

A DCI Deliberation Guide

Election Fairness

What, if any, reforms should be made to make elections more fair in the United States?

Format for Deliberation

Before the Deliberation

- I. Read this document (Required)
- II. Read about the Electoral College "[The Electoral College – Top 3 Pros and Cons](#)" from Britannica (Optional)
- III. Read "[Understanding Ranked-Choice Voting](#)" from RankedVote.co (Optional)
- IV. Read "[Pros and Cons of Ranked-Choice Voting](#)" from Congressional Digest (Optional)
- V. Read "[12 Proportional Representation Pros and Cons](#)" from Vittana.org (Optional)
- VI. Read "[Redistricting Commissions for Congressional Districts](#)" from the Congressional Research Service (Optional)

During the Deliberation

- I. Setting Expectations – 5 min.
- II. Getting to Know Each Other – 10 min.
- III. Electoral Fairness – 15 min.
- IV. Electoral College – 20 min.
- V. Proportional Ranked Choice Voting – 20 min.
- VI. Break – 5 min. (Optional)
- VII. Non-Legislative Redistricting – 20 min.
- VIII. Other Reform Ideas – 15 min.
- IX. Reflections – 10 min.

Background

Many Americans are concerned about the fairness of US elections. This angst is reflected in poll results about elections specifically (60% of Americans believe the politicization of election rules is a major problem) and democracy in the United States more generally (64% of Americans

believe American democracy is in crisis).¹ These beliefs are often connected to concerns about election accessibility and integrity, but also reflects frustrations with the basic design of the American electoral system, and specifically with the Electoral College, a politicized redistricting process, and a first-past-the-post plurality voting system that reinforces the dominance of the country's two political parties.

While critiques of these elements of the electoral system are distinct and varied, they share an underlying concern about the fairness of the voting process. Critics contend that they do not follow the principle of one person, one vote and systematically marginalize particular types of voters while privileging others. Given these concerns about equal treatment under the law, ***what, if any, reforms should be made to make elections more fair in the United States?***

This deliberation guide will explore the arguments for and against particular changes to the American electoral system that could potentially improve its fairness. Specifically, it will examine proposals to abolish the Electoral College, introduce ranked choice voting and proportional representation to state and federal elections, and require non-legislative redistricting of congressional and state legislature districts.

Electoral College

Presidential elections are determined by the Electoral College vote in the United States. There are a total of 538 Electoral College votes, and a candidate needs 270 to win. The number of Electoral College votes a state has is determined by the number of its representatives and senators in Congress. Each state has two senators and at least one representative in the House of Representatives, so the minimum number of Electoral College votes a state can have is three (the 23rd Amendment gave three electoral college votes to the District of Columbia in 1961).²

Because every state gets at least three electoral votes regardless of their population size, this **system disproportionately represents voters in smaller states** such as Wyoming, where in 2008 one Electoral College vote represented 177,556 people – far less than the national average of 532,668 people per Electoral College vote. This means that voters in Wyoming had 3.18 times the representation in the Electoral College as the average American.³ Residents in Texas, on the other hand, had one Electoral College vote per 715,499 residents – only 79% of the representation that the average American had in this system.⁴

This system also allows candidates to win the popular vote but lose the presidency, which happened in 2016 when former President Donald Trump won the Electoral College vote while

¹ [“Seven in ten Americans say the country is in crisis, at risk of failing.”](#) Ipsos.com, January 3, 2022; [“Americans see politicized election system in U.S. — CBS News poll,”](#) CBS News, September 4, 2022.

² [“Electoral College Fast Facts.”](#) US House of Representatives.

³ [“Population vs. Electoral Votes.”](#) FairVote.

⁴ [“Population vs. Electoral Votes.”](#) FairVote.

Hillary Clinton won 2.8 million more votes nationwide. The candidate who won the popular vote has lost the presidency five times in U.S. history (in 1824, 1876, 1888, 2000, and 2016).⁵

States award all of their Electoral College votes to the candidate who wins the most the votes in their state, with the exception of Maine and Nebraska, which allocate two electoral votes to their state’s popular vote winner and one electoral vote to the popular vote winner in each of their Congressional districts.⁶

Some argue that the Electoral College should be abolished and that presidents should be elected by the popular nationwide vote. A 2020 Gallup poll found that 61% of Americans favor abolishing the Electoral College.⁷ Proponents of abolishing the Electoral College argue that it gives **too much power to a handful of swing states**.⁸ In 2016, 90% of the visits the two presidential candidates made were to 11 states, and two thirds of those were to only four states – Florida, Pennsylvania, Ohio, and North Carolina.

