both the opportunity and the incentive to develop their own proposals. As he explained, “the decentralization of power served to provide incentives for members to undertake legislative activity in the first place. The desire to advance to the augmented positions of subcommittee and party leaders...led individual members to take back legislative initiative from the president, proposing their own legislation instead of just disposing of the president’s legislative agenda.”¹⁵⁸

Similarly, Landy and Levin argued that “the nature of the Washington policy making” had “moved much further in the direction of an ‘open’ process, in which anyone with a claim to interest and expertise is a welcome participant and policy authority is diffused.”¹⁵⁹

In the 1950s and early 1960s, clear and frequently uncrossed lines of specialization kept members of Congress from challenging each other, and strict seniority systems created baronial privileges. In the 1970s and 1980s, a growth of subcommittees and increasingly overlapping jurisdictions created much more competition within Congress, competition that facilitated space for ambitious politicians to try to raise their profile by putting forward new policies.¹⁶⁰ In *The Politics of Information*, Baumgartner and Jones describe an expansion of “the arena of serious dialogue for possible government intervention” up until a peak that occurs around 1978 or so.

These overlapping jurisdictions made the system more dynamic. As Baumgartner and Jones write, “Some may think that increased complexity and interaction among component parts in a system lead to gridlock and an inability to act. That is not the case. Many quasi-independent venues for policy making and problem discovery and definition *lead to dynamism and change*”¹⁶¹ (my italics).

One important reason decentralized institutions work well is that diversity improves problem recognition. The more different perspectives

and vantage points, the better the institution as a whole is able to understand the problem.¹⁶² Diversity of perspective can make institutions far wiser collectively than any single individual could possibly be,¹⁶³ which is especially necessary given the scope of major “wicked problems” on the horizon like climate change and labor automation.

In the case of airline deregulation, the leading Senate entrepreneur, Ted Kennedy, chaired the Judiciary Committee, which did not have clear jurisdiction over airlines. But because Kennedy held hearings, he put pressure on Sen. Howard Cannon (D-Nev.) of the Senate Commerce Aviation subcommittee to hold hearings as well. Cannon did not have much interest in airline deregulation. But Kennedy’s hearings, and other events that raised the profile of the issue, eventually forced Cannon on board. In the case of the 1986 tax reform, the Senate Finance Committee in particular had enough independence and authority to work out a final deal on its own.

Such an environment was good for policy entrepreneurs in Congress. From their various posts on committees and subcommittees, they could work independently, benefiting from the diversity. In such an environment, a policy entrepreneur like Ted Kennedy, who chaired the Judiciary Committee (which did not have clear jurisdiction over airlines) could use that committee to hold hearings on airline regulation and thus raise the profile of the issue.¹⁶⁴

Why It Doesn’t Work the Way It Should

Over the last 35 years, party leaders have concentrated power at the expense of committees and especially subcommittees, particularly in the House.¹⁶⁵ In both chambers, committee staffing levels have declined while leadership staffing levels have increased.¹⁶⁶ More and more, policy development and capacity has moved out of committees and into leadership.¹⁶⁷ As one measure of this, the share of bills bypassing committee mark-ups altogether in both chambers has also increased steadily over the last two decades.¹⁶⁸

Figure 8

Share of Bills Bypassing Committee Mark-Up



Source: William Bendix

The general story is that as parties became more homogeneous, individual members were willing to delegate more power to leadership to enforce party discipline, thus making the parties more polarized.¹⁶⁹ As William Bendix has found in his analysis of committee marginalization, “the most moderate panels are regularly excluded from legislative deliberations. ... Because they may produce bills that move policy away from the majority’s median, they are likely to lose their bill-drafting responsibilities.”¹⁷⁰

The committee system was once a venue where members forged compromises and deals outside of the pressures of partisan discipline. It was also a place where individual members could feel empowered to develop and advance policy proposals, giving them more of a stake in the overall functioning of the institution.

As the Bipartisan Policy Center’s recent Commission on Political Reform report concluded, “committee chairs and members feel disenfranchised by the fact

that many important pieces of legislation are crafted on the cusp of a deadline by congressional leaders without the benefit of a committee process.”¹⁷¹ The BPC report goes on to note that: “The weakening of the committee system... has deprived Congress of the opportunity to build stronger networks of expertise and experience... and contributed to a sense of disenfranchisement among many rank-and-file members.”¹⁷² In other words, it has undermined the potential for policy entrepreneurship.

As more and more members have been marginalized from actual legislating responsibilities, they have predictably become more frustrated and potentially disruptive. With fewer legislative responsibilities and possibilities, what is an ambitious lawmaker outside of party leadership to do? The most likely option is to become a media celebrity, channeling that ambition into public tirades rather than working to make deals.

This has led party leaders to cut potential dissenters out of the process further, lest their anger and frustration undermine leadership’s priorities or even the basic functioning of the institution.¹⁷³ This explains the 2015 revolt of the House Freedom Caucus, which cost John Boehner his speakership.

As Jeffrey Jenkins and Charles Stewart have convincingly written, the centralization of power has probably reached its limits. Party leaders have been left with fewer bargaining chips: the more centralized leadership has become, the less valuable committee and subcommittee positions become, and thus, the less leadership has to offer to bring in a dissenting faction. As Jenkins and Stewart write:

“Since Newt Gingrich (Ga.) became speaker in 1995, the Republican Party has centralized power. Committees are less important, and so getting handed a plum committee position is less valuable. So, why compromise if there’s no prize for doing so?

Stated differently, the traditional way of dealing with internal party factions was to divvy up institutional positions of power among the various factions. Before Newt,

committees and entrepreneurial House members could pursue policy in their domains under a broad party umbrella. No more. Now uniformity is expected and reinforced. Which is precisely why groups like the HFC are forming.”¹⁷⁴

From the perspective of political dynamism, the problem with putting so much power in leadership is that existing leaders are not generally open to new solutions and new frames. They’ve made their careers based on the existing battle lines, and they’ve risen in the ranks because of their ability as champion fundraisers aligned with the most active donors, who are most likely to resist significant policy change.

