

"Democratic Socialism" in America, Blueprint for a New Party: Bernie Sanders

By Sen. Bernie Sanders and Seth Ackerman

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The Democratic primary elections were marked by fraud and manipulation, largely with a view to ensuring "the defeat" of Bernie Sanders.

In this regard, we are publishing an excerpt from Bernie Sanders's speech at a meeting of the National Committee for Independent Political Action in New York City on June 22, 1989, published under the title "Reflections from Vermont" in the December 1989 issue of Monthly Review.

Bernie Sanders text is followed by an article by Seth Ackerman entitled A Blueprint for a New Party, Monthly Review, November 2016

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Build an Independent, Democratic Socialist Left

by Bernie Sanders

It seems obvious to me that there is no way that we can deal with the enormous economic, social, and environmental problems facing this country without making radical changes in the economic system, and we've got to be honest about that. I believe that democratic socialism is the appropriate framework for making those changes, and we should be upfront about our beliefs. . . .



When the rich are getting richer while the poor and middle class are getting poorer; when the standard of living of the average worker is in rapid decline; when people can't afford healthcare, can't afford housing, can't afford to send their kids to college, and the environment is being destroyed for quick profits, when you put it all together, what do you have? You've got a disaster. And the people understand that. They know what's going on, and they want a movement which will speak to these issues, the issues that are wrenching out the guts of this country, but which the Democrats and Republicans and the corporate media will never honestly deal with.

Who is Responsible?

Now, who do we hold *responsible* for these problems? I know that's a strange question, very rarely asked, but let's pursue it. Well, what's in vogue now, you see, is: 'Gee, that Ronald Reagan was a terrible president, what a reactionary guy.' Well, he was. But let me give you some interesting news that most of you already know. Throughout the eight years of the Reagan presidency another political party, it's called the Democratic Party, controlled the U.S. House of Representatives, controlled every important committee in the House of Representatives. For six out of the eight years of the Reagan presidency the Democratic Party controlled the U.S. Senate. The 'Reagan Revolution' was not brought about by Reagan and the Republicans. It was brought about by Reagan with the active support of the Democratic Party. It was a truly bipartisan effort. Democrats and Republicans working together – protecting the interests of the rich and the powerful.

Now what I think is crying out in this country is the need for a new political movement which talks truth and common sense to the ordinary people. I often speak on campuses and other places around the country, and the disgust with the two-party system is incredible. Very, very few people have faith or belief in either of those parties. People will vote for one of their candidates because they'll say that this guy is better than that guy, but it's very much a question of the 'lesser of two evils'. The people know that the present political system is failing. They want an alternative.

Now I know that there are people, good and honorable people, people who are friends of mine, who believe that the Democratic Party can be turned around. I don't. I believe that what we have got to do right now is create a progressive, independent political movement which brings together all of the single-issue groups who are currently banging their heads against the wall. The unions, the minority groups, the women's organizations, the environmentalists, the senior citizens, the youth, the peace activists – and all the people who know that we need fundamental change in this country. More than anything, I believe that we've got to bring those people together and articulate the *real* reality of America – not the TV reality. We've got to make people understand that the enormous problems that they are facing are not primarily *personal* problems, but social problems. Further, we've got to articulate a democratic vision which is based on social justice, peace, and respect for the environment.

Now the argument, and I'm sure that we'll discuss this later on because some of you will disagree with me, the argument for working within the Democratic party is that, presumably, that's where the people are. You've got to go where the people are. All I can tell you is two things. In Burlington, in Vermont, the people have shown that they are not dumb. They can read and they can think and they are quite capable of voting for someone who is not a Democrat or a Republican. They discovered that their fingers didn't fall off when they pulled the lever for someone outside of the two-party system. People can do that. Not only in Vermont but all over the country. It is absurd to believe that, for some mysterious reason, people will only vote for a Democrat or a Republican, and that we will always have to support the two-party system.

Secondly, and equally important, if we are interested in getting people excited about politics and the possibility of real social change, how *can* you do that within the Democratic Party? I think that it's impossible to get people excited, to get people motivated, when you say to them, 'Come on into the party of Jim Wright, Lloyd Bentsen, and worse. We're really going to change things around and here's my good friend Lloyd Bentsen.' You can't do it.

