



# LIFT EVERY VOICE

DEMOCRACY, VOTING RIGHTS, AND ELECTORAL REFORM



Approved by the 218th General Assembly  
of the Presbyterian Church (U.S.A.)



**2008**



September, 2008

Dear Members and Friends of the Presbyterian Church, Elected Leaders at all levels of government, and members and staff of election commissions:

This resolution contains both a Biblical and theological foundation and a set of recommendations for a more participatory and fair electoral process in the United States. I write persons both within and outside our church in my capacity as Stated Clerk of the General Assembly, the highest policy making body of our denomination, to confirm that this resolution, *Lift Every Voice: Democracy, Voting Rights, and Electoral Reform*, was strongly approved by the 218<sup>th</sup> General Assembly of the Presbyterian Church (U.S.A.).

This resolution affirms the extension of the Voting Rights Act of 1965, as amended, and opposes all measures that would disenfranchise voters on the basis of race or other condition. It supports the enfranchisement of felons who have paid their debt to society and "full voting rights" for the District of Columbia. It urges verifiability of voting machine totals, as well as "best practices" in the administration of elections. It opposes "caging," "purging lists," special ID requirements, and other arbitrary challenges and intimidation of voters. It favors public funding and lobbying restrictions designed to curb favoritism and conflicts of interest. Beyond improving the current system, it recommends ways to rotate primaries and deal with consequences of the Electoral College, such as a national popular vote based in an affirmative right to vote, and reforms such as "Instant Run-off Voting" and "Proportional Voting," a voting holiday or weekend, non-partisan election commissions, universal voter registration, and more. *How did we come to take these positions?*

The democratic—small d!—ethos of our Church pervades this document and is its origin as well. Our church is named for presbyters, or elders elected by congregations to serve on governing councils. We do not have bishops, although we elect regional administrators as well as our local pastors. Our democratic ethos, in other words, is part of our own life as a body of Christians at every level. (My service as chief administrative officer is based on my having been elected to a four year term as "Stated Clerk.") Commissioners, or voting delegates, to our General Assembly in 2006 were still concerned with the confusion of the 2000 election in Florida, but also with voting machine errors and the implementation of the Voting Rights Act. They voted to authorize a study. The team assembled included three political scientists, three lawyers, two ethicists, a pastor, an educator, and one former election official. Their report was then debated and approved at the 2008 Assembly.

Here is a quote from the Report that gives some of its emphases:

"Accountability is demanded of every political figure in the Bible story. Because of sin in human personal and social life, transparency and the enforcement of principles of equality and liberty is required as a condition of a fair common life. Both citizens and officials are accountable for their custody of the democratic-representative process. To deny anyone a fair vote is a sin. Reinhold Niebuhr's aphorism that "[human] capacity for justice makes democracy possible but [human] capacity for injustice makes democracy necessary" is a fair summary of the possibilities of our political life as we strive to make it as participatory, just and accountable as possible." (p.5).

We look forward to working on the electoral reforms described in this statement, and we encourage all citizens to consider public service as a high calling.

(The Rev.) Gradye Parsons, Stated Clerk

Lift Every Voice:  
Democracy, Voting Rights, and Electoral Reform



Approved by the 218th General Assembly (2008)  
Of the Presbyterian Church (U.S.A.)

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## Introduction

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The 216th General Assembly (2004) approved a resolution calling for the reauthorization of the Voting Rights Act of 1965 and for a further statement by the Presbyterian Church (U.S.A.) recommending new measures to prevent voter disenfranchisement in the United States. The 2004 assembly resolution is a detailed legal assessment of the need for accountability provided by the Voting Rights Act; it directed the Advisory Committee on Social Witness Policy to develop a resolution on “the disenfranchisement of people of color in the U.S. electoral process” for the 218th General Assembly (2008) that would “address at least two dimensions”: improvements in legislation (with a strong push for uniformity across states) and options for practical engagement (*Minutes*, 2004, Part I, pp. 56, 686–700). This resolution answers that request with recommendations in five categories: to increase voter participation, to ensure equality and fairness, to provide for accountability and responsibility, to renew democracy more broadly, and to propose actions for individuals, congregations, and councils of the church. Fuller explanation for these measures is provided in the study paper, along with brief reflections on the Presbyterian ethos that provides our motivation for reform.

