

# Senator Gary Hart on how we got in this mess. TIME MAGAZINE

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I D E A S O L I T I C S

## Gay Hart America's Founding Principles Are in Danger of Corruption

Gary Hart |

*Gary Hart is a former United States senator*

### Welcome to the age of vanity politics and campaigns-for-hire. What would our founders make of this nightmare?

Four qualities have distinguished republican government from ancient Athens forward: the sovereignty of the people; a sense of the common good; government dedicated to the commonwealth; and resistance to corruption. Measured against the standards established for republics from ancient times, the American Republic is massively corrupt.

From Plato and Aristotle forward, corruption was meant to describe actions and decisions that put a narrow, special, or personal interest ahead of the interest of the public or commonwealth. Corruption did not have to stoop to money under the table, vote buying, or even renting out the Lincoln bedroom. In the governing of a republic, corruption was self-interest placed above the interest of all—the public interest.

By that standard, can anyone seriously doubt that our republic, our government, is corrupt? There have been Teapot Domes and financial scandals of one kind or another throughout our nation's history. There has never been a time, however, when the government of the United States was so perversely and systematically dedicated to special interests, earmarks, side deals, log-rolling, vote-trading, and sweetheart deals of one kind or another.

What brought us to this? A sinister system combining staggering campaign costs, political contributions, political action committees, special interest payments for access, and, most of all, the rise of the lobbying class.

Worst of all, the army of lobbyists that started relatively small in the mid-twentieth century has now grown to big battalions of law firms and lobbying firms of the right, left, and an amalgam of both. And that gargantuan, if not reptilian, industry now takes on board former members of the House and the Senate and their personal and committee staffs. And they are all getting fabulously rich.

This development in recent years has been so insidious that it now goes without notice. The key word is not quid-pro-quo bribery, the key word is access. In exchange for a few moments of the senator's time and many more moments of her committee staff's time, fund-raising events with the promise of tens, even hundreds, of thousands of dollars are delivered.

Corruption in a federated republic such as ours operates vertically as well as horizontally. Seeing how business is conducted in Washington, it did not take long for governors of both parties across the country to subscribe to the special-interest state. Both the Republican and Democratic governors' associations formed "social welfare" organizations composed of wealthy interests and corporate executives to raise money for their respective parties in exchange for close, personal access to individual governors, governors who almost surely could render executive decisions favorable to those corporate interests. A series of judicial decisions enabled these "social welfare" groups, supposedly barred from political activity, to channel virtually unlimited amounts of money to governors in exchange for access, the political coin of the realm in the corrupted republic, and to do so out of sight of the American people. Editorially, the New York Times commented that "the stealthy form of political corruption known as 'dark money' now fully permeates governor's offices around the country, allowing corporations to push past legal barriers and gather enormous influence."

Frustrated, irate discussions of this legalized corruption are met in the Washington media with a shrug. So what? Didn't we just have dinner with that lobbyist for the banking industry, or the teachers' union, or the airline industry at that well-known journalist's house only two nights ago? Fine lady, and she used to be the chairman of one of those powerful committees. I gather she is using her Rolodex rather skillfully on behalf of her new clients. Illegal? Not at all. Just smart . . . and so charming.

There is little wonder that Americans of the right and many in the middle are apoplectic at their government and absolutely, and rightly, convinced that the game of government is rigged in favor of the elite and the powerful. Occupiers see even more wealth rising to the top at the expense of the poor and the middle class. And Tea Partiers believe their tax dollars are going to well-organized welfare parasites and government bureaucrats.

Recent months have seen, in effect, the legalization of Watergate. Who would have thought, forty years after the greatest political scandal and presidential abuse of power in U.S. history, that the Supreme Court of the United States would rule the practices that financed that scandal were now legal?

That is essentially the effect of the *Citizens United* decision. Bets may be taken as to the length of time that will expire before this tsunami of political money ends up in the pockets of break-in burglars, wiretap experts, surveillance magicians, and cyberpunks. Given the power and money at stake in presidential and congressional elections, it is inevitable that candidates or their operatives with larceny in their hearts will tap into the hundreds of millions of dollars that their campaigns are awash in to game the system in highly illegal ways.

And, of course, the ultimate victims of the corruption of the democratic process are not defeated candidates and parties but America's citizens. Perhaps Supreme Court justices should have to experience a corrupted election process firsthand to recognize a hollowed-out democracy. As one who experienced Watergate in its multi-tentacled form, I know it is not pleasant to be placed under surveillance, to have your taxes audited, and to experience dirty tricks. All this happened to me, among a number of others, simply because we worked for an honest presidential candidate who dared challenge the authority and power of a president who had long since forgotten the integrity the democratic process requires.