I'm not here to tell you that I have a magic solution to the problem and that everybody else is a jerk. I have no easy solutions. Nobody does. There are enormous obstacles that will have to be overcome if we are going to build a successful third party. But I do believe this: Winning elections tomorrow is important, but it's not necessarily the most important thing. In a country which has such a low level of political consciousness; in a country where the level of political 'debate' is so pathetically low, it is absolutely imperative that the progressive movement raise the issues and the analyses which will educate the people of our nation to begin to understand what the hell is going on. And I honestly don't believe that that can take place within the Democratic Party. . . .

To my mind, it is absolutely imperative that we build an independent, democratic socialist left which has the guts to raise the issues that all of us know to be true, but which are very rarely even *discussed* within establishment politics. Our major task is to change the entire nature of political discussion in the country. In my view that's just not going to happen within the Democratic Party. It seems to me that if you add up all of the people who are getting a raw deal from the system today you're talking about a majority of the population. That's our potential constituency, and I think we've got to form a political movement which brings these people in. •

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A Blueprint for a New Party

by Seth Ackerman

When Bernie Sanders announced he would run for president as a "democratic socialist," few believed it would amount to much. Then, against all expectations, Sanders drew massive crowds, commanded high levels of favorability in almost every demographic category (including overwhelming support among young people), and raised hundreds of millions in campaign dollars from small donors. Not least, he came within a few percentage points of beating Hillary Clinton, a frontrunner once assumed to be unassailable.

Waged by a candidate who had never run as a Democrat before and has declined to do so in the future, the Sanders campaign has revived hope that a serious electoral politics to the left of the Democratic Party might be possible. The question is what such a politics would mean in practice. The question isn't new, and so far the debate has unfolded along familiar lines. Advocates of third-party politics who backed Sanders in the primaries, like Seattle councilmember Kshama Sawant, went on to support Jill Stein's Green Party candidacy. Meanwhile, longstanding opponents of the third-party route, like democratic socialist columnist Harold Myerson, have argued that the Left should focus on trying to change the Democratic Party from within. Others have called for a different approach, standing neither wholly inside nor wholly outside the Democratic Party. But few concrete proposals have been discussed so far.

This political moment offers a chance to fill in some of these blanks – to advance new electoral strategies for an independent left-wing party rooted in the working class. But we won't get far unless we grapple seriously with the exceptional character of the American party system, and the highly repressive laws that undergird it.

Lessons from the Labor Party

The last major effort to form a national vehicle for working-class politics was the <u>Labor Party</u> (LP), founded twenty years ago. Under the leadership of <u>Tony Mazzocchi</u>, president of the Oil, Chemical and Atomic Workers union, the party's organizers gathered support from other major unions and grassroots trade-unionists and held its founding convention in 1996.

The Labor Party's history is not well-known in the broader progressive world. But as the most recent major effort by organized labor to form an independent party, it is a story that should interest anyone who hopes to see a revival of left politics, because on the Left only unions have the scale, experience, resources, and connections with millions of workers needed to mount a permanent, nationwide electoral project.

By all accounts it was an inspiring effort that seemed, for a moment, to portend a renaissance for the labor-left. But the party lost momentum just a few years after its founding. By 2007 it had effectively ceased to exist.

In a history of the party based on interviews with major participants, LP activist Jenny Brown cited two key factors as being most important in explaining its decline. The first was the weakening of the labor movement itself after 2000, especially the industrial unions that had formed its original core.

But the second, more immediate reason was essentially political: the party failed to attract enough support from major national unions. That wasn't due to any great fondness for the Democratic Party on the part of the labor leadership of the time, or because they opposed the idea of a labor party on principle. As Mazzocchi said in 1998: "I've never found a person in the top labor leadership say they're opposed to a labor party."

Instead, the problem arose from the oldest dilemma of America's two-party system: running candidates against Democrats risked electing anti-labor Republicans. For unions whose members had a lot to lose, that risk was considered too high.

Despite the dedication of its organizers, the Labor Party didn't succeed. But its founders were right to believe that a genuinely independent party, rather than a mere informal faction of the Democrats, is indispensable to successful working-class politics.

Today we can learn some lessons from their effort. A true working-class party must be democratic and member-controlled. It must be independent – determining its own platform and educating around it. It should actually contest elections. And its candidates for public office should be members of the party, accountable to the membership, and pledged to respect the platform.

