

Structure Matters

For a class on electoral politics by Prof. Carolyn Stephenson
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Structure matters. While people--their desires, beliefs, fears and hopes--are important, ultimately, when all is said and done, it is the social structures within which all people are embedded which influence how people live and act that are more important. The good news is that all social structures are human inventions, so if we don't like the way they influence us to live and act, we can change them. But the bad news is that we must struggle within them, and against them, in order to change them, so that the game is rigged against those of us wanting change from the beginning.

In addition, our formal educational systems do not teach us that we should be, and then how to be, social inventors. Most education teaches us to be obedient slaves within our society--"America, love it or leave it." If you criticize the American invasion of Iraq, and believe the way to support our troops is to bring them home with all deliberate speed, instead of being viewed as a loyal American expressing your views as is your right, you are seen as a disloyal un-American--a traitor--a terrorist!--who should be stripped of her rights.

So understanding government as a social invention, and becoming an inventor of new forms of governance is a very difficult, and often very dangerous, but I think very necessary, thing to do.

Many Americans believe that America is a democratic government. They are told this over and over in their classrooms and by the media. You may even have been taught this by political science professors here. But we do not live in a democracy.

By "a democracy" I mean a government where each citizen has an equal opportunity with every other citizen to influence making policies and in administering them.

By that definition, there is no truly democratic government anywhere in the world, but some--such as Holland and the Scandinavian countries--are distinctly more democratic, as defined, than others. Their citizens are significantly more able than are Americans to influence policy and to influence the administration of policy.

While not nearly as democratic as Holland and the Scandinavian countries, almost every country in Europe is more democratic than is the US. The only other country I know well, Japan, is also more democratic than the US, though narrowly so.

This is no accident. America was created by certain property-owning white men who were fearful of democracy and who wanted to create a form of government that would prevent democracy, thus allowing them to continue to rule. They were very successful in this. Even though various changes have been made over the years to allow more categories of people to vote in federal elections in the US, and to receive certain benefits, the essential anti-democratic elements of our structure of governance remain in place, and most Americans are very happy with them. It turns out that most Americans do not want to govern themselves. They seem happy to do as they are told and to have other people make political decisions for them. Consider how unhappy most people are when they are chosen for jury duty, one of the few ways in which citizens can and do participate directly in governance in the US.

Indeed, John Hibbing and Elizabeth Theiss-Morse in their recent book titled *Stealth democracy: Americans' beliefs about how government should work*. (Cambridge University Press, 2002) have clearly shown that many Americans do not want to participate in politics. Their study is the product of some excellent empirical work and not simply of speculation.

The authors' state:

“The last thing people want is to be more involved in political decision making: They do not want to make political decisions themselves; they do not want to provide much input to those who are assigned to make these decisions; and they would rather not know all the details of the decision-making process. Most people have strong feelings on few if any of the issues the government needs to address and would much prefer to spend their time in nonpolitical pursuits. Rather than wanting a more active, participatory democracy, a remarkable number of people want what we call stealth democracy.... The people want democratic procedures to exist but not to be visible on a routine basis.”

The authors call this "Stealth Democracy". I would call it fascism, or at best plutocracy--rule by the rich for the rich. A majority of American voters in our recent national election confirmed that was their preference--though in reality the only true option they were given was to choose between representatives of the rich and representatives of the even richer.

So much for the land of the free and the home of the brave!

Please note that some states and municipalities in the US are much more democratic than is the US national government. Some--not Hawaii--do allow their citizens an increased measure of participation, though far from enough to be called "democratic" as I define it. Nonetheless, it is the national government that currently has most of the influence worldwide as well as domestically, so its anti-democratic structure matters.

In the time we have today, I can't go through all of the anti-democratic elements of American government. I'll just hit on a few of them. Some will be very familiar to you, but others may not be.

But first, I need to make it clear that there is more to structure than whether it is democratic or not. There are many ways to be "democratic" and some may be better than others because of other consequences they might have. Indeed, in spite of what I have said so far, I believe that restraints on instantaneous decision making in some areas are a good idea. I think that delays to allow people to vote once, cool off, and then vote again are wise in some instances. It is probably a good idea to vote at least twice or more times--or not at all--on highly controversial issues. Our individual preferences are often very much influenced by what other people think, and so they should be expressed firmly only after finding out what other people think, through careful and honest deliberation.

Determining how informed people are about an issue, and how much they care about the issue in comparison with other issues might also be considered so as to weight votes towards people who know and care over those who don't know and don't care, but who want to participate anyway.

Allowing citizens to participate directly in those matters they care and know about, but to choose someone to represent them on the many matters they don't know or care about is a good idea too, I believe.

