

# By the People

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## — Exercising Choice

From this perspective, the central duty of citizens is not just to show up, it is also to exercise choice. The essence of democracy is that the public makes collective choices and the duty of each citizen is to take part in those decisions. But choices can only be made from among the available options, and it is hard for individual citizens to exercise choice if elections are not competitive. If the results are already decided beforehand, why should we expect voters to spend a lot of time and trouble registering their preferences? This view therefore emphasizes not just the role of citizens, but the context within which they must play that role. We need to have elections where there is enough competition for citizens to realize that their participation can make a difference. When parties compete, voters win. With competition, the voters can hold elected officials accountable; if voters have no real alternatives to the status quo, they have no way to register their disapproval of incompetence, corruption, or poor policy choices (or reward the opposite).

The United States essentially has a two-party system.

**First-past-the-post:** the candidate who gets the most votes is elected, even if they don't reach a 50% majority

Although this is not required by the Constitution, it is encouraged by our “**first-**

**past-the-post**” voting system, by our non-parliamentary government, and by ballot access laws that set high barriers to entry into the electoral process (e.g. requiring the collection of large numbers of signatures to be eligible to run).

Some people argue that there is little difference between the Democratic and Republican parties, and that we need to encourage the inclusion of candidates representing a broader range of policy positions. In this view, both Democratic and



Republican candidates rush to the middle in order to appeal to the greatest number of voters, thus leaving no real choices for people whose beliefs are further to the left or to the right on the political spectrum.

One way to increase the range of candidates would be to switch to a “proportional representation” voting system, some version of which is used in most major democracies.

**Proportional representation**

seeks to provide a close match between the percentage of votes that a party receives in an

**Proportional representation:** the number of seats won by a party matches the number of votes that it received.

election and the number of seats they are given in the governing body. To illustrate: imagine an area called Citizenville that has a total of five congressional districts; 40% of voters in Citizenville are Democrats, 40% are Republicans, and 20% are supporters of the Alternative Party. Under our current first-past-the-post voting system, each of Citizenville’s five districts has a separate election to choose its own representative. In Citizenville District 1, 41% of the vote in this election goes to the Republican, 39% to the Democrat, and 20% to the Alternative; the Republican is elected and 59% of District 1’s voters have no one in Congress that represents their views. Similar outcomes occur in Citizenville Districts 2, 3, 4, and 5, so Citizenville elects five Republicans.

Under proportional representation, Citizenville would most likely elect two Democrats, two Republicans, and one Alternative. Citizenville’s citizens would have three viable candidates to choose from instead of just two, and every citizen would have at least one official in Congress to represent his or her views. Proportional representation is currently in use in a small number of local electoral contexts (e.g. for school boards or city councils) around the U.S., but proponents would like to see it used in state and even federal elections.

Others have suggested that an easier way to increase electoral choice for American

voters would be to reduce the barriers to ballot access that are currently in place and that often put third party candidates at a major disadvantage. In many states, the candidates of the major parties are automatically given a place on the ballot, while third party candidates have to go through a time- and resource-consuming process of signature collection to qualify. Critics argue that these measures solidify the powerful positions of the two major parties and make it difficult for third parties to break into the process.

On the other hand, some people feel that the two-party system provides plenty of choice for American voters.



They point out that, unlike in many other democracies, American elected officials typically have wide choice to vote as they (or their constituents) please regardless of their party affiliation. For example, while the Democratic Party as a whole may have a reputation of being pro-choice, there are certainly Democratic representatives that are against abortion; likewise, while the Republican Party overall may be against gun control, some elected Republicans vote in favor of it. While elected officials in many other countries may be expelled from their party if they vote against the party line, that is not the case in the United States. Thus, some argue, there is a broad range of opinion represented in Congress even though there are only two major parties.

But even if our current two-party system is considered adequate, there are many other ways in which the competitiveness of elections is systematically reduced. One

example is that of **incumbent advantage**. Election campaigns in America are very expensive and incumbents, with their

**Incumbent advantage:** the edge that people already in office over challengers because of greater name recognition and access to campaign finance.

existing power and influence over policy, are typically able to raise far greater sums of

money than their challengers. Incumbents also often have greater name recognition and receive more media exposure than their challengers, and they enjoy the privilege of sending free mail out to their constituents.

The incumbency advantage is clear in US elections: 86% of incumbent senators and 96% of incumbent congressional representatives who ran in 2002 were successful in their reelection bids. One possible means of reducing the incumbency advantage would be to adopt term limits for members of Congress (as we already have

for the President, and for many state Governors and legislatures). On the other hand, some people object that term limits prevent the public from choosing a representative they would prefer and also that it concentrates power in the hands of congressional staff and bureaucracies because they become more experienced than the elected representatives.