The General Assembly’s 1983 policy statement, “Reformed Faith and Politics,” provides an extensive theological basis for Presbyterian involvement (including a book of scholarly essays), reflected in the understanding below, which we reaffirm:

Discipleship is not only a personal, individual calling. The sovereign Lord works not only in the depths of individual souls but also in the organizations, the institutions, and the movements of human history.... All Presbyterians, therefore, have a political vocation. Beyond the general political vocation of citizenship there is the special political vocation of public office. Public officials are not to be despised but to be honored and to be challenged when they do wrong. We must be sure that the worthy calling of public service is not ignored or demeaned. To be realistic about politics is not to despise it but to learn how to use it as an instrument of justice. (*Minutes*, 1983, Part I, pp. 776–78)

Throughout the 1930s, 1940s, and into the 1950s, General Assemblies in all three predecessor churches laid the groundwork for supporting the civil rights struggles of the 1960s and 1970s. We reaffirm the support for democracy in the following statement from 1942:

In its emphasis on the accountability of the individual to God and on the spirit of cooperation, Christianity nourishes the very roots of democracy. For personal responsibility and voluntary cooperation are prerequisites to a true democracy. ... The enjoyment of special privilege by some because of race and creed, and the consequent discrimination against others, draws its support from sources that are at variance with the Christian principles of human worth and brotherhood (fellowship). ... We commend the efforts of our Government, in cooperation with industry and organized labor, to remove racial barriers. ... (*Minutes*, PCUSA, 1942, Part I, pp. 194–95).

Current Concerns: This resolution by the 2008 General Assembly continues the Presbyterian tradition of witness for democracy and the equality of electoral rights necessary for its exercise, noting the persistence of low levels of voting in the United States (ranked 114th among recognized democracies, according to the International Institute for Democracy and Electoral Assistance), the structural limits on the principle of “one person, one vote,” the enormously distorting influence of wealth in our electoral process, and the variety of constraints that continue to be imposed on African Americans, other persons of color, and poorer and working class citizens of all races (such as purged voter rolls, disproportionate levels of felon disenfranchisement, higher percentages of challenged voters, unproven allegations of fraud, and practical obstacles to poll access). In addition, there are increasing concerns for the security of electronic voting machines and the neutrality of election officials chosen on a partisan basis.



## **Overview of Concerns and Limits of the Study— What We See That Concerns Us**

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Our current election system is characterized by one of the world’s highest levels of campaign spending yet some of the lowest levels of voter turnout of any democracy. With a few high profile exceptions, participation among communities of color is particularly dampened due to registration processes that are inefficient, inconvenient, and inaccessible. These factors raise significant concerns about the tremendous lack of racial, ethnic, and gender diversity among those in positions of political power. With the disturbing dependence of our political representatives on continuous fundraising for their increasingly expensive campaigns, we are concerned about increasing the divisions in wealth and power and the pervasive partisanship and polarization in American politics. With the move to electronic voting equipment, we see numerous new technological and managerial vulnerabilities in our elections processes. It is time for Presbyterians to act.

Low voter participation in U.S. elections weakens the health of American democracy. Half of all eligible citizens do not participate in the election of the U.S. president or Congress members, with turnout even lower in midterm and local elections. The U.S. ranks 114th in voter turnout among recognized democracies according to the International Institute for Democracy and Electoral Assistance.<sup>2</sup> Low voting levels do not hold for all population groups, and for some fairly clear reasons. Voter turnout is lowest among those of low income, low education, and young citizens whose mobility makes it hard to meet arbitrary and restrictive deadlines. Requirements that voters purchase state-issued photo IDs seems likely to discriminate against low-income voters, when the Federal Election Commission’s own findings, revealed before congressional committee, reveal no significant incidence of voter fraud.<sup>3</sup> The permanent disenfranchisement of felons unfairly affects citizens of color and men. Communities of color have long been targeted in partisan-motivated purging of registration lists. Though we are aware of the original rationale for keeping the federal District of Columbia “un-political,” continuing to deprive the citizens of the District of Columbia (65 percent African American) voting rights seems a partisan and inevitably racially determined act of denial. We also recognize the necessity of civic education, especially for young people, new citizens, and inexperienced voters.