The advent of legalized corruption launched by the Supreme Court empowers the superrich to fund their own presidential and congressional campaigns as pet projects, to foster pet policies, and to represent pet political enclaves. You have a billion, or even several hundred million, then purchase a candidate from the endless reserve bench of minor politicians and make him or her a star, a mouthpiece for any cause or purpose however questionable, and that candidate will mouth your script in endless political debates and through as many television spots as you are willing to pay for. All legal now.

To compound the political felony, much, if not most, campaign financing is now carried out in secret, so that everyday citizens have a decreasing ability to determine to whom their elected officials are beholden and to whom they must now give special access. As recently as the 2014 election, the facts documented this government of influence by secrecy: "More than half of the general election advertising aired by outside groups in the battle for control of Congress," according to the New York Times, "has come from organizations that disclose little or nothing about their donors, a flood of secret money that is now at the center of a debate over the line between free speech and corruption."

The five prevailing Supreme Court justices, holding that a legal entity called a corporation has First Amendment rights of free speech, might at least have required the bought-and-paid-for candidates to wear sponsor labels on their suits as stock-car drivers do. Though, for the time being, sponsored candidates will not be openly promoted by Exxon-Mobil or the Stardust Resort and Casino but by phony "committees for good government" smokescreens.

To add to the profound misdirection of American politics by the Supreme Court, we now have what might be called convergence in the garden of

government influence.

Back in the 1960s Flannery O'Connor wrote the short story "Everything That Rises Must Converge." It had to do with generational insensitivity between a mother and son, and between generations on the issue of race in society. In reading a piece by Thomas B. Edsall ("The Lobbyist in the Gray Flannel Suit," New York Times, May 14, 2012), this title came to mind in a totally different context. The context is the lobbying maze in Washington and the convergence of dozens of noxious weeds in the garden of government into a handful of giant predator thornbushes now devouring that garden.

Of this handful, the largest by far is WPP (originally called Wire and Plastic Products; is there a metaphor here?), which has its headquarters in London and more than 150,000 employees in 2,500 offices spread around 107 countries. It, together with one or two conglomerating competitors, represents a fourth branch of government, vacuuming up former senators and House members and their spouses and families, key committee staff, former senior administration officials of both parties and several administrations, and ambassadors, diplomats, and retired senior military officers.

WPP has swallowed giant public relations, advertising, and lobbying outfits such as Hill & Knowlton and BursonMarsteller, along with dozens of smaller members of the highly lucrative special interest and influence-manipulation world. Close behind WPP is the Orwellian-named Omnicom Group and another converger vaguely called the Interpublic Group of Companies. According to Mr. Edsall, WPP had billings last year of \$72.3 billion, larger than the budgets of quite a number of countries.

With a budget so astronomical, think how much good WPP can do in the campaign finance arena, especially since the Citizens United decision. The possibilities are almost limitless. Why pay for a senator or congresswoman here or there when you can buy an entire committee? Think of the banks that can be bailed out, the range of elaborate weapons systems that can be sold to the government, the protection from congressional scrutiny that can be paid for, the economic policies that can be manipulated.

The lobbying business is no longer about votes up or down on particular measures that may emerge in Congress or policies made in the White House. It is about setting agendas, deciding what should and should not be brought up for hearings and legislation. We have gone way beyond mere vote buying now. The converging Influence World represents nothing less than an unofficial but enormously powerful fourth branch of government.

To whom is this branch of government accountable? Who sets the agenda for its rising army of influence marketers? How easy will it be to not only go from office to a lucrative lobbying job but, more important, from lucrative lobbying job to holding office? Where are its loyalties if it is manipulating and influencing governments around the world? Other than as a trough of money of gigantic proportions, how does it view the government of the United States?

America's founders knew one thing: The republics of history all died when narrow interests overwhelmed the common good and the interests of the commonwealth.

O'Connor took her story title from a belief of the French Jesuit philosopher Pierre Teilhard de Chardin. Teilhard de Chardin believed that all good would rise and that all that rose would eventually converge. We pray that he was right for, at the present moment, we have only prayer and no evidence. In the realm of twenty-first-century American politics, the opposite is surely coming true.

Welcome to the Age of Vanity politics and campaigns-for-hire featuring candidates who repeat their sponsored messages like ice-cream-truck vendors passing through the neighborhood. If the current Supreme Court had been sitting during Watergate in 1974, it would not have voted 9-0 to require the president to turn over legally incriminating tapes but instead would have voted to support the use of illegal campaign contributions to finance criminal cover-ups as an exercise in "free speech."

