



PERSONAL DEMOCRACY FORUM

# tech **President**

## Americans Elect: Can an Internet-Powered 3rd Party Transform 2012?

Micah L. Sifry | July 25, 2011 - 2:19pm | [2 comments](#) | [Email This!](#)

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

*--Cornell University professor Theodore Lowi, former president of the American Political Science Association, writing in the New York Times Magazine, August 23, 1992.*

*"With little more than a year before the 2012 presidential election season kicks off, time is short for the American people to become aware of the political forces in play."*

*--Blogger Jim Cook, from his [open letter to](#)*

*[Americans Elect](#), December 20, 2010*

## AMERICANS · **ELECT**<sup>2012</sup>

Once again, it's third-party season in America. Every four years right around this phase of the electoral calendar, we often hear chatter about public dissatisfaction with Washington and various notables start making noises about some kind of independent candidacy or new party bid. In the fall of 1991, billionaire Ross Perot's name surfaced. In the fall of 1995, it was Colin Powell, the former general. In 1999, everyone from then-Republican Senator Robert Smith to Ralph Nader to Patrick Buchanan, Donald Trump, and Cybil Shepherd let float their names. After 2000 and the Nader nadir, presidential third-party fever abated somewhat and the irregular energies of grassroots

activists flowed into new intra-party formations like the netroots on the Democratic side and, later, the rightrights and Tea Party on the Republican side. But again in 2007-08, there was that buzz for Mike Bloomberg, who at least briefly toyed with an independent bid for the White House, generating reams of adoring prose.

This chatter isn't entirely frivolous. Nowhere is it written (not in the Constitution or elsewhere, despite some awful rulings written by right-leaning Supreme Court majorities) that America should be run forever by one of just two major parties. Indeed, until the 1890s, 3/4 of the states had vibrant multi-party competition. In recent years, millions of voters have shown that they will support an alternative choice if one actually makes it onto the ballot; in 1992, Perot got 20 million votes and altered the national agenda. Yes, there are still many laws and artifices that prop up the two major parties and discriminate unfairly against newcomers and outsiders, but participatory media and social networking may dissolve some of that glue. And now, with the U.S. government on the verge of default thanks to partisan gridlock and the unfavorability ratings of both major parties at or near record highs, [as Nate Silver helpfully pointed out on Saturday](#), the third-party moment is back.

### **The Internet for President?**

And this time there's an intriguing twist. Instead of a charismatic candidate leading the charge to pull out the tubes and cut the IVs keeping the Republican and Democratic parties alive, the Internet is meant to be the vehicle of change. Since last year, [Americans Elect](#), a non-profit 501c4 organization led by investor and activist Peter Ackerman, has been quietly laying the foundation for a 2012 Internet-based political convention to pick a "centrist" ticket that will, if all goes to plan, get on all fifty state ballots and compete in a serious way with Barack Obama and whomever the GOP nominates next year. Funded by Ackerman and a secretive group of backers that is reported to have pledged or loaned the group \$20 million, AE is already spending millions on paid petition gatherers in several states, including California where it is about to start handing in more than a million-and-a-half signatures. The organizing group has also been hard at work on a sophisticated website and complicated

strategy to enable millions of people to plug in and conduct a "virtual primary" in mid-2012 designed to attract fresh faces to the presidential campaign. In addition, by the end of the summer it plans to have volunteers working in every state senate district in the country (there are more than 2,000) and on 100 college campuses signing up "delegates" to its online convention.

In theory, any American citizen can sign up via the Americans Elect website to become a party delegate, though you do have to agree to abide by the group's bylaws. AE will then verify you by checking your name against the existing voter rolls. Delegates will then have the opportunity to vote online for the party's nominees and to also help shape the issues those nominees have to address. If a potential candidate comes from one of the major parties, they will be required to pick someone from outside that party as their running mate. The idea, as columnist Thomas Friedman--himself an increasingly vocal supporter of centrist third-partyism in recent years--put it in a [column yesterday](#) that was designed to propel the group into the spotlight, is to "challenge both parties from the middle with the best ideas on how to deal with the debt, education and jobs." He adds, with words that could be prophetic:

What Amazon.com did to books, what the blogosphere did to newspapers, what the iPod did to music, what drugstore.com did to pharmacies, Americans Elect plans to do to the two-party duopoly that has dominated American political life – remove the barriers to real competition, flatten the incumbents and let the people in.