Each of those features plays a crucial role in mobilizing working people to change society. The platform presents a concrete image of what a better society could look like. The candidates, by visibly contesting elections and winning votes under the banner of the platform, generate a sense of hope and momentum that this better society might be attainable in practice. And because the members control the party, working people can have confidence that the party is genuinely acting on their behalf. But notice what is missing from this list: there is no mention of a separate ballot line.

The Labor Party always assumed that a genuinely independent labor party must have a separate party ballot line. That assumption was a mistake. The assumption gave rise to an

intractable dilemma: if the party took a separate line and ran candidates against incumbent Democrats, it would destroy relationships with Democratic officeholders who might otherwise be sympathetic to unions, and thus lose the support of the unions that depended on those officeholders.

On the other hand, if it didn't run candidates – which is ultimately the path it chose – the nagging question would arise: what's the point of having this so-called "party" in the first place? That question ended up spurring endless internal debates over whether and when to run candidates. And in the end, by not contesting elections, the party failed to give workers a reason to pay attention to the organization in the first place.

The dilemma stands out clearly in the recollections of Labor Party veterans. "The Labor Party had to start with the assurance that it wouldn't play spoiler politics and that it would [first] focus on building the critical mass necessary for serious electoral intervention," former LP national organizer Mark Dudzic recalled in a recent interview. Yet, as Les Leopold of the Labor Institute told Brown, that path ultimately led to irrelevance: "It's not easy for Americans to understand a party that's not electoral. I think that that was just a difficult sell."

"In retrospect," Dudzic concluded, "I think it was premature for us to coalesce into a party formation without an understanding of how we would relate to elections."

"Only in the USA"

Labor Party organizers were not the first to worry about being electoral "spoilers" – discussions of third-party politics have hinged on this problem for decades. However, history shows that, contrary to popular belief, the spoiler problem is not insurmountable. In fact, the <u>trade-union activists</u> in other countries who organized the <u>successful labor parties</u> of the nineteenth and twentieth centuries faced the same dilemma: the prospect of splitting the vote and causing defeat for more labor-sympathetic mainstream parties (usually liberal parties).

But those activists and their allies persevered, and as labor parties gained in strength the spoiler issue gradually became a threat to the *mainstream* parties. At that point, in the interests of self-preservation, liberal parties moved to accommodate the upstarts, either by forging defensive <u>electoral pacts</u> (in which the two parties agreed not to run candidates against each other in specified districts) or by pushing through <u>proportional representation</u> systems. That gave the labor parties an initial foothold in the political system.

But the United States is different. Beneath our winner-take-all electoral rules, we also have a unique – and uniquely repressive – legal system governing political parties and the mechanics of elections. This system has nothing to do with the Constitution or the Founding Fathers. Rather, it was established by the major-party leaders, state by state, over a period stretching roughly from 1890 to 1920.

Before then, the old Jacksonian framework prevailed: there was no <u>secret ballot</u>, and no officially printed ballot. Voters brought their own "tickets" to the polls and deposited them in a ballot box under the watchful eye of party workers and onlookers.

Meanwhile, the parties - which were then wholly <u>private</u>, unregulated clubs, fueled

by <u>patronage</u> – chose their nominees using the "<u>caucus-convention</u>" system: a pyramid of county, state, and national party conventions in which participants at the lower-level meetings chose delegates to attend the higher-level meetings.

At the base of the pyramid were precinct-level caucuses: informal, little-publicized gatherings where decisions on delegates to be sent to the county convention were sewn up through private bargaining among a few patronage-minded local notables.

In the 1880s and 1890s, this cozy system was disrupted by a new breed of "hustling candidates," who actively campaigned for office rather than quietly currying favor with a few key party workers. When informal local caucuses started to become scenes of open competitive campaigning by rival factions, each seeking lucrative patronage jobs, they degenerated into chaos, often violence.

Worse, candidates who lost the party nomination would try to win the election anyway by employing their own agents to hand out "pasted" or "knifed" party tickets on election day, grafting their names inconspicuously onto the regular party ticket.

Party leaders were losing control over their traditional means of maintaining a disciplined political army. Their response was a series of state-level legislative reforms that permanently transformed the American political system, creating the electoral machinery we have today.