What would our founders make of this nightmare of corruption? We only know, in Thomas Jefferson's case, for example, that his distrust of central

government had to do with the well-founded and prescient suspicion that its largesse would go to powerful and influential interests, especially financiers, who knew how to manipulate both the government and the financial markets. In particular, Jefferson envisioned sophisticated bankers speculating in public-debt issues with some if not all the interest incurred going into their pockets.

He was way ahead of his time. The limits of his imagination would not have encompassed the early twenty-first-century financial world where vast sums of money are manipulated like the world's greatest three-card-monte game and nothing tangible is being produced—except fees and more money. Even the titans ruling over this game confessed, after the 2008 financial collapse, that they did not know what collateralized debt obligations, bundled derivatives, and other tricky instruments devised by clever twenty-eight-year-olds were about. All they knew was how to respond to their industry lobbyists' requests for very large contributions to compliant members of congressional finance committees and to do so quickly and often. And they did get their money's worth.

The scope and scale of this genuine scandal (as distinguished from vastly more mundane behavior that passes for scandal in the media) is the single greatest threat to our form of government. It is absolutely incompatible with the principles and ideals upon which America was founded. At the very least, we Americans cannot hold ourselves up to the world as the beacon of democracy so long as we permit, as long as we acquiesce in, corruption so far beyond the standards of the true republic that our government cannot be proclaimed an ideal for other aspiring nations.

On a more personal level, how can public service be promoted as an ideal to young people when this sewer corrupts our Republic? At this point in early twenty-first-century America, the greatest service our nation's young people could provide is to lead an army of outraged young Americans armed with brooms on a crusade to sweep out the rascals and rid our capital of the money changers, rent seekers, revolving door dancers, and special interest deal makers and power brokers and send them back home to make an honest living, that is, if they still remember how to do so.

What angers truly patriotic Americans is that this entire Augean stable is legal. Even worse, recent Supreme Court decisions placing corporations under the First Amendment protection of free speech for political purposes compounds the tragedy of American democracy. For all practical political purposes, the government of the United States is for sale to the highest bidder.

A harsh judgment? Indeed. But it is impossible to claim to love one's country and not be outraged at how corrupt it has become. For former senators and representatives to trade a title given them by the voters of their respective states and districts for cash is beyond shameful. It is outrageous.

"I tremble for my country when I contemplate that God is just." Those words of Thomas Jefferson, enshrined on the walls of his memorial, referred to the institution of slavery. Today he might readily render the same judgment about corruption in and of the American Republic.

Imagine if you will the response of George Washington, James Madison, Jefferson, John Adams, and even the financial pragmatist Alexander Hamilton were they to observe today's lobbyists at work, especially former government officials, organizing fund-raising events and delivering bundles of checks. They would be appalled. Even more, they would be ashamed.

Can this bazaar of special interest stalls in the halls of Congress, the money changers in the temple of democracy, be justified by the realities of modern times? If so, it is not readily apparent how. America can be a mass democracy of 330 million people. It is engaged commercially, diplomatically, and militarily all over the world. We live in an age of instant communication and international travel. The amounts of money involved in administering our government are staggering, with appreciably more zeros than even in the 1970s and '80s. But none of these facts lift the burden of ethics in public life, what the founders called virtue, from the shoulders of public servants.

It is an error of serious proportion to dismiss corruption in twenty-first-

century American democracy on the grounds that this has all been going on from the beginning, that boys will be boys, that politicians are always on the take. Past incidents of the violation of public ethics provide no argument for accepting the systemic and cancerous commercialization of modern American politics.

For that is what it is. Political office, public service, and engagement in governance must not be monetized. Even if no laws are broken, even if a public servant can walk out the door one day and cash in his or her experience and title for cash the next, that does not make it right. Everything strictly legal is not therefore ethical. When the founders discussed virtue, they were harking back to ancient Athens and the ideal of the republic. And, as scholars of ancient Greek and Roman political texts, they knew in their minds and in their hearts that a republic with leaders who lacked virtue would not long survive.

That is the issue. With the dubious endorsement by the Supreme Court of the United States, which will have its own history to answer to, using First Amendment protection of free speech to legitimize the most egregious violations of the principles of the republic is to invite the eventual erosion of the ideal of the American Republic, to reduce this great nation and its heritage to the worst kind of mundane governance, to prostitute a noble experiment on the altar of expediency and greed, and to leave coming generations to ponder what went wrong.

"Just because it is legal doesn't make it right" should be carved above every congressional doorway, every cabinet department, and even the White House itself. Contrast the fact that upon returning to Independence, Missouri, in 1953, Harry Truman refused to take even a pencil from the White House ("It didn't belong to me," he said, by way of explanation) with modern presidents whose political networks have graciously waited until they departed the White House to make them rich.

