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Pending State Legislation Helps Deter Threat Posed by Modern “Factions”

JEFF BRINDLE • February 20, 2019, 9:59 am

Americans have always exhibited a healthy skepticism toward political parties.

In his farewell address to the nation, the most revered man of his time, President George Washington, voiced fears about divisive nature of parties and warned against the danger of “faction.”

That danger is still with us today. However, it is no longer in the form of political parties. The new factions that threaten the nation are represented by independent special interest groups that operate outside parties.

For example, in New Jersey last year, almost \$50 million was spent by independent group factions, way out-distancing the parties in influencing the outcome of the State’s congressional races.

Reflecting upon the attitude of many of his contemporaries, Washington said “. . . in governments purely elective, it [party] is a spirit not to be encouraged.”

Washington’s distaste for “faction” was fueled by internal conflicts within his administration. His Secretary of State, Thomas Jefferson, and his Treasury Secretary, Alexander Hamilton, clashed both personally and on policy.

Their policy disagreements led to the formation of caucuses within the administration and congress. At first, the Federalist Caucus, or party affiliated with Hamilton, was dominant. Over time, however, the Jeffersonian Democratic-Republicans eclipsed the federalists and dominated politics until the era of President Andrew Jackson in 1828.

It was following the election of 1828 that the push for democratization crystalized as voting rights were extended to all white males and a new mass party was born.

This mass party system, with state and local affiliates, could not have been envisioned by President Washington in 1796 when he expressed dismay over the divisiveness wrought by elitist “party caucuses.”

In reflecting upon caucus party factions taking the spirit of liberty to excess, Washington said “a fire not to be quenched, it (liberty) demands a uniform vigilance to prevent its bursting into a flame, lest, instead of warming, it should consume.”

In essence, the bonfire should not become a forest fire.

The first president’s words are more suited today to independent group factions, whose fire is indeed “bursting into a flame.” This growing conflagration is threatening to consume political parties, candidates, and indeed the public dialogue itself.

Independent factions are today's equivalent to the elitist caucuses of Washington's times, only in much greater numbers and with much more money at their disposal.

Since 2008, the Center for Responsive Politics estimates independent groups nationally have spent more than \$4.7 billion. That figure towers above the \$411 million spent independently from 1990 through 2006.

Cycle	Total Federal Outside Spending Excluding Parties
2018	\$1,076,061,833
2016	\$1,417,422,485
2014	\$567,026,509
2012	\$1,039,268,129
2010	\$309,833,966
2008	\$338,441,092
Total-2008-2018	\$4,748,054,014

Source: Center for Responsive Politics

Spending by independent group factions, while beginning at the national level, quickly trickled down to the state and local levels of politics.

During the two previous gubernatorial election years (2013 and 2017) in New Jersey, \$88 million was spent by independent factions to influence the outcome of those contests. The total rises to \$138 million when independent faction spending on the 2018 federal congressional races is added to the mix.

By comparison, the 42 county party committees and the big six state party entities spent about \$63 million during the same three election years. Spending by outside factions dwarfed political party spending and threatens the very fabric of electoral politics in New Jersey.

History has shown that you can't get money out of politics. It always finds its way into the system somewhere, no matter how iron-clad the laws seem.

Recognizing that money always flows to elections like metal to a magnet, sensible reforms should attempt to redirect money in politics to those areas which are accountable and regulated by law.

One pending bill, S-1500, sponsored by State Senator Troy Singleton, D-7th, (Assembly companion bill A-1524, Andrew Zwicker D-16th) represents a step in the right direction. It requires registration and disclosure by independent factions and raises contribution limits for candidates and parties to account for 14 years of campaign inflation.

After being released 12-0 from committee in a unanimous, bipartisan vote, S-1500 is set for a floor vote in the State Senate on Thursday (February 21st). At this point, no movement has been taken as yet in the Assembly, but hopes are that activity will take place soon.

The legislation would begin to offset the growing influence of independent factions over New Jersey's elections by starting the process of redirecting the flow of money away from these outside interests and toward accountable parties and candidates.

With the enactment of S-1500, the process of exercising Washington's "uniform vigilance" will help quench the flames now engulfing New Jersey's electoral system.

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