

Democracy at a Crossroads

By Diana McClure

Communications, League of Women Voters of Brookline

Miles Rapoport, senior fellow at the Harvard Kennedy School Ash Center for Democratic Governance and Innovation, captivated and engaged a diverse audience at the opening meeting of the League of Women Voters of Brookline October 18th. He challenged the audience -- Brookline High students, college students, visitors from abroad, and interested residents -- not only to think about low voter turnout, voter suppression and problems with access to voting; gerrymandering and redistricting; money in politics; the role of the Electoral College; voter security and “fake news”, but also what can be done to enhance and expand voting and civic participation.

Remove barriers to voting. We should stop thinking about “election day,” and rather think about elections as a process, a combination of opportunities resulting in increased voter participation. Strategies include eliminating onerous ID requirements (which disproportionately affect the elderly, low-income people, tenants who move, and students). Allow same day registration, which research shows will automatically increase voter participation by 5-7 percent. Have automatic voter registration at government agencies when a citizen is applying for a license or a service (e.g. driver’s license, firearms registration, food stamps). Eight states have adopted this strategy in the last two years. Allow mail-in voting, like the states of WA and OR. Implement an Incarceration Standard, where once a felon is out of prison, all rights are restored (including voting). Over 5 million people, mainly people of color, have a felony conviction, and 3.7 million of those have completed their sentence.

Gerrymandering and redistricting. Redistricting, every 10 years, used to be a strategy to ensure incumbents could hold on to their offices, regardless of party. The Supreme Court has long tolerated partisan gerrymandering, except for racial gerrymandering (“packing or cracking”), when the gerrymandering has clearly violated the Voting Rights Act. But, this session the Court accepted a case from Wisconsin, where a divided panel of three federal judges last year ruled that the state’s Republican leadership in 2011 pushed through a redistricting plan so partisan that it violated the Constitution’s First Amendment and equal rights protections. This decision will have huge consequences - according to Rapoport, the Court will probably come down on the side of creating a standard, which will put guard rails up to contain partisan gerrymandering.

Nonpartisan citizen redistricting commissions, both in California and Arizona, could serve as role models for other states.

Money in politics. Raising money seems to be all that matters, rather than a candidate’s positions. MA has a ballot initiative campaign in favor of the proposed 28th Amendment to the US Constitution, which would overturn the Supreme Court’s 2010 Citizens United v. FEC ruling, giving corporations the rights of human beings and making money equal to free speech. According to Rapoport, another answer is public financing of campaigns, such as Connecticut’s

for legislative and statewide candidates. Candidates raise a certain amount through small donations. When they reach a cap, the state provides some money. This allows people without deep pockets to run, but also basically eliminates the role of lobbyists. Candidates actually talk with the voters!

Electoral College, proportional voting, rank choice voting. The issue is to make every vote count, whereby the candidate who wins is determined by the actual number of votes received. In three of the last five presidential elections, the loser had more of the popular vote than the winner. Thus, the interest in revising or eliminating the Electoral College as currently constituted. Rank choice voting is another option. If no candidate is the first choice of more than half of the voters, then all votes cast for the candidate with the lowest number of first choices are redistributed to the remaining candidates based on who is ranked next on each ballot.

Voting security. Election administration varies across all states and is woefully underfunded, according to Rapoport. There are over 7,000 quasi-independent voting jurisdictions in the U.S., and no national standards to guide their administration. With the news that the Russians hacked into 21 states election systems, the Department of Homeland Security designated voting systems as critical infrastructure. States and DHS are meeting, but there is still much to be done.

“Fake News”, propaganda. “If people are misinformed, is democracy fortified by having misinformed voters?” With increased polarization, silos of information are reinforced by the Internet and social media, and “fake news” promoted by foreign governments and bots. According to Rapoport, there is no way to have a litmus test for who gets to vote, based on what information they receive; the challenge is to keep working on getting accurate information out and distributing it broadly.

Democracy is not a spectator sport.

The League of Women Voters is a nonpartisan organization encouraging the informed and active participation of citizens in government. It works to influence public policy through education and advocacy.