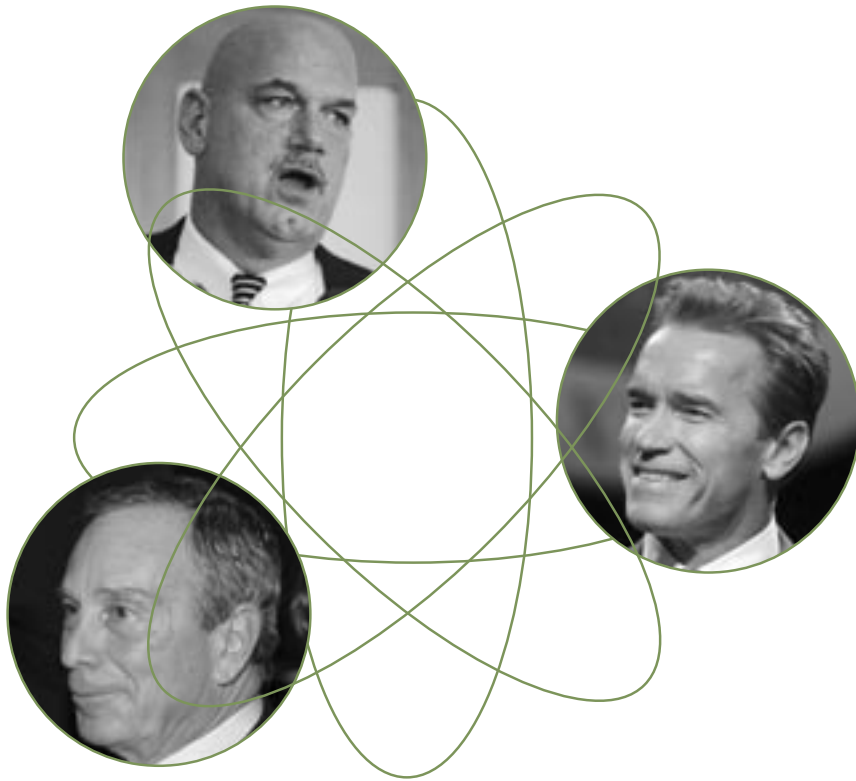


# The Power of Fusion

Jacqueline Salit



In scattered situations independents have tipped an election to an unexpected and “out of the box” outcome, as they did with Jesse Ventura in Minnesota, Michael Bloomberg in New York and Arnold Schwarzenegger in California. Yet the national power of independents remains uneven and unexpressed. Now they are beginning to seek political recognition.

And that should change the equation.

*The fact remains that political parties exist somewhere in the interstices between civil society and the state and serve as a link between the two realms. To function successfully as conduits between citizens and their government, parties must reflect the sentiments of civil society, which inevitably change over time. Thus it is only natural for old parties to disappear and new ones to emerge (or for existing parties to be thoroughly transformed) as the composition of the population changes and new issues arise.*

Mark F. Plattner  
“The Trouble with Parties”  
*The Public Interest*  
Spring 2001

A survey of the latest surveys puts the size of the independent voter bloc at between 30% and 37% of the electorate.<sup>1</sup> At a time when America is divided between the so-called “red states” and “blue states,” independents remain a solid third of the country, an omnipresent but still unrealized force for political change.

Surveys show that upwards of 66% of independents believe that structural reform is needed to curtail the negative effects of partisanship and to revitalize American democracy. In scattered situations independents have tipped an election to an unexpected and “out of the box” outcome, as they did with Jesse Ventura in Minnesota, Michael Bloomberg in New York and Arnold Schwarzenegger in California. Yet the national power of independents remains uneven and unexpressed. But they are now beginning to seek political recognition. And that should change the equation.

Whether this nascent movement against the cumulative impact of partisanship becomes a party or creates a new form of acting as a “conduit between citizens and their government” remains to be seen. But more immediate questions present themselves in the context of the current polarization.

Can the independent movement become a force for restructuring and reforming American democracy? Can independents use their power as swing voters to advance those goals? Many signs indicate that the answer is “Yes,” although in order to use its power more effectively the in-

dependent movement is turning toward tactics aimed at winning political recognition for the independent voter.

