

Dear Joseph Stiglitz, Elizabeth Warren, Sunlight Foundation, Lee Fang, Represent.us & all other transparency advocates...

You are the reason the system is rigged.



“ The enactment of the ‘sunshine’ laws, which had opened up committee legislative drafting sessions to the public in order to dilute the power of business lobbyists, had precisely the opposite effect. They enabled business lobbyists to monitor the votes of each elected official more closely.

David Vogel - UC Berkeley

“ If we open up our [committees] to the public, every lobbyist in America is going to be there.

Rep Harold Staggers 1973

“ ‘With the open meetings a member has to play to his special interests.’

Catherine Rudder - GMU

“ Congressional reforms requiring publicly recorded committee votes are not of most use to the news media or constituents; they help lobbyists verify whether targeted officials have lived up to their promises to vote for or against major amendments.

Thomas Edsall - New York Times

At CRI, we find that government transparency *drives* corporate lobbying, campaign finance and government capture. And it *overwhelmingly* favors big banks, big oil & the ultra wealthy.

And we’re not alone...

Here are a few of the hundreds of citations we’ve collected from celebrated scholars, politicians and journalists who find that congressional transparency is driving the rise in inequality, lobbying and corporate capture.

“ Transparency is a useful tool for lobbyists – it enables them to keep better track of their competitors, and to demand equal access for themselves.

David Frum - Atlantic Magazine

“ Decades later, after the advent of sunshine laws, we know better. Open markup sessions often give organized interests a powerful advantage over inattentive citizens, for they can monitor exactly who is doing what to benefit and to hurt them.

Douglas Arnold - Princeton

“ The more open a system becomes, the more easily it can be penetrated by money, lobbyists and fanatics... Congress can now be monitored and influenced as never before. As a result, lobbies, which do most of the monitoring and influencing, have gained power.

Fareed Zakaria - Washington Post

“ The congressional sunshine initiative became a tool for the very special interests whose power the reforms were supposed to dilute. Corporations and lobbying groups have seized upon the open hearings to help them hold legislators accountable as never before.

Martha Hamilton - Washington Post

“ The idea that more transparency in government is always an unalloyed good is a dangerous populist illusion... Almost all of these reforms failed in their objectives of creating higher levels of accountable government. The reason is that democratic publics are not in fact able by background or temperament to make large numbers of complex public policy choices; what has filled the void are well-organized groups.

Francis Fukuyama - Stanford

“ Had the [constitutional] deliberations been open while going on, the clamors of faction would have prevented any satisfactory result.

Alexander Hamilton 1792

“ I’m sympathetic to arguments that excessive process transparency just empowers the lobbying interests and extreme demanders who are most likely to use it.

Lee Drutman - New America

“ ‘It’s a real dilemma for liberal reformers,’ says Jeff Drumtra, director of the Tax Reform Research Group, an arm of Ralph Nader’s Public Citizen organization. ‘When you look at recent tax bills, the best ones have come out of closed sessions. You take what you can get and hope someday you can get a good bill at an open meeting.’

Pam Fessler - CQ

“ The opening up of the legislative process can make lawmakers much more directly accountable to interest groups whose support they may need for reelection. Lobbyists, after all, now actually sit in on committee markup sessions.

Joseph Bessette - Claremont McKenna

“ The idea was to make the process more ‘democratic,’ but in practice sunshine measures intensified the access of lobbyists.

James Payne - Yale

“ Contrary to the naive sirens of maximum democracy, greater transparency is as much a problem for good governance as it is a solution... In the real world of American politics, interested individuals and organizations, not average citizens, have the greater incentive and means to monitor the government closely. This...enables regulatory capture.

Bruce Cain - Stanford

“ In enacting the Sunshine and F.O.I.A. legislation, Congress wanted to give specific powers and tools to the public to guard against undue influence by special interests. Yet the very interests meant to be watched over have become the watchdogs. They, not the public, most often reap the benefits of openness.

Stuart Statler - ABA Journal

Because of the transparency reforms of the early 1970s, corporate lobbyists went from being outsiders (stuck in the lobby), to insiders – seated at the most important legislative tables. This gave them near complete access to the entire decision process. While citizens rarely, if ever, make use of these reforms, lobbyists do so readily. And this single reform has allowed them to thrive. High-paid, corporate lobbyists now fill the most sensitive markup sessions and committee hearings. And groups like the NRA, the Kochs, big pharma, and the wealthy aggressively use transparent roll-call voting and open markups to intimidate and stifle individual members, tilting vast amounts of legislation in favor of the powerful. Even foreign companies take advantage. This is why,

over 200 years ago, the Founding Fathers wrote the Constitution behind closed doors, under strict secrecy. But somewhere along the line, flawed notions of transparency became synonymous with ideas of good governance, and many well-intentioned practitioners bought in. So please tell Joe Stiglitz that his fanciful notions of democracy are driving inequality. Tell Al Gore that the best environmental laws were crafted behind closed doors. Tell Norm Eisen and Brookings to correct their dangerously flawed 2014 paper. Tell Robert Reich, Jacob Hacker, Paul Pierson and Lee Drutman that their theories about the rise of corporate lobbying somehow overlook the central cause – 1970s committee transparency. Join us in our efforts to bring back the Congress

our Founding Fathers envisioned and designed. The surest way to drain the swamp is to simply shut the doors of Congress and put the lobbyists back in the lobby where they belong.