Repression

Henceforth, state governments would administer party primaries, print the official ballot for primary and general elections, and mandate that voting be conducted in secret.

In the lore of American politics, these direct-primary and "<u>Australian ballot</u>" laws (i.e., laws mandating government-printed ballots cast inside a private booth) were the work of idealistic progressive reformers aiming to depose the party bosses and enshrine popular sovereignty. In reality, they were <u>adopted by the party leaders</u> themselves when such measures were deemed to suit their interests.

Of course, there's nothing objectionable about secretly cast, government-printed ballots. Countries around the world were adopting such good-government reforms around the same time. But once the job of printing the ballot was handed over to governments, some mechanism was needed to determine who was "officially" a candidate, and under which party label.

This is where the American system began to diverge wildly from democratic norms elsewhere.

When the world's first government-printed secret ballot was adopted in Australia in the 1850s, the law required a would-be parliamentary candidate to submit a total of two endorsement signatures to get on the ballot. When Britain adopted the reform in 1872, its requirement was ten endorsement signatures. But when the first U.S. state, Massachusetts, passed an Australian-ballot law in 1888, it required one thousand signatures for statewide office, and, in district-level races, signatures numbering at least 1 per cent of the total votes cast at the preceding election.

Yet those barriers were mild compared to what came afterward. Over the three decades following U.S. entry into World War I, as <u>working-class</u> and <u>socialist parties</u> burgeoned throughout the industrialized world, American elites chose to deal with the problem by radically restricting access to the ballot. In state after state, petition requirements and filing deadlines were tightened and various forms of routine legal harassment, unknown in the rest of the democratic world, became the norm.

The new restrictions came in waves, usually following the entry of left-wing parties into the electoral process. According to data gathered by Richard Winger of <u>Ballot Access News</u>, in 1931 Illinois raised the petition requirement for third-party statewide candidates from one thousand signatures to twenty-five thousand. In California, the requirement was raised from 1 per cent of the last total gubernatorial vote to 10 per cent. In 1939, Pennsylvania suddenly decided it was important that the thousands of required signatures be gathered solely within a three-week period. In New York, according to one account, "minor-party petitions began to be challenged for hyper-technical defects."

"Although these statutes have been assailed on all sides," a 1937 Columbia Law Review article reported, "their severity is constantly being increased, probably because the interests oppressed seldom have representation in the legislatures." Indeed, when the Florida legislature found socialists and communists advancing at the polls, it responded in 1931 by banning any party from the ballot unless it had won 30 per cent of the vote in two consecutive elections; naturally, when the Republican Party failed to meet that test, the state immediately lowered the threshold.

By comparison, in Britain getting on the ballot was never a major concern for the newly founded <u>Labour Party</u>; the only significant requirement was a £150 deposit (first instituted in <u>1918</u>), to be refunded if the candidate won at least 12.5 per cent of the vote. In its first general-election outing in 1900, the party started with a mere 1.8 per cent of the national vote. Despite the allegedly fatal "spoiler" problem, it then gradually increased its vote share until it overtook the Liberals as the major party of the Left in 1922.

Today, in almost every established democracy, getting on the ballot is at most a secondary concern for small or new parties; in many countries it involves little more than filling out some forms. In Canada, any party with 250 signed-up members can compete in all 338 House of Commons districts nationwide, with each candidate needing to submit one hundred voter signatures. In the United Kingdom, a parliamentary candidate needs to submit ten signatures, plus a £500 deposit which is refunded if the candidate wins at least 5 per cent of the vote. In Australia, a party with five hundred members can run candidates in all House of Representatives districts, with a \$770 deposit for each candidate, refundable if the candidate wins at least 4 per cent of the vote.

In Ireland, Finland, Denmark, and Germany, <u>signature requirements</u> for a parliamentary candidacy range from 30 to 250, and up to a maximum of 500 in the largest districts of Austria and Belgium. In France and the Netherlands, only some paperwork is required.

The Council of Europe, the pan-European intergovernmental body, maintains a "Code of Good Practice in Electoral Matters," which catalogs electoral practices that contravene international standards. Such violations often read like a manual of U.S. election procedure. In 2006, the council condemned the Republic of Belarus for violating the provision of the code proscribing signature requirements larger than 1 per cent of a district's voters, a level the council regards as extremely high; in 2014, Illinois required more than triple that

number for House candidacies. In 2004, the council <u>rebuked Azerbaijan</u> for its rule forbidding voters from signing nomination petitions for candidates from more than one party; California and many other states do essentially the same thing.