What is political recognition? At the most basic level it means breaking down the barriers that prevent independent voters from enjoying rights equal to those of Democrats and Republicans. Some thirty-five million Americans are governed by a Constitution that makes no mention of political parties, yet find themselves under the thumb of a system where two-partyism is so embedded that independents are relegated to second-class status.

Despite comprising a third of the American electorate, independents have no representation on the bodies that regulate elections. From the Federal Elections Commission to local boards of elections, the regulators are representatives of the two parties; they have a vested interest in maintaining their privileged position in the political marketplace.

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## THE BARRIERS

The New York State Constitution, for example, stipulates that *only* Democrats and Republicans can serve as election inspectors at the polls. In jurisdictions around the country, voters are required to be registered either as Republicans or Democrats in order to cast ballots in the first – and generally decisive – round of voting.

Independents are disempowered twice over by the partisan system of redistricting: first, when the two parties draw lines to determine in advance which of them will win a particular district, and a second time when, as independents, they're banned from voting in the primary that determines the outcome of the race.

Yet despite the self-perpetuating power of the two-party system, the independent voter has not gone away. On the contrary. In many states, the size of the independent voter bloc keeps growing. From February to October 2004 in California, over 30% of new voters registered as independents. The number of registered independents nationally has grown from one in four voters in 1952 to nearly four in 10 today. Interestingly, neither of the major parties dominates the hearts and minds of independents. In the 2004 presidential election independent voters split 48%/49%/2% for George Bush, John Kerry and Ralph Nader respectively.

“What is startling to me, and somewhat under-discussed, is that we know people are dissatisfied with the way our system works,” observed Dr. Douglas Schoen, a partner in Penn, Schoen and Berland, the prominent political consulting and polling firm that works with many Democrats nationally and has done some of the most extensive surveys of independent voters. Speaking at a recent national conference of independent voters, “The Power of Fusion,” Schoen explained: “Frequently, though, the reasons for that dissatisfaction are not so well understood. And I think that one of the answers is that we have a system that poorly represents and excludes the views of up to 35% or 36% of the American people. Because we do such a poor job of accommodating and reaching out to independents as a country and a government, we create dissatisfaction that makes our system less supported, less appreciated and ultimately less effective.”

Schoen's analysis of the systemic lack of responsiveness to the independent voter sharpens the picture. But can independents gain the recognition that will in turn enhance their power to change that systemic problem?

In considering that question, it's useful to look back at other struggles for recognition of the unrecognized, notably, the labor movement of the 1930s.





*President Franklin Delano Roosevelt*

## THE NEW DEAL AND A NEW DEMOCRATIC PARTY

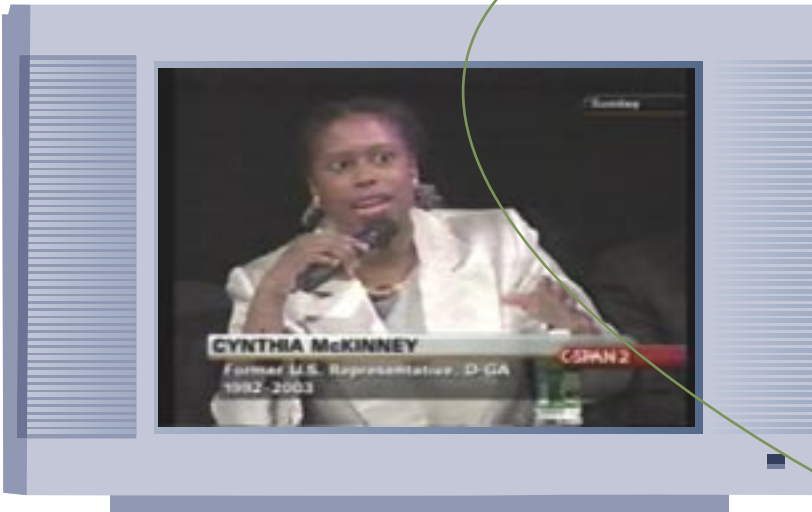
Dramatic shifts in the U.S. economy after World War I changed the character of the American work force. In the years between that war and the next, the second Industrial Revolution was unfolding. In 1914, when WWI began, 573,000 automobiles were manufactured in the United States. Just 15 years later, in 1929, 5.3 million cars were built.

