

THE WRITE-IN AMERICA FAQ

How Americans can regain control of
their government . . .

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The latest version of this document may be obtained at www.krusch.com.

Note to the reader:

This document is an FAQ related to a potential future organization known as *Write-In America*.

The domain name has been secured, but the website has yet to be developed. I personally will work on developing the website if I see that there is enough interest on the part of people to explore a method for providing much-needed competition for the Republican and Democratic parties.

I like this idea: I hope you do too!

A handwritten signature in black ink, appearing to read "Ray Kins", followed by a horizontal line.

What is the basic strategy of Write-In America?

To return to the principles of American government, most importantly the fundamental principle contained in the Constitution that *representatives are sent to office to represent the specific jurisdiction populated by the voters who have elected those representatives*, and not private parties located elsewhere.

In this context, it is important to realize that right now, if you are a typical voter in America, you are voting with a *strategy*, and if that strategy does not map onto the essential political principle we have identified above, you should be able to instantly see a disconnect between your strategy and the principle, a disconnect which will obviously require addressing.

So *let's see if your strategy for voting maps onto the essential political principle of voting for people who will represent your voting district (and you, ultimately, since you reside in that district), and not private parties: if it doesn't, we are well on our way to diagnosing a possible solution, and remedy the disconnect.*

Here's your current strategy, if you're a typical voter: *you will generally select one of two candidates from the two dominant political parties, parties whose legislative agendas are authored by people who most likely reside outside your city, and maybe even your state. These candidates will be expected to operate within those agendas by the parties which finance their campaigns.*

That's your strategy.

Now let's look for a disconnect between the principle and your strategy.

Remember, here's the fundamental American principle:

Vote for politicians who represent *your district*, not private parties.

And here's your strategy:

Vote for politicians who represent *political parties*, whose legislative agendas are authored by private parties.

See the disconnect?

It is our hypothesis that *this disconnect* between the fundamental principle of American government and the voting strategy you currently deploy has resulted in the government we currently have.

How do you like it?

**If you *do* like what our government is doing, read no further,
and thank you for your time!**

If you *don't*, continue!

Not too happy with the current State of the Union? Good, neither am I! So, what to do about it? Here's my suggestion: if you want to make a fundamental change in American government, and improve everyone's life for the better, *change your voting strategy*.

To return to the fundamental principle, I have created an alternative voting strategy, a three-point strategy, which has the following components:

POINT ONE

Unless the affiliated candidate (a member of a political party) is willing to sign a contract that he or she will keep his promises (among other things), *only vote for candidates who are unaffiliated with any political party*.¹

POINT TWO

Because political parties dominate the ballot, to achieve Point One most reliably, you will need to *write-in* candidates. So *only* write-in candidates, *never* choose from the preselected slate. Now there's only one thing left . . .

POINT THREE

Only write-in a candidate who *has agreed to put his or her promises in writing*.

This last point is critical. I will address the rationale for this point and the other points in the questions which follow.

Regarding Point One, you insist on only voting for candidates unaffiliated with any political party. What's wrong with political parties?

You mean apart from the fact that their very existence is at odds with the fundamental American principle? Well, there's much wrong. Because this point is critically important, I will be detailing the arguments over 14 pages, which you can find in the *Appendix* to this FAQ. But let's briefly tackle some of the issues now.

Some argue that political parties serve one or more valuable functions, but if they do, the real question is this: can those functions be performed better by groups who do not reap any direct financial benefit from the decisions made by the government?

To answer this question, let's look at these functions. Political parties, as constituted in America, have basically two: first, they provide nominations for political office, and second, and most importantly, they create legislative agendas for the state and federal legislatures.

It's clear that other entities can provide nominations for political office just as well as political parties, and in fact, they can more likely provide qualified people who have no vested interests and who are not tied into what we can call the "network of influence".

¹ In the event that there is a politician that will sign a contract like this, then by all means vote for that candidate, because ultimately they are representing the will of the voters and not political parties.

However, it is extremely unlikely that any politician from any major political party would sign any such document, so for all intents and purposes, the rule stands.

As far as the legislative agendas provided by political parties are concerned, this is where the real problem lies. Even the smartest people, with the most creative ideas, have to follow the “party line”, even though there are more efficient and superior ways to skin the cat. Unfortunately, the power to create a legislative agenda is also the power to nullify the creativity and decision-making power of the most qualified people. Let’s face it, even a chicken can be trained to peck on the “yes” or “no” buttons legislators use to cast their votes, and if they’re following the party line, how are these politicians any different?

These political-party-created legislative agendas not only stifle creativity, and not only reflect the views of an extremely small minority (those who are writing the agendas), they also act counter to the will of the people who have elected the representatives, and since the people who pay the bills (the taxpayers) should be allowed to order from the menu, who really needs these party-planned agendas anyway? The people who pay taxes (and, dare we say it, have also elected the representatives) should determine legislative agendas, not private political parties who haven’t paid the taxes and who haven’t elected the representatives!

Finally, you may want to take time to scrutinize the agendas created by the Democratic and Republican parties, and see how they magically interlock with each other: the two political parties seem to make it a point to focus on issues which polarize the electorate.

Notice how you perceive the other political party, whether you consider yourself or a Republican or a Democrat. In general, doesn’t the election of someone from the opposite party send chills up your spine? The political parties seem to specialize in putting “worst nightmare” items on their agenda, from the perspective of the other party. For example, the worst nightmare of a Democrat might be continuing wars in Ira(q/n), Afghanistan, or wherever they might be, and the rolling back of legislation that preserves the environment, which are characteristics of the Republican Party platform, and the worst nightmare of a Republican might be increased support of legislation for same-sex marriages, or limitations on prayer in school, or a more liberal approach to abortion legislation, which would be positions more characteristic of Democrats.

This would create what we might call *worst nightmare extortion*: “If you don’t vote for us, your worst nightmare is going to get into office! Therefore, you must vote for us!”

The neat division of these nightmares between the Republican and Democratic parties creates the impression that there is a Master party calling the shots. If there is indeed one “Master Party” that is actually planning the agendas of both of these parties², you will invariably be pulled to one party or the other.

What this means is this: if there actually is a “Master Party” (real or virtual³) that fundamentally controls both parties, the “Master Party” wins no matter what the outcome!

² An inferential speculation requiring additional evidence.