By controlling the agenda, strong party leaders tend to limit politics to only those issues that they feel benefit them at the expense of the opposing party, thus limiting the possibility of votes on issues that might upset the delicate partisan alignments and balances of power.¹⁷⁵ This further reduces responsiveness of the Congress, and fuels further polarization.

How It Could Work Better

The basic recommendation here is straightforward: Congress should return to a more decentralized system where committees and subcommittees develop policy, and in which party leaders wield less centralized control. Committees should have more space to independently deliberate and individual members should have more opportunity to develop and advance policy. The recommendations for staffing discussed in the previous section are relevant here as well: more staff and better pay for those staffers.

Understandably, there is reasonable fear that devolving authority to committees and subcommittees could lead to some chaos, given some very extreme viewpoints that exist in the current Congress. Rep. Justin Amash (R-Mich.) is probably right when he argues that, “Under regular order, bipartisanship and compromise flourish. With control over the legislative agenda devolved

to committees, subcommittees, and individual representatives, more liberal outcomes are possible, but so, too, are more conservative or libertarian outcomes.”¹⁷⁶

A more open process will mean more variety. Not all outcomes will make for good policy. But the status quo is even worse and probably not sustainable much longer anyway. Much of the resentment that many individual members are feeling in Congress now is a direct result of a system in which they have very little agency. Allowing them more participation in the process would produce some short-term instability, but new coalitions and modes of organization would emerge. And, over time, it would also attract a different type of person to run for Congress—a genuine policy entrepreneur who could see the potential of actually accomplishing

something in a subcommittee-driven Congress with many opportunities for participation.

Moreover, a hierarchical Congress creates a significant legislative bottleneck. If congressional problem-solving has to pass primarily through centralized leadership this significantly limits the capacity of Congress to respond to the demands on it, meaning that Congress is forced to ignore many problems and allows them to grow worse. The more problems Congress ignores, the worse those problems often grow, and the more they fuel public anger about Congress being non-responsive, which will further erode support for potential institutional reforms that make it easier for Congress to build an internal environment that supports dynamism and entrepreneurship.

ON POLITICAL FEASIBILITY AND PRIORITIZATION

Before concluding, it is important to say a few words about the politics of reform, and the priorities among different reforms.

Certainly, the politics of political reform are never easy, since reform either requires those in power to change the rules that they previously mastered to achieve power, or as is more often the case, for an entirely new regime to emerge with promises of a new politics. Neither is a likely scenario. Still, American politics feels especially uncertain at this particular moment, with outsider

candidates enjoying unprecedented support in the 2016 presidential election. And as more and more members within Congress are cut out of the increasingly centralized power structures, there may be support for changes.

All this potential tumult creates possible opportunity. American politics does provide occasional moments of upheaval, and those moments of upheaval offer opportunities to re-structure the existing order. And there is reason to expect we might be approaching one of these

moments. Samuel Huntington predicted that they occur every sixty years or so. The last moment was in the 1960s, placing the next one on the calendar for the 2020s.¹⁷⁷ If a politics of upheaval is coming, reformers should be ready to take advantage.

The kinds of major institutional changes discussed here will, of course, require the leadership of a policy entrepreneur.¹⁷⁸ The advantage of political dynamism over other potential reform approaches is not only the fact that it is grounded in pragmatism and realism. It also the kind of vision that should be appealing to a real policy entrepreneur who believes in the power of politics to serve the general welfare. That's because it's a vision that affirms the importance of politics and political organization, and that draws on the possibilities of what politics could be rather than falling prey to the kind of pessimism and cynicism that too quickly exhausts itself.

Though these reforms ideally work together as a package, it may be infeasible to pass them as a package. If the reforms were to be done in sequence, it would make sense to start with campaign finance

reform, which has the most public support of any of these reforms right now. It would be a strong step in countering the simple pay-to-play narrative that dominates much of the political conversation, and could at least serve as a foundation of building back trust in government. The next step would be to bolster staff and reorganize Congress, which would probably need to occur together, presumably at the start of a new Congress, and perhaps with the energy of a new class of members elected through small-donor matching and with great hopes for the possibilities of governance. Then, electoral reforms, the heaviest lift, would probably come last, along with public support for intermediary groups.

Certainly, there are other areas to address beyond the scope of this paper. Media reform looms particularly large. This paper also largely glosses over the role of the presidency, and the entire executive branch. But there are limits to a single paper. And since Congress is the first branch of government, with much authority over the administrative agencies, it makes sense to start with Congress.

The advantage of political dynamism over other potential reform approaches is not only the fact that it is grounded in pragmatism and realism. It also the kind of vision that should be appealing to a real policy entrepreneur who believes in the power of politics to serve the general welfare.

CONCLUSION

Political dynamism is built on few basic premises: Our democratic system needs to empower politicians to act as general-interest policy entrepreneurs. We need to open up our stagnant and closed political system, embrace competition, and create space for innovation and responsive change. We need to expand opportunity for citizens to participate meaningfully.

We also need a re-orientation of the long-standing political reform conversation. For too long, the premise has been that if only we could put enough restrictions on what politicians and organized interests can do, they would somehow be forced to operate in the public interest. But such limits have never been workable. You can't take the politics out of politics. And attempts to constrain participation almost always backfire.

There is a common belief that if only we give citizens more information and more decisions, they would come to a rational and reasonable consensus. But more information and more democracy have only overwhelmed citizens while giving them few meaningful choices or vehicles for effective participation. The only way that self-governance is possible is to empower organizations and leaders to channel the wide array of public interests (note the plural) into compromises, using their collective judgment to correct for the limits of any one perspective.

The policy entrepreneurs who can do this are central to the success of our polity. We need to give them the tools and opportunities to succeed, rather than constrain them and question their judgment and motives at each step. And we need to recognize that ambition and self-interest are inevitable qualities to be channeled, rather than vices to be suppressed or hidden.