Even if candidates never visit some states like Wyoming or Rhode Island, **voters in these states with small populations have an unfair impact on the election**, counting up to four times more than voters in large states. Douglas Kriner and Andrew Reaves provide evidence that this outsized influence has an impact beyond the election, showing that Florida, Michigan, Ohio, and Pennsylvania “received more than \$1 billion in additional grant spending, by virtue of being swing states” and that this targeting of swing states peaks in presidential reelection years.⁹

For these reasons, critics suggest that the electoral college **subverts democracy and violates the principle of every vote counting equally**. Jesse Wegman writes, “The Electoral College as it functions today is the most glaring reminder of many that our democracy is not fair, not equal and not representative. No other advanced democracy in the world uses anything like it, and for good reason.”¹⁰ He argues that the main problem with the Electoral College is the winner-take-all system used in all but two states. This system, which James Madison advocated abolishing, essentially erases the voices of those who didn’t vote for the winner.¹¹

This winner-take-all system used in most states also makes it **difficult for third party candidates to win Electoral College votes**, and those that do often only have a regional appeal (e.g., Robert LaFollette in 1924, Strom Thurmond in 1948, George Wallace in 1968).¹²

⁵ [“The Electoral College – Top 3 Pros and Cons.”](#) ProCon.org. Dec. 9, 2021.

⁶ [“Electoral College Fast Facts.”](#) US House of Representatives.

⁷ Brenan, Megan. [“61% of Americans Support Abolishing Electoral College.”](#) Gallup. Sept. 24, 2020.

⁸ [“The Electoral College – Top 3 Pros and Cons.”](#) ProCon.org. Dec. 9, 2021.

⁹ Douglas Kriner and Andrew Reaves [“Presidents create political inequality by allocating Federal dollars to electorally useful constituencies across the country.”](#) London School of Economics. April 6, 2015.

¹⁰ Wegman, Jesse. [“The Electoral College Will Destroy America.”](#) *The New York Times*. Sept. 8, 2020.

¹¹ Wegman, Jesse. [“The Electoral College Will Destroy America.”](#) *The New York Times*. Sept. 8, 2020.

¹² [“U.S. election results.”](#) Britannica.

Supporters of the Electoral College argue that it ensures that the selection for president is inclusive of all parts of the country.¹³ Advocates say the current system encourages candidates to pay attention to smaller states that might otherwise be ignored.¹⁴ Jonah Goldberg states, “One of the electoral college’s purposes is to broaden the president’s mandate and agenda by forcing candidates to appeal to different parts of the country, and not just rack up votes in one region or a handful of states.”¹⁵

The argument has also been made that the electoral college protects the country from the “tyranny of the majority,” and particularly the majority of the country living in urban areas. The large minority of the country (one-third by one estimate) that lives in rural areas increasingly feels left behind economically and dismissed politically and socially.¹⁶ Along these lines, John Molinaro and Solveig Spjeldnes provide three arguments against abolishing the Electoral College. The first is that **getting rid of the Electoral College won’t completely reduce the disproportionate effect of small (and rural) states** (the Senate, the primary system, and state legislatures still preserve their power). Second, abolition of the Electoral College would be **framed as disenfranchising rural and conservative voters** by the left and would “almost inevitably lead to additional violence.” And third, the electoral college does represent an **important check and balance on the power of the majority of Americans who live in populous states and urban areas.**

Supporters also argue that **the system has served the U.S. well for over 200 years and provides unity and stability.** Some contend that polarization would be increased by elimination of the Electoral College because it produces moderate candidates with national appeal. They argue that it reinforces a strong two-party system that prevents radical or extremist candidates from emerging victorious.¹⁷

Proportional Ranked-Choice Voting (RCV)

In ranked-choice voting (RCV), voters rank candidates in the order of their preference. If a candidate gets more than 50% of the votes, they win, just like under other voting systems. But if no one achieves a majority (i.e., more than 50% of the votes), then an “instant runoff” is held: the candidate with the fewest votes is eliminated, and the voters who voted for the eliminated candidate have their votes automatically transferred to their next choice. That process continues until someone reaches that 50% majority threshold.¹⁸

¹³ [“The Electoral College – Top 3 Pros and Cons.”](#) ProCon.org. Dec. 9, 2021.

¹⁴ [“Problems with the Electoral College.”](#) FairVote.

¹⁵ Goldberg, Jonah. [“Think We Should Scrap the Electoral College? Here’s Why That’s a Bad Idea.”](#) Los Angeles Times. Sept.15, 2020.