³ A “virtual party” could be created in the following circumstance: Extremely Rich Contributor X writes a check for \$1,000,000 to both the Democratic and Republican parties. Both of them are in his debt. Whichever one wins, X is going to have a very receptive ear when he or she walks in to give his or her view of whatever piece of legislation X is interested in. A group of individuals similarly situated, X, Y, and Z, all of whom contribute in this manner, can be

If true, this would be an arrangement so slick and so potentially lucrative for those who fund the parties you should spend quite a bit of time pondering the possibility, because if this hypothesis is indeed the case, voting for a member of the Republican or Democratic parties is truly a no-win; at the end of the day, it's an arrangement guaranteed to reduce income — yours.

In this respect, I can point out an analogy: Las Vegas doesn't care whether you play the black slots or the red slots on the roulette wheel, as long as you play one or the other!⁴ For every \$100 dollars you bet, they are likely to win \$25⁵: so, *if you play their game, they win*. And that leads to the following rule:

The only sure way to keep your money in Las Vegas is not to play the game!

This division of votes between Party X and Party Y has been going on for so long, we tend to think of it as the natural way of things, but with a little thought you can see that in another, better world, you would be able to vote for a candidate who represented your views completely, and not have to compromise your points of view.

If these observations aren't enough to drive home the central point, more arguments against political parties are contained in the *Appendix*.

Regarding Point Two, you specify that to get control of the government we have to write-in these unaffiliated candidates, not just vote for people preselected for our convenience. Why write-ins over ballots?

Basically, because political parties have created a situation where they are always on the ballot, and candidates unaffiliated with any political party find it very difficult to get on the ballot, due to onerous signature requirements. Take, for example, the state of North Carolina. As of 2011, § 163-122 of the North Carolina General statutes (*Unaffiliated candidates nominated by petition*) provided as follows:

Any qualified voter who seeks to have his name printed on the general election ballot as an unaffiliated candidate shall . . . file written petitions with the State Board of Elections . . . These petitions must be . . . signed by qualified voters of the State equal in number to **two percent (2%)** of the total number of voters who voted in the most recent general election for Governor. (*Emphasis supplied*)

seen as an “virtual party”, especially if the parties concerned are interested in the same subject matter. While there is certainly the possibility of collusion (most likely a *probability* depending on the industry), there is no collusion necessary to produce the effect.

⁴ For the purposes of this analogy, we will assume a roulette wheel that has no green slots, just red and black.

⁵ The house edge of the roulette wheel is just over 5%. But don't think that means that for every hundred dollars you bet, you lose five dollars. The house edge is not the *hold*, which is the average percentage of the money originally brought to the table that the player loses before he leaves; in other words, the actual “win” amount for the casino. The Casino Control Commission in Atlantic City releases a monthly report showing the win/hold amounts for each casino. The average win/hold for double zero wheels is between 21-30%, significantly more than the 5.26% house edge. This reflects the fact that the player is “churning” the same money over and over again and this “churning effect (similar to voting for the Democratic and Republican parties over and over) creates the massively different expected loss. See <http://en.wikipedia.org/wiki/Roulette>.

2% of voters required to get on the ballot. Doesn't sound like a lot? Well, to make that determination, you need to find out how many voters voted in the most recent North Carolina General election for Governor (In 2011 that election was held in 2008). How many voted?

Oh, only 1.4 million (approximately)!

This means that to get an unaffiliated candidate on the ballot in North Carolina for any political office of significance is going to require 2% of 1.4 million, or . . . 28,000 signatures! And 2% seemed so . . . reasonable.

What's important to note here is that *the Republican and Democratic parties need not satisfy any such requirement*, which means that there is a two-tiered system for the mainstream political parties versus alternative third parties and unaffiliated candidates: the Republicans and Democrats *automatically* get their candidates on the ballot, but everyone else has to *spend inordinate amounts of time and money* to do the same.

How much time and money? Just do the math. If one volunteer can get 10 signatures an hour, which is extremely optimistic, this means that it is going to take 2800 person-hours to gather the signatures, or 70 person-weeks. Now, how many unproven candidates are going to be able to find volunteers willing to put in this much time?

If the alternative political party or the unaffiliated candidate cannot find these volunteers, they're going to have to pay someone to gather the signatures. If you pay a worker \$10 an hour, then you're going to be out \$28,000 if you are an alternative political candidate, just to get on the ballot!

So, if you have ever wondered why there are so few alternative political candidates on your ballot, you now know why . . .

That takes us to the reason why you need to write-in candidates. You want to be able to find candidates who are independent and not corrupt and accountable only to the voters, and that means that you have to create a situation where the candidate does not have to raise substantial amounts of money to get on the ballot. That's the beauty of the write-in candidate: they aren't on the ballot, so you don't need to spend money to put them there!

Still, you do want to make sure that your vote for the write-in candidate is counted, and that takes you to a different set of requirements depending on the state where you live. For example, in the state of North Carolina the votes for write-in candidates will not be counted unless you have first gathered a set number of signatures. Luckily, the requirements for signatures for write-in candidates (at least in North Carolina) are not nearly as strict as the ballot access requirements.

§ 163-123 of the North Carolina General statutes (*Declaration of intent and petitions for write-in candidates in partisan elections*) provides as follows:

Any qualified voter who seeks to have write-in votes for him counted in a general election shall file . . . written petitions with the State Board of Elections supporting his candidacy for a specified office. These petitions shall be filed on or before noon on the 90th day before the general election. They shall be signed by **500 qualified voters** of the State. (*Emphasis supplied*)

500 signatures. Quite a bit less than 28,000!

And if you needed any reason to vote for a write-in candidate, here are 27,500 of them, which are all basically saying the same thing: you're a lot more likely to elect independent candidates when you pursue the write-in strategy!!

The other big advantage of the unaffiliated write-in candidate is flexibility: because party membership is forbidden, you can elect *any* qualified individual even if he or she has not received the blessing of some "party". In other words, really qualified candidates who were excluded from contention under the old system can now be elected!

What more reason do you need?

Sounds good. But what about Point Three? Why have politicians sign agreements?

To apply the advantages political parties have enjoyed (of seeing their agendas enacted) to the average citizen.

You see, when politicians receive campaign funding from their political parties, this is not a "freebie". Do you think those political parties hand out money to just *anybody*? For example, do these political parties hand out money to politicians who continually vote against their party platform? Don't think so!

So, there is at the very least an implicit agreement by the politician to follow the "party line" of his or her political party, which is established simply by the politician's membership in that party and acceptance of party dollars and support.

The point of the agreement is this: without the enforcement of explicit promises normally provided by the political party (since unaffiliated politicians elected through this write-in methodology by definition will not have a party platform), what is your guarantee that he or she will keep their promises when he or she gets into office?

Consequently, there will need to be an agreement (that the politician will put in writing) that if he or she does not keep his or her campaign promises, certain consequences will result. The nature of this agreement, and the process used to determine its contents, can be specified by various ad hoc groups of citizens established for the purpose. More on this later.