The only way that self-governance is possible is to empower organizations and leaders to channel the wide array of public interests into compromises.

We also need to make sure that citizens have meaningful but realistic roles to play—that they are capable of coming together to learn about political issues and to make their voices heard through intermediating organizations, and that they have choices to make in competitive elections.

Nobody will ever get everything they want and nothing will ever be resolved permanently. But we have important institutional choices to make about how power is balanced, how it can be challenged, and how likely it is to become

entrenched in entirely self-serving ways. We should lean into the loose-jointed decentralized structure of our political institutions, seeing the inherent diversity as a valuable source of new ideas and innovations, rather than fighting a losing battle for centralization.

Ultimately, our political system depends on the citizens and politicians who make the key decisions.

Let's give citizens the organizational structures to think broadly about the general welfare and give potential policy entrepreneurs the tools, opportunities, and structures so that they are most likely to advance the general welfare. Rather than simply focus on the things they might do wrong, let's also think about the many things they might do right.

Notes

1 Mark Schmitt, “Political Opportunity: A New Framework for Democratic Reform” (New America, February 2015).

2 Donella Meadows, *Thinking in Systems: A Primer* (White River Junction, Vt: Chelsea Green Publishing, 2008).

3 Thomas Piketty and Arthur Goldhammer, *Capital in the Twenty-First Century*, 2014.

4 Jon Bakija, Adam Cole, and Bradley Hein, “Jobs and Income Growth of Top Earners and the Causes of Changing Income Inequality: Evidence from U.S. Tax Return Data” 2012; Steven M. Teles, “The Scourge of Upward Redistribution,” *National Affairs*, 2015, <http://www.nationalaffairs.com/publications/detail/the-scourge-of-upward-redistribution>.

5 Drew DeSilver, “U.S. Income Inequality, on Rise for Decades, Is Now Highest since 1928,” Pew Research Center, accessed February 23, 2015, <http://www.pewresearch.org/fact-tank/2013/12/05/u-s-income-inequality-on-rise-for-decades-is-now-highest-since-1928/>.

6 Richard Fry and Rakesh Kochar, “America’s Wealth Gap between Middle-Income and Upper-Income Families Is Widest on Record,” Pew Research Center, December 17, 2014, <http://www.pewresearch.org/fact-tank/2014/12/17/wealth-gap-upper-middle-income/>.

7 Emmanuel Saez and Gabriel Zucman, “Wealth Inequality in the United States since 1913: Evidence from Capitalized Income Tax Data,” Working Paper (National Bureau of Economic Research, October 2014), <http://www.nber.org/papers/w20625>.

8 Ben Casselman, “The American Middle Class Hasn’t Gotten A Raise In 15 Years,” *FiveThirtyEight*, accessed February 23, 2015, <http://fivethirtyeight.com/features/the-american-middle-class-hasnt-gotten-a-raise-in-15-years/>.

9 Keith Miller et al., “What the New Census Data Show About the Continuing Struggles of the Middle Class,” *Name*, accessed February 23, 2015, <https://www.americanprogress.org/issues/economy/news/2014/09/16/97203/what-the-new-census-data-show->

[about-the-continuing-struggles-of-the-middle-class/](#).

10 Matt O’Brien, “The Middle Class Is Poorer Today than It Was in 1989,” *The Washington Post*, October 1, 2014, <http://www.washingtonpost.com/blogs/wonkblog/wp/2014/10/01/the-middle-class-is-poorer-today-than-it-was-in-1989/>.

11 Raj Chetty et al., “Where Is the Land of Opportunity? The Geography of Intergenerational Mobility in the United States,” Working Paper (National Bureau of Economic Research, January 2014), <http://www.nber.org/papers/w19843>; Markus Jäntti et al., “American Exceptionalism in a New Light: A Comparison of Intergenerational Earnings Mobility in the Nordic Countries, the United Kingdom and the United States,” IZA Discussion Paper (Institute for the Study of Labor (IZA), 2006), <https://ideas.repec.org/p/iza/izadps/dp1938.html>.

12 Nathaniel Hendren, “The Inequality Deflator: Interpersonal Comparisons without a Social Welfare Function,” Working Paper (National Bureau of Economic Research, July 2014), <http://www.nber.org/papers/w20351>.

13 Brink Lindsey, “Low-Hanging Fruit Guarded by Dragons: Reforming Regressive Regulation to Boost U.S. Economic Growth” (The Cato Institute, June 2015), <http://www.cato.org/publications/white-paper/low-hanging-fruit-guarded-dragons-reforming-regressive-regulation-boost-us>.

14 John Haltiwanger, Ron S. Jarmin, and Javier Miranda, “Who Creates Jobs? Small versus Large versus Young,” *Review of Economics and Statistics* 95, no. 2 (May 15, 2012): 347–61, doi:10.1162/REST_a_00288; Hathway, Ian and Litan, Robert E., “Declining Business Dynamism in the United States: A Look at States and Metros” (The Brookings Institution, March 2014); Robert Litan, “Start-Up Slowdown,” *Foreign Affairs*, February 2015, <http://www.foreignaffairs.com/articles/142498/robert-litan/start-up-slowdown>.

15 Richard L. Hasen, *Plutocrats United: Campaign Money, the Supreme Court, and the Distortion of American Elections* (Yale University Press, 2016).