A final example of how electoral choice is restricted comes in the form of our **presidential primary** system. Because the media gives a

**Presidential primary:** an election that determines how many delegates from each state will be sent to the national convention to nominate a party's presidential candidate

tremendous amount of attention to the winners and losers of the early primaries, the outcome of the primary can become a foregone conclusion long before voters in most states have cast their ballots. This means that relatively small numbers of voters



### Did You Know?

The court decision *Citizens United v. Federal Election Committee* made it possible for outside organizations to accept an unlimited amount of money to independently spend on election candidates. Dubbed “super PACs,” these organizations spent a disproportionate amount of money in the early primaries—nearly 13 million in 2012.

decide who will ultimately get to run for office in the general election, and the rest of us are left to choose from amongst their already chosen candidates. Some argue that this is particularly troublesome because the states that hold early primaries are not reflective of the population of the United States as a whole. Iowa and New Hampshire, the two states that traditionally hold the first primaries (or caucus, in Iowa's case) are less ethnically diverse, more rural, and wealthier than the national average.

In recent years, some states have sought to increase their influence on the outcome of the presidential primary process by moving their primaries to earlier dates; this has started a vicious cycle, with states pushing their primaries earlier and earlier to gain or maintain an advantage. The Democratic and

Republican parties are trying to discourage these tactics by imposing penalties on states that move their primaries too early (such as reducing the number of delegates the state will be allowed to send to the party's national nominating convention). Some have suggested that the best way to eliminate this problem would be to have a "national primary" in which all states hold their primary elections on the same day. However, opponents argue that a so-called "national primary" would give an even bigger advantage to the best funded candidate and the one with the most name recognition; television advertising would become even more crucial, they say, since it is the most effective way to reach such large numbers of people, and whoever succeeded in raising the money for the advertising would thus have a big advantage.

### *Discussion Questions*

- How does the idea of proportional representation change the make-up of government? Does this seem better or worse than "first past the post"?
- What are some examples of third party issues from current events? What are some political issues that you would like to see the two main parties address that they currently do not?
- Do you think there is enough diversity of opinion within the Democratic and Republican parties?
- Given all the examples in this section, how well do you think our elections reflect the will of the people?

## Some Proposals:

The chart below has some arguments for and against the following proposals. Have students research on their own or in groups to fill out their own charts.

	<b>Approaches: Citizenship and Participation</b>	
	<b>Arguments for</b>	<b>Arguments against</b>
Increase the range of candidates and parties by moving to a proportional representation system to elect the legislature. Experimenting with proportional representation might begin with state legislatures.	<ul style="list-style-type: none"> <li>• Proportional representation results in a much closer match between the votes cast and the makeup of the government.</li> <li>• People would feel free to vote for a third party without the risk of “wasting” their vote.</li> <li>• More citizens would have someone to represent their opinions.</li> </ul>	<ul style="list-style-type: none"> <li>• Proportional representation allows too many parties to become part of the government and would lead to a fractured congress that would be unable to form majorities to pass legislation.</li> <li>• It legitimizes extremist factions.</li> <li>• It would be difficult to enact on a widespread basis because of the need for multiple states to pass legislation to adopt it.</li> </ul>
Increase the range of candidates and parties by reducing barriers to ballot access for third party candidates	<ul style="list-style-type: none"> <li>• High barriers to ballot access give an unfair advantage to major party candidates who have many more resources at their disposal than third party candidates.</li> </ul>	<ul style="list-style-type: none"> <li>• If we lowered requirements for ballot access, we could have hundreds of frivolous candidates clogging up ballots,</li> <li>• This would add to voter confusion and create chaos for those who run elections.</li> </ul>
Increase competition by making sure that redistricting is done in a non-partisan way.	<ul style="list-style-type: none"> <li>• It is inherently undemocratic to “fix” an election by manipulating the makeup of a district.</li> <li>• Making redistricting as apolitical as possible will mean that elections are really decided by the will of the people rather than the will of the politicians.</li> </ul>	<ul style="list-style-type: none"> <li>• It is impossible to ensure that districts are drawn in a non-partisan way. Even if an independent body is put in charge, its members have to be appointed by someone (most likely a partisan legislature or governor).</li> </ul>

<p>Increase electoral choice by switching to a “national” primary, in which all states vote on the same day.</p>	<ul style="list-style-type: none"> <li>• Having a national primary would mean that candidates would have to pay attention to voters in every state rather than targeting the states they consider strategically important.</li> <li>• States’ influence on candidate selection would become proportionate.</li> </ul>	<ul style="list-style-type: none"> <li>• Having a national primary would make primaries even more expensive and would give a greater advantage to candidates with more financial resources and name recognition.</li> <li>• Campaigns would also become more superficial as candidates would have to try to reach out to voters all across the country all at the same time.</li> </ul>
<p>There is no need for change. Our current system provides enough choice.</p>	<ul style="list-style-type: none"> <li>• Americans have two major parties that act as “umbrellas” for wide ranges of opinions.</li> <li>• There are also often third party candidates and independents, and there are certainly cases where they have been successful (e.g. Jesse Ventura as Governor of Minnesota).</li> </ul>	<ul style="list-style-type: none"> <li>• The current system stacks advantage in favor of just the two major parties and also in favor of incumbents. This means that Americans have only a very limited range of candidates from which to choose.</li> <li>• True democracy requires representation of a broader range of opinions.</li> </ul>



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