Do unaffiliated write-in candidates have any special advantage over third-party write-in candidates?

Absolutely! Unaffiliated write-in candidates have a major advantage over third-party candidates: because they are not aligned with any ideological point of view, these unaffiliated candidates have the freedom to go outside the box and come up with creative ideas that are not constrained by any pre-established (and possibly poorly conceived and/or justified poorly) agendas.

Because they are not tied into any preconceived ideological platform, unaffiliated write-in candidates are free to create their own agendas, and consequently can draw equally well from both parties, which, in fact, is what is going to take to win elections. That is a major advantage, and can have the net effect of reducing the cost of campaigning, due to the increased attractiveness of the candidate. This means that with a reduced need to raise funds, the candidate's independence will be more assured.

The net result is a big benefit for the electorate: to win elections, unaffiliated write-in candidates will frame issues in a way that *unite* people instead of divide people, and that is vastly preferable for a country proudly known as the *United States of America*.

How do you guarantee that write-in votes are counted?

An important point. One potential Achilles' heel of the write-in movement is the need to create a system that will ensure the integrity of political elections — that is to say, a way has to be found to make sure that all the votes are counted, and counted exactly as cast. While this would typically be thought to be a given in the United States of America, elections which took place in the first decade of the 21st century show otherwise. In fact, historians tell us that there were several elections in the 20th century whose results did not reflect the will of the electorate.

Needless to say, this is totally impermissible. Consequently, a key aspect of the write-in movement is to make sure that every vote is counted — *accurately*.

But how is this to be done? Luckily, in an Internet-prevalent world, there are no major obstacles for people determined to make it happen.

There are numerous websites that are used by organizations throughout the country to count the votes of elections for private organizations.⁶ These websites can be used to verify election results, much like “exit polls” are used.

Here's one way the vote verification process can work: on election day, you go into the voting booth and write in the name of your candidate(s). When you go home, you then go online and *vote again* at a web page established for the purpose, *this time for the purpose of making sure that your vote is accurately counted*. All the voters in the election do likewise.

When the write-in votes are announced, you then compare the write-in votes that have been said to have been cast against the online election results. Now, there are bound to be minor discrepancies, because some people will forget to go online and cast their vote, and others will vote online without casting a write-in vote, but if there is a discrepancy over a certain pre-established threshold, anywhere from 3% to 5%, this would be grounds for doing a recount of the write-in ballots, especially where the margin of victory was less than the discrepancy!

Consider the table below, documenting the results of a hypothetical city-wide election, where the supposed victor was the political party candidate, who received 7000 votes to the write-in candidate's 6000 votes. However, the online voting results reveals quite a discrepancy:

⁶ Some of these websites include <https://www.balloteer.com/>, <http://www.simplyvoting.com>, and <http://vote-now.com>. In 2011 there were well over a dozen.

	Vote announced by the city	Online vote results
Write-in candidate W	6000	9000
Political-party candidate P	7000 (winner?)	N/A

In other words, if your city announces **6000** write-in votes for write-in candidate W, and 7000 ballot votes for political party candidate P, but the online voting count actually shows **9000** for candidate W (a whopping discrepancy of over 50%!), you have a news story that has real power to rock the boat, which isn't necessarily a bad thing, because our ship of state could use a good rocking.

Since cities, counties, states, and ultimately the federal government want to keep the ship steady as she goes, a not insignificant side benefit of this procedure is that the threat of a recount is likely to make the original count more accurate.

Have any politicians been elected using the write-in method?

Absolutely! There have been *numerous* winners of write-in elections: a partial list may be found at Wikipedia at http://en.wikipedia.org/wiki/Write-in_candidate. According to that article (as of March 30, 2011), here is a list of presidential primary candidates who won their primaries using the write-in method:

- In 1928, Herbert Hoover won the Republican Massachusetts presidential primary on write-ins, polling 100,279.
- In 1940, Franklin D. Roosevelt won the Democratic New Jersey presidential primary with 34,278 write-ins.
- In 1944, Thomas Dewey won the Republican Pennsylvania presidential primary with 146,706 write-ins. He also won the Oregon Republican presidential primary with 50,001 write-ins.
- In 1948, Harold Stassen won the Republican Pennsylvania presidential primary with 81,242 write-ins.
- In 1952, Robert Taft won the Republican Nebraska presidential primary with 79,357 write-ins.
- Also in 1952, Estes Kefauver won the Democratic Pennsylvania presidential primary with 93,160 write-ins.
- Also in 1952, Dwight Eisenhower won the Republican Massachusetts presidential primary with 254,898 write-ins.
- In 1956, Dwight Eisenhower won the Republican Massachusetts presidential primary with 51,951 write-ins.
- In 1960, Richard Nixon won the Republican Massachusetts presidential primary with 53,164 write-ins.

- Also in 1960, John F. Kennedy won the Democratic Pennsylvania presidential primary with 183,073 write-ins, and he won the Democratic Massachusetts presidential primary with 91,607 write-ins.
- In 1964, a write-in campaign organized by supporters of former U.S. Senator and vice presidential nominee Henry Cabot Lodge, Jr. won Republican primaries for President in New Hampshire, New Jersey, and Massachusetts, defeating declared candidates Barry Goldwater, Nelson Rockefeller, and Margaret Chase Smith.
- In 1968 in the Democratic presidential primary in New Hampshire, incumbent President Lyndon Johnson did not file, but received write-ins totaling 50% of all Democratic votes cast. Senator Eugene McCarthy, who campaigned actively against Johnson's Vietnam war policies, was on the ballot. He received an impressive 41% of the vote and gained more delegates than the President. Johnson was so stunned that he did not run for reelection.

What is the role of *Write-In America*?

Write-In America will begin as an *organization*, but will eventually evolve into a *concept*; it is an organization designed to create a template for numerous enabling organizations, groups of concerned citizens who work on a voluntary basis to increase the probability that the write-in candidates they support are elected. Once the essential template has been established, other organizations can clone the basic framework, which at this stage can be seen as follows:

1. A resident of the relevant voting district decides they want to be a write-in candidate.
2. Initially, they contact *Write-In America*, or, going forward, any one of a number of other duplicate enabling organizations.
3. *Write-In America*, or one of the duplicate organizations, refers him or her to a group of volunteers who have agreed to evaluate candidates.
4. The candidates are evaluated by a group of volunteers with reference to an objective set of standards created by the enabling organization.
5. Based on their evaluation, the volunteers then assign a rating to that candidate.
6. The enabling organizations, having created networks of people in voting precincts, then publicize the candidate through the networks, and to make known their evaluation, which the voters can use as a guide.
7. If there is only one candidate for an office, then that is the candidate. If there is more than one candidate, there will be a "pre-election" online to elect the candidate. The winner of *that* election by majority or plurality vote (no runoff) will be the write-in candidate.