- 16 Lee Drutman, *The Business of America Is Lobbying: How Corporations Became Politicized and Politics Became More Corporate* (New York, NY: Oxford University Press, 2015).
- 17 Mancur Olson, *The Logic of Collective Action; Public Goods and the Theory of Groups* (Cambridge, Mass.: Harvard University Press, 1965); Mancur Olson, *The Rise and Decline of Nations: Economic Growth, Stagflation, and Social Rigidities* (New Haven: Yale University Press, 1982).
- 18 Steven M. Teles, "Kludgeocracy in America," *National Affairs*, 2013.
- 19 Thomas Medvetz, *Think Tanks in America* (University of Chicago Press, 2012).
- 20 Dorie Apollonio, Bruce E. Cain, and Lee Drutman, "Access and Lobbying: Looking beyond the Corruption Paradigm," *Hastings Constitutional Law Quarterly* 36 (2009 2008): 13.
- 21 Professor Edward T. Walker, *Grassroots for Hire: Public Affairs Consultants in American Democracy* (Cambridge University Press, 2014).
- 22 Frank R. Baumgartner et al., *Lobbying and Policy Change: Who Wins, Who Loses, and Why* (University of Chicago Press, 2009).
- 23 Frank R. Baumgartner et al., "Money, Priorities, and Stalemate: How Lobbying Affects Public Policy," *Election Law Journal: Rules, Politics, and Policy* 13, no. 1 (March 1, 2014): 194–209, doi:10.1089/elj.2014.0242.
- 24 Peter Bachrach and Morton S. Baratz, "Two Faces of Power," *The American Political Science Review* 56, no. 4 (December 1, 1962): 947–52, doi:10.2307/1952796.
- 25 Matthew Levendusky, *The Partisan Sort: How Liberals Became Democrats and Conservatives Became Republicans*, 1 edition (Chicago: University Of Chicago Press, 2009); Alan Abramowitz, *The Disappearing Center: Engaged Citizens, Polarization, and American Democracy* (New Haven: Yale University Press, 2010); Sean M. Theriault, *Party Polarization in Congress* (Cambridge ; New York: Cambridge University Press, 2008); Marc J. Hetherington, "Review Article: Putting Polarization in Perspective," *British Journal of Political Science* 39, no. 02 (April 2009): 413–48, doi:10.1017/S0007123408000501.2010
- 26 Geoffrey C. Layman et al., "Activists and Conflict Extension in American Party Politics," *American Political Science Review* 104, no. 02 (May 2010): 324–46, doi:10.1017/S000305541000016X; Ashley E. Jochim and Bryan D. Jones, "Issue Politics in a Polarized Congress," *Political Research Quarterly*, August 1, 2012, 1065912912448930, doi:10.1177/1065912912448930.
- 27 Frances E. Lee, *Beyond Ideology: Politics, Principles, and Partisanship in the U. S. Senate*, 1 edition (Chicago ; London: University Of Chicago Press, 2009); Frances E. Lee, "How Party Polarization Affects Governance," *Annual Review of Political Science* 18, no. 1 (2015): 261–82, doi:10.1146/annurev-polisci-072012-113747.
- 28 Jochim and Jones, "Issue Politics in a Polarized Congress."
- 29 Jeffrey Jones, "Congressional Job Approval Averages Meager 16% in 2015," *Gallup.com*, December 17, 2015, <http://www.gallup.com/poll/187844/congressional-job-approval-averages-meager-2015.aspx>.
- 30 Deborah A. Stone, *Policy Paradox: The Art of Political Decision Making* (New York, NY: W W Norton & Company Incorporated, 1997).
- 31 <https://berniesanders.com/issues/money-in-politics/>
- 32 Genevieve Wood, "Exclusive: Ted Cruz on the 'Age of Cronyism' in Washington," *The Daily Signal*, June 25, 2015, <http://dailysignal.com/2015/06/25/exclusive-ted-cruz-on-the-age-of-cronyism-in-washington/>.
- 33 Philip E Tetlock, "Coping with Trade-Offs: Psychological Constraints and Political Implications," in *Elements of Reason: Cognition, Choice, and the Bounds of Rationality*, ed. Arthur Lupia, Mathew D. McCubbins, and Samuel Popkin (Cambridge: Cambridge University Press, 2000), 239–63.

- 34 Jack Citrin, "Do People Want Something for Nothing: Public Opinion on Taxes and Government Spending," *National Tax Journal* 32, no. 2 (1979): 113–29.
- 35 Jonathan Rauch, *Political Realism: How Hacks, Machines, Big Money, and Back-Room Deals Can Strengthen American Democracy* (Brookings Institution Press, 2015).
- 36 Michael X. Delli Carpini and Scott Keeter, *What Americans Know about Politics and Why It Matters* (New Haven: Yale University Press, 1997); Arthur Lupia, *Uninformed: Why People Seem to Know So Little about Politics and What We Can Do about It* (Oxford University Press, 2015).
- 37 Bruce Ackerman and James S. Fishkin, *Deliberation Day* (Yale University Press, 2005); Hollie Russon Gilman, *Democracy Reinvented: Participatory Budgeting and Civic Innovation in America* (Washington, D.C: Brookings Institution Press, 2016).
- 38 Bruce E. Cain, *Democracy More or Less: America's Political Reform Quandary* (Cambridge University Press, 2014), 69.
- 39 Sarah F. Anzia, *Timing and Turnout: How Off-Cycle Elections Favor Organized Groups* (Chicago ; London: University Of Chicago Press, 2013).
- 40 John Zaller, *The Nature and Origins of Mass Opinion* (Cambridge [England]; New York, NY, USA: Cambridge University Press, 1992)
- 41 Mark A. Smith, *The Right Talk How Conservatives Transformed the Great Society into the Economic Society*. (Princeton Univ Pr, 2009).
- 42 Cain, *Democracy More or Less*, 90.
- 43 Woodrow Wilson, "The Study of Administration," *Political Science Quarterly* 2, no. 2 (1887): 197–222, doi:10.2307/2139277.
- 44 Nolan McCarty, "Complexity, Capacity, and Capture," in *Preventing Regulatory Capture: Special Interest Influence and How to Limit It*, ed. Daniel P. Carpenter and David A. Moss (New York, NY: Cambridge University Press, 2014).
- 45 Paul J. Quirk, *Industry Influence in Federal Regulatory Agencies* (Princeton University Press, 1981).
- 46 James Kwak, "Cultural Capture and the Financial Crisis," in *Preventing Regulatory Capture: Special Interest Influence and How to Limit It*, ed. Daniel P. Carpenter and David A. Moss (Cambridge University Press, 2014).
- 47 Herbert A. Simon, *Administrative Behavior: A Study of Decision-Making Processes in Administrative Organization* (New York: Macmillan, 1947).
- 48 Philip E Tetlock, *Expert Political Judgment* (Princeton, N.J.; Woodstock, UK: Princeton University Press, 2006).
- 49 James Madison, "Federalist #10," in *The Federalist Papers*, ed. Clinton Rossiter (New York: American Library, 1962).
- 50 Ibid.
- 51 Steven L. Taylor et al., *A Different Democracy: American Government in a 31-Country Perspective* (New Haven: Yale University Press, 2014).
- 52 Madison, "Federalist #10."
- 53 Ibid.
- 54 Jonathan Rauch, *Political Realism: How Hacks, Machines, Big Money, and Back-Room Deals Can Strengthen American Democracy* (Brookings Institution Press, 2015); Richard Pildes, "Romanticizing Democracy, Political Fragmentation, and the Decline of American Government," *Yale Law Journal*, 2014, <http://www.yalelawjournal.org/article/the-decline-of-american-government>; Raymond J. LaRaja and Brian F. Schaffner, *Campaign Finance and Political Polarization: When Purists Prevail* (Ann Arbor: University of Michigan Press, 2015).