¹⁶ Molinaro, John and Solveig Spjeldnes. [“The Electoral College and the Rural-Urban Divide.”](#) Aspen Institute. February 1, 2021.

¹⁷ “Electoral College: Should the United States Continue to Use the Electoral College in Presidential Elections?” Issues & Controversies. Jan. 15, 2021.

¹⁸ [“Understanding Ranked-Choice Voting: How Does Ranked-Choice Voting Work?”](#) Ranked Vote.

RCV is increasingly being adopted in organizations, municipalities and states across the US. It is being used in national elections in Maine and Alaska and in municipal elections in New York City, San Francisco, and numerous other cities. Utah in 2018 and Virginia in 2020 enacted legislation authorizing ranked-choice voting in local elections. **It is also not a new system**, but has been in use for more than a century in one form or another in other countries and in the United States (it is also used to decide the Academy Awards).¹⁹

Proportional RCV is a form of proportional representation (PR) that elects multiple winners to represent a single district. Each winning candidate must win a threshold percentage of votes based on the total number of seats to be filled. If there are two seats available in the district, the two winning candidates must win 34% of the vote; if there are three seats, the three winners must win 26% of the vote, and so on. Just as in single winner RCV, if no one has met these thresholds, the votes for the candidate with the fewest votes are transferred to the voters' next choices. The process continues until all seats are filled by the top candidates who meet the established thresholds.²⁰ Proportional representation is the most common form of voting in Western Europe and Latin America. Proportional RCV has been adopted in Ireland and Australia, and also by voters in Albany and Palm Desert (CA), Arden (DE), Amherst and Cambridge (MA), Eastpointe (MI), and Minneapolis (MN).²¹

The Fair Representation Act (HR 3863) would “establish the use of ranked choice voting in elections for Senators and Representatives in Congress...require each State with more than one Representative to establish multi-member congressional districts...[and] require States to conduct congressional redistricting through independent commissions, and for other purposes.”²² This approach would likely make state congressional delegations more representative of voters in their states. As the graphic below shows, even though 42% of Connecticut's electorate votes for a Republican congressional candidate, its entire delegation consists of Democrats. Likewise, even though 31% of Oklahoma's electorate votes for a Democrat, its delegation is all Republican. Under a proportional RCV system, the state would have only one congressional district with five seats in it. This would likely result in each state having at least one Member of Congress representing the minority party in the state.²³

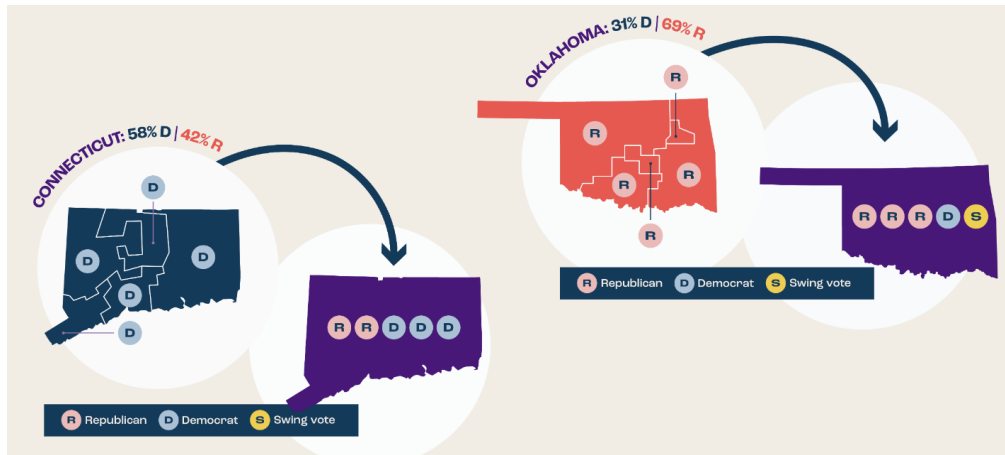
¹⁹ [“Ranked Choice Voting Information.”](#) FairVote; [Ranked Choice Voting at the Oscars 2022.](#) FairVote, Feb. 4, 2022.

²⁰ [“Proportional RCV.”](#) FairVote.

²¹ [“Proportional Representation.”](#) Ballotpedia; [“Proportional RCV.”](#) FairVote.

²² [“H.R.3863 - Fair Representation Act.”](#) 117th Congress (2021-2022).

²³ [“Fair Representation Act.”](#) FairVote.