This is the basic plan. The details (and subsequent revisions) will be contained in additional documents at a future *Write-In America* website.

I'm not clear on this "template" idea. Could you explain further?

A "template" is simply a model, which can then be copied and modified by other entities. The first thing to do is to create one organization deploying the set of procedures that can get a write-in candidate elected. Once you have one, copy and spread!

To make this happen, many things have to be done, as indicated above. Not every prospective nominee will make a good candidate, so some group needs to perform that function normally taken on by the political party. To evaluate the candidate, standards have to be developed. Then, a means for publicizing the candidate has to be put into place. How is this to be done? *Facebook? YouTube? LinkedIn?* Some other social networking platform? E-mails? Traditional media? Some combination of the above?

And what we see here is just a small selection of possible questions. Once the set of questions has an accompanying set of answers, you will have a solution that can be copied and spread across the country, a solution I heartily recommend.

What is the next step?

We need people who want to run as write in candidates, and we need people who can get those candidates elected. If you're interested in working on this project further, please contact Barry Krusch at bkrusch@yahoo.com.

And that's it. If you understand the primary arguments, please contact me. However, if you are still not convinced that political parties are a phenomenon to be avoided at all costs, then please read the appendix which follows.

Appendix: What's Wrong With Political Parties?

Political parties have a monopoly over the nominating process. What, if anything, is wrong with that?

This can be easily seen simply by imagining this scenario: *Mobil* and *Exxon* decide they want to execute a coup d'état in America, respectively replacing the Democrats and Republicans as those with the franchise over the nominating process. Once the coup d'état has occurred, instead of having the Democratic and Republican parties, you now have the *Mobil* and *Exxon* parties.

How would you feel about the candidates representing those groups?

Now, returning to reality, suppose you found out that Mobil and Exxon contributed tens of millions of dollars to the Democratic and Republican parties, and had a hand in controlling their agendas. What, if any, difference would there be?

You can see the problem. Giving *any* party a monopoly over the nominating process is really bad news.

Not only bad news in the abstract, but when you consider the results that we've seen over the last decades, you really need to ask some very pertinent questions: for example, what characteristics have the Democrats and Republicans exhibited to deserve their monopoly over the nominating process? Their integrity? Their financial acumen? Their nonpartisanship? Their fairness? Their responsiveness to the will of the American people?

You're probably guessing that the answer to this is "none of the above". Let's explore this issue in further depth.

Are there any proven negative effects of political parties that have arisen from their lack of competition?

Yes. Note this: both parties — the "low-taxing" Republicans and the "free-spending" Democrats — have given us a \$14,000,000,000,000 National Debt, rising by the second.⁷ Yet year after year, Americans continually vote in the parties that gave us this National Debt. One of the standby aphorisms in the military is "when you find yourself in a hole, stop digging," but Americans seem to have not gotten this message, continually reelecting members of the parties which got us into this hole.

Did the framers of our Constitution understand the negative effect of political parties?

Yes. The National debt is only one of many negative consequences. In one of the most prescient statements in political history, President George Washington warned us in 1796 of the "baneful effects" of political parties in his famous Farewell Address, a warning which has gone unheeded to this day:

⁷ For the latest figures, go to <http://www.usdebtclock.org/>.

However combinations or associations . . . may now and then answer popular ends, they are likely in the course of time and things to become potent engines by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the people, and to usurp for themselves the reins of government, destroying afterwards the very engines which have lifted them to unjust dominion. . . .

I have already intimated to you the danger of parties in the State, with particular reference to the founding of them on geographical discriminations. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party generally. . . .

[T]he common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise People to discourage and restrain it.

It serves always to distract the public councils and enfeeble the public administration. It agitates the community with ill-founded jealousies and false alarms; kindles the animosity of one part against another

There is an opinion that parties in free countries are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This within certain limits is probably true; and in governments of a monarchical cast patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged.⁸

With this statement, Washington was echoing the remarks of the authors of *The Federalist*, who despised political parties. As Hamilton had written in *Federalist 1*, “. . . **nothing could be more ill-judged than that intolerant spirit which has, at all times, characterized political parties.**”⁹ To Hamilton, party membership led to a fundamental Government irrationality: “To judge from the conduct of . . . opposite parties, we shall be led to conclude that they will mutually hope to evince the justness of their opinions, and to increase the number of their converts by the loudness of their declamations and the bitterness of their invectives.”¹⁰ At a certain point, party division in the Legislature would lead to injustice: “. . . **on account of the natural propensity of [legislative] bodies to party divisions, there will be . . . reason to fear that the pestilential breath of faction may poison the fountains of justice. The habit of being continually marshalled on opposite sides will be too apt to stifle the voice both of law and of equity.**”¹¹ Critical decisions such as Impeachment

⁸ “Washington’s Farewell Address,” September 1796, *1 Founders’ Constitution* 683.

⁹ *Federalist 1* (Hamilton).

¹⁰ *Federalist 1* (Hamilton).

¹¹ *Federalist 81* (Hamilton).

would **“be regulated more by the comparative strength of parties than by the real demonstrations of innocence or guilt.”**¹²

To Jay and Madison, the two other authors of *The Federalist*, there were other problems with political parties. According to Jay, the existence of political parties would lead to bizarre results such as Presidents elected by only 27 percent of the voting age population (e.g., George Bush in 1988¹³): **“ . . . the activity of party zeal, taking advantage of the supineness, the ignorance, and the hopes and fears of the unwary and interested, often places men in office by the votes of a small proportion of the electors.”**¹⁴ Jay, like Hamilton, recognized a *Prisoner’s Dilemma* effect¹⁵ to which political parties were liable: “. . . the prospect of present loss or advantage may often tempt the governing party . . . to swerve from good faith and justice”¹⁶ This fundamental tilt towards irrationality was noted by Madison in his discussion of the Pennsylvania Council of Censors: “. . . it was split into two fixed and violent parties. . . . *passion*, not *reason*, must have presided over their decisions.”¹⁷ The most sinister outcome of party control was that the People would be subject to Minority Tyranny: **“Men of factious tempers . . . may by intrigue, by corruption, or by other means, first obtain the suffrages, and then betray the interests, of the people.”**¹⁸

What to do about political parties? Hamilton thought that the fact that Representatives under the Constitution were elected uniformly would help to prevent the “diseases of faction”: “It is more than possible that this uniformity may be found . . . to be . . . **a security against the perpetuation of the same spirit in the body, and as a cure for the diseases of faction.**”¹⁹ If this disease was not cured, it could prove to be fatal: **“ . . . the diseases of faction . . . have proved fatal to other popular governments . . . alarming symptoms have been betrayed by our own.”**²⁰

Did the Constitution prevent political parties?