- 55 Mark Schmitt, "Democratic Romanticism and Its Critics," *Democracy: A Journal of Ideas*, Spring 2015; Thomas E. Mann and E.J. Dionne, "The Futility of Nostalgia and the Romanticism of the New Political Realists: Why Praising the 19th-Century Political Machine Won't Solve the 21st Century's Problems" (Brookings Institution, June 2015).
- 56 Cain, *Democracy More or Less*, 11.
- 57 Ibid.
- 58 Rauch, *Political Realism*; Pildes, "Romanticizing Democracy, Political Fragmentation, and the Decline of American Government."
- 59 LaRaja and Schaffner, *Campaign Finance and Political Polarization*.
- 60 Michael J. Barber, "Ideological Donors, Contribution Limits, and the Polarization of American Legislatures," *The Journal of Politics* 78, no. 1 (2016): 296–310, doi:10.1086/683453; LaRaja and Schaffner, *Campaign Finance and Political Polarization*.
- 61 Joseph A. Schumpeter, *Capitalism, Socialism, and Democracy: Third Edition* (New York: Harper Perennial Modern Classics, 2008); V. O. Key Jr, *The Responsible Electorate: Rationality in Presidential Voting, 1936-1960.*, First Edition, 3rd Printing edition (Harvard University/ Belknap, 1968).
- 62 James Q. Wilson, *The Politics of Regulation* (New York: Basic Books, 1980).
- 63 John W Kingdon, *Agendas, Alternatives, and Public Policies* ([New York]: Harper Collins, 1990).
- 64 Elmer E. Schattschneider, *The Semi-Sovereign People: A Realist's View of Democracy in America* (Hinsdale, IL: The Dryden Press, 1975), 7.
- 65 Elmer E. Schattschneider, *The Semi-Sovereign People: A Realist's View of Democracy in America* (Hinsdale, IL: The Dryden Press, 1975), 4.
- 66 James Q. Wilson, *The Politics of Regulation* (New York: Basic Books, 1980).
- 67 Wilson, *The Politics of Regulation*, 371.
- 68 Address at Oglethorpe University, May 22, 1932
- 69 Alan Murray and Jeffrey H. Birnbaum, *Showdown at Gucci Gulch: Lawmakers, Lobbyists, and the Unlikely Triumph of Tax Reform* (New York: Random House, 1987), https://catalyst.library.jhu.edu/catalog/bib_661524.
- 70 Martha Derthick and Paul J. Quirk, *The Politics of Deregulation* (Washington, D.C: Brookings Institution Press, 1985).
- 71 Murray and Birnbaum, *Showdown at Gucci Gulch*.
- 72 Nelson W. Polsby, *Political Innovation in America: The Politics of Policy Initiation* (New Haven; London: Yale University Press, 1985); John W Kingdon, *Agendas, Alternatives, and Public Policies* ([New York]: Harper Collins, 1990); Derthick and Quirk, *The Politics of Deregulation*; R. Douglas Arnold, "The Logic of Congressional Action" (New Haven: Yale University Press, 1990); Timothy J. Conlan, David R. Beam, and Margaret T. Wrighson, "Policy Models and Political Change: Insights from the Passage of Tax Reform," in *The New Politics of Public Policy*, ed. Marc K. Landy and Martin A. Levin (Baltimore: Johns Hopkins University Press, 1995).
- 73 Landy, Marc K., and Martin A. Levin, eds. *The New Politics of Public Policy*. Baltimore: Johns Hopkins University Press, 1995. p. 7
- 74 Kingdon, *Agendas, Alternatives, and Public Policies*, 1.
- 75 Jeffrey H. Birnbaum, *Showdown at Gucci Gulch: Lawmakers, Lobbyists, and the Unlikely Triumph of Tax Reform*, 1st ed (New York: Random House, 1987), 182.
- 76 Ibid.
- 77 Arnold, "The Logic of Congressional Action."
- 78 Ibid.

79 Jacobson and Gary C. Jacobson, *The Politics of Congressional Elections*, 5 edition (New York: Longman, 2000), 87.

80 Tracy Sulkin, *Issue Politics in Congress* (Cambridge ; New York: Cambridge University Press, 2005).

81 Murray and Birnbaum, *Showdown at Gucci Gulch*.

82 Timothy J. Conlan, David R. Beam, and Margaret T. Wrighson, "Policy Models and Political Change: Insights from the Passage of Tax Reform," in *The New Politics of Public Policy*, ed. Marc K. Landy and Martin A. Levin (Baltimore: Johns Hopkins University Press, 1995), 131.

