



# SIX NEEDED REFORMS TO OUR POLITICAL STRUCTURES

SAM (the Serve America Movement) believes that the current political party system is broken. The two entrenched parties serve themselves first, consistently producing political candidates and results that do not serve the majority of the American people. It is time to break their self-interested stranglehold over the political system. SAM is building a new party, dedicated to representing a new majority. We will identify and attack the structures that the two parties have put in place to protect themselves and thwart competition. Specifically, we will work to:

## **1. END “PARTISAN GERRYMANDERING”—THE ABUSIVE SYSTEM WHERE POLITICIANS CHOOSE THEIR VOTERS RATHER THAN VOTERS CHOOSING THEIR REPRESENTATIVES**

In virtually every election where state and federal representatives are chosen by “district,” the lines which define the “district” are chosen by politicians—a natural conflict of interest. In most states, drawing these “district” lines is nothing more than a majority-party protection mechanism. The district lines are drawn to rig the results in the majority party’s favor by “packing” friendly voters into as many “safe districts” as possible. Conversely, the majority party “cracks” the votes of the opposing party so that they always get the short end of the stick. The result is districts where a victory in a single party’s primary election nearly guarantees a General Election victory. The natural consequence of this practice is to insulate a candidate’s accountability from all but a narrow slice of the electorate—primary voters who tend to represent the extremes of each party. Further, the more moderate voters who turn out to vote in the General Election find themselves limited to either a candidate from their own party who represents the extreme base of that party or a candidate who is doomed to lose because of the way the system has been rigged.

A crucial step in fixing our broken political system is to establish the types of non-partisan commissions used in Alaska, Arizona, California, Idaho, Montana and Washington in which the power to draw districts is taken out of the hands of self-interested politicians and returned to the citizens. By taking away from politicians the power to draw district lines, favor themselves and effectively disenfranchise the ordinary voter, we can begin the process of restoring to voters their right to choose their representatives rather than allowing self-interested politicians to choose their voters.

## **2. REPEAL “SORE-LOSER” LAWS**

In 44 states, a candidate who runs unsuccessfully in a major party primary is prohibited from running as an independent or write-in candidate in the General Election for that same office. Referred to as “sore-loser” laws because they were passed to close off competition from breakaway or independent candidates, these laws are a blatant abuse of political power by the two major parties to enforce partisan intraparty loyalty and to eliminate competition from candidates who did not win their party’s primary. The direct and intended effect of these laws is to prevent participation in the General Election by independent and third-party candidates, who may appeal to a broader spectrum of a general election electorate for the sole reason that a candidate first sought the nomination of one of the two established parties.

SAM believes that these sore-loser laws are antithetical to the American democratic process and should be eliminated. As former Congressman and Aspen Institute Vice President Mickey Edwards said in a 2014 New York Times op-ed on the subject, “What matters is the restoration of American democracy: Giving voters the fullest range of choices when it comes to selecting their leaders. Under sore-loser laws, the real loser is the voters.”





### **3. REFORM AND STRENGTHEN CAMPAIGN FINANCE DISCLOSURE**

Today our politics are infected with enormous amounts of “dark money” injected into the system by undisclosed groups with hidden agendas and interests. The Supreme Court’s Citizens United decision struck down limits on private expenditures connected to elections as long as those expenditures were not coordinated with any candidate for elective office. However, that same decision clarified that there is no limitation on requiring full transparency of the source of election related expenditures. To begin to restore Americans’ faith in the electoral process, we need to shine bright sunlight into the dark spaces in our campaign finance system.

First, all contributions to campaigns, candidates or political parties, regardless of source or recipient, should be publicly and immediately disclosable. Today, most federal campaigns and committees are only required to reveal their sources of funds on a quarterly or biannual basis. Instead, we should follow the lead in Oregon where contributions must be reported and posted online within 24 hours. Second, the rules regarding whether an expenditure is “independent” of a candidate and therefore allowable without limitation on the size of the expenditure need to be significantly tightened and vigorously enforced. The current lack of vigilant enforcement and reliance on vague and easily evaded rules results in massive amounts of what are, in effect, unlimited and secret contributions. Third, immediate public disclosure of the source of all expenditures made by any individual, group or organization in connection with an election should be required. Secrecy remains today because both the two major parties are only too happy to continue to have hidden contributors fund their supportive super PACs in total secrecy. This needs to end.