As America industrialized, the industrialists were determined to control the terms and conditions of employment despite growing demands for unionization. The call for government involvement grew louder, particularly as the industrial boom gave way to the Great Depression. The demand for recognition by hundreds of thousands of American workers reached a fever pitch amidst the social unrest of those years. In July of 1935 Congress passed and President Franklin Delano Roosevelt signed – under duress – the National Labor Relations Act. Also known as the Wagner Act, it guaranteed employees the right of collective bargaining and provided “an orderly procedure for determining who is entitled to represent employees.” Having gained recognition, organized labor began to assert itself.

Four months after the signing of the Wagner Act, the Committee for Industrial Organization – the CIO (it became the Congress of Industrial Organizations in 1938) – was founded and with it the largest wave of organizing the unorganized in American history was underway. Labor achieved a new political status, becoming a pillar of the New Deal Democratic majority that dominated U.S. politics for the next 65 or 70 years.

The shift in the composition of the workforce and the grassroots organizing by dedicated labor organizers have their counterparts on the contemporary electoral scene. Today there is a marked shift in the character of the electorate – the size of the independent voting bloc has grown very substantially over the last 50 years – at the same time that networks of independent organizers are working to build the independent movement. Independents may not be massing in the streets or at the polls, but the independent movement has started knocking – not at the plant gates, but at the gates of American democracy. It has begun to demand a voice.

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## NEW PARTNERSHIPS

In California, 20% of the electorate are independents. There are three million of such “decline-to-state” voters, and they’re all barred from voting in the decisive first round for congressional, state legislative and statewide elections. Last year a million voters signed a petition to put a referendum on the ballot, Proposition 62, which would have opened those primary elections to non-aligned independents.

But the state legislature was in no mood for a reform as radical as nonpartisan elections. In an unprecedented rebellion, the voters of California had just recalled the sitting governor. Although Republicans were glad to have Arnold Schwarzenegger in the state house, the GOP establishment was anxious to put the genie back in the bottle. After Prop 62 was put on the ballot by

the voters, the bipartisan state legislature countered with its own measure, Prop 60, arguing – among other things – that preserving the rights of parties was more beneficial to independents. Some politicians – including Schwarzenegger, former Los Angeles Mayor Richard Riordan, former Clinton White House Chief of Staff Leon Panetta, State Controller Steve Westly (see “An Ode to *Meet the Press*”) – backed Prop 62 but the decision went to the partisans. Prop 62 was defeated 54% to 46%; Prop 60 passed with 67.6% of the vote. But the independent voter gained new visibility during the fight for Prop 62, and so did an upstart group representing the state’s three million decline-to-states, the Committee for an Independent Voice (CIV). When CIV spokesperson Harriet Hoffman debated Art Torres, the state chairman of the California Democratic Party,



on a popular San Francisco TV show, she explained: “What’s important about Prop 62 is that all the voters would be able to participate in the first round.” In the current situation, by contrast, “The two parties control, virtually control, who gets nominated in the first round and who moves on to the November election.” The result, said Hoffman, is that 20% of the electorate has no voice in choosing the candidates; since partisan redistricting has made many districts non-competitive, by the time they can vote the outcome of the race has already been decided. CIV’s Jim Mangia adds, “Governor Schwarzenegger’s call for nonpartisan redistricting is a direct response to what he correctly identifies as the power of California’s independent voters. It’s shrewd on his part and that’s good for independents. We’re looking

for politicians who are shrewd enough to partner with independent voters. The issue is getting independents sufficiently organized so that we can benefit from those partnerships.”

Controlling who gets nominated in a primary and moves on to the November election is a cornerstone of the electoral game. When independents are only allowed to exercise their voting rights in the second round of voting, they are effectively deprived of decision-making power.

Some states, however, hold open primaries, and in those circumstances independents can play a pivotal role. Last year independent voters in Atlanta’s 4th Congressional District did just that.

