

Elections for Radicals **A Call to Democratize U.S. Elections** by David Cobb

Last November, the American people elected the first African-American president in our history. The inauguration of President Barack Obama certainly does not mean that racism is over, but we should still stop to celebrate and savor this profoundly important achievement.

Let us also acknowledge that a burgeoning progressive movement nominated and ultimately elected Obama. Candidate Obama's early and vocal opposition to the illegal, immoral and unconstitutional Iraq War inspired and animated both new-era bloggers and old-school precinct organizers, as did his call for health care for all, and pledges to revisit international trade agreements and to protect the environment.

Obama's slogan, "Change We Can Believe In," became such a powerful message that every candidate of every political party attempted to evoke it. The real and tangible demand for change allowed Democrats not only to take the White House, but also to win majorities in both the House and the Senate. It really was a watershed election.

For those committed to a fundamental transformation of society, however, this moment is not so much a victory as it is a possibility. It is our task to take advantage of the opportunity and outline what *real* change would look like.

Despite the excitement and energy created by Barack Obama, let us not forget that just over half of adult Americans actually voted in this election.

That sobering truth underscores the schizophrenic attitude many Americans have towards elections. Many social change agents in this country assert that voting is irrelevant as a tactic. Others act as if casting and counting ballots is the sum total of democracy.

Both perspectives are understandable. They are both partly right, and therefore ultimately wrong.

Elections are certainly the place where the state legitimates itself. It is the time when most Americans actually pay attention to political ideas. Elections provide a time and a space to contest for ideas.

As such, it is no surprise that the ruling elite have done their best to create an election process that ensures that fundamental change is rarely an option at the ballot box.

If we are serious about creating an actual democracy—one in which "We the People" actually rule our own lives—voting should be understood as a mechanism to meaningfully participate in making the decisions that affect us.

That is why I proudly join the call for a broad and deep people's movement to "democratize" elections in this country. Only a powerful new voting rights movement can organize and exercise the political power it will take to implement the fundamental and systemic electoral reforms outlined below.

1. Count Every Vote

Sadly, there is a long and sordid history of election fraud in this country, perpetrated by members of both establishment political parties. In the presidential elections of 2000 and 2004 millions of votes were simply not counted, allegedly undervotes, overvotes, or spoiled ballots. The uncounted votes came

disproportionately from people of color, reminding us that voting problems are often indicative of the racial justice problem in this country.

To ensure an open and transparent system for counting votes, every ballot in the United States must be cast on an actual paper ballot. We should abolish so-called “Black Box” DRE voting machines and ensure that all voting machines incorporate “open source” code that is tested by an independent agency to guarantee transparent and fair counting.

To get involved in this effort, check out Verified Voting (www.verifiedvoting.org).

2. Implement Instant Runoff Voting (IRV)

IRV eliminates the so-called “spoiler” effect and guarantees an actual majority winner (as opposed to a winner that simply has “the most votes”). Under IRV, voters rank candidates in order of their preference: first, second, third. If a candidate wins a majority of first choice votes, that candidate is the winner. If no candidate gets a majority of first choices, the lowest vote-getting candidate is eliminated. Votes for the eliminated candidates are transferred to the voter’s second choice. Counting continues until a candidate receives a majority.

IRV also makes it possible to conduct the runoff count without the need for a separate and

expensive runoff election, saving taxpayers millions of dollars. IRV is already in use around the world, including many cities in the United States.

To get involved in this effort, visit the people at FairVote (www.fairvote.org).

3. Publicly Financed Elections

In a system where the amount of money a candidate spends is directly related to their likelihood of winning, it is not surprising that many people assume politicians are more concerned with big campaign contributors than with individual voters.

Corporate political contributions are most charitably thought of as “investments” for which the corporations receive obscene returns on their investment at the expense of the public good. More accurately, corporate political contributions are a form of legalized bribery.

We need to create a system of full public financing for all ballot-qualified candidates. We should require the broadcasting corporations that license our public airwaves to provide airtime for debates and free time for all ballot-qualified candidates and parties.

Elections are the infrastructure of our democracy. “We the People” must create and control that infrastructure.

To get involved in this effort, examine the work of Public Campaign (www.publiccampaign.org).

4. Guarantee Equal Access to Elections and Debates

In our current electoral system, independent parties and independent candidates face a host of barriers designed to limit voter choice and voice.

Ballot access laws and exclusive debates prevent voters from hearing “other voices,” which discourages voting and undermines the legitimacy of our elections. In most cases, the established parties have themselves not met the signature requirements they impose on independent parties.

We must eliminate prohibitive ballot access requirements, and replace the partisan Commission on Presidential Debates with a nonpartisan Citizens Debate Commission.

To get involved in these efforts, explore Ballot Access News (www.ballot-access.org) and the Citizens Debate Commission (www.citizensdebate.org).

5. Allow Former Felons to Vote

The permanent disenfranchisement of former felons, a practice that falls outside of international or even U.S. norms, is an unreasonable and dangerous penalty that weakens our democracy by creating a subclass

of four million excluded American citizens. The practice has also been used to purge voter lists of hundreds of thousands of citizens never convicted of any felony. Because the criminal justice system disproportionately penalizes African American males, this disenfranchisement is racist in its impact and constitutionally suspect. Those states that permanently disenfranchise felons must amend their laws and practices to restore full citizenship to ex-offenders.

To get involved in this effort, look up The Sentencing Project, (www.sentencingproject.org).

Note that these demands are both moral and pragmatic. They are moral because they are needed to fulfill the as yet unrealized promise of democracy in the United States.

They are pragmatic because each reform is concrete, tangible and achievable. Taken together, they can expand and deepen the meaning of elections and of democracy itself.

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By What Authority (ISSN: 524-1106) is published by the Program on Corporations, Law & Democracy. The title is English for *quo warranto*, a legal phrase that questions illegitimate exercise of privilege and power. We the people and our federal and state officials have long been giving giant business corporations illegitimate authority. Today, a minority directing giant corporations and backed by police, courts, and the military, define our culture, govern our nation, and plunder the earth. **By What Authority** reflects an unabashed assertion of the right of the sovereign people to govern themselves.

POCLAD is a group of 11 people instigating democratic conversations and actions that contest the authority of corporations to govern. Our analysis evolves through historical and legal research, writing, public speaking, and working with organizations to develop new strategies that assert people's rights over property interests.

BWA is a tool for democracy proponents to rethink and reframe their work. To that end we encourage readers to engage us with comments, questions, and suggestions.

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