No. Unfortunately, uniformity in the time of elections for the House of Representatives proved to be a very inadequate cure for this potentially fatal disease.

¹² *Federalist 65* (Hamilton).

¹³ This figure was derived by dividing the number of votes cast for President Bush in 1988, 48.886 million, by the voting age population in 1988, 178.1 million. 130 million eligible voters did not vote for President Bush, or did not vote at all (all numbers from the 1991 *Statistical Abstract of the United States*, Tables 426 and 450).

¹⁴ *Federalist 64* (Jay).

¹⁵ Under the *Prisoner’s Dilemma*, mutual cooperation benefiting two parties is extremely improbable, if the parties are put in a situation where one party’s cooperation combined with the other party’s defection would result in severe consequences for the cooperating party. For further discussion of this extremely important effect, see the essay “Irrationality is the Square Root of All Evil” in *Metamagical Themas*, by Douglas Hofstadter (Bantam: 1985), p. 756.

¹⁶ *Federalist 3* (Jay).

¹⁷ *Federalist 50* (Madison).

¹⁸ *Federalist 10* (Madison).

¹⁹ *The Constitution Under Pressure*, p. 136.

²⁰ *Federalist 14* (Madison).

And, as historical developments have subsequently demonstrated, the structure of the Constitution led inexorably to the worst nightmares of the Framers. Whicker (1987) reported that the effects were discovered not long after the Constitution was ratified, and the Twelfth Amendment was added to compensate for the effect:

The rising strength of political parties and the political maneuvering surrounding the election of 1800 triggered the process of Constitutional change which resulted in the Twelfth Amendment. The framers of the Constitution had . . . assumed that control of the federal government would be entrusted to nonpartisan elites. No mention of political parties was made in the Constitution itself and no recognition of political parties was given in voting procedures for president and vice-president.²¹

But the *structure* of the Constitution, perversely, had *insured* the reign of the debilitating political parties. According to Domhoff (1983),

Two fundamental features of American government lead to a two-party system. The first is the election of a president, and the second is the election of senators and representatives from states and districts. The fact that only one person can win the presidency or be elected from a given state or district, which seems trivial and is taken for granted by most Americans, creates a series of ‘winner-take-all’ elections in which a vote for a third candidate of the right or left is in effect support for the voter’s least-favored candidate on the other side of the political spectrum. Because a vote for a third candidate is a vote for ‘your worst enemy,’ the most sensible strategy for those who want to avoid this fate is to form the largest possible preelection coalition, even if numerous policy preferences must be abandoned . . . The inevitable result is two coalitional parties that attempt to blur their differences in order to win the voters in the middle.²²

In addition, “. . . the electoral college, along with the single-member district method of electing members of Congress, promotes a two-party system to the detriment of smaller third parties. Under the unit rule winner-take-all system, third parties have virtually no chance of securing an electoral college victory.”²³ In “winner-take-all” systems, there is a built-in bias against third parties. As Justice Stewart noted in a footnote to his dissent in *Williams v. Rhodes*, 393 U.S. 23 (1968),

Assume a State in which a dissident faction of one of the two major parties — party A — becomes dissatisfied with that party’s nominees and sets itself up as a ‘third party’ — party C — putting forward candidates more to its

²¹ *The Constitution Under Pressure*, p. 111.

²² *Who Rules America Now?*, G. William Domhoff (Touchstone: 1986), p. 117.

²³ *The Constitution Under Pressure*, p. 131.

liking. . . . A situation is possible in which party B's candidates poll, for example, 46% of the vote, party A's candidates 44%, and party C's candidates 10%. Party B's candidates would in such a situation be elected by plurality vote.²⁴

Because of this effect, voters tend to vote for one of the two main parties, since a vote for the *most-preferred* candidate may result in the election of the *least-preferred* candidate! Assume a three-party Presidential election consisting of Republicans, Democrats, and conservative-oriented Libertarians. Assume that 55 percent of the People support the Republican candidate, but that 15 percent of this support is "soft." This 15 percent prefers the *Libertarian* candidate. If, however, the entire 15 percent defect, the Republican will get 40 percent of the vote, the Libertarian will get 15 percent, and the Democrat will get **45** percent of the vote. Thus, by defecting, Republicans sacrifice a won election and gain nothing, and, adding injury to injury, assure the ascendancy of the party they despise the most! Because of this structural effect, third-parties are virtually ignored.²⁵

Domhoff acknowledged that this effect was an unintended consequence:

Although the system of presidential elections and single-member congressional districts generates the strong tendency toward a two-party system, it was not designed with this fact in mind. The Founding Fathers wished to create a system of checks and balances that would keep power within bounds . . . However, the creation of a two-party system was not among their plans. Indeed, the Founding Fathers disliked the idea of parties, which they condemned as 'factions' that were highly divisive. Parties were a major unintended consequence of their deliberations²⁶

As it happened, a circularity effect developed. Once in, the parties were able to secure campaign contributions from the wealthy. According to Whicker (1987), "U.S. parties are heavily dependent upon contributions from wealthy members" ²⁷ As Senator Bill Bradley (D-NJ) reported on the floor of the Senate on May 21, 1991, out of 240 million Americans, only 179,000 people (less than one-tenth of one percent) donated over \$200 to Federal candidates, and fewer than 9000 individuals contributed more than \$95 million to the 1990 congressional campaign.²⁸ With financial backing of this nature, the parties have been able to sustain their hegemony, a hegemony which has lasted over 130 years. Their mere presence on the political scene

²⁴ *Williams v. Rhodes*, 393 U.S. 23 54 (1968).

²⁵ While history may on rare occasions produce an occasional superpatriotic multibillionaire (H. Ross Perot in 1992) willing to invest up to \$100 million of private funds to win a Presidential election in times of extreme anti-establishment sentiment, this eventuality that does not alter the fact that more traditional (and underfinanced) third-parties and/or independents, such as the Libertarians and the Greens, labor in obscurity.

²⁶ *Who Rules America Now?*, p. 118.

²⁷ *The Constitution Under Pressure*, p. 136.