83 Jeffrey H. Birnbaum, *Showdown at Gucci Gulch: Lawmakers, Lobbyists, and the Unlikely Triumph of Tax Reform*, (New York: Random House, 1987), 269. In private discussions, "Packwood asked Rostenkowski's advice about whether he should run for president."

84 "2016 House Race Ratings for January 15, 2016" <http://cookpolitical.com/house/charts/race-ratings>

85 "2016 Senate Race Ratings for November 23, 2015" <http://cookpolitical.com/senate/charts/race-ratings>

86 Corwin D. Smidt, "Polarization and the Decline of the American Floating Voter," *American Journal of Political Science*, October 1, 2015, n/a – n/a, doi:10.1111/ajps.12218.

87 Andre Blais, *To Vote or Not to Vote: The Merits and Limits of Rational Choice Theory*, 1 edition (Pittsburgh, Pa: University of Pittsburgh Press, 2000). Blais finds that: "the verdict is crystal clear with respect to closeness: closeness has been found to increase turnout in 27 of the 32 studies that have tested the relationship, in many different settings and diverse methodologies. There are strong reasons to believe that, as predicted by rational choice theory, more people vote when the election is close" (p. 60)

88 Levendusky, *The Partisan Sort*; Theriault, *Party Polarization in Congress*; Abramowitz, *The Disappearing Center*.

89 Estimates from [Opensecrets.org](http://www.opensecrets.org)

90 Peter Overby, "Words Wealthy Democratic Donors Should Get Used To: 'It's Me, Rahm'," *NPR.org*, September 8, 2012, <http://www.npr.org/sections/itsallpolitics/2012/09/07/160770861/words-wealthy-democratic-donors-should-get-used-to-its-me-rahm>.

91 Steve Israel, "Steve Israel: Confessions of a Congressman," *The New York Times*, January 8, 2016, <http://www.nytimes.com/2016/01/09/opinion/steve-israel-confessions-of-a-congressman.html>.

92 Paul Blumenthal, "Chris Murphy: 'Soul-Crushing' Fundraising Is Bad For Congress," *Huffington Post*, May 7, 2013, http://www.huffingtonpost.com/2013/05/07/chris-murphy-fundraising_n_3232143.html.

93 Benjamin I. Page, Larry M. Bartels, and Jason Seawright, "Democracy and the Policy Preferences of Wealthy Americans," *Perspectives on Politics* 11, no. 01 (2013): 51–73, doi:10.1017/S153759271200360X.

94 Lee Drutman, "The Political 1% of the 1% in 2012" (*The Sunlight Foundation*, June 24, 2013), http://sunlightfoundation.com/blog/2013/06/24/1pct_of_the_1pct/.

95 Israel, "Steve Israel."

96 Lee Drutman and Mark Schmitt, "The 2014 Campaign Is a Campaign about Nothing," *The Washington Post*, October 27, 2014, <http://www.washingtonpost.com/blogs/monkey-cage/wp/2014/10/27/the-2014-campaign-is-a-campaign-about-nothing/>.

97 Ackerman and Fishkin, *Deliberation Day*.

98 Michael A. Neblo et al., "Who Wants To Deliberate—And Why?," *American Political Science Review* 104, no. 03 (August 2010): 566–83, doi:10.1017/S0003055410000298.

99 *Citizens United* is the 2010 Supreme Court decision that paved the way for super PACs.

- 100 LaRaja and Schaffner, Campaign Finance and Political Polarization.
- 101 Ibid.
- 102 Lee Drutman, "Giving the Two Parties Even More Money Will Not Solve Polarization," Vox, November 20, 2015, <http://www.vox.com/polyarchy/2015/11/20/9763292/parties-polarization-small-donors>.
- 103 Jacob S. Hacker and Paul Pierson, "After the 'Master Theory': Downs, Schattschneider, and the Rebirth of Policy-Focused Analysis," *Perspectives on Politics* 12, no. 03 (September 2014): 643–62, doi:10.1017/S1537592714001637.
- 104 Schmitt, "Political Opportunity: A New Framework for Democratic Reform."
- 105 Sidney Verba, Kay Lehman Schlozman, and Henry E. Brady, *Voice and Equality: Civic Voluntarism in American Politics* (Cambridge, Mass.: Harvard University Press, 1995).
- 106 Mark Schmitt, "Seattle's New Political Vouchers Are an Experiment. How Will We Know If They're Working?," Vox, November 16, 2015, <http://www.vox.com/polyarchy/2015/11/16/9743144/seattle-political-vouchers>.
- 107 Hasen, *Plutocrats United*.
- 108 Jonathan Rodden, "Geography and Gridlock in the United States," in *Solutions to Political Polarization in America*, 2015; Jowei Chen and Jonathan Rodden, "Unintentional Gerrymandering: Political Geography and Electoral Bias in Legislatures," *Quarterly Journal of Political Science* 8, no. 3 (January 1, 2013): 239; Michael Barber and Nolan McCarty, "Causes and Consequences of Polarization," in *APSA Task Force on Negotiating Agreement in Politics* (American Political Science Association, 2013); Hetherington, "Review Article"; Jamie L. Carson et al., "Redistricting and Party Polarization in the U.S. House of Representatives," *American Politics Research* 35, no. 6 (November 1, 2007): 878–904, doi:10.1177/1532673X07304263.
- 109 Eric McGhee and John Sides, "Gerrymandering Isn't Evil," *POLITICO Magazine*, June 2015, <http://www.politico.com/magazine/story/2015/06/could-gerrymandering-be-good-for-democracy-119581.html>.
- 110 Fairvote.org
- 111 Taylor et al., *A Different Democracy*.
- 112 Rein Taagepera, Peter Selb, and Bernard Grofman, "How Turnout Depends on the Number of Parties: A Logical Model," *Journal of Elections, Public Opinion and Parties* 24, no. 4 (October 2, 2014): 393–413, doi:10.1080/17457289.2013.858345.
- 113 John Gerring, Strom C. Thacker, and Carola Moreno, "Are Parliamentary Systems Better?," *Comparative Political Studies* 42, no. 3 (March 1, 2009): 327–59, doi:10.1177/0010414008325573.
- 114 Arend Lijphart, *Patterns of Democracy: Government Forms and Performance in Thirty-Six Countries* (New Haven: Yale University Press, 1999).
- 115 Gerring, Thacker, and Moreno, "Are Parliamentary Systems Better?"
- 116 Ranked Choice Voting Act: FAQ by FairVote, September 2015
- 117 Jeffrey H. Birnbaum, *Showdown at Gucci Gulch: Lawmakers, Lobbyists, and the Unlikely Triumph of Tax Reform*, (New York: Random House, 1987), 13
- 118 Derthick and Quirk, *The Politics of Deregulation*.
- 119 Ibid.
- 120 Martha Derthick and Paul J. Quirk, *The Politics of Deregulation* (Washington, D.C: Brookings Institution Press, 1985), 258.
- 121 Theda Skocpol, *Diminished Democracy: From Membership to Management in American Civic Life*