Though quaintly used in recent times to denote proper behavior for ladies, virtue as applied to public service is a powerful standard. It genuinely does require having no personal interest in the public's business, not only at the time one is involved in decision making but also thereafter. The fact that many former presidents and prime ministers of European democracies have enriched themselves in questionable ways after leaving office does not justify similar behavior on the part of American politicians. We hold ourselves to a higher standard.

Our ancestors did not depart Europe and elsewhere to seek freedom and self-government alone. They came to these shores to escape social and political systems that were corrosive and corrupt. Two and a quarter centuries later, we are returning to those European practices. We are in danger of becoming a different kind of nation, one our founders would not recognize and would deplore.

Even as politicians and pundits alike pummel the fiscal deficit, we are developing an integrity deficit of mounting proportions. And one is not disconnected from the other. Because of the erosion of the integrity of our governing system, and the principles and ideals underlying it, the fiscal deficit increases. The government spending so many conservatives claim to abhor includes not only the social safety net of Roosevelt and Johnson, but also the war-making excursions of Ronald Reagan and George W. Bush. It is all government spending. And it includes favorite pork-barrel projects of every member of both houses of Congress of both political parties, and every one of those most loudly condemning "wasteful government spending." Those projects are produced by the lobbying interests that raise money for those members of Congress in direct proportion to their effectiveness at bringing government-financed projects to their states and districts. By definition, if it is a project in my state or district, it is not wasteful.

Restoration of the Republic of Conscience requires reduction and eventual elimination of the integrity deficit. Virtue, the disinterestedness of our elected officials, must replace political careerism and special interests. The national interest, what is best for our country and coming generations, must replace struggles for power, bitter partisanship, and ideological rigidity. This is not dreamy idealism; it is an idealism rooted in the original purpose of this nation.

We were not created to be like other nations. We were created as an alternative to monarchy, aristocracy, oligarchy, and corrupt political systems. The more we follow the easy path, the one paved for the benefit of the wealthy and powerful, the more we stray from our originally intended purpose and the more we lose our unique purpose for existence.

Will America continue to offer a comfortable life for many? I hope so. Will we continue to have a strong army? If we are willing to pay for it, yes. Will we continue to provide the world's entertainment? I presume so. But these are not the real questions.

The question is: By adhering to its highest principles and ideals, will America continue to have the moral authority to lead all people of goodwill? The answer remains to be seen. And that answer will have much to do with whether we have the courage to drive the money changers from the temple of democracy and recapture government of the people, for the people, and by the people.

In addition to the rise of the national security state, and the concentration of wealth and power in America, no development in modern times sets us apart more from the nation originally bequeathed to us than the rise of the special interest state. There is a Gresham's law related to the republican ideal. Bad politics drives out good politics. Legalized corruption drives men and women of stature, honor, and dignity out of the halls of government. Self-respecting individuals cannot long tolerate a system of election and reelection so dependent on cultivating the favor of those known to expect access in return. Such a system is corrosive to the soul.

Some years back a prominent senator was fond of saying with regard to the relatively modest lobbying influence of the day: "If I can't take their money and drink their whiskey, and then vote against them, I shouldn't be here." That was then. And then campaigns cost much less than they do today. Few if any can now claim to take their money and drink their whiskey and vote against them. Anyone who does will soon find closed wallets and fleeing contributors.

Campaign funds now go to feed an army of consultants (or "strategists" in the coinage of the day), media advisors, media producers, television-time buyers, speechwriters, schedulers, advance specialists, crowd raisers, and more specialized campaign bells and whistles than everyday citizens can imagine. Campaigning is a major industry now that consumes hundreds of millions of dollars and, in national campaigns, billions of dollars. Almost all of it goes to the media, the same media whose commentators regularly deplore the costs of campaigns.

The headquarters of the permanent campaign industry in Washington are but a stone's throw, if that, from the offices of the lobbying firms. The treasurers of most campaigns have only to funnel the checks from lobbyist-bundlers (those who collect bundles of checks) into the accounts of the campaign management companies. It is a great hydra-headed monster, one that is rapidly devouring American democracy.

The significant issue is the effect of this relatively recent conversion of a democratic process to a major industry that devours money. That industry and all it represents is a departure from the American ideal that is different not only in scale but also in kind.

We are not the same country we started out to be. We cannot conduct our political process the way we are doing in the twenty-first century and claim to adhere to our earliest principles. We must decide who we are. And if that decision is to restore our highest ideals, then major changes must be made in the way we elect our presidents and our members of Congress.

*Gary Hart is a former United States senator and presidential candidate and the author of 21 books.*

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