And there are some things that should be protected from anybody infringing on them at all--so called basic rights that even an overwhelming majority can not take away, even in times of a "national emergency", I believe. But all of these apparent restrictions are within an overall framework of being as democratic as possible, and certainly vastly more democratic than any government is now.

But never mind that for now. Let's just look at some structural features of American government and see how they influence political behavior and thus policy outcomes. Let's start with one I am sure you are familiar with since it has been in the news a lot recently. That is the Electoral College. What is the electoral college and why do we have it?

Once the Founding Fathers decided to have an elected president--a decision I will comment on in a few minutes--they had to decide how that election could take place. Clearly, they did not want all citizens in the US to vote directly for a president. But even if they had wanted that, it would have been almost impossible, given the history and technology of the time. Historically, the 13 colonies that became the first 13 states of the US had little experience of interaction. There were no national roads or any other form of communication and transportation. Indeed, strictly speaking it was illegal to send anything directly from

one colony to another--everything had to go through England so that the Mother Country could keep control. So ordinary people in one colony really didn't know much about people in other colonies. So how could they vote for the "best man" (as he was envisioned) for president? They could not. But they did know the local "best men" and so the Electoral College was invented to enable voters (a profound minority of the total citizens) to select the local best men in the early winter, after the crops were in, who would then travel to Washington, DC, in the middle of winter to discuss among themselves who the best man was, and to chose that best man to be president and the second best man to be vice president.

Though they soon learned that last provision would not work--having the two best men in those offices led to true gridlock and even in once instance, murder--the Electoral College remains a feature of American government. Because it contributes to the substantial over-representation our government gives generally to the small states (small in population, that is), over the larger states, which you vividly saw when, during the last election, you viewed the maps showing that vast area of the US colored red compared to the tiny portion (and vastly fewer states) colored blue. Those many red states were overwhelmingly rural, poor, isolated, and culturally homogeneous compared to the blue states that were overwhelmingly urban, richer, engaged and culturally diverse. But the total population of the red and blue states was almost equal.

The Electoral College system thus is profoundly undemocratic, and while in this past election it does appear that Bush got a majority of popular votes as well as of the electoral college votes, you know that did not happen last time, when Gore won the popular votes, but Bush was declared president anyway. That has happened before, and will again.

We have the Electoral College because we have to elect a president. But why do we have a president at all? Where did that come from?

The presidency turns out to have been another clever invention of the founding fathers who did not want a king (though they did consider choosing George Washington to be king, which would immediately have created a succession crisis since George and Martha had no children) because of their bad experiences with King George of England. But all anyone knew at the time was a monarchy because the parliamentary system had not yet been invented. So what to do? The Founding Fathers cleverly came up with yet another fantastic structure for undemocratic government--the presidency. Even if "the people" somehow were to gain control of the House, or even the Senate, there would always be the President--a single man: *Das Fuhrer!* to keep them in check. A great solution.

But it turns out the presidential system is one of the most dangerous features of American government--something dangerous WAY beyond its merely undemocratic nature.

There are in the world today basically two governance systems. One is called parliamentary and the other is called presidential, or, more correctly (according to Fred Riggs, professor emeritus of the Department of Political Science here at Manoa), presidentialist. By far, most countries use a parliamentary form by which the political head of state (eg., the Prime Minister) is chosen by, and responsible to, the majority of a representative national assembly (eg., the Parliament). It is comparatively easy for the national assembly to remove the prime minister from office and install a new one, when there are sufficient policy differences to require it.

However, when the governance system of the United States was created in the late 18th Century, the Founding Fathers invented a system whereby a single chief executive (here, the President) would be elected by a process and constituency completely separate from that of the national assembly (here, the bicameral Congress). Thus, the chief executive in the US is not responsible to and cannot be removed by the national assembly except for extraordinary reasons and by extraordinary measures. This feature often leads to a policy deadlock between the President and Congress that can effectively grind the machinery of governance to a halt. It also allows one man (the president) to gain power during an "emergency" and return it, if at all, long after the emergency has gone.

In the years since 1789, most countries have adopted a parliamentary rather than a presidentialist system when they have had the option. But others have chosen the presidentialist form because of American

influence or persuasion. When countries have chosen the presidentialist system, the results have been uniformly catastrophic. Professor Riggs has shown that all of the 30 nations that adopted the American Presidentialist form of government between World War II and 1985 when he conducted his survey, collapsed into military dictatorship. For years, the US itself was the only counter example anywhere in the world of a sustainable presidentialist system. Some might argue that the US has now finally succumbed to the logic of its structure after September 11, 2001.

Of course, some parliamentary systems have also resulted in military dictatorships. But the difference in the numbers is telling. Only thirteen of over forty regimes (31%) established on parliamentary principles had experienced breakdowns by *coup d'etat* or revolution as of 1985 while all (100%) of the 30 presidentialist systems had.

