

Stronger Parties Could Help Bring More Compromise and Less Discord

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"The political passions dividing the society were truly alarming...Men cross the street to avoid meeting and turn their heads another way...Mobs became involved in skirmishes, fist fights, and other violence, even at church doors."

"Many...thought that all authority was under attack...society seemed to be coming apart. Friendships were dissolved...These were indeed frightening times, perhaps the most frightening moment in all American history."

The above observations could easily apply to today's polarized political climate in America.

Instead, they refer to American society in the late 1790's following the departure of President George Washington from office.

Though not always identical, history does repeat itself as evidenced by these quotes from <u>Friends Divided: John Adams and Thomas Jefferson</u> by noted historian Gordon S. Wood.

The presidential elections of 1796 and 1800, like the most recent one in 2020, were torn by controversy.

In part, this was due to the electoral college provision as initially set forth in the Constitution. It held that the person with the most electoral votes became president and the person with the second most electoral votes became vice president.

Thus, the administration established by the election of 1796 fused together John Adams as president and Thomas Jefferson as vice president, two founding fathers whose views on the nation would come to differ significantly.

This division within the same administration was caused by differing policy views on fundamental issues like the nation's financial system and foreign policy.

To the leaders of the time, it soon became obvious that it was unworkable to elect two individuals with opposite political views as the executive branch leaders.

Things came to a head after Jefferson defeated Adams for president in the 1800 election, but the infamous Aaron Burr became vice president due to the electoral college system. The Constitution was amended in 1804 to reduce the potential for an administration led by leaders of opposing parties and viewpoints.

Ultimately the 12th Amendment would establish a system wherein the candidate for president chooses his or her vice-presidential running mate, lessening the potential for clashing policy opinions and tentative executive action.

Adams and Jefferson, once compatriots in the cause of independence, became bitter political enemies only to be reconciled later in life through the efforts of the physician Benjamin Rush.

Rush, a friend of both men, managed to bring the two together, resulting in the exchange of letters containing their respective views on the Constitution and matters of state. The two remained in contact until they died, on the same day, just hours apart, on July 4, 1826.

As most citizens know, today's political atmosphere is one of division. Ironically, though not a panacea, a stronger party system may help calm the storms that envelop politics and government today.

To be sure, skepticism toward political parties has been part of the nation's political culture throughout its history.

Many believe that political parties are the main problem with the electoral process, not the cure. Some believe all parties are run by corrupt party bosses.

Historically, it is easy to cite notorious examples like William Magear "Boss" Tweed of Tammany Hall infamy and Enoch Lewis "Nucky" Johnson, the boss of Atlantic City featured in "Boardwalk Empire".

But things change in politics and elections as evidenced nationally and in New Jersey.

Between waves of corruption busts plus numerous political reforms since the 1970s, parties today are more transparent and accountable than ever.

On the other hand, a new and growing threat to the political system posed by independent "hidden money" spenders in federal, state, and even local elections has arisen.

This trend has occurred since enactment of the Bipartisan Campaign Reform Act (BCRA) in 2003 and accelerated after the U.S. Supreme Court's Citizens United v. FEC decision in 2010, which ultimately enabled corporations and unions to raise and spend unlimited amounts of money on elections. Oftentimes with little or no disclosure of their activities to voters.

Independent "Hidden Money" groups have spent billions nationally, while in New Jersey tens of millions of dollars have been spent by these groups attempting to influence the outcomes of gubernatorial, legislative, and congressional elections.

Spending by "Hidden Money" organizations in New Jersey alone has overwhelmed that spent by traditional political parties and candidates, relegating both parties and candidates to second class citizen status in the realm of elections.

Often harnessing the power of social media advertising along with traditional media sources, these spenders tend to sponsor vicious and often deceptive attack ads with little or no accountability, especially when compared to candidates and parties.

This has created a witch's brew that has not only upset conventional politics in New Jersey but has fanned today's sharp divisions.

Despite historic antipathy toward political parties, those entities, if strengthened, may be one of the antidotes to a fractured electoral system.

As Marjorie Random Hershey writes in her book Party Politics in America ... "virtually everything important in American politics is rooted in party politics. Political parties are the core of American democracy..."

In terms of today's polarization of politics, a strengthened party system can help to soften the divisions that exist today. By virtue of party discipline and their very nature, they can discourage extremism and encourage compromise while fulfilling their historic role of organizing majorities in government that are crucial to governing.

By providing a training ground for leadership, parties can help to build relationships even across party lines, so critical for bringing people together for the common good.

Disciplined parties that serve to ease the passage of legislation and work to bring about agreed upon public policies will go far toward ameliorating the fragmentation and polarization that ravages our politics today.

In short, strong parties have encouraged leaders on opposing sides to work together, thus bringing about majorities to enact good policy.

This point of view is backed by Richard Pildes, constitutional scholar at NYU Law, who in presenting an article published in the 2013-2014 edition of the Yale Law Journal said, "stronger parties or parties stronger in certain dimension ironically might be the most effective vehicle for enabling the compromise and deals necessarily to enable more effective governance despite partisan divide."

Just as Benjamin Rush helped reconcile Adams and Jefferson, stronger political parties today may serve as one antidote to the polarization and division that currently exists.

A step in that direction would be the enactment the "Elections Transparency Act" (S-2866/A4372), sponsored in bipartisan fashion by Senate President Nicholas Scutari (D-Union) and Senate Minority Leader Steve Oroho (R-Sussex) along with Assembly Majority Leader Louis Greenwald (D-Camden).

The bill, which requires disclosure by independent, "Hidden Money" groups, strengthens political parties and moves the state toward one state pay-to-play law, constitutes a step in that direction.

Jeff Brindle is the Executive Director of the New Jersey Election Law Enforcement Commission.

The opinions presented here are his own and not necessarily those of the Commission.

