

HALF-ASSED

Why is America cursed with such a feeble opposition party? In the context of European politics, our Democrats would be regarded as a rightwing party, while our Republicans would be a far-right fringe group. Here we can choose between the pro-war big business party that supports gun rights but not gay rights, or the pro-war big business party that supports gay rights but not gun rights.

The more extreme the Republicans get, the angrier I get at the Democrats. They keep compromising on bad legislation, punting close elections, and attacking each other instead of attacking the GOP. Whenever the Demos lose an election (and too often, after they win one) they decide that the lesson is that they must move closer to "the center." This just allows the Republicans to move even further to the right, and the GOP's old stance then becomes the new "center."

In contrast, when the Republicans lose, they redouble their efforts. They attack the legitimacy of the winner, raise more money for the next fight, and stick to their core principles: lowering taxes, slashing social spending, and beefing up the military. Whether voters agree with them or not, they "know" that the GOP stands for these things.

It doesn't even matter that working people end up paying higher taxes at the local and state levels to pay for the GOP's tax cuts for the rich. It doesn't matter that "compassionate conservatives" promise to boost popular social programs like Pell Grants or AIDS research, and then pull away the football after the election. And it certainly doesn't matter that the Repubs throw money at useless obsolete weapons systems while cutting combat pay or veterans' benefits.

What matters is that the Republicans have an image, reinforced by our media culture, as tax-cutters who go after welfare freeloaders, and who are tough guys on military issues. What is the Democrats' public image on taxes, social issues or military spending? It's all over the map.

It has to be said that the Clinton administration set the precedent for too many of the Bush administration's worst excesses. Curbing civil liberties in the name of anti-terrorism? Check. Going to war under false pretenses without UN approval? Check. Turning regulatory agencies over to polluters? Check. Obviously the Clintonistas weren't as fanatic as Bush's neocons on these issues, but they helped set the stage for the predations to come.

Democrats in Congress have teamed up with Republicans to bring us some truly atrocious bills. Under Clinton we had welfare reform, NAFTA and GATT, anti-terror and anti-crime bills that gutted the Bill of Rights, and the nasty Telecommunications Act of 1996. Under Bush, the Democrats have rolled over for a smorgasbord of tax cuts, an underfunded education bill, the Patriot Act, the Iraq War Resolution, and a Trojan Horse of a Medicare bill. The Demos have enabled a so-called "tort reform" that defunds a large part of their donor base and acquiesced in a bankruptcy bill that attacks the interests of their key constituency.

It's true that a majority of these bills were opposed by a majority of Demos, but enough of them crossed over for the GOP to claim bipartisan support. Ironically, the GOP then turned on the Democrats who had cooperated with them, arguing that their moves to the right showed that their home districts needed more conservative representation. What the donkey party doesn't understand is that the rules have changed: the GOP doesn't want to work together, they want to crush all opposition.

The GOP have held both houses of Congress for all but two of the past ten years. In that time they've changed the standards for what constitutes an impeachable offense, changed the precedent on redistricting House seats, changed the criteria for staging recall elections, changed the process for confirming or rejecting federal judges, and changed the rules whether indicted Congressmembers can serve in leadership positions. They're prepared to change the rules on filibusters, and will change these rules back and forth to suit their purposes.

While wealthy liberals donate money to a network of nonprofits like NOW, Greenpeace or Common Cause, wealthy conservatives have spent decades building up a network of think tanks and media outlets dedicated to attacking the very legitimacy of liberalism. Bewildered liberals are only now beginning to play catch-up. And after the loathsome vote suppression and vile attack campaigns mounted by the GOP in 2000 and 2002, the Democrats should have learned by 2004 that their only hope of survival was to go for the jugular.

Instead they inexplicably took the high road, presenting a feel-good convention and a series of positive TV ads. Kerry's incisive debate performances could not erase the advantages given to Bush by the corporate media establishment. The media enabled Bush by promoting the myths of Al Gore as a serial exaggerator and John Kerry as flip-flopper, while George Bush got away with far bigger lies and policy reversals. The media helped bury Howard Dean by portraying him as an unstable radical, while the Democratic establishment breathed a sigh of relief. Then the Demos nominated a war hero who stood by silently as Karl Rove's minions demolished his war hero image.

