

Real World Graduation: Question 33

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Question 33

"Lobbying" is the term used when a person or organization spends money and energy to influence legislators, administrations, and courts to adopt policies favorable to the person or organization. It has been estimated that a total of about \$3 billion was spent by lobbyists in Washington in 2007, mostly in the course of influencing Congress. Among the groups that have lobbying activities in Washington are finance, insurance, real estate, medical industry, unions, trade associations (such as construction, firemen, police, miners, plumbers, electricians), industrial associations (such as automotive, tobacco), and the various ethnic, civil rights, and conservation activist groups. The influence of lobbyists has become so pervasive that often it is lobby groups that actually write the legislation that Congress votes on. Generally, these legislative initiatives involve a change in tax conditions or status, or changes in the amount and type of regulation. Congress is supposed to be working in the interests of the people, but most legislation is pushed through due to the activity and influence of lobbyists. In what ways do lobbyists present a problem for the legislative function?

- a) Congress opens itself up for legitimate criticism by accepting money, gifts, favors, and travel from lobbyists.
- b) There is considerable risk that corporate interests will gain unfair tax advantages because they wrote the legislation for that purpose
- c) There is some risk that insufficient regulations will be enacted due to lobbying influence, because the legislation was written by those who will benefit from the change in regulation.
- d) There is some risk that unions will engage in unethical activities because they get favorable treatment under the law, which occurs because they wrote the legislation for that purpose.
- e) A combination of a) , b), and c).

Answer to Question 33

This is a trick question. All of the given answers are false.

Answer a) is false because Congress is criticized frequently for being susceptible to lobbying influence, yet lobbying continues to increase every year. Therefore, Congress obviously considers the criticism unwarranted and unfair; if the criticism were considered legitimate, Congress would change the system.

Answers b), c), and d) are all wrong because having lobbyists write the legislation relieves members of Congress and their staffs from doing it; in fact it relieves members from reading the legislation before they vote on it. The member only needs to know which lobbyists favor or oppose it, and can cast their vote solely on that basis. Far from being a "problem", this is a great aid to members of Congress and their staff members.

It is great fun to criticize lobbyists and they do deserve some blame. But, lobbyists are not the core problem; they are only a symptom of it. The real problem is that Congress has arrogated to itself the power to legislate, tax, and regulate anything and everything, ignoring the limits of federal power contained in the Constitution. Therefore, every organization that has an economic, political, or cultural stake in anything must be able to present their case to Congress through lobbying, in order to ensure that their interests receive a fair hearing. If Congress were to respect the original Constitution, it would not think itself qualified or empowered to legislate on so many issues, and lobbying would be far less necessary. The much-maligned lobbying industry does not just represent faceless corporate interests; the real-estate association, for example, represents the interests of realtors, who are actual people making a living in the real-estate industry.

The main point here is: don't buy into the notion that all lobbying is bad. Some lobbying benefits the public because sometimes it may prevent politicians from taking away your remaining rights. Lobbying is necessary only because governments at all levels have assumed they are so smart that they are qualified and entitled to regulate every aspect of your life. The natural tendency of most politicians is to pass an ambiguous law (which they don't bother to read), and then hand off power to irresponsible, unaccountable, and unelected bureaucrats for enforcement. That is bad enough, but then your taxes are increased to pay for it. Lobbyists can sometimes curtail the worst impulses of the political elite.