Since Friedman's column and a longer and [similarly glowing piece by former Giuliani speechwriter John Avlon in the Daily Beast](#), along with some friendly tweets by web celebrities like [Tim O'Reilly](#), [Lawrence Lessig](#) and [Chris Anderson](#), Americans Elect has signed up 17,500 delegates, according to its CTO, who shared those numbers on a conference



call today. That's about a 20% conversion rate on the roughly 80,000 unique visitors it has tallied in that period. Visitors are spending an average of 6.5 minutes on the site, working through a user-friendly questionnaire that is designed to map their political preferences. And the average donation by web visitors has been a healthy \$45. These are impressive numbers. Americans Elect is going to strike a nerve.

I've known about Americans Elect since last fall, when I was approached by several people involved in its creation who sought my personal support for the effort as well as possibly also PdF's advice about how to structure an online nominating process that could work. Back in November I met with Ackerman, who has had an illustrious and varied career as an investment banker at Michael Milken's Drexel Burnham Lambert firm in the 1980s and now as the managing director of Rockport Capital, as an international democracy activist who chaired Freedom House from 2005 to 2009, and as the founding chair of the International Center on Nonviolent Conflict. He was joined by the group's CEO, Kahlil Byrd, a former journalist who worked on Governor Deval Patrick's 2005 campaign and in his administration, and Georgetown University professor Michael Nelson, who had backed Obama in 2008. And I've had several conference calls with various staffers since then, including one this afternoon that has helped inform this article.

Until now, I've honored their request to abide by a press embargo and not write about Americans Elect until it was ready to go public, though as the group has been openly working to obtain ballot lines in several states since last fall (including [Alaska](#), [Arizona](#), [California](#), [Florida](#), [Michigan](#), [Ohio](#), [Nevada](#), and [Rhode Island](#)), its existence hasn't been a complete secret--you just needed to know where to look. A few people, notably Jim Cook of the blog [Irregular Times](#), and Richard Winger, publisher of [Ballot Access News](#), have been watching closely.

I wish I could say this was it, the solution to what ails us. Our country desperately needs more viable political parties to expand the political conversation and engage more voters.

Until we break up the two-party duopoly, we won't get much accountability out of Washington because too many of our current problems were fostered and fueled by leaders from both parties. Sure, they love to point fingers at each other, but when it comes to systemic failures like the banking meltdown or the quagmires overseas, the last thing the Democratic and Republican parties want to do is get to the bottom of what went wrong. Only a major alternative party can force such issues to be addressed.

Unfortunately, I have severe doubts about the prospects of Americans Elect being that party. Why? First, because it isn't being transparent about its funding. Second, because control of the party isn't genuinely vested in its members. Third, because it's not being truthful with the public about its political agenda. Instead, I think Americans Elect could actually be a devilishly brilliant leveraged buyout of our broken electoral system that could have the perverse effect of reinforcing the same brain-dead politics we already have.

### **First, Follow the Money**

Americans Elect is not an entirely new project. It is actually the continuation by other means of the ill-fated Unity '08 effort, which also sought to create a centrist, independent ticket for the White House. But Unity '08 was stillborn for several reasons ([as I wrote on techPresident back in 2008](#), its base of aging political consultants and naive college students was too narrow; its dependence on media coverage too great). Perhaps the biggest obstacle was a Federal Election Commission decision requiring the group to file as a "political committee" subject to strict contribution limits of no more than \$5,000 per donor, which drastically hindered its ability to raise and spend big money early in the organizing process. While the effort foundered, Ackerman, who was one of Unity '08's backers, supported a legal appeal to the DC Circuit Court. Alexandra Shapiro of Macht, Shapiro, Arato and Isserles, who took the case, argued successfully that since the group wasn't supporting any particular candidate, but instead was just working to create a vehicle open to many candidates, it needn't fall under such strict limits. Once the FEC signaled in early 2010 that it would not appeal the circuit court's decision, that opened the way for Americans Elect.