²⁸ *Congressional Record*, May 21, 1991, S6196.

for that length of time has legitimized their existence, a legitimacy reinforced by the media and education:

The portrayal of elections by the media, education systems and by parents as contests between Democrats and Republicans reinforces the voter's perception of the two-party norm. Voter access to information about third parties may be limited and voters may find the process of acquiring information costly . . . Since third parties rarely get more than five percent of the total vote in presidential elections, they usually do not qualify for public financing in the next presidential race.²⁹

Have political parties been able to consolidate their power to increase their power?

Yes. Matters have gotten so out of hand that the taxpayers are even financing the conventions of the dominant political parties, which are nothing more or less than a week of prime-time commercials for these parties, broadcast over "public" airwaves. This has been going on for decades. For example, Senator John Kerry (D-MA) revealed on the floor of the Senate on May 22, 1991 that "[e]ach of the parties' conventions is financed by taxpayers. The Republican Party has accepted \$32.2 million in public money for its conventions since 1976 — \$32.2 million."³⁰ Since there were four Republican conventions in that time span, this advertising given to the political parties cost the taxpayers \$8 million for each convention!³¹

It is hardly surprising that once in power, the parties pass legislation consolidating their power, to the detriment of third parties. As Supreme Court Justice Rhenquist noted in his dissent in *Buckley v. Valeo*, 424 U.S. 1 (1976) with reference to the *Federal Election Campaign Act*,³²

Congress in this legislation . . . has enshrined the Republican and Democratic parties in a permanently preferred position, and has established requirements for funding minor party and independent candidates to which the two major parties are not subject . . . I find it impossible to subscribe to the Court's reasoning that because no third party has posed a credible threat to the two major parties in Presidential elections since 1860, Congress may by law attempt to assure that this pattern will endure forever.³³

In power, the parties prevent measures that threaten their power, no matter how worthy the proposal. According to Cronin (1989),

²⁹ *The Constitution Under Pressure*, p. 138.

³⁰ *Congressional Record*, May 22, 1991, p. S6297.

³¹ Senator Kerry, a Democrat, did not give the equivalent figure for the Democrats.

³² See 2 U.S.C.A. 431 *et seq.*, and 26 U.S.C.A. 9001, *et seq.*, especially 9004.

³³ *Buckley v. Valeo*, 424 U.S. 1, 293-4 (1976). The court had stated earlier that "there are legitimate reasons not to provide public funding, which would effectively facilitate hopeless candidacies." *Buckley* at 95.

One reason the national initiative and referendum failed to win widespread support . . . is that . . . [t]he established national parties, the Republicans and Democrats . . . opposed the idea of a national initiative and referendum, viewing it not only as unnecessary but also as a threat to traditional representative principles and to their own role as policy agenda-setting organizations.³⁴

Are there any other negative consequences of party domination?

Yes. Yet another consequence of party domination is that the balances of the Constitution are altered by this dominance. Political parties can prevent the obvious Constitutional necessity of veto overrides. As *The New York Times* reported

Thomas Mann, director of Governmental Studies at the Brookings Institution, observed that the Democrats may ‘probably be better off not overriding.’ In defeat, they can claim that Mr. Bush prevented a problem from being solved. In victory, the public gets to judge whether their solution has actually solved anything.

‘Sometimes the worst thing you can do is get your bill passed,’ Mr. Mann said.³⁵

Party membership also alters the voting pattern of Legislators: “It is well known that many legislators vote a relatively straight party line or are sometimes unduly influenced by their peers or senior members. Some legislators are compelled by binding party caucus procedures to vote contrary to their consciences.”³⁶ The existence of parties also prevents the passage of legislation, creating even more inefficiency in the Legislative Branch than was intended by the Framers — contributing to the transfer of Legislative power to an unelected Administrative Branch. And, the passage of legislation is impeded as endless irrelevancies are introduced into public debate. As the Times reported, “. . . badly outnumbered House Republicans use meaningless roll-calls as their stock in trade to get the Democrats’ attention and slow down the majority.” Regarding debate on a Civil Rights Bill in 1991, the Times noted that “[h]ardly anybody took the floor to say what the problem was and why one approach was better than another. Instead the other side’s motives were almost the only issue.”³⁷

Another critical effect of party domination is control over the public political agenda, and a consequential lack of Accountability:

Critics have often described the two major parties as ‘Tweedledee’ and Tweedledum’ to emphasize the centralist, middle-of-the-road positions they take on most issues. The voter is provided with limited choices when the two viable candidates take similar and sometimes almost identical positions. . . . the lack of

³⁴ *Direct Democracy*, p. 165.

³⁵ *The New York Times*, September 29, 1991, p. L-22.

³⁶ *Direct Democracy*, p. 210.

³⁷ *The New York Times*, August 4, 1991, p. E-5.

cohesion within U.S. political parties contributes to an absence of party discipline and to failure to deliver the promised platforms. Party platforms are often ten to fifteen times the length of the Declaration of Independence. Frequently they are not read, and they are often ignored by the congressional party. . . . [this] diminishes accountability to the voter, since any individual politician may not be able to deliver on campaign promises to approve, modify, or cut programs. Even if elected officials attempt to their campaign promises, they may be blocked by other politicians in their own party, as well as by members of the opposing party.³⁸

The issues seen as significant by the political parties are not necessarily those favored by a Majority of Americans, and this is reflected by the “membership” of the people in the parties. The combined results of eleven polls taken in 1991 revealed that 31 percent of Americans referred to themselves as “Republicans,” 34 percent called themselves “Democrats,” and 29 percent said they were “Independents.” 6 percent answered “Don’t know.”³⁹ There are two interesting points about this poll. The first is that 34 percent of Americans referred to themselves as “Democrats.” Many of these people call themselves “Democrats” because if they *didn’t*, they would lose their right to vote in one of the primary elections! This trick of the political parties gets people to form the conception “I am a Democrat,” even though that person has never contributed a dime to the Democrats, nor has read their campaign platforms. Thus, people are forced to *identify psychologically* with the political parties to retain their right to vote in primaries. Ultimately, Americans may see attacks on *parties*, who do not represent their long-term interests, as attacks on *themselves*.

The second interesting aspect of this poll is that even though a *plurality* of those polled (35 percent) do not identify with either party, this 35 percent is virtually unrepresented in Congress. In the 102d Congress, 100 percent of the Senate was affiliated with the two major parties, and 99.8 percent of the House of the Representatives was affiliated with these parties. What happened to the representation of the 35 percent of those people, a *plurality*, who were (and are) not affiliated with either party? Their representation was obliterated by the “winner-take-all” effect (leaving aside the regulatory barriers to third party competition passed into legislation by the major parties). The existence of this plurality indicates significant dissatisfaction with the views of the parties (and doesn’t even factor in the number of people who have not bothered to register to vote at all). In fact, there is dissatisfaction even among people who claim to identify with the parties. As the *Times* reported, a black Democrat, Gloria Hackman, said “They’re doing terrible jobs, Democrats and Republicans.” A white Republican, Joseph Carp, said “Neither party looks after my interests. They just don’t get anything accomplished.”⁴⁰

³⁸ *The Constitution Under Pressure*, pp. 141-42.