Two hypothetical state congressional delegations under the current system and under proportional RCV
(Image from [FairVote.com](https://www.fairvote.com))

There are several arguments against RCV and proportional representation cited by its opponents. One is that both **the technical process of completing a RCV ballot and the process of evaluating multiple candidates is too complicated**. Voters must rank each candidate (or choose not to do so) rather than only select one. Voters should also be knowledgeable about all of the candidates in order to rank them according to their preferences. Opponents suggest that this may be too difficult for some voters.²⁴

Opponents also cite **the problem of exhausted ballots**, which occurs when voters don't rank everyone on the ballot. If a voter chooses not to rank some candidates at all because they do not support them (or they couldn't rank them because electoral rules only allow voters to rank a certain number of candidates, which is a feature of some but not all RCV systems), then their votes will not be transferred from their preferred but eliminated candidates to the remaining candidates who they didn't rank. In these cases, their votes will not be included in the final tabulation and raises the possibility that a majority of the voters did not end up voting for the winner. Craig Burnett and Vladimir Kogan found that this was the case in the four RCV elections they analyzed (voters could only rank three candidates in these elections).²⁵ As a specific example, critics cite the 2010 election in San Francisco that resulted in 53% of the ballots being exhausted.²⁶

Another concern raised by opponents is that **"voters never really know who will be running against whom in the final vote count with ranked choice,"** and are not given the opportunity to choose between them in a head-to-head matchup.²⁷ Additionally, Harvey Mansfield asserts that ranked choice voting **encourages voters to prioritize their private interests** over the public

²⁴ ["Ranked-Choice Voting: A Disaster in Disguise,"](#) Foundation for Government Accountability, August 25, 2022.

²⁵ ["Ballot \(and voter\) "exhaustion" under Instant Runoff Voting: An examination of four ranked-choice elections."](#)

Craig Burnett and Vladimir Kogan. *Electoral Studies*. March 2015.

²⁶ ["Ranked-Choice Voting: A Disaster in Disguise,"](#) Foundation for Government Accountability, August 25, 2022.

²⁷ Hans von Spakovsky and J. Adams. ["Ranked Choice Voting Is a Bad Choice."](#) Heritage Foundation, August 23, 2019.

good by enabling them to rank candidates by how well they correspond to what they personally prefer (which in many cases may be very extreme candidates). Mansfield also claims that RCV **discourages the formation of diverse coalitions through the electoral process** and within parties and delays it to “secret, chancy negotiation” between parties afterwards.²⁸

As for proportional representation, opponents argue that it **allows for candidates from extremist parties to win seats**, as the threshold for gaining seats is often lower than in single member districts. This system also has the potential of ignoring particular communities within districts, as the multi-member districts are necessarily larger than single member districts. Critics also contend that **proportional representation systems are not always stable**, as parties may have difficulty forming and maintaining a coalition government.²⁹ This problem has been seen in countries like Italy where coalition governments have broken down and legislative instability has ensued.³⁰

Proponents of RCV argue that the United States should adopt ranked choice voting in all of its elections. In their view, this would ensure that **the candidate who wins a majority of votes wins the election**, rather than someone who only receives a plurality of the vote. Thus someone in the United States’ current plurality-based system can win an election or a primary with only 30% of the vote, with the vast majority (70%) voting against them. Supporters of ranked choice voting also argue that it encourages **more civil campaigns**, as candidates want voters to rank them high, even if they don’t rank them first.

They also assert that it **reduces candidate fears of being a “spoiler”** and taking votes away from other candidates and **reduces voter fears of wasting their votes** on candidates who are not frontrunners.³¹ In ranked choice voting, if a candidate is eliminated, votes for them are transferred to voters’ next choices, so votes are never wasted and never help someone voters don’t want to support. RCV supporters believe that RCV will also **provide voters with more electoral choices**. The logic is that more candidates will be willing to run because they don’t have to worry about being spoilers. This will mean more candidates and more points of view represented in our elections.

RCV also eliminates the need for run-off elections and thus is viewed as a way to **save taxpayer dollars**, a benefit to jurisdictions and citizens across the country.³² These run-off elections are expensive and often have much lower turnout rates. For this reason, RCV is also known as Instant Runoff Voting because you’ve already indicated who your next choices would be and so another runoff election is not necessary.

²⁸ Mansfield, Harvey. “[Harvard University Professor of Government Harvey Mansfield shares his thoughts on ranked-choice voting.](#)” Clark County Today. August 29, 2022.

²⁹ Gaille, Louise. “[12 Proportional Representation Pros and Cons.](#)” Vittana. March 25, 2018.

³⁰ Amy, Douglas. “[Common Criticisms of PR and Responses to Them.](#)” FairVote.