While we applaud the 2006 renewal of the Voting Rights Act of 1965, we believe that without effective, nonpartisan enforcement, historic patterns of disenfranchisement will remain. The Electoral College for presidential selection imposes another uneven burden on an even larger majority of the population, and seems to be an undemocratic anachronism remaining in our Constitution producing more “spectator states” than contested ones. Partisan-controlled redistricting has created gerrymandered districts that ensure the reelection of approximately 98 percent of all House incumbents every two years, and there are other incumbent advantages as well. Campaign finance laws need to be seriously considered in light of the increasing influence of special interest money and the rising cost of political campaigning, though we note that the problem of ineffectual congressional ethics committees is being addressed.<sup>4</sup> Media corporations, which lease the publicly owned airwaves, have a responsibility to provide equal access to all viable political candidates and parties.

Beyond the scope of this study are explorations and solutions to the perceived “brokenness” or dysfunction in the U.S. government’s response to issues like immigration, ending petroleum dependence, handling nuclear waste, limiting healthcare costs and expanding coverage, agricultural subsidies, restricting handgun violence—issues where clear majorities want reasonable solutions. Glenn Tinder, a political scientist at the University of Massachusetts, alleges that the checks and balances in our system work too well:

Since World War II, political scientists have been intensely concerned about America’s relatively ineffective and undemocratic government. Government is relatively ineffective because of the way checks and balances disrupt all efforts at orderly planning and execution; it is relatively undemocratic partly because the same checks and balances



make it almost impossible for voters to assign and assess political responsibility, and partly because institutions like the federal bureaucracy are beyond the voters' control and comprehension. ... Political scientists have for several decades been worried above all by America's disorganized and irresponsible parties. Numerous studies have argued for stronger and more disciplined parties, and a host of practical measures for reaching this end have been proposed. In the meantime, the national parties have steadily disintegrated and our checked-and-balanced government has increasingly come under the control of voracious and uncompromising pressure groups.<sup>5</sup>

Whether this is an entirely accurate assessment, Constitutional Law scholar, Sanford Levinson, sees accurate perceptions of the growth of presidential power fueling the enormous costs of presidential campaigning.<sup>6</sup> With vast appointive power over the federal departments and veto power (including the practice of "signing statements" that shape enforcement), the concentration of presidential power, especially in the area of national security, makes it logical to focus financial resources on that election above all others. Levinson points out other areas where the framers of the Constitution did not see all eventualities. Elections themselves may not always be the best method for solving problems. While the 17th Amendment allows governors to name persons to senatorial vacancies, for example, the Constitution decrees now-costly, often hastily waged, special elections for House seats that become vacant. In terms of larger checks and balances in the U.S. system as it currently works, Levinson advocates Supreme Court terms of eighteen years to counteract the incentives to appoint relatively young justices who may serve for literally generations. Other proposals for change involve adopting elements from parliamentary systems, such as the increased accountability that comes when a chief of state is required to present government policy in open debate, such as before the House of Commons in Britain.

With one exception, the affirmative right to vote, the study team recommendations avoid constitutional changes and larger issues of governance.<sup>7</sup> This has to do with the assignment given by the assembly, and not an undue reverence for the Constitution itself—a wonderful but not sacred document. ("The Constitution was made for the Republic, not the Republic for the Constitution.") The widespread frustration with the electoral process alone, however, lies behind the numerous proposals to make the process fairer and more representative than the current marketing process. Hence the proposal that consideration be given to proposals by FairVote and others of methods such as<sup>8</sup> Ranked Choice, Instant Runoff Voting, and Proportional Voting—all of which are already employed in limited jurisdictions and which can empower minority communities.

Overall, this resolution brings together two profoundly important policy streams in Presbyterian social witness so that, as the prophet Amos preached, "justice may roll down like the waters." Historically, there is our longstanding nonpartisan support for civil and representative democratic government in America. And more recently, we are challenged by our 1999 "Vision of the Beloved Community" in which the PC(USA) covenanted to become an antiracist and inclusive community: "to embrace racial and cultural diversity as God-given assets of the human family ... resisting oppression and working to overcome racism within its own life and the life of society by blending social analysis, institutional reconstruction, and individual healing with discernment, prayer and worship-based action." This action was reinforced that same year by the policy statement, *Building Community Among Strangers* (*Minutes*, 1999, Part 1, pp. 79, 275), which addressed electoral and other means to improve the civic life of our nation. In this election year, which promises to be heated and very expensive, we are called to reflect Christ's passion for reconciliation, justice, and love, mindful of the profound call to mutual respect and to deep listening of our church's own 2006 resolution on the peace, unity, and purity of the church.