The group started as a 527 organization, and its [campaign finance filings](#) show \$1.5 million in contributions from Ackerman over the course of 2010. Had AE remained a 527, it would have been required to continue making reports of its contributors and expenditures, but in the fall of 2010 it became a 501c4 non-profit, which means it can raise and spend funds without disclosure. When I met Ackerman last November, he said that he was committed to putting in \$2.5 million in seed funds, and had a commitment of a similar amount from a donor he declined to name. In addition, he asserted then that he was halfway toward an overall goal of \$25 million in start-up pledges, which he hoped AE would recoup later, once millions of members were inspired to join and add their small donations online. Or, as the group says on its newly detailed and beautifully designed [website](#), "We intend to pay back the bulk of our initial financing as we recruit delegates, so that no single individual will have contributed more than \$10K."

While it is no doubt "easier" to raise \$25 million (or \$30 million, according to John Avlon's piece in the Daily Beast) in secret six- and seven-figure checks, this is a terrible way to launch a new party that claims it will be subject to the will of its members. AE's by-laws, which are not posted on its website, but fortunately are [posted online thanks to state law in Florida and Nevada](#), make clear that its board retains "extraordinary authority and power" to manage the organization and to remove delegates (i.e. members) who fail to support the group's purpose or misbehave in any manner that the board doesn't like. So, for arguments sake, if an organized group of delegates tries to challenge the board's thinking about a political issue, or if there's an online insurgency on behalf of a candidate that the board thinks is not serious or not presenting a balanced enough ticket, guess who wins that battle by design?

AE's prospectus for potential investors asks them to become a member of something it calls the "John Hancock Society" by giving at least \$500,000 to the cause (an echo of the Founder who sacrificed his fortune to help underwrite the colonies' push for independence). But Hancock and the other Founders signed their names to the Declaration of Independence. AE is not releasing the names of its big donors. Right now it is governed by a three person board

of directors: Ackerman, Byrd and Josh Levine, its CTO (who was previously CTO of E\*Trade). Ackerman's son Elliot is the group's chief operating officer and national spokesperson. It also has an undisclosed advisory board, and more than sixty vendor partners who are working with it on media strategy, legal advice and on-the-ground field organizing and signature gathering. This is a major new political project, as significant in size as anything David Koch or George Soros might fund, and we know almost nothing about the money at the heart of the operation.

Without being fully transparent about who is funding it, including specific and up-to-date details on the amounts being pledged and given by large donors, AE will be dogged by constant questions that it is little more than a stalking horse for self-interested actors. Even if the people giving to it are only acting from altruism, and insist that they want no recognition, or prefer their privacy, their refusal to be public about their actual role will hobble AE from the start. Asked about this issue today, Byrd said that investors in AE need to be allowed to choose whether to disclose their own roles, "because of the political environment we are in now." Well, in my humble opinion, public distrust of politics and the role of wealthy special interests is so great today that you must be fully transparent if you want a chance to earn trust.

### **Politics as Rohrschach Test?**

While AE says its delegates will drive the party's policies, it isn't just the hidden powers of the executive board that concern me. In our conversation last fall, Ackerman described wanting a process that would insure that the candidates of the party would present a balanced ticket representing the middle between the extremes of the two major parties. Experts from both sides of the political spectrum, he said, would be recruited to help frame the questions that candidates will be required to answer as part of the party's virtual primary process. But what is the "centrist" position on the minimum wage, I asked Ackerman. What is the "centrist" position on Afghanistan? In both cases, [majority public opinion](#) is well to the "left" of the center, if you define that center by taking an expert from each political party (or their related

policy shops) and halving the difference. But Ackerman didn't have a reply, other than to say "We're an inkblot in the middle. How big it is depends on how the two oligopolists [i.e. the major parties] respond."