(University of Oklahoma Press, 2004).

122 Theda Skocpol, "APSA Presidential Address: Voice and Inequality: The Transformation of American Civic Democracy," *Perspectives on Politics* 2, no. 01 (2004): 3–20, doi:10.1017/S1537592704000593.

123 Robert H. Salisbury, "The Paradox of Interest Groups in Washington DC: More Groups and Less Clout," in *The New American Political System* (Washington, DC: American Enterprise Institute, 1990), 203.

124 Ibid., 204.

125 Lee Drutman, Matt Grossmann, and Tim LaPira, "The Interest Group Top Tier: More Groups, Concentrated Clout," SSRN Scholarly Paper (Rochester, NY: Social Science Research Network, 2014), <http://papers.ssrn.com/abstract=2453733>.

126 Drutman, *The Business of America Is Lobbying*.

127 Ibid.

128 Skocpol, *Diminished Democracy*.

129 Layman et al., "Activists and Conflict Extension in American Party Politics."

130 These obstacles arise both because of policy design (James Q. Wilson, *The Politics of Regulation* (New York: Basic Books, 1980)) and the logic of collective action, (Mancur Olson, *The Logic of Collective Action; Public Goods and the Theory of Groups* (Cambridge, Mass.: Harvard University Press, 1965)).

131 I'm developing this proposal in more detail with Christine Mahoney. Our working proposal is titled, "Post-Map-Ask: Towards a More Democratic, Modern Lobbying Process."

132 Timothy M. LaPira, "Erring on the Side of Shady: How Calling out 'lobbyists' Drove Them Underground," Sunlight Foundation, April 1, 2014, [http://sunlightfoundation.com/blog/2014/04/01/erring-on-the-side-of-shady-how-calling-out-lobbyists-drove-them-](http://sunlightfoundation.com/blog/2014/04/01/erring-on-the-side-of-shady-how-calling-out-lobbyists-drove-them-underground/)

[underground/](http://sunlightfoundation.com/blog/2014/04/01/erring-on-the-side-of-shady-how-calling-out-lobbyists-drove-them-underground/).

133 Pildes, "Romanticizing Democracy, Political Fragmentation, and the Decline of American Government."

134 Lee, *Beyond Ideology*.

135 Derthick and Quirk, *The Politics of Deregulation*.

136 Martha Derthick and Paul J. Quirk, *The Politics of Deregulation* (Washington, D.C: Brookings Institution Press, 1985).

137 Murray and Birnbaum, *Showdown at Gucci Gulch*.

138 Ibid.

139 Hedrick Smith, *The Power Game: How Washington Works* (New York: Ballantine Books, 1996), 271–272.

140 Malbin, *Unelected Representatives* (Basic Books, 1980).

141 Lee Drutman and Steven M. Teles, "A New Agenda for Political Reform," *The Washington Monthly*, May 2015, http://www.washingtonmonthly.com/magazine/marchaprilmay_2015/features/a_new_agenda_for_political_ref054226.php?page=all.

142 Ibid.

143 Robert H. Salisbury and Kenneth A. Shepsle, "U. S. Congressman as Enterprise," *Legislative Studies Quarterly* 6, no. 4 (November 1, 1981): 559–76, doi:10.2307/439385.

144 Derthick and Quirk, *The Politics of Deregulation*.

145 Lee Drutman and Steven M. Teles, "A New Agenda for Political Reform," *The Washington Monthly*, May 2015, http://www.washingtonmonthly.com/magazine/marchaprilmay_2015/features/a_new_agenda_for_political_ref054226.php?page=all; Lorelei Kelly, "Congress' Wicked Problem: Seeking Knowledge Inside

the Information Tsunami” (New America Foundation, 2012); Paul Glastris and Haley Sweetland Edwards, “The Big Lobotomy,” *Washington Monthly*, 2014, http://www.washingtonmonthly.com/magazine/junejulyaugust_2014/features/the_big_lobotomy050642.php?page=all.

146 Glastris and Edwards, “The Big Lobotomy.”

147 Daniel Schuman, “Keeping Congress Competent: Staff Pay, Turnover, and What It Means for Democracy,” Sunlight Foundation, December 21, 2010.

148 Paul Singer and Jarrad Saffren, “House Press Offices Expand as Other Staffs Shrink,” *USA TODAY*, July 1, 2014, <http://www.usatoday.com/story/news/politics/2014/07/01/house-staff-cuts-communications-press/11425389/>.