In fact, some U.S. electoral procedures are unknown outside of dictatorships: "Unlike other established democracies, the USA <u>permits one set of standards</u> of ballot access for established 'major' parties and a different set for all other parties."

That America's election system is uniquely repressive is common knowledge among experts. "Nowhere is the concern [about governing-party repression] greater than in the United States, as partisan influence is possible at all stages of the electoral contest," concludes a recent <u>survey</u> of comparative election law.

"Perhaps the clearest case of overt partisan manipulation of the rules is the United States, where Democrats and Republicans appear automatically on the ballot, but third parties and independents have to overcome a maze of cumbersome legal requirements," writes Pippa Norris, a world elections authority at Harvard and director of democratic governance at the United Nations Development Program.

"One of the best-kept secrets in American politics," the eminent political scientist Theodore Lowi has written, "is that the two-party system has long been brain dead - kept alive by support systems like state electoral laws that protect the established parties from rivals and by federal subsidies and so-called campaign reform. The two-party system would collapse in an instant if the tubes were pulled and the IVs were cut."

Regulation and Its Consequences

These considerations cast the usual debates about third parties, particularly on the Left, in a peculiar light.

Typically, advocates of the third-party route depict their strategy as a revolt against a rigged two-party system; sometimes they even castigate doubters as timid accommodationists. Yet, in the context of American law, when such advocates speak of creating an independent "party," what they mean, ironically, is choosing to subject their organization to an elaborate regulatory regime maintained by, and continually manipulated by, the two parties themselves.

This is one fundamental problem with the third-party strategy: the need to continually maintain ballot status – an onerous process in most states – places the party's viability at the mercy of the legislature.

A cautionary tale unfolded last year in Arizona, where the Republican-controlled legislature, concerned about the strength of the Libertarian Party, passed a law effectively raising the number of signatures each Libertarian candidate needs to appear on his or her party's primary ballot from $\underline{134}$ to $\underline{3,023}$. (This is in addition to the hoops the party itself has to jump through to keep a ballot line in the first place.)

The bill's Republican sponsor, Representative J. D. Mesnard, helpfully <u>explained</u> his thinking on the floor of the state House: "I believe that, if you look at the last election, there was at least one, probably two, congressional seats that may have gone in a different direction, the direction I would have liked to have seen them go, if this requirement had been there."

Another unique aspect of American party law raises similar issues: in their internal affairs, ballot-qualified parties in the United States are "some of the most comprehensively regulated parties in the world."

Normally, democracies regard political parties as voluntary associations entitled to the usual rights of freedom of association. But U.S. state laws dictate not only a ballot-qualified party's nominating process, but also its leadership structure, leadership selection process, and many of its internal rules (although it's true that these mandates are often waived for third parties deemed too marginal to care about).

In other words, when third-party activists seek ballot status, they are often seeking to grant far-reaching control over their own internal affairs to a hostile two-party-dominated legislature. That is a peculiar way to go about smashing the two-party system.

Yet the perverse consequences of the system are often at their most visible when third parties do succeed in getting on the ballot.

These parties are frequently forced to devote the bulk of their resources not to educating voters, or knocking on doors on election day, but to waging petition drives and ballot-access lawsuits. The constant legal harassment, in turn, ends up exerting a subtle but powerful effect on the kinds of people attracted to independent politics. Through a process of natural selection, such obstacles tend to repel serious and experienced local politicians and organizers, while disproportionately attracting activists with a certain mentality: disdainful of practical politics or concrete results; less interested in organizing, or even winning elections, than in bearing witness to the injustice of the two-party system through the symbolic ritual of inscribing a third-party's name on the ballot.

The official parties are happy to have such people as their opposition, and even happy to grant them this safe channel for their discontent. And if, unexpectedly, a third party's fortunes were to start rising, the incumbents could always put a stop to it, simply by adjusting the law.