### **4. GIVE VOTERS MORE GENERAL ELECTION CHOICES**

In most elections today, the candidates who appear on the General Election ballot are limited to two candidates—one from each of the two major parties—and those candidates often represent the extremes within their parties. This is true because those candidates are chosen in partisan primary elections conducted by the two entrenched parties and those partisan primary elections tend to attract the most activist and often most extreme voters. Moreover, voter turnout in primaries is typically very low, causing many moderate Republican or Democratic voters to have few, if any, choices worthy of their time in the General Election. Because of the dominance of the current political party duopoly, General Elections generally feature two, and only two, options, frequently with each representing a political extreme. This inevitably results in elected officials who, once in office, take hard line positions and lack a willingness to compromise.

All voters should have the ability to participate in the selection of the candidates who appear on the General Election ballot. And they should not be limited to participating in a primary held by one of the two dominant parties under rules set by the party. Instead, we believe that states themselves should sponsor non-partisan primary elections, in which all candidates, regardless of party, appear on the same primary ballot. This could either be a top-two primary system, as in California and Washington State, or a top-four primary system, as suggested by Katherine Gehl and Michael Porter in their review of the American political system earlier this year. In either case, voters in these non-partisan, state sponsored primaries will have more choice in who appears on the General Election ballot.



## **5. EXPAND VOTER REGISTRATION AND VOTER ACCESS**

Nothing is more fundamental to a democracy than the right to vote. Yet, for too many Americans, the act of registering to vote and actually voting is far too difficult. Calls to simplify the process and make it more flexible are too often resisted for partisan reasons based on exaggerated claims about the prevalence of voter fraud. As the New York Times stated in an editorial several years ago: “Most states still use an antiquated paper method to register voters that doesn’t keep up with population change and keeps millions from voting. Congress needs to mandate (and help pay for) a computerized system that registers people whenever they interact with government agencies and follows them from state to state. The Brennan Center for Justice estimates this would add 50 million people to the rolls permanently and save money through greater efficiency and accurate.”

It is time for all eligible Americans to be able to register to vote easily and for unnecessary obstacles to lawful voting to be removed in favor of increasing turnout. SAM therefore support efforts in a rapidly growing number of states to use technology to simplify the process of registering and voting, allowing automatic online registration through the use of existing driver’s license and similar systems—a reform that will simplify the registration process and allow better tracking of changes in residence across state lines. We also support increasing flexibility in the time and manner of voting including allowing more voters to cast their vote prior to and on election day without physically appearing at the poll or physically showing specified kinds of government issued photo identification.

## **6. REMOVE THE UNNECESSARILY HIGH BARRIERS TO BALLOT ACCESS BY INDEPENDENTS AND NEW PARTIES**

Using their historic dominance over federal and state legislatures for over a century and a half, the two dominant parties (while engaging in back and forth competition between themselves) have systematically entrenched themselves, sought to squash any challenge to their joint dominance and have made it nearly impossible for third-party and independent candidates to appear on the General Election ballot. While the state legislatures have broad authority to determine how they run elections, the two parties that dominate those legislatures do not have the right to then use the power of the state in order to block competition and entrench themselves at the expense of providing voters with the broadest possible choices.

Today, the two dominant parties systematically protect their duopoly position in precisely this way. They erect virtually insurmountable barriers to competition such as steep filing fees, difficult, expensive and often arcane signature gathering requirements and filing deadlines that purposefully eliminate outsiders. SAM believes that overly burdensome barriers to entry should be systematically eliminated in order to increase voter choice and encourage participation by independent parties and by candidates who otherwise fulfill the legal and constitutional requirements for the office for which they intend to run. The system should not be designed, as it is now, to prevent voters from having the broadest possible array of candidates from whom to choose.