## PLAYING IN THE OPEN PRIMARY

In 2002, Democratic Congresswoman Cynthia McKinney, an outspoken opponent of the war in Iraq and a perpetual thorn in the side of both the Republican and Democratic parties, lost a hotly contested primary to a heavily funded opponent who was backed by the party organization.

Having lost her seat in Congress, thanks to the determination of her own party to get rid of the “troublemaker,” McKinney was not about to make the same mistake twice. In January of 2003 she told a national conference of independent voters sponsored by Choosing An Independent President (ChIP), which serves as a clearinghouse and training center for local organizations of independent voters, “I’m not quite an independent in terms of political party yet. But this forum today has given me an opportunity to really think about the place and the role of independents in the political process...If we leave our future to the Democratic Party and the Republican Party, we won’t have a future, and our communities are going to be wrecked.”

McKinney *did* think about the role of independents. A year later, in 2004, when she entered the Democratic primary – an open primary – in an effort to retake her seat, she sought the support of independents, including the ChIP-affiliated Georgia Committee for an Independent Voice. After interviewing McKinney and getting her support for a program of political reform to empower independent voters, GCIV gave her its endorsement and subsequently campaigned among independents in her district, to urge them to vote in the Democratic primary for McKinney. In a five-way race – 50% of the vote plus one was needed to prevent a runoff – McKinney polled 51%. She went on to win handily in November. Independent voters, who gave her the margin of victory, now have a claim on her reform agenda in Congress. That is the power of fusion.

The power of fusion – the ability of independent voters to swing elections under certain circumstances – is one source of the leverage that makes it possible for independents to go beyond being merely swing voters to become a fully recognized partner in American democracy.

How can independents unleash the power of fusion?

In part by recruiting allies who will stand with them in the fight for political recognition – just as becoming-organized labor once recruited FDR to stand up for the right of the American worker to organize. Indeed, the challenge for independents is to continue building a base from the bottom up while navigating the political mainstream to identify and reach out to those allies – be they Democrat, Republican or independent – who will stand with them.

## THE BLOOMBERG BUY-IN

That has been the dynamic of independents’ partnership with Mayor Michael Bloomberg, whose margin of victory in New York’s hotly contested 2001 mayoral race came from votes on the Independence Party line. Bloomberg and the Independence Party went on to partner in a variety of political reform efforts designed to enfranchise the city’s nearly one million independent voters.

On the day that Mayor Bloomberg was to appear at the Independence Party’s annual Anti-Corruption Awards dinner, he was hammered in the press by several of his potential Democratic rivals in the 2005 mayoral election. Not unlike Franklin Roosevelt, who 70 years earlier was accused of betraying his class by consorting with Communists, troublemakers and outsiders when he blocked with becoming-organized labor, Bloomberg was called upon to sever his ties with the Independence Party, to denounce Lenora Fulani, a party leader with deep roots in the African American community, and, in effect, to repudiate the independent voter. That evening, addressing a packed room of 500 Independence Party activists, the mayor spelled out his vision for political reform:

*I don’t believe that any citizen should be forced to register with any party in order to exercise his or her full rights as a voter.*

*There’s a word for what happens when election laws prevent a large section of the population from fully participating in the democratic process. It’s called disenfranchisement, and that’s why we are here. The poll tax is only the most obvious method of disenfranchising voters, but*

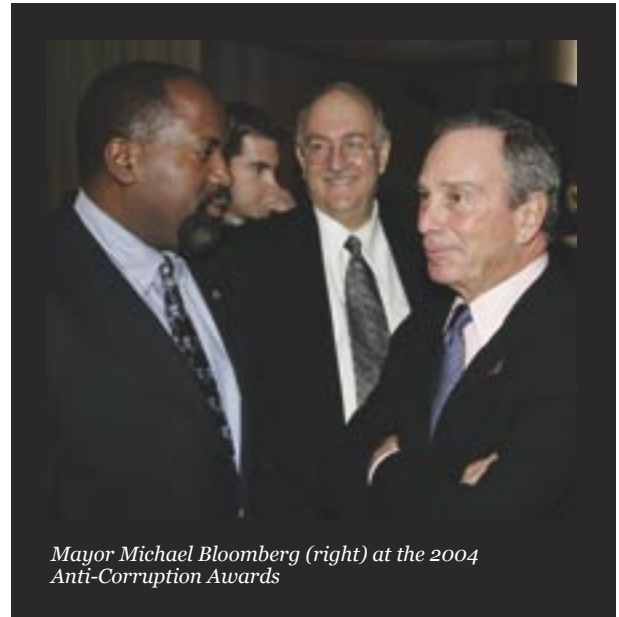
*other election laws can have exactly the same effect. And the situation is particularly bad here in New York because many independents are young people and many are immigrants. They are the future of the democracy that we have and they are being shut out of our elections.*