³⁹ *The New York Times*, July 14, 1991, p. 1.

⁴⁰ *The New York Times*, July 14, 1991, p. 16.

Is there evidence of political party collusion?

Yes. One of the sources of this dissatisfaction may be that, as with any cartel, there is *collusion* instead of *competition*, and this collusion may lead to effects such as personality voting and/or voter apathy, to mention only the most minor problems. Domhoff (1983) catalogued the techniques of collusion:

[T]here is evidence that the parties sometimes collude rather than compete . . . collusion between the two parties often makes better sense for them than competition if they are interested in rewards other than winning, as indeed they often are:

The parties may find many ways of restricting competition with each other: bipartisanship, promotion of mutually acceptable ideologies, marginal changes in the previous administration's policies, and recruitment of those who are not antagonistic to the other party. Even the belief in the impossibility of certain platforms being able to win the election may be a form of implicit collusion if there is more fiction than substance to the belief. Thus the parties compete more *with* the voters than *for* the voters or *with each other*.

[T]here is no a priori theoretical reason to believe that political parties and their candidates will reflect out of necessity the policy preferences of the majority of the voters. Candidates and parties are relatively free to say one thing and do another. . . .

It even may be that a two-party system discourages policy discussion, political education, and an attempt to satisfy majority preference . . . The need for a majority vote where the stakes are high, such as the presidency, may lead to campaigns in which there are no issues but personality, even when voters are extremely issue conscious. . . .

[T]here is evidence that a two-party system discourages voting, for those in a minority of even 49 percent receive nothing for their efforts⁴¹

Collusion leads to the development of a “cult of personality,” where people become the focus instead of *issues* — and the only people upon whom the public spotlight shines are those financed by *special interests*:

In a system where policy preferences become blurred, the emphasis on the images of individual candidates becomes very great. Individual personalities become more important than the policies of the parties. . . . the same people who direct corporations and take part in policy groups play a central role in the careers of

⁴¹ *Who Rules America Now?*, p. 120.

most politicians who advance beyond the local level in states of any size and consequence.⁴²

What is the worst effect of collusion?

Perhaps the worst effect of collusion (leaving aside the effects of *log-rolling*, or vote-trading), is that it aborts *ex post facto* criticism in scandals where both parties were involved (virtually *all* of them), resulting in losses of billions, even trillions, to the taxpayers: “In 1987 and 1988, hundreds of S & L’s across the country began losing money. . . . As the situation worsened, Washington pretended there was nothing wrong. A bipartisan conspiracy of silence kept the scandal off the front pages and out of the presidential race.”⁴³

Do political parties lead to patronage? If so, how does this contribute to institutional corruption?

Yes. Apart from collusion, another familiar and socially debilitating effect of political parties is the phenomenon of *patronage*, which the Supreme Court defined as “the right to select key personnel and to reward the party ‘faithful.’”⁴⁴ This concept of patronage is the very antithesis of a *merit system*, as Hamilton observed in 1788:

[I]n every exercise of the power of appointing to offices by an assembly of men, we must expect to see a full display of all the private and party likings and dislikes, partialities and antipathies, attachments and animosities, which are felt by those who compose the assembly. The choice which may at any time happen to be made under such circumstances, will of course be the result either of a victory gained by one party over the other, or of a compromise between the parties. In either case, the intrinsic merit of the candidate will be too often out of sight. In the first, the qualifications best adapted to uniting the suffrages of the party, will be more considered than those which fit the person for the station. In the last, the coalition will commonly turn upon some interested equivalent — ‘Give us the man we wish for this office, and you shall have the one you wish for that.’ This will be the usual condition of the bargain. And it will rarely happen that the advancement of the public service will be the primary object either of party victories or of party negotiations.⁴⁵

In *Federalist 77*, Hamilton indicated that patronage might lead to *oligarchy*, or rule by the *few*:

⁴² *Who Rules America Now?*, p. 120.

⁴³ *Who Robbed America?*, p. 82.

⁴⁴ *Branti v. Finkel*, 445 U.S. 507, 529 (1980).

⁴⁵ *Federalist 76* (Hamilton).

Every mere council of appointment, however constituted, will be a conclave, in which cabal and intrigue will have their full scope. Their number, without an unwarrantable increase of expense, cannot be large enough to preclude a facility of combination. And as each member will have his friends and connections to provide for, the desire of mutual gratification will beget a scandalous bartering of votes and bargaining for places. The private attachments of one man might easily be satisfied; but to satisfy the private attachments of a dozen, or of twenty men, would occasion a monopoly of all the principal employments of the government in a few families, and would lead more directly to an aristocracy or an oligarchy than any measure that could be contrived.⁴⁶

Hamilton was not alone in noting this effect. Supreme Court Justice Joseph Story, in his *Commentaries on the Constitution*, observed the effect of parties on political appointments:

[I]n a public body appointments will be materially influenced by party attachments and dislikes . . . and will be generally founded in compromises, having little to do with the merit of candidates, and much to do with the selfish interests of individuals and cabals. They will be too much governed by local, or sectional, or party arrangements.⁴⁷

But, the structure of the Constitution insured that parties would continue, and therefore that the practice of *patronage* would continue. As Justice Powell observed in *Branti v. Finkel*, 445 U.S. 507 (1980),

Patronage is a long-accepted practice . . . Patronage appointments help build stable political parties by offering rewards to persons who assume the tasks necessary to the continued functioning of political organizations. ‘As all parties are concerned with power they naturally operate by placing members and supporters into positions of power . . .’ . . . The use of patronage to fill . . . positions builds party loyalty . . . The failure to sustain party discipline, at least at the national level, has been traced to the inability of successful political parties to offer patronage positions to their members or to the supporters of elected officials.⁴⁸

Over the course of time, patronage became the “way of the world” in the United States, and blurred the Separation of Powers by transferring power to the Executive Branch:

⁴⁶ *Federalist 77* (Hamilton).

⁴⁷ “*Commentaries on the Constitution*,” § 1523, Joseph Story, *4 Founders’ Constitution* 117.

⁴⁸ *Branti* at 522, 29, 31 (citations omitted).

While the Constitution forbids congressmen to hold other federal jobs, it doesn't forbid appointment of his friends, family and supporters. With the emergence of political parties in the first decade of government under the Constitution, party loyalists started demanding federal jobs. . .