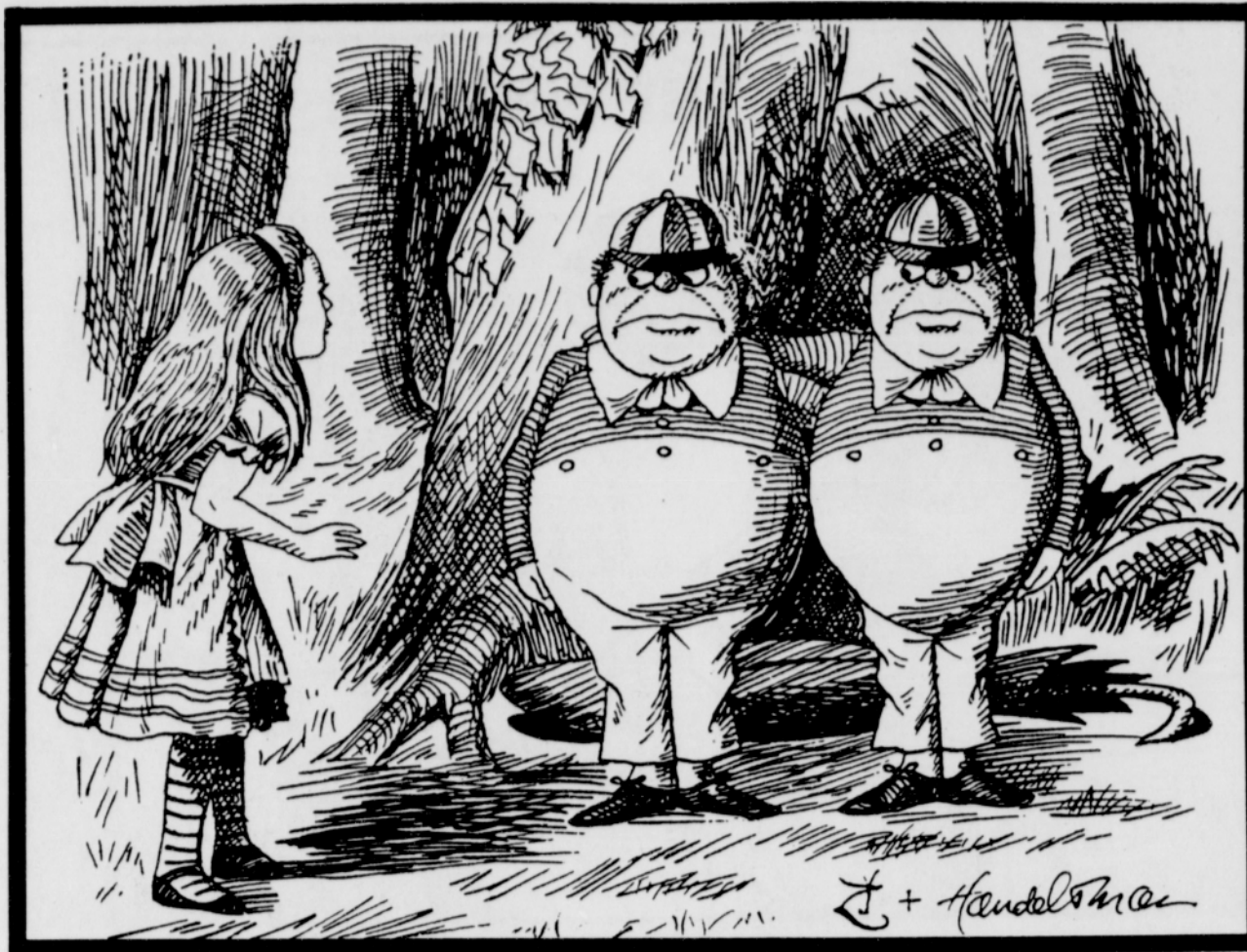
To beat Bush, the Democrats should have been on offense all year. Moreover, the proven lies of George Bush and the debacle of the Florida election theft should have been merged into a hybrid message: that Jim Crow Republicans can't be trusted to run free and fair elections. Not only do they lie and cheat but they win by keeping minority votes from being counted. Forgoing this opportunity left the Demos unable to either prevent or contest the more audacious fraud of 2004.