The Labor Party – wisely, in my opinion – adopted a strategy of not seeking ballot status until it had built enough strength to mount a credible challenge to the Democrats. But confronted with the dilemmas of a repressive electoral system, combined with the more familiar spoiler problem, it never actually reached that point. In the end, the party sought and obtained a ballot line only once, in South Carolina (a state where ballot laws were relatively relaxed), in a last-ditch effort near the end of its active life. But by then it was too late, and ultimately the party chose not to wage a serious electoral campaign in the state.

One lesson from this history is clear: We have to stop approaching our task as if the problems we face were akin to those faced by the organizers of, say, the British Labour Party in 1900 or Canada's New Democratic Party in 1961. Instead, we need to realize that our situation is more like that facing opposition parties in soft-authoritarian systems, like those of Russia or Singapore. Rather than yet another suicidal frontal assault, we need to mount the electoral equivalent of guerrilla insurgency. In short, we need to think about electoral strategy more creatively.

Boring From Within?

Does that mean opting for the strategy championed by most progressive critics of the third-

party route - namely, "working within the Democratic Party"?

No. Or at least, not in the way that phrase is usually meant.

It's true that a number of sincere, committed leftists, or at least progressives, run for office on the Democratic ballot line at all levels of American politics. Sometimes they even win. And all else equal, we're better off with such politicians in office than without them. So in that limited sense, the answer might be "yes."

But electing individual progressives does little to change the broad dynamics of American politics or American capitalism. In fact, it can create a kind of placebo effect: sustaining the illusion of forward motion while obscuring the fact that neither party is structurally built to reflect working-class interests.

"Working within the Democratic Party" has been the prevailing model of progressive political action for decades now, and it suffers from a fundamental limitation: it cedes all real agency to professional politicians. The liberal office-seeker becomes the indispensable actor to whom all others, including progressives, must respond.

Think of <u>Ted Kennedy</u> or <u>Mario Cuomo</u> in the 1980s; Paul Wellstone or Russ Feingold in the 1990s; <u>Howard Dean</u>, <u>Elizabeth Warren</u>, or <u>Bill de Blasio</u> since 2000. Each emerges into the spotlight as they launch their careers or seek higher office. Each promises to represent "the democratic wing of the Democratic Party." Each generates a flurry of positive coverage in progressive media and a ripple of excitement within a narrow circle of progressive activists and voters.

Orbiting around these ambitious office-seekers are the progressive "grassroots" organizations exemplified by MoveOn.org, Democracy for America, or Progressive Democrats of America. (In an earlier, direct-mail era, it was Common Cause, People for the American Way, or even the Americans for Democratic Action.)

Run by salaried staffers, these groups monitor the political scene in search of worthy progressive candidates or legislative causes, alerting their supporters with bulletins urging them to "stand with" whichever progressive politico needs support at the moment. (Support, in this usage, usually means sending money, or signing an email petition.) Such groups generally maintain no formal standards for judging a candidate's worthiness. Even if they did, in drawing up such standards they would be accountable to no one, and would have no power to change those candidates' policy objectives.

Although it's too early to tell, Bernie Sanders's recently created <u>Our Revolution</u> organization seems in danger of falling into the same trap: becoming a mere middleman, or broker, standing between a diffuse, unorganized progressive constituency and a series of ambitious progressive office-seekers seeking their backing.

In this "party-less" model of politics, it's the Democratic *politician* who goes about trying to recruit a *base*, rather than the other way around. The politician's platform and message are devised by her and her alone. They can be changed on a whim. And there is no mechanism by which the politician can be held accountable to the (fairly nebulous) progressive constituency she has recruited to her cause.

The approach taken by the <u>Working Families Party</u> (WFP) is different, but it, too, remains vulnerable to the problems of such "party-less" politics. The WFP has built an impressive

record of policy achievements in its New York State home base, using "fusion" voting – a ballot strategy forbidden by most state laws. (The ban on fusion is <u>another legacy</u> of the two-party election reforms of the 1890s.) Under fusion, a minor party places the name of a major-party's nominee on its own ballot line, hoping that, if the major-party candidate wins, he or she will feel beholden to the minor party for however many votes it managed to "deliver."

But the contradictions of its 2014 <u>endorsement</u> of New York governor Andrew Cuomo showed how the WFP's fusion strategy can place it in the worst of both worlds. On the one hand, the party remains chained to the interests of Democratic Party politicians, forced to endorse candidates that are not its own, who run on platforms far removed from its priorities, as if it were a mere faction of the Democratic Party. On the other hand, it still needs to worry about keeping its third-party ballot line, leaving it exposed to the kind of ballot-repression problems that more marginal third parties face.