Franklin Roosevelt . . . made effective use of his patronage power. His patronage chief, Postmaster General James A. Farley, asked patronage seekers such questions as 'What was your pre-convention position on the Roosevelt candidacy?' and 'How did you vote on the economy bill?' If a member was asked to vote for a presidential measure against local pressures, the matter was put 'on the frank basis of quid pro quo.'⁴⁹

It goes without saying that patronage (and the party system fueling patronage) leads inevitably to the most egregious forms of corruption. Consider this report from *The New York Times* on September 11, 1991:

In theory, voters are supposed to choose the successor to Louis Laurino, who stepped down last month from the powerful post of Queens County Surrogate. But with millions of dollars of court patronage at stake, the Queens Democratic organization isn't taking any chances.

Presiding over the probating of wills and estates, the Surrogate has the power to award lucrative fees to lawyers acting as conservators, guardians and trustees. Mr. Laurino, not known for his ethical sensitivity, made his resignation effective Aug. 3 — just past the deadline for filing petitions for tomorrow's primary election.

In cases where it's too late to choose nominees through primaries, party leaders select the candidates. As a result, the Democratic nominee for Surrogate in this overwhelmingly Democratic borough will be chosen not by voters but by Representative Thomas Manton, the Queens Democratic leader. His choice may not even face token Republican opposition in the general election.

Mr. Laurino became Surrogate by a similar act of timing that avoided any primary challenge 20 years ago. But that hardly excuses this farce of democracy — a farce that ought to give pause to even the most ardent supporters of New York's system of judicial elections.⁵⁰

In absolutely essential reading for students of the American political system, George Washington Plunkitt in *Plunkitt of Tammany Hall* gave dozens of examples of the myriad ways in which political corruption is manifested by the existence of parties in our society:

⁴⁹ *Guide to Congress*, 3rd edition (Congressional Quarterly: 1982), p. 769.

⁵⁰ *The New York Times*, September 11, 1991, p. A-26.

There's an honest graft, and I'm an example of how it works. I might sum up the whole thing by sayin': 'I seen my opportunities and I took 'em.'

Just let me explain by examples. My party's in power in the city, and it's goin' to undertake a lot of public improvements. Well, I'm tipped off, say, that they're going to lay out a new park at a certain place.

I see my opportunity and I take it. I go to that place and I buy up all the land I can in the neighborhood. Then the board of this or that makes its plan public, and there is a rush to get my land, which nobody cared particular for before.

Ain't it perfectly honest to charge a good price and make a profit on my investment and foresight? Of course, it is. Well, that's honest graft.⁵¹

As Plunkitt noted, “. . . parties can't hold together if their workers don't get the offices when they win”⁵² Under the party system, workers who receive jobs have to “pony up” in support of the party:

Even candidates for the Supreme Court have to fall in line. A Supreme Court Judge in New York County gets \$17,500 a year, and he's expected, when nominated, to help along the good cause with a year's salary. Why not? He has fourteen years on the bench ahead of him, and ten thousand other lawyers would be willin' to put up twice as much to be in his shoes. Now, I ain't sayin' that we sell nominations. That's a different thing altogether. There's no auction and no regular biddin'. The man is picked out and somehow he gets to understand what's expected of him in the way of a contribution, and he ponies up — all from gratitude to the organization that honored him, see?

Let me tell you an instance that shows the difference between sellin' nominations and arrangin' them in the way I described. A few years ago a Republican district leader controlled the nomination for Congress in his Congressional district. Four men wanted it. At first the leader asked for bids privately, but decided at last that the best thing to do was to get the four men together in the back room of a certain saloon and have an open auction. When he had his men lined up, he got on a chair, told about the value of the goods for sale, and asked for bids in regular auctioneer style. The highest bidder got the nomination for \$5000. Now, that wasn't right at all. These things ought to be always fixed up nice and quiet.⁵³

At the lower levels of political life, and perhaps beyond, these practices continue. As Waldman (1990) reported with regards to the Nassau County (New York) Republican

⁵¹ *Plunkitt of Tammany Hall*, p. 3.

⁵² *Plunkitt of Tammany Hall*, p. 13.

⁵³ *Plunkitt of Tammany Hall*, p. 74.

political machine, “the party raised funds through a ‘one-percent’ system, in which county employees gave one percent of their salaries to the GOP”⁵⁴

What is the worst effect of the political party system?

The final, and perhaps worst, effect of the party system is that it destroys the concept of Separation of Powers, a Principle which, as implemented in the Constitution, made Government *unworkable*. A truly divided Government could not govern; consequently, the parties filled in a gap existing under the present Constitution, and fostered cooperation between the Branches — in so doing, however, obliterating a fundamental constitutional Principle. As Justice Powell noted,

Although the Executive and Legislative Branches of Government are independent as a matter of Constitutional law, effective government is impossible unless the two Branches cooperate to make and enforce laws. Over the decades of our national history, political parties have furthered — if not assured — a measure of cooperation between the Executive and Legislative Branches.⁵⁵

But the Framers, did not intend for there to be any “common interest” between the Branches. In fact, as Hamilton asserted in *Federalist 60*, the system of Checks and Balances was designed under the assumption that there would be no such common bond:

The House of Representatives being to be elected immediately by the people, the Senate by the State legislatures, the President by electors chosen for that purpose by the people, there would be **little probability of a common interest** to cement these different branches in a predilection for any particular class of electors.⁵⁶

Given everything we know, why would anyone think that political parties are a phenomenon that should remain in place?

Unfortunately, people only know what they know, and the familiar creates a very strong pull. Many people are stuck at the threshold of “*only* vote for a candidate who is a member of a political party.” Only after they cross that threshold, will they be able to address a different threshold, “*never* vote for a candidate who is a member of a political party.” That is a more difficult threshold to cross, but as you can see from the above, no political party is inherently immune from corruption. Any political party can be infiltrated by any group, and eventually that political party just becomes yet another arm of that group.

⁵⁴ *Who Robbed America?*, p. 78.

⁵⁵ *Branti* at 530-31.

⁵⁶ *Federalist 60* (Hamilton).

How can people solve the problem of political parties?

The answer to this problem is clear. As Madison observed in Federalist 10, because “the causes of faction cannot be removed . . . relief is only to be sought in the means of controlling its effects.” Since political parties will be formed under any Constitution which recognizes the People’s right to associate, the only way to insure that political parties do not dominate Government is to elect unaffiliated candidates.

Write-in *unaffiliated* candidates. Stop electing politicians who are members of political parties and start electing politicians who are not!

**The Republican and Democratic parties have
abandoned you —
now it’s time to *abandon them!***