³¹ “[Understanding Ranked-Choice Voting: Pros and Cons.](#)” Ranked Vote.

³² “[Why Adopt RCV?](#)” Ranked-Choice Voting Resource Center.

Supporters suggest that proportional RCV extends the logic of ranked choice voting and enables even more voices to be heard and represented, as it **allows for winners from more than just one party to represent individual districts**. Supporters also argue that proportional representation **reduces extremism and forces parties to come together to form a coalition government**.³³

Regarding the problem of exhausted ballots, RCV supporters assert that **more ballots are “exhausted” from the dramatically lower turnout rates at traditional runoff elections**, and in any case, exhausted ballots are rare and less likely as ranking limits are eliminated and voters become more comfortable with RCV.³⁴ With regard to the concern that RCV promotes voting based on personal interests, advocates might respond that many voters already do this because the party candidates just happen to match their personal preferences. RCV would enable these voters to consider a broader set of options and provide other voters with a broader set of choices that might reflect both their private interests and the public good.

Regarding the concern that proportional **RCV promotes coalition building after instead of before elections**, Lee Drutman views this as a feature and not a problem. In multi-party democracies parties often need to form coalitions to form a legislative majority, and citizens expect compromise to occur. In these contexts, parties “can only promise to advocate for particular policies and values, which leads to less overpromising,” less negative campaigning, less campaigning as “the true majority,” less focus on gaining total control of the government, and more focus on policy issues.³⁵

Greater voter turnout is claimed by supporters of both RCV and plurality-based systems. Lower turnout levels were seen in San Francisco after RCV’s introduction, while greater turnout levels were found in Minneapolis-St. Paul, Santa Fe, and Oakland after its introduction.³⁶

Non-Legislative Redistricting Commissions

Some suggest that **partisan gerrymandering – drawing districts in a way that essentially guarantees victory for one party – should be limited**. Following the Census every ten years, states redraw their legislative districts as required by the US Constitution. Using sophisticated statistical and mapping techniques, legislatures have become increasingly effective at maximizing the number of seats that will be held by the party in power. These parties do so by either drawing districts that “pack” voters who are likely to vote for the other party in a few districts where they have super-majorities or “cracking” those voter blocks up and spreading them across multiple districts where they will be perpetual minorities.³⁷

³³ Gaille, Louise. “[12 Proportional Representation Pros and Cons](#).” Vittana. March 25, 2018.

³⁴ [RCV Elections and Runoffs: Exhausted Votes vs Exhausted Voters in the Bay Area](#). FairVote, Oct. 19, 2016.

³⁵ Drutman, Lee. “[The Case for Multiparty Democracy](#).” New America. Jan. 23, 2020.

³⁶ “[Research and Data on RCV in Practice](#).” FairVote; “[Ranked-Choice Voting: A Disaster in Disguise](#).” Foundation for Government Accountability, August 25, 2022.

³⁷ Johnson, John. “[Why Do Republicans Overperform in the Wisconsin State Assembly? Partisan Gerrymandering vs. Political Geography](#).” Marquette University Law School Faculty Blog, Feb. 11, 2021.

This can result in congressional delegations and state legislatures appearing to not accurately represent the parties in the electorate. For example, According to the Brennan Center, **partisan gerrymandering gave Republicans 16-17 more seats in the House of Representatives in 2017 than would be expected based on each party's share of statewide votes.**³⁸ While Republicans have benefited significantly from gerrymandering in recent years, Democrats have also profited from gerrymandering in states like Maryland and Illinois.³⁹ FiveThirtyEight has calculated that for the 2022 election, while the number of Democratic-leaning seats increased since 2020 due to gerrymandering, Republicans will likely gain 3-4 seats due to redistricting once incumbency is taken into account.⁴⁰

Another concern is **partisan redistricting has contributed to the proliferation of "safe seats" for both parties.** FiveThirtyEight has also calculated that over 70% of congressional districts are solidly Democratic or Republican, and less than 10% are highly competitive.⁴¹ 270toWin reports that 36 congressional races either have candidates running unopposed, candidates only running against a third party or independent candidate, or two candidates from the same party running against each other.⁴²

Partially in response to concerns about the effects of partisan gerrymandering, **fifteen states have established non-legislative commissions to conduct this redistricting for congressional districts,** six have advisory commissions that may assist the state's legislature, five have a backup commission that will draw the maps if the legislature fails to do so, and one (Iowa) delegates the process to a non-partisan agency that produces a map that the legislature votes up or down. State legislatures have full responsibility for re-districting in the other 23 states.⁴³