At a deeper level, the "party-less" model that dominates progressive politics today is an outgrowth of America's lamentable history of "internally mobilized" parties: that is, parties organized by already-established politicians for the sole purpose of creating a mass constituency around themselves. The Democratic Party – created in the 1830s by a network of powerful incumbents led by New York senator and power broker Martin Van Buren – is the classic case.

This stands in contrast to "externally mobilized" parties: organized by ordinary people, standing outside the system, who come together around a cause and then go about recruiting their own representatives to contest elections, for the purpose of gaining power they don't already have.

For reasons that are not hard to guess, historical parties of the Left – true parties of the Left – have, almost without exception, been mobilized externally. As the historian Geoff Eley recounts in his <u>history</u> of the Left in Europe:

"Parties of the Left sometimes managed to win elections and form governments, but, more important, they organized civil society into the basis from which existing democratic gains could be defended and new ones could grow. They magnetized other progressive causes and interests in reform. Without them, democracy was a nonstarter."

By contrast, not a single externally mobilized party has ever attained national electoral significance in the United States. "The major political parties in American history," writes Martin Shefter – who first introduced this taxonomy of party mobilization – "and most conservative and centrist parties in Europe," were founded "by politicians who [held] leadership positions in the prevailing regime and who [undertook] to mobilize and organize a popular following behind themselves."

"Modern democracy," in E. E. Schattschneider's classic formulation, "is unthinkable save in terms of the parties."

Popular, working-class democracy, on the other hand, is unthinkable without parties mobilized from outside the political system – that is, by people organizing around common goals.

What Is a Democratic Party?

In a genuinely democratic party, the organization's membership, program, and leadership are bound together tightly by a powerful, mutually reinforcing connection. The party's *members* are its sovereign power; they come together through a sense of shared interest or principle. Through deliberation, the members establish a *program* to advance those interests. The party educates the public around the program, and it serves, in effect, as the lodestar by which the party is guided. Finally, the members choose a party *leadership* – including electoral candidates – who are accountable to the membership and bound by the program.

It might seem obvious that those are the characteristics of a truly democratic party. Yet the Democratic Party has none of them.

Start with the most fundamental fact about the Democratic Party: it has no members. A few months ago I was flattered to receive a letter signed by Debbie Wasserman Schultz, then chair of the Democratic National Committee, in which she urged me to consider sending a donation, thereby "becoming a DNC member," in her words.

Was she proposing to let me vote on the Democratic primary schedule, or its mode of selecting convention delegates – or, for that matter, the next DNC chair? Obviously not. Mere "members" aren't allowed to influence such decisions because, fundraising letters aside, there are no real members of the Democratic Party: "Unlike these [British, Canadian, Australian, and New Zealand] democracies, where members join a political party through a process of application to the party itself, party membership in the United States has been described as 'a fiction created by primary registration laws.'"

Just as the Democratic Party has no real membership, it offers only the most derisory semblance of a "program": a quadrennial platform usually dictated by an individual nominee (or occasionally negotiated with a defeated rival) at the height of the election-season frenzy, a document that in most years no one reads and in all years no one takes seriously as a binding document. (At the state level, party platforms often reach hallucinatory levels of detachment from real politics.)

It's true, of course, that in a constitutional democracy there's never anything stopping an elected representative, once elected, from doing the opposite of what he or she had promised. And in the history of left-wing party politics it's not hard to find instances where elected politicians have gone turncoat. One famous example was Ramsay MacDonald, a founder of the British Labour Party, who betrayed his party after becoming prime minister by joining with the Conservatives and pushing through drastic public spending cuts in the midst of the Depression.

But since MacDonald was accountable to a democratically organized party, he could be repudiated and expelled from that party – <u>as he was in 1931</u>, while still a sitting prime minister. For generations afterward, he was reviled within Labour Party circles, his name synonymous with betrayal.

Suppose, by way of comparison, that some onetime liberal Democratic hero – say, a senator – decides to flout the promises he or she initially made to MoveOn.org, or Democracy for America, or their constituents. Those groups' staffs – whom no one has elected anyway – would have no power to meaningfully discipline, let alone expel, them.

