

Interest Groups Dominate Congress

by
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At this point in Congress' struggle to adopt a compromise budget package (August 4), the evidence suggests that interest-group pressures are making mincemeat out of the President's original budget proposal. Not only does it appear that Congress will not go very far toward reducing the growing deficit, there is also little evidence of coherence or purposeful direction among the leaders charged with defining and deciding the country's long-term common good.

Prompted by the seriousness of the situation, I want to suggest a reform so vast, so fundamental, so improbable that it may seem utterly fantastic. Nevertheless, it is a reform that is long overdue, one that would move the legislative process far closer to coherence and real "justice for all" than has been the case since lobby groups first arose after the Civil War. *My proposal is to make lobbying illegal!* Sound far out? Consider the following arguments.

1. We all agree that in a court of law the evidence must be presented in open court according to rules of evidence. And we also agree that it would be unjust to allow anyone to attempt to influence the jury once the evidence has been presented. We wouldn't think of allowing friends and enemies of the accused to lobby the jurors who must *apply* the law to a particular case. Why, then, is it not equally unjust to allow anyone to lobby the elected lawmakers who must *make* the laws? Why is not lobbying the legislative equivalent of jury tampering.

2. One of the strengths of a democracy is openness. The officials we entrust to make laws must first run as candidates before the public and debate the issues publicly. They then go to Congress on behalf of the citizens who elected them. Why should we not be outraged, therefore, by the fact that once the election is over, special interests are permitted to pay full-time, professional lobbyists to do an end-run around the election process? What, exactly, is the point of having candidates face the crucible of public scrutiny on a myriad of issues if they can

then be pressured in private to make decisions not tested by the refiner's fire of that public scrutiny?

3. Making lobbying illegal would not only make the legislative process more just, it would also make it *appear* to be more just. Part of the public's present discouragement comes from its (correct) belief that so much of the important interest brokering goes on after elections behind closed doors rather than in the public eye where it belongs.

Of course, interest groups should have their say. Congress should hear testimony from all sides of an issue before enacting laws. But that testimony should be presented before appropriate committees, in open, public hearings rather than take the form of secret pressuring of individual lawmakers.

This proposal may sound unreasonably idealistic. How, you might ask, will Congress ever ban lobbying when it is so influenced by lobbyists? The odds against it are great, I admit. But perhaps they are no more improbable than the odds against passing anti-trust legislation seemed to be in 1900. In the interest of the long-range good of the country, however, we must at least try to ban this awful scourge. Perhaps one day President Clinton or one of his successors will—either on the basis of principle or out of sheer frustration—see the justice of this proposal and endorse it from the White House. □

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