In order to eliminate partisan gerrymandering, **some have argued that every state utilize these non-legislative (also known as independent or non-partisan) redistricting commissions to draw legislative districts.**⁴⁴ If drawn with transparency, they argue these maps are more likely to serve the public interest rather than benefit those already in power who seek to retain their seats by drawing districts unfairly.⁴⁵ They also point to the effects of extreme partisan gerrymandering in states such as Texas, where Republicans are expected to win 15% more congressional seats under the Republican-drawn map than under a perfectly fair one.⁴⁶

Opponents of these commissions argue that politics is an inevitable part of redistricting, and taking into account partisan interests would "destroy a fundamental element of our democratic

³⁸ Kirschenbaum, Julia and Michael Li. "[Gerrymandering Explained.](#)" Brennan Center for Justice. Aug. 12, 2021.

³⁹ Kirschenbaum, Julia and Michael Li. "[Gerrymandering Explained.](#)" Brennan Center for Justice. Aug. 12, 2021.

⁴⁰ "[What Redistricting Looks Like In Every State.](#)" FiveThirtyEight.

⁴¹ "[What Redistricting Looks Like In Every State.](#)" FiveThirtyEight.

⁴² "[Uncontested: The 36 House Districts With Only One Major Party on the Ballot.](#)" Sept. 22, 2022. 270toWin.

⁴³ "[Redistricting Commissions: Congressional Plans.](#)" National Conference of State Legislatures. December 10, 2021.

⁴⁴ "[Will Resistricting Reforms Stave off Partisan Gerrymandering?](#)" Harvard Kennedy School Ash Center for Democratic Governance and Innovation. Nov. 19, 2021.

⁴⁵ "[All About Redistricting: Ideas for Reform.](#)" Prof. Doug Spencer's Guide to Drawing the Electoral Lines.

⁴⁶ Nathaniel Rakich and Tony Chow. "[Texas May Have The Worst Gerrymander In The Country.](#)" FiveThirtyEight, Feb. 28, 2022.

system.”⁴⁷ They also claim that uncertainties associated with partisan redistricting make it very unpredictable so that parties often win districts where they are not expected to do so. Giving the responsibility to non-legislative bodies, who are not accountable to voters and are made up of individuals with partisan interests even if they claim otherwise, only serves to obscure and hide the process from the public.⁴⁸

Other Possible Election Reforms

Additionally, some argue that campaigns should be publicly financed to reduce perceptions of corruption. These perceptions reinforce the sense that politics is controlled by a wealthy elite (from both parties) and is fundamentally unfair. While a full discussion of campaign finance is beyond the scope of this deliberation guide, as it warrants a full discussion in its own right, it is worth noting that three states (Arizona, Connecticut, and Maine) have enacted “clean election” programs where elections are publically financed.⁴⁹ The city of Seattle has adopted a democracy vouchers program, which sends four \$25 vouchers to every registered voter, who can then donate them to candidates running for city office.⁵⁰

Because of Supreme Court decisions and concerns about such regulations limiting First Amendment rights, states cannot mandate that candidates utilize such public funding.⁵¹ As a result, many candidates do not participate in these programs so that they can raise and spend more money in the election. A study of the clean election program in Maine revealed that in the 2018 and 2020 elections, 55% of the candidates participated in the clean election program, and 57% of these candidates won their election (49% of candidates using private funding won their election).⁵²

Some argue that publicly financing all elections would increase election integrity, as no more “dark money” would be used. Additionally, they argue that this would eliminate the influence of special interests and wealthy donors.⁵³ Opponents of public financing of election campaigns question where this money would come from and “why should the taxpayer be forced to support candidates and parties they do not want to support?”⁵⁴

⁴⁷ Hans A. von Spakovsky. “[Gerrymandering Is Inevitable in a Democracy](#).” The Heritage Foundation. Sept. 17, 2021.

⁴⁸ Hans A. von Spakovsky. “[Gerrymandering Is Inevitable in a Democracy](#).” The Heritage Foundation. Sept. 17, 2021.

⁴⁹ “[Public Financing of Campaigns: Overview](#).” National Conference of State Legislatures. Feb. 8, 2019.

⁵⁰ Lauren Kirschman. “[Seattle democracy vouchers increase donations, number of candidates in city elections](#).” UW News. May 26, 2022.

⁵¹ “[Public Financing of Campaigns: Overview](#).” National Conference of State Legislatures. Feb. 8, 2019.

⁵² “[Money in Politics Project](#).” Maine Citizens for Clean Elections. 2021.

⁵³ “[Public Campaign Financing](#).” Brennan Center for Justice.