As Christians, we believe in the powerful "already" of Christ's revelation of God's equal love for every person and the "not yet" of the coming or realization of God's reign. As Presbyterians, we believe it is our individual and corporate vocation to engage the "already" of the powers of good and evil for the sake of God's "not yet" community. As Americans, "we the people" believe in equal rights under the law as well as "the pursuit of life, liberty, and happiness." As Reformed Christians, we know that liberty, equality, and fairness of representation require constant vigilance.



## **Biblical Foundations**

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The roots of our study go beyond John Calvin to the authority of Scripture. The Bible reveals God acting decisively in history to provide for human renewal of social structures by our struggles for freedom and truth, and for love and justice. Seven principles are emphasized here as contributing to the influence of Christianity on the foundations of democracy:

- ▶ The sovereignty of God who wills and orders, and also relativizes all human institutions and loyalties—as heard in the early binding and universalizing covenants with Adam, Noah, and Joshua, and portrayed throughout the biblical witness.
- ▶ The dignity and equal preciousness of every human being under God’s equalizing covenant of love and justice, created to be unique and free in the “image of God”—as portrayed in Genesis 1 and redeemed by Jesus Christ, the “Second Adam” of Romans 5.
- ▶ The critical tension between our human sinfulness and God’s good purposes, especially our willfulness, selfishness, and hypocrisy that issue in relationships and systems of domination—as portrayed in the primal experience of the garden of Eden, ancient Israel’s struggles with and among its wayward kings (esp. 1 Samuel 8), the prophetic traditions of Isaiah, Amos, Micah, and the witness, met with crucifixion, of Jesus.
- ▶ The power of love and reconciliation that we experience, by grace alone, near to us in Jesus Christ, through his resurrection and living Body, the Church—and moving beyond the Church by the Holy Spirit wherever freedom and truth, love and justice are being realized.
- ▶ Our mutual responsibilities for love of self and neighbor, peace and justice (right relationship), affirmed repeatedly by covenant community’s organizing of itself, from Exodus to the Pauline and pastoral letters, to reflect the double or greatest commandment to “love God with all your heart, mind, and soul, and neighbor as thyself.”
- ▶ The special concern given to the suffering, vulnerable, and oppressed in our communities and the particular responsibility and accountability of those who have wealth, power, and privilege to use their gifts for fulfilling God’s vision of creation—perhaps most clearly summed up in Matthew 25.
- ▶ The call to live out these teachings as active witnesses—beyond the local church and into the world, obedient to the sovereignty of God, ever-tempted to selfishness and sin but sacrificially and sacramentally working in the world with the mind of Christ speaking to the Christian conscience (the Great Commission in Matt. 28, Rom.12 and 13, Eph. 4).

## **Theological and Ethical Foundations**

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John Calvin gave structure to the Reformed Churches to reflect his vision for reforming both church and political life. He understood his work in *The Institutes of the Christian Religion* to be a guide to the understanding of the Bible. He concluded the *Institutes* in Book IV in two sections on the liberty of the Christian life in the church and on liberty in the political realm. Neither our current form of the church nor of the state correspond exactly to his recommendations—both have evolved through five hundred years of history. However, our concern for liberty and accountability in both institutions remains. We maximize liberty as the fuller empowerment of human beings to live in love with God and their neighbor; we maximize accountability as we participate and advocate for the participation of all of God’s children. Toward this end, among many ministries of the church, we strive to be always reforming both institutions so that they may enable each person to develop and serve.



The Bible, John Calvin, and contemporary Christian ethics utilize at least three approaches to ethics: rules, goals, and responses to the context. This policy develops out of three goals, which can be formulated as rules, enforced by the state to render them laws, under which for us reflect Christian faith seeking justice. The three are: participation, equality and fairness in the system of voting, and accountability as citizens and officials. There is no human liberty without participation in social reality—which, in the American situation, is the representative-democratic processes of politics. Equality and fairness are constitutive aspects of both justice and love and are requirements of Christian living. Accountability is demanded of every political figure in the Bible story. Because of sin in human personal and social life, transparency and the enforcement of principles of equality and liberty is required as a condition of a fair common life. Both citizens and officials are accountable for their custody of the democratic-representative process. To deny anyone a fair vote is a sin. Reinhold Niebuhr’s aphorism that “[human] capacity for justice makes democracy possible but [human] capacity for injustice makes democracy necessary” is a fair summary of the possibilities of our political life as we strive to make it as participatory, just and accountable as possible.