There are signs now that the Democrats are starting to get it: Their leadership under Howard Dean and Harry Reid is more combative, their party discipline is stronger and their grassroots funding initiatives may allow them some independence from corporate agendas. It's too soon to say if this will allow them to regroup from their losses.

But it would be nice to have at least one party that says the USA doesn't need to be an empire, that the global economy ought not to be organized according to Reaganomics, and that a progressive tax system and robust safety net would benefit us all. If the Democratic Party can't save us from returning to the Gilded Age, Manifest Destiny and the Robber Barons, maybe the best thing they could do is just disband. If we have to live under one-party rule and fixed elections, why maintain the illusion of democracy?

-MARK ZEPEZAUER

J. B. HANDELSMAN



"I beg your pardon," said Alice, "but which one of you is the Democrat?"

5 IDEAS FOR ELECTORAL REFORM

BY MARK ZEPEZAUER

Sure, the Mexican election was a huge mess, but we can't really talk, can we? A wildly irregular vote counting process, an outcome where nobody really knows who won, a "winner" who had obviously engaged in massive electoral chicanery? Been there, done that.

Right here in the US of A we have one of the most dysfunctional electoral systems in the Western world — but hey, at least we look good compared to Zimbabwe and Myanmar. To elect a President, we don't just go through 50 different state elections, but some 170,000 different precincts, each of them run by local officials with varying degrees of partisanship, corruption, obtuse contempt for democracy, and fallible voting machinery.

Still, we could learn a thing or two from our neighbors — to the north, that is. The Canadians can count (and recount!) a national election in about four hours. They do this using a unique voting technology known as the paper ballot. Each vote is marked with an X, the same ballot format is used nationwide, and every precinct hand-counts the results in public in front of witnesses, and continues recounting them until there is no dispute as to the tally. Four hours. Done.

Compare this, not just to the failure rates for punch-card and optical-scan ballots, but to the nightmare of having our votes counted on hackable computers owned by partisans of a particular political party (symbolized by an elephant), with the software controlling the process kept secret due to corporate proprietary rights, and the results tallied in secret, and then simply reaccessed from the same insecure hard-drive if a recount is called for.

Of course, that ain't the half of it, because as discussed before, the system for selecting and promoting candidates is as dysfunctional as the system for counting the votes. There is virtually no aspect of our current system that couldn't be reformed, and while some of the obvious solutions are damn near impossible to enact — especially with that elephant party in control of all three branches — others are at least somewhat feasible. Let's run through some of each kind, in no particular order.

Direct elections: The Electoral College is an historical anomaly, and no other nation on earth has decided to emulate it. It produces outcomes where voters in a handful of small states have more say than those in more populated jurisdictions. It has given the White House to the loser of the popular vote on several occasions, and distorts the campaigning process so that candidates generally ignore places like New York, Texas and California. Until recently it was agreed that it would be all but impossible to abolish the EC, since at least some of the small states would have to sign off on a constitutional amendment.

Now it looks as though an end-run around the College is possible, since the Constitution gives each state the right to decide how to apportion its electoral votes. If the ten largest states agreed amongst themselves to give their electoral votes to the same candidate who wins the popular vote nationwide, the mathematics of the EC would become a moot point. Had such a system been in place six years ago, Albert Gore, Jr. would have been elected the 43rd President. A bill to enact this proposal is before the California legislature. Pass it.