To whom, then, is the senator accountable? An electorate, in theory, come reelection time. But no party.

This is the treadmill we need to get off.

A Party of a New Type

The widespread support for Bernie Sanders's candidacy, particularly among young people, has opened the door for new ideas about how to form a democratic political organization rooted in the working class.

The following is a proposal for such a model: a national political organization that would have chapters at the state and local levels, a binding program, a leadership accountable to its members, and electoral candidates nominated at all levels throughout the country.

As a nationwide organization, it would have a national educational apparatus, recognized leaders and spokespeople at the national level, and its candidates and other activities would come under a single, nationally recognized label. And, of course, all candidates would be required to adhere to the national platform.

But it would avoid the ballot-line trap. Decisions about how individual candidates appear on the ballot would be made on a case-by-case basis and on pragmatic grounds, depending on the election laws and partisan coloration of the state or district in question. In any given race, the organization could choose to run in major- or minor-party primaries, as nonpartisan independents, or even, theoretically, on the organization's own ballot line.

The ballot line would thus be regarded as a secondary issue. The organization would base its legal right to exist not on the repressive ballot laws, but on the fundamental rights of freedom of association.

Such a project probably wouldn't have been feasible in the past, due to campaign-finance laws. For most of the last four decades, the Federal Elections Campaign Act (FECA), along with similar laws in many states, would have left any such organization with little alternative but to fundraise through a political action committee (PAC). That PAC would have been limited to giving a maximum of \$5,000 (the current threshold) to each of its candidates per election, and barred from taking money from unions or collecting donations larger than \$5,000 from individuals. That kind of fundraising could never support a national organization.

All of these restrictions would be waived if, like the DNC or RNC, the group registered as a "party committee." But there's a catch: a group can only register as a party committee if it runs the ballot-access gauntlet at the state level (a requirement from which Democrats and Republicans are exempt), then wins a ballot line and runs its candidates on it. (Here we find one of the many reasons scholars have described the FECA as a "major-party protection act.")

In the years leading up to the Supreme Court's 2010 <u>Citizens United</u> decision, these regulations were already being eroded by the emergence of so-called "527" groups, which evaded the laws by taking unlimited donations to finance "independent expenditures" on behalf of candidates.

But in the wake of Citizens United (and subsequent rulings), the restrictions no longer pose

a serious obstacle at all. Today, a national political organization could adopt the <u>"Carey"</u> model of campaign finance, validated in 2011 by the <u>Carey v. FEC</u> federal court decision. In this model, the national organization would incorporate as a 501(c)4 social welfare organization, permitting it to endorse candidates and engage in explicit campaigning, while accepting unlimited donations and spending unlimited amounts on political education. (It would also, of course, be free to adopt rigorous self-imposed disclosure rules, as it should.)

In addition, it would be allowed to establish a PAC that maintains two separate accounts: one permitted to donate to, and directly coordinate with, individual candidates (though subject to FECA contribution limits and allowed to actively solicit contributions only from the organization's own members); and the other allowed to accept unlimited contributions and make unlimited independent expenditures on behalf of its candidates (though not donations to candidates themselves). A separate online "conduit" PAC, on the ActBlue model, could aggregate small-donor hard-money fundraising on a mass scale to finance the individual campaigns.

With a viable fundraising model patterned along these lines, all of the organization's candidates nationwide, up and down the ballot, would be able to benefit from its name recognition and educational activities. It could sponsor speakers, hold debates, establish a network of campus affiliates, and designate spokespeople who would be recognized as its public voices. In the media and on the internet, voters would be continually exposed to its perspective on the events of the day and its proposals for the future.

To put the electoral possibilities of this approach into perspective, consider a few numbers. In 2014, there were 1,056 open-seat state-legislative races (races where no incumbent was running). The median winner spent only \$51,000, for the primary and general elections combined. Two-thirds of the races cost less than \$100,000. And in 36 per cent of *all* state-legislative races that year – almost 2,500 seats – the winner had run unopposed.

I think this model can work. But like any blueprint, it's not a panacea. Simply filing the paperwork to create such an organization is not going to magically conjure a large and successful movement into existence. To make it work, it needs to be a real vehicle and voice for working-class interests. And that means a significant part of the labor movement would have to be at its core. •

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