149 Drutman and Teles, “A New Agenda for Political Reform.”

150 Kevin Kosar, “How to Strengthen Congress,” *National Affairs*, Fall 2015.

151 Schuman, “Keeping Congress Competent: Staff Pay, Turnover, and What It Means for Democracy”; Daniel Schuman, “Keeping Congress Competent: The Senate’s Brain Drain,” Sunlight Foundation, 2012, <http://sunlightfoundation.com/>; Congressional Management Foundation, “2009 House of Representatives Compensation Study,” 2009, <http://www.scribd.com/doc/24769228/2009-House-of-Representatives-Compensation-Study>; Congressional Management Foundation, “Life in Congress: Aligning Work and Life in the U.S. House and Senate,” 2013.

152 Richard L Hall and Alan V Deardorff, “Lobbying as Legislative Subsidy,” *American Political Science Review* 100, no. 1 (2006): 69–84.

153 Drutman, *The Business of America Is Lobbying*.

154 Reported lobbying numbers are almost certainly a serious undercount of total actual lobbying expenditures. Best estimates are that they are at most a half, perhaps closer to a third of actual influence activity.

155 Lee Drutman and Steven M. Teles, “A New Agenda for Political Reform,” *The Washington Monthly*, May 2015,

156 Christopher Demuth, “A Constitutional Congress?,” *Weekly Standard*, October 27, 2014, <http://www.weeklystandard.com/a-constitutional-congress/article/816392>.

157 Barbara Sinclair, *Unorthodox Lawmaking : New Legislative Processes in the U.S. Congress*, vol. 2nd (Washington, D.C.: CQ Press, 2000).

158 Gregory Wawro, *Legislative Entrepreneurship in the U.S. House of Representatives* (Ann Arbor: University of Michigan Press, 2001), 158.

159 Marc K. Landy and Martin A. Levin, eds., *The New Politics of Public Policy* (Baltimore: Johns Hopkins University Press, 1995).

160 Barbara Sinclair, *Unorthodox Lawmaking : New Legislative Processes in the U.S. Congress*, vol. 2nd (Washington, D.C.: CQ Press, 2000).

161 Frank R. Baumgartner and Bryan D. Jones, *The Politics of Information: Problem Definition and the Course of Public Policy in America* (Chicago ; London: University Of Chicago Press, 2015), 192.

162 Baumgartner and Jones, *The Politics of Information*.

163 Scott E. Page, *The Difference: How the Power of Diversity Creates Better Groups, Firms, Schools, and Societies*, 1st ed. (Princeton University Press, 2008).

164 Derthick and Quirk, *The Politics of Deregulation*.

165 David W. Rohde, *Parties and Leaders in the Postreform House*, 1st edition (Chicago: University of Chicago Press, 1991); Gary W. Cox and Mathew D. McCubbins, *Legislative Leviathan : Party Government in the House*, vol. 23 (Berkeley: University of California Press, 1993); Gary W. Cox and Mathew D. McCubbins, *Setting the Agenda: Responsible Party Government in the U.S. House of Representatives* (Cambridge ; New York: Cambridge

University Press, 2005); Julian Zelizer, *On Capitol Hill: The Struggle to Reform Congress and Its Consequences, 1948-2000*, 1 edition (Cambridge ; New York: Cambridge University Press, 2006).

166 James M. Curry, *Legislating in the Dark: Information and Power in the House of Representatives* (Chicago ; London: University Of Chicago Press, 2015).

167 Ibid.

168 William Bendix, "Bypassing Congressional Committees: Parties, Panel Rosters, and Deliberative Processes," 2015.

169 Cox and McCubbins, *Setting the Agenda*.

170 Bendix, "Bypassing Congressional Committees: Parties, Panel Rosters, and Deliberative Processes."

171 "Governing in a Polarized America: A Bipartisan Blueprint to Strengthen Our Democracy" (Bipartisan Policy Center, 2014), 52.

172 Ibid., 53.

173 Curry, *Legislating in the Dark*.

174 Jeffery A. Jenkins and Charles Stewart Stewart, "What Happened to John Boehner Hasn't Happened in a Century. No One Knows What Comes Next.," *The Washington Post*, September 30, 2015, <https://www.washingtonpost.com/blogs/monkey-cage/wp/2015/09/30/what-happened-to-john-boehner-hasnt-happened-in-a-century-no-one-knows-what-comes-next/>.

175 Lee, *Beyond Ideology*; Sarah F. Anzia and Molly C. Jackman, "Legislative Organization and the Second Face of Power: Evidence from U.S. State Legislatures," *The Journal of Politics* 75, no. 01 (January 2013): 210–24, doi:10.1017/S0022381612000977; Molly C. Jackman, "Parties, Median Legislators, and Agenda Setting: How Legislative Institutions Matter," *The Journal of Politics* 76, no. 01 (January 2014): 259–72, doi:10.1017/S0022381613001291.

176 Justin Amash, "House GOP's 'Govern by Crisis' Model - CNN.com," *CNN*, October 4, 2015, <http://www.cnn.com/2015/10/04/opinions/amash-house-gop-leadership-is-broken/index.html>.

177 Samuel P. Huntington, *American Politics: The Promise of Disharmony* (Cambridge, Mass.: Belknap Press, 1983).

178 Adam D. Sheingate, "Policy entrepreneurship, Institutional Change, and American Political Development," *Studies in American Political Development* 17, no. 02 (October 2003): 185–203, doi:10.1017/S0898588X03000129.



This report carries a Creative Commons Attribution 4.0 International license, which permits re-use of New America content when proper attribution is provided. This means you are free to share and adapt New America's work, or include our content in derivative works, under the following conditions:

- **Attribution.** You must give appropriate credit, provide a link to the license, and indicate if changes were made. You may do so in any reasonable manner, but not in any way that suggests the licensor endorses you or your use.

For the full legal code of this Creative Commons license, please visit creativecommons.org.

If you have any questions about citing or reusing New America content, please visit www.newamerica.org.

All photos in this report are supplied by, and licensed to, **Shutterstock.com** unless otherwise stated. Photos from federal government sources are used under section 105 of the Copyright Act.