*And that's why I supported nonpartisan elections along with the Independence Party. Because we believe that every single voter should be treated equally. And that's what the party bosses don't want to have happen. Let's be honest about what this is all about. It's taking away their power, their ability to control the electorate, their ability to disenfranchise anybody who would vote against them – who wouldn't do exactly what they were told to do. And that's why a few weeks ago I gave a speech calling for reform of the Board of Elections, and that includes an end to the hiring based on party registration during elections.*

*We all know that election reform takes time. That's because those who have benefited from the system are the ones who fight hardest to preserve it. So if we are going to succeed we need an independent coalition of citizens who believe in reform. Who believe that our election laws should treat every voter equally. Who believe that low levels of competition and participation are not healthy for democracy. The Independence Party is helping to build that coalition and I am happy to join you in doing so.*

## THE FIGHT FOR RECOGNITION

Bloomberg highlighted the fact that when citizens in a democracy are deprived of the right to participate, it is simple and outright disenfranchisement. The call for political recognition of the independent voter is a response to disenfranchisement. In the past, independents have focused on legal and political equity for candidates and parties. That is important and that will continue. The new focus, however, is on political equity for independent voters. That independents might choose not to join a party, or to join an independent party, that independents might want to run campaigns



*Mayor Michael Bloomberg (right) at the 2004 Anti-Corruption Awards*

“There’s a word for what happens when election laws prevent a large section of the population from fully participating in the democratic process. It’s called disenfranchisement...”

*Mayor Michael Bloomberg*

based on shifting coalitions – none of those choices should preclude or interfere with their right to equal access to voting, to participate in the regulation of the electoral system, or to shape the political debate.

Independents must have the right to cast ballots in all rounds of voting. The FEC must be restructured, and not simply cleansed of partisanship; it must have a congressional mandate to mediate on behalf of independent voters in the process of becoming a force for democratic reform, much as the National Labor Relations Board was given that role for labor 70 years ago. State and local boards of elections must be opened up to include independents. Where state law and state constitutions stand in the way, these must be rewritten and amended. Where major party membership is used to confer privileges and power superior to the privileges and power of others, the double standard must be rectified. Direct democracy – through Initiative and Referendum – must be extended to the states where it is currently banned. Ultimately, it must be brought in to the federal law-making process.

These and other pertinent reforms are designed to redress the second-class status of independent voters. Independent voters – 24% of the electorate in Arizona, 20% in California, 38% in Maine, 15% in Maryland, 16% in New Mexico, 25% in New York, 11% in Pennsylvania and in West Virginia, to cite just a few of the statistics – are endeavoring to become a recognized political force. They are tailoring their tactics to each state and local situation, building communication and education networks among independent voters and seeking political partners who will champion their cause. It may be “only natural,” as Plattner wrote in *The Public Interest*, for “old parties to disappear and new ones to emerge,” but for the fact that the old parties have vested themselves with an unnatural power to control the political marketplace. For new forces – parties, associations, coalitions – to emerge, the independent voter will have to pave the way. **NEO**

Notes

1 Pew Research Center for the People and the Press data indicate that 35% of young adults between the ages of 18 and 29 say they are independents. More than 23% of African Americans and 29% of Latinos place themselves in the independent category.

**COVER** ALBERT EINSTEIN (1879-1955), CIRCA 1930  
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2 MAYOR MICHAEL BLOOMBERG  
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