Because of concern about the fundamental instability of presidentialist governments, Prof Riggs some years ago formed a group of which I was a member to see that the presidentialist system did not spread around the world more than it already had. When the Soviet Union collapsed, and most socialist systems collapsed with it over the late 1980s and early 1990s, there was a rush to form new governments in Russia and East Europe. Prof. Riggs and I--and many others--were fearful these nations would adopt the US system, since the American Bar Association and the Agency for International Development of the US State Department sponsored teams of lawyers to go to the formerly socialist countries to try to get them to adopt the US system--just as there were groups from the UK and France trying to persuade them to adopt their systems instead.

Unfortunately, almost all of the new countries created from the former Soviet Union and its Eastern European satellites opted for the Presidentialist system. Many have already become military dictatorships, and Russia is now moving perilously close to it as the already powerful President, Vladimir Putin, pulls all remaining power towards him. I fear we will rue the day we sold presidentialism to the Russians.

In conclusion, I want to mention one more example of how structure matters.

As you well know, the US has a two party-system. Power is held either by the Republican Party or the Democratic Party. Sometimes one or two representatives of minor parties get elected to Congress, or to state or local assemblies, and there have been two major restructurings within the two party system in our history, but unless there are appropriate structural changes, the US will always have only two major parties. Third parties cannot exist, and it can never have a multiparty system that is common in most countries around the world. There is a structural reason the US has a two-party system and can never have a multiparty system.

Do you know what the structural reason is?

Here is what John F. Bibby says in his essay "Political Parties in the United States"

<<http://usinfo.state.gov/products/pubs/election04/parties.htm> - top>

[This site is produced and maintained by the U.S. Department of State's Bureau of International Information Programs.]

"Why a Two-Party System?"

"The standard arrangement for electing national and state legislators in the United States is the "single-member" district system. What this means is that whoever receives a plurality of the vote (that is, the greatest number of votes in any given voting district) is elected. Unlike proportional systems, the single-member district arrangement permits only one party to win in any given district. The single-member system thus creates incentives to form two broadly based parties with sufficient popular appeal to win legislative district pluralities, while condemning minor and third parties to almost perpetual defeat.

"A further institutional nudge toward two-partyism is provided by the electoral college system for choosing presidents. Election as president requires an absolute majority of the 50 states' 538 electoral votes. This

requirement makes it extremely difficult for a third party to achieve the presidency because the individual states' electoral votes are allocated under a winner-take-all arrangement. That is, whichever candidate receives a plurality of the popular vote in a state — even if it is just a narrow plurality — wins all of that state's electoral votes. Like the single-member district system, the electoral college works to the disadvantage of third parties, which have little chance of winning any state's electoral votes, let alone carrying enough states to elect a president.

"With the Democrats and Republicans in control of the governmental machinery, it is not surprising that they have created other electoral rules that work to the advantage of the major parties. Just getting a new party's name on the ballot within the states can be an arduous and expensive undertaking. In addition, the Federal Election Campaign Act bestows special benefits on major parties, including public funding of presidential campaigns at a substantially higher level than is available to minor parties."

(John F. Bibby is a professor emeritus of political science at the University of Wisconsin — Milwaukee, and is the former chairman of the American Political Science Association's political parties subfield. An authority on U.S. politics and government, Bibby has authored *Politics, Parties, and Elections in America*.)

The American single-member district system is profoundly anti-democratic as well.

The famous political scientist Arend Lijphart, explains why, and offers a better alternative:

"PR vs. Single-Member Districts in States"

EXCERPTS

Arend Lijphart

In 1995, the California state legislature held hearings on a proposal to amend the state constitution to change from a gubernatorial system to a parliamentary system. On March 8, 1995, Arend Lijphart testified before the Senate Committee on Constitutional Amendments and argued that the proposal for a parliamentary system could be greatly improve by adding a provision to elect legislators by proportional representation.

"I have devoted a major part of my professional career to the study of democratic institutions, and I believe that the two most important institutional differences among democracies are the differences between parliamentary and presidential forms of government, and between plurality elections in single-member districts and elections by PR (proportional representation). I have gradually become convinced that parliamentary government works better than presidential government, and that PR works better than plurality.

"The key arguments revolve around the questions of **democratic quality** and the **effectiveness of decision-making**.

"By "quality" I mean the degree to which a system meets such democratic norms as representativeness, accountability, equality and participation. There is general agreement that PR systems yield greater proportionality and minority representation.

"As far as government effectiveness is concerned, advocates of plurality claim that one-party executives promote firm leadership and effective policy-making. PR supporters, on the other hand, argue that effective policy-making requires not so much a strong hand as a steady hand, and that multi- party coalitions are better for long-term policy-making and, as a result, tend to have greater stability, continuity and moderation in policy.