⁵⁴ John Sample. “[Three Problems with Taxpayer Financing of Election Campaigns](#).” Cato at Liberty Blog, Jan. 16, 2019.

Setting Expectations (5 min)

In this section, we will review the “Expected Outcomes,” “Deliberative Dispositions,” and “Conversation Agreements” below.

Expected Outcomes of the Conversation

The purpose of this deliberation is to deepen our understanding of the arguments surrounding election reform in the United States. Over the course of the deliberation, we will have the opportunity to listen to the perspectives of our fellow deliberators as well as share our own experiences and beliefs about election reform. By the end of the conversation, we will have deliberated about the strongest and weakest arguments for eliminating the Electoral College in the United States, introducing proportional ranked choice voting into US elections, requiring non-legislative commissions to complete redistricting processes, and other potential election reforms. Finally, we will have reflected on our conversation, our areas of agreement and disagreement, and what we have learned from our time together.

Deliberative Dispositions

The DCI has identified several “deliberative dispositions” as critical to the success of deliberative enterprises. When participants adopt these dispositions, they are much more likely to feel their deliberations are meaningful, respectful, and productive. Several of the Conversation Agreements recommended below directly reflect and reinforce these dispositions, which include a commitment to egalitarianism, open mindedness, empathy, charity, attentiveness, and anticipation, among others. A full list and description of these dispositions is available at <https://deliberativecitizenship.org/deliberative-dispositions/>.

Conversation Agreements

In entering into this discussion, to the best of our ability, we each agree to:

1. Be authentic and respectful
2. Be an attentive and active listener
3. Be a purposeful and concise speaker
4. Approach fellow deliberators’ stories, experiences, and arguments with curiosity, not hostility
5. Assume the best - and not the worst - about the intentions and values of others, and avoid snap judgements
6. Demonstrate intellectual humility, recognizing that no one has all the answers, by asking questions and making space for others to do the same
7. Critique the idea we disagree with, not the person expressing it, and remember to practice empathy
8. Note areas of both agreement and disagreement
9. Respect the confidentiality of the discussion
10. Avoid speaking in absolutes (e.g., “All people think this,” or “No educated people hold that view”)

Getting to Know Each Other (10 min)

In this section, we will take less than a minute to share our names, where we are currently located, and answer one of the questions below.

1. Who is one of your personal heroes (living or dead), and why?
2. When was a time that you felt hope or pride about the United States?
3. What do you think the biggest challenge the United States has to overcome is?

Engaging Concerns about Election Fairness (15 min)

In this section, we will examine the arguments for and against new reforms to improve the fairness of the American electoral system. Motivations for these reforms are diverse but are united by the concern that some communities and groups of voters are being systematically and disproportionately excluded or discounted by the structure of elections in the US. We will each take 1-2 minutes to answer each of the questions below, without interruption or crosstalk.

- What are the ***strongest arguments for being concerned about the fairness of the American electoral system*** mentioned above?
- What are the ***strongest arguments for NOT being concerned about the fairness of the American electoral system*** mentioned above?
- Which of these arguments do you find to be ***the most persuasive?***

After everyone has answered these questions, the group is welcome to take a few minutes for clarifying or follow up questions and responses. Continue exploring the topic as time allows.

The Electoral College (20 min)

We will now discuss the advantages and disadvantages of the Electoral College and whether it should continue to be used in presidential elections. We will each address the question below, and then together we'll explore our areas of agreement and disagreement. We can also generate additional ideas that may transcend and elicit more support than existing proposals.

- **What measures should the United States implement to reform the Electoral College, if any? Which are the highest priority? Why?**

As time allows, we should engage with one another on our answers to these questions. For further background on these issues, check out the House of Representatives' resource on [the Electoral College](#).

Throughout our discussions, if there is strong disagreement in the group, we will try to explore the underlying reasons for the disagreement – are they based on different factual interpretations, different value emphases, or different life experiences? Perhaps we can agree on where precisely we disagree, which can be helpful. Alternatively, if there is widespread agreement in the group, try to dig deeper and examine the nuances of these policies – are there particular contexts, for example, where our agreement breaks down? Or perhaps our reasons for supporting particular policies are different? Exploring this complexity can be helpful as well.

Proportional Ranked Choice Voting (20 min)

We will now evaluate arguments for and against introducing proportional ranked choice voting more broadly in American elections. We will each address the question below, and then together we'll explore our areas of agreement and disagreement.

- What are the **strongest arguments FOR and AGAINST proportional ranked choice voting?**
- Which of these arguments do you find to be *the most persuasive?* Why?