Like AE's unwillingness to be transparent about its funding, this refusal to come out and say that the party actually has some core beliefs about the issues is disingenuous. Its materials are filled with vague statements about "the vital center of American public opinion" and "competently crafted policies" versus "rampant hyper-partisanship." "We don't promote any issues, ideology or candidates," AE says on its website. This is, of course, mush. People like Thomas Friedman and John Avlon have well-defined notions of where the "vital center" of American politics should be located, and it isn't anywhere near public opinion on major issues like the economy or America's wars. Given Ackerman's powerful role as chairman of AE's board and lead funder, it's fair to ask about his own views on the big issues. Back in 2003, Ackerman [served on the board of a Cato Institute project called "Social Security Choice,"](#) which claimed that Social Security was going bankrupt and argued for a shift to personal retirement accounts. Does he still believe that? In his 2001 book "A Force More Powerful," he wrote that nonviolent movements for democracy that succeed are "always the product of sensible decisions by shrewd leaders, on behalf of unified and persistent people." Does he still believe in that vision of hierarchical leadership working to channel followers to work through constraints set from above, [an important question raised by Jim Cook?](#) Or take another query first raised by Cook: Kirk Rostron, a hedge fund manager [has donated to the group, according to a very limited list that Cook found on Piryx.](#) He lists Ayn Rand's "Atlas Shrugged" as a group he belongs to on LinkedIn. Is Rostron investing in AE to move libertarian views about the economy further into the mainstream? Without full transparency about the organization's funding, these questions will fester.

Personally, I don't think there's anything wrong with AE's board actually having an agenda and coming out and saying what it is. Hiding behind vague pablum and using deft procedural methods to insure that the party's candidates will be acceptable to its backers is actually



worse than just saying: we believe the country needs austerity, that entitlement programs should be means-tested, that free trade bills should be advanced, whatever. But saying that AE is creating a voter-driven process AND insisting that the results will magically end up in the "center" is untenable. As blogger Jim Cook points out in his open letter to Ackerman, either you have a genuinely democratic process of candidate selection, or you have a guaranteed outcome of a centrist ticket. Cook wrote:

In a democratic process, it is possible for people to choose a ticket that is not centrist. Which element of the Americans Elect plan – democratic process or centrist result – has a higher priority? If a democratic majority favors a ticket that is not centrist in the Americans Elect process, how will Americans Elect resolve the discrepancy?

As of now, the real power over choosing AE's candidates will actually rest in the hands of its as-yet unconstituted "Candidate Certification Committee" which Ackerman said on today's call will be in charge of "dealing with candidate qualification and making sure we have candidates who bridge the center of American public opinion." So, unless independent voters somehow really seize control of AE's reigns, this contradiction will be resolved by fiat, not vote.

Indeed, I suspect that AE may soon have to face this problem: the first 17,500 people to join up so far have indicated that their own political preferences are pretty far to the left of the Beltway's mythical center: as I filled out the group's online questionnaire, it was hard not to notice that the average of national respondents wanted a) more tax increases than spending cuts to deal with the deficit, b) major investments in renewable energies as opposed to increased drilling offshore or on federal lands, c) a major role for the government in providing health insurance, d) allowing illegal immigrants to stay in the US, e) a multilateral rather than unilateral foreign policy, f) national school curriculum standards, and g) huge support for same sex marriage.

Having watched past third-party movements succeed in recruiting millions of supporters and then dash their hopes for democratic renewal on the rocks of stubborn and inflexible leadership, I still hope despite the odds that Americans Elect isn't about to do the same thing. Right now, as guided by Ackerman and Byrd, Americans Elect seems programmed to repeat this history of Perot's United We Stand America movement. "It doesn't matter what they write about us," Ackerman told listeners on today's leadership conference call. "It matters what we accomplish."

In one scenario, what Ackerman and his backers will accomplish is a perversion of open democracy. They will show that, as Perot did in 1992, with enough money you can buy your way onto the American political scene and get on the ballot, and that you can recruit millions of Americans to join in, creating ballot qualified state parties that will play an unpredictable role in national and state politics for years to come, all at the behest of a small group of decision-makers who already think they know what is best for the country.

But something else could happen here. In relying so heavily on the Internet to float his boat, Ackerman is playing with a different kind of fire. We, the people of participation and transparency, don't particularly like it when \*they\*--whomever they are--hide things from us. And the internet loves a scavenger hunt. So as Americans Elect starts to rise in public awareness and importance, pressure will inexorably build for it to open up. If it does, it could well be a very new kind of political party, one that America could genuinely use.