"In order to sort out these claims and counterclaims, I did a comparative study of 13 democracies with parliamentary systems over a roughly 30~year time span, from about 1960 to the late 1980s: four that used

single-member district elections (Britain, Canada, Australia and New Zealand) and nine that used PR (Germany, Italy, Austria, the Netherlands, Belgium, Finland and three Scandinavian countries).

"I found a clearly superior performance of the PR systems with regard to "quality" factors: generally better minority representation, a much higher representation of women in legislatures (about four times more women in the PR parliaments), a much higher voter turnout (a difference of about 10 percentage points) and greater income equality.

"In order to measure the effectiveness of policymaking, I analyzed the relative success of the different countries with regard to maintaining public order and peace and with regard to the management of the economy. Contrary to the claims of the plurality advocates, I found no significant differences except on unemployment: and, in this one respect, it is the PR countries that actually have the better records.

"PR has several other major advantages. One is that drawing election districts becomes an easy task. For its districts, PR can use natural areas that do not have to be equal in population; all districts are multi-member districts, and the number of members assigned to each district depends on the district's population. This means that it is no longer necessary to draw more or less artificial districts in order to satisfy the equal-population criterion.

"Similarly, under PR, gerrymandering is no longer a problem. When districts elect more than about five representatives (each the minimum number that I believe PR needs) gerrymandering becomes impractical

"Another characteristic of PR is that it stimulates parties to conduct active campaigns in all areas of a country or state. This is in contrast with plurality systems in which parties tend to concentrate on the relatively few districts that are competitive and tend to neglect districts in which they are either very weak or very strong.

"This is one of the explanations for why PR systems have higher voter turnouts: parties make more of an effort to mobilize the voters regardless of where they live. And, of course, voters have more choice and are also more inclined to vote because their votes are less likely to be wasted either on a hopeless candidate or on an overwhelmingly strong candidate. Because there is more choice under PR, the tendency to engage in negative campaigning is also less strong: tearing down one's opponent does not necessarily help a candidate.

"In addition, successful politicians have the moral satisfaction that under PR, the voters that they represent have all voted for them -- in contrast with district representatives who have to represent usually between one-third and one-half of the district's voters who have voted against them.

Finally, Prof. Douglas Amy says this in his essay, "THE MOST NEEDED ELECTORAL REFORM":
www.tompaine.com, 1/24/2001

****Excerpts****

"The single-member district system has been on the wane worldwide because it has a number of serious drawbacks. It routinely denies representation to large numbers of voters, produces legislatures that fail to accurately reflect the views of the public, discriminates against third parties, and discourages voter turnout. All of these problems can be traced to a fundamental flaw in our system: only those who vote for the winning candidate get any representation. Everyone else -- who may even make up the majority when third parties run -- gets no representation.

"Voters in the U.S. are increasingly dissatisfied with the offerings of the two major parties and recent surveys indicate that over 60 percent of Americans would now like to see other parties emerge to challenge the Democrats and Republicans. Voters are showing increasing interest in alternatives such as the Reform party, the Libertarian party, the Greens, and the New Party. But under our current rules, none of these parties stand a realistic chance of electing their candidates. Winner-take-all elections require candidates to

receive a majority or plurality of the vote to win, and minor party candidates can rarely overcome that formidable barrier. As a result, third party supporters waste their votes on a candidate who cannot win; or worse, inadvertently contribute to the election of the candidate they least like-- as Nader supporters did in the 2000 presidential election. They often vote for the lesser-of-two-evils among the major party candidates or do not vote at all.

"In short, single-member district elections are rigged against minor parties and serve to unfairly protect the major parties from competition. Under PR, many minor parties, needing only 10 to 20 percent of the vote to elect a candidate, would quickly become viable and we would have a truly competitive multi-party system."

So I hope you now agree that structure matters and that no matter how much one might want to elect--say, just for example--Ralph Nader as president, the structural features of American government that I mentioned--and many more I did not mention--will always prevent enough people who hold Nader's views from gaining power in the US. Thus, Nader's policies will never be enacted into policy in whole or part, even if a significant minority of Americans might favor them. The structure will prevent it.

Of course, if people holding Nader's views are able to gain control over one of the two political parties, then things might be different. But how will they do that, given the structurally-induced and thus understandable lack of interest in or even awareness of political issues by most Americans, and plutocratic control of our educational system, mass media, and government now?

The only hope seems to be to run suddenly out of oil, global warming to strike with "The Day After Tomorrow" suddenness, or for Jesus to come again and this time not only "save" us but "enlighten" us, by which time, Nader's views will be too late to matter. A new structure matters.