As time allows, we should engage with one another on our answers to these questions and the specifics of ranked choice voting. Do we prefer both proportional representation (and multi-member districts) and ranked choice voting (also known as instant runoff voting), one or the other, or neither? For further background on these issues, check out the National Conference of State Legislatures' resource on [Ranked Choice Voting](#).

Brief Break (5 min – *Optional*)

Use this time as a chance to stretch your legs, go to the bathroom, get a drink of water, and re-charge for the second half of the deliberation.

Non-Legislative Redistricting Commissions (20 min)

We will now evaluate specific policies related to redistricting and gerrymandering. We will each address the question below, and then together we'll explore our areas of agreement and disagreement.

- What are the **strongest arguments FOR and AGAINST establishing redistricting commissions that work independently of state legislatures?**
- Which of these arguments do you find to be *the most persuasive?* Why?

As time allows, we should engage with one another on our answers to these questions. Should these commissions, for example, have primary or advisory responsibility for redistricting? How should commissioners be selected? Should their deliberations be held in

public or in private? Should they be able to take into account information about party identification? Demographic information such as race, ethnicity, age, or other factors?

For further background on these issues, check out the the Congressional Research Service report on [Redistricting Commissions for Congressional Districts](#).

Other Reform Ideas (15 min)

This is a time to discuss other reform ideas related to election fairness. The discussion above introduces a few policies related to campaign finance, but we should feel welcome to explore other possibilities as well. We can frame our discussion around the question below, and together we can explore our areas of agreement and disagreement. As time allows, we should engage with one another on our answers to these questions.

- What are the **some other reform ideas you would like to suggest for consideration that would help make our elections more fair and perceived as legitimate?**
- Which of these ideas do you find to be ***the most reasonable and attractive?*** Why?

Reflections (10 min)

While today's conversation is an important step in the journey, effectively managing the tradoffs associated with election reform will take time and commitment. Please reflect on the insights from your discussion with your fellow participants today, and then answer one of the questions below without interruption or crosstalk. After everyone has answered, the group is welcome to continue exploring additional questions as time allows.

1. What was most meaningful or valuable to you during this deliberation?
2. Where are the areas of both agreement and disagreement in your group?
3. Have any new ways to think about this issue occurred to you as we have talked today? Any new ideas that might transcend our current way of conceiving of the problem and its potential solutions?
4. Was there anything that was said or not said that you think should be addressed with the group? Are there any perspectives missing from this conversation that you feel would be important to hear?
5. What did you hear that gives you hope for the future of conversations on issues related to election fairness?
6. Is there a next step you would like to take based upon the deliberation you just had?

About This Guide

Writers: Carla Cole and Graham Bullock

Executive Editor: Graham Bullock

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The Deliberative Citizenship Initiative

The Deliberative Citizenship Initiative (DCI) is dedicated to the creation of opportunities for Davidson students, faculty, staff, alumni, and members of the wider community to productively engage with one another on difficult and contentious issues facing our community and society. The DCI regularly hosts facilitated deliberations on a wide range of topics and organizes training workshops for deliberation facilitators. To learn more about these opportunities, visit www.deliberativecitizenship.org.

DCI Deliberation Guides

The DCI has launched this series of Deliberation Guides as a foundation for such conversations. They provide both important background information on the topics in question and a specific framework for engaging with these topics. The Guides are designed to be informative without being overwhelming and structured without being inflexible. They cover a range of topics and come in a variety of formats but share several common elements, including opportunities to commit to a shared set of Conversation Agreements, learn about diverse perspectives, and reflect together on the conversation and its yield. The DCI encourages conversations based on these guides to be moderated by a trained facilitator. After each conversation, the DCI also suggests that its associated Pathways Guide be distributed to the conversation's participants.

DCI Pathways Guides

For every Deliberation Guide, the DCI has also developed an associated Pathways Guide, which outlines opportunities for action that participants can consider that are related to the covered topic. These Pathways Guides reinforce the DCI's commitment to an action orientation, a key deliberative disposition. While dialogue and deliberation are themselves important contributors to a healthy democracy, they become even more valuable when they lead to individual or collective action on the key issues facing society. Such action can come in a range of forms and should be broadly understood. It might involve developing a better understanding of a topic, connecting with relevant local or national organizations, generating new approaches to an issue, or deciding to support a particular policy.

If you make use of this guide in a deliberation, please provide attribution to the Deliberative Citizenship Initiative and email dc@deliberativecitizenship.org to tell us about your event. To access more of our growing library of Deliberation Guides, Pathways Guides and other resources, visit www.deliberativecitizenship.org/readings-and-resources.