Clean elections: Arizona and Maine have enacted clean elections laws that give full public financing to candidates who establish their credibility by collecting a minimum number of small contributions from ordinary voters. Candidates can opt out of the system and raise their money from the big boys, but the public financing of their opponents will grow proportionately. Combine a nationwide version of this with a mandate for free advertising for valid candidates over the nation's airwaves, and you've gone a long way towards establishing a more level playing field. The net result in Arizona and Maine has been a greater diversity of candidates, though speaking as an Arizonan, it may be awhile before the quality of our legislature improves enough to make a difference. Still, compared to the Byzantine reporting requirements of the McCain-Feingold reform, which

even Senator McCain is accused of violating, this has the beauty of simplicity.

Greater access: African-Americans and other minorities have had their votes suppressed since the ink on the 15th Amendment began to dry, a shameful legacy that continues to this day. People have fought in the streets and died for the right to register and vote, and we owe it to them to make it easier to do so. Plenty of countries have same-day registration without major difficulties. Plenty of countries make Election Day a national holiday so people don't have to give up work to exercise their franchise. Plenty of countries have universal poll closing times across time zones, and keep polling places open for 24 to 48 hours to improve access. Is there some reason we couldn't do these things? Hint: it has big ears and a long trunk.

Not only that, but excluding felons from the franchise has a peculiar effect when you combine that with disproportionate sentencing in the War on Drugs: lots and lots of black males lose the right to vote. At the very least, that right should be automatically reinstated once the ex-con has paid his/her debt to society, rather than requiring the voter to jump through hoops in order to win back their rights. Coincidentally, towns with large prisons, public or private, are allowed to use the warm bodies within when reapportioning Congressional districts on the basis of population — even though many of the residents are ineligible to vote.

Proportional representation: There are only a handful of competitive Congressional districts in the country, because incumbents have gerrymandered this nation's map within an inch of its life using sophisticated mapping software to carve out safe districts for one party or another. Rather than go through the highly politicized process of reapportionment once every decade — or, as Tom DeLay's example suggests, every time a state legislature changes hands — why not do away with districts altogether? Simply allocate the seats for each state based on a party slate's proportion of the vote.

That is, if the elephant's party gets 60% of the vote in Texas, give them 60% of the seats. And if the Greens get 5% of the vote in California, give them 5% of the seats. That eliminates gerrymandering forever, though it doubtless creates new problems. Some of these could be ameliorated by increasing the number of available seats in the House, something the Constitution suggests we do from time to time, but which hasn't happened in about a hundred years. To have each representative serving the same number of constituents as they did in 1910, we'd have to triple the size of the House (to about 1300 seats). One side effect of this would be to make elections in each district much less expensive.

Instant runoffs: The city of San Francisco and many other jurisdictions have experimented with this system, in which voters weigh or rank their choices among a list of candidates. If no candidate gets a majority, the last-place candidate is eliminated, and his or her votes are distributed to the others based on whom his or her voters had named as their second choice. This continues winnowing out minor candidates, until a winner is selected. This might double the length of Canadian count to eight hours, but would have the virtue of ending the "spoiler" role of third party candidates. That is, you could vote for your favorite candidate in good conscience, even knowing he or she didn't have a chance to win, but knowing that if your second (or third) choice did win, he or she would know where their votes came from.

This would have, the effect of building some interesting coalitions. Combine this with fusion voting, as in New York state, which allows multiple parties to endorse the same candidate, so that, again, the winner gets a better picture of different constituencies to which she or he is beholden. Add in a series of nationwide regional primaries (south, west, northeast, southwest, central) spaced a month or so apart, and then use instant runoff voting (IRV) to pick a President from a list of the five or six top candidates. Depending on how many of the other reforms discussed above had passed, you could get some very different results. In 2000, it probably would have given the election to McCain, which is arguably somewhat better than what we got instead.

Now, back in the real world, we have no hope of getting any of this considered, let alone passed, unless we can get that elephant's foot off the levers of power. And that means working with the maddeningly flawed system we've got in place. But what the hell: Rome wasn't sacked in a day.

Mark Zepezauer wrote this as an editorial for the *Santa Cruz Comic News*, published in Santa Cruz, California.

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