We believe our democracy can evolve to greater equity and liberty for us all because, as Martin Luther King Jr. wrote from a Birmingham jail in April 1963, “Injustice anywhere is a threat to justice everywhere.” Christian philosopher and social critic Cornel West updates this truth for us when he reminds: “Every historic effort to forge a democratic project has been undermined by two fundamental [shared] realities: poverty and paranoia. The persistence of poverty generates levels of despair that deepen social conflict and the escalation of paranoia produces levels of distrust that reinforce cultural divisions.”<sup>9</sup> The “good news” is that what we do for the least powerful among us politically benefits us all, opening our political system’s access to the God at work in the experience and voices of new citizens, the young, the poor and increasingly aging voters, with fewer economic resources to spare and more needs. We do not need to let poverty and fear-based thinking paralyze our democracy any further.

## **Presbyterian Tradition and Democracy**

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Democracy has been more than simply a point of pride for Presbyterians in the United States. It is part of our heritage and an object of our repeated concern as we still struggle to make democracy real for African Americans and other voluntary immigrants and racial minorities, women, and young people. Democratic government begins in personal responsibility—to share in making the rules under which we live in society—and it includes rules and civic practices designed to ensure “liberty and justice for all.” The healthy functioning of our “system” has rarely been taken for granted. Countless Presbyterians on town councils, in state legislatures, and in our nation’s Congress itself have known how important basic fairness and integrity are to the work of government. Our tradition has never accorded special virtue or power to bishops or kings or their modern equivalents. Positively stated, each of us has an affirmative political vocation that comes with citizenship in our system of self-government.

Democratic parallels in church and state: Historically, we Presbyterians have made much of the parallels between our system of government in the church, with its elected leadership in the session, the presbytery, the synod, and the General Assembly, and that of the United States, moving from local to state and to federal elections. Certainly most of us know that elected leadership carries burdens, whether one is moderator of presbytery or mayor of any town, power is held in trust for the common good. Classic studies, like James Hastings Nichols’ *Democracy and the Churches* (1950), looked not simply at the processes by which the Reformed tradition shaped Western democracies, but looked at the matter of ethos, the nature of our public spirit, and sense of principle—not to idealize the past, but to acknowledge human sin in it, and even the virtue of our sense of sin. We affirm that fundamental basis for checks and balances of power, and the awareness of our ultimate accountability to God and not to other human beings and groups (Peter: “we must obey God rather than men”). Alongside this awareness of human fallibility is the strength that God gives us: “God alone is lord of the conscience and has set it free from the doctrines or rules of men, or anything contrary to the scripture.”

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“The church reformed, always reforming”: Because we stand together for the ongoing reform of both the church and the society (“ecclesia reformata, semper reformanda”), Presbyterians have consistently urged governments to improve their functioning and correct injustices. For us, the separation of church and state has not meant the separation of faith and politics, for such a separation would be an abdication of responsibility. As the fine 1983 General Assembly study and policy, *Reformed Faith and Politics*, explains, “the question of the relationship of God and Caesar” is not easily answered, but the distinction remains crucial. Without a sense of God’s sovereignty, and without respect for Jesus Christ and the prophets God raises up in every time, the pretensions of states and rulers can and do lead to the casual taking of human life, disregard for the ordinary person, and the despoiling of God’s creation. Politics, then, is too often the petty or tragic expression of human folly, but to disdain it is to be corrupted in different ways by a false innocence and overly simple thinking.

The Civil Rights movement of the 1960s and 1970s remains a defining moment for the “mainline” churches, in part due to the witness of a particular prophet, Martin Luther King Jr., within the historic Black churches, but also in part due to the witness of African American leaders within those mainline communions. In Gayraud S. Wilmore’s *Black and Presbyterian: The Heritage and the Hope* (1983; 1998), he speaks of the role of African Americans within the decision-making process of the Presbyterian churches, both the North and South predecessors. He points to the importance of organizing a body within the church like the Council on Church and Race in 1964, and to the importance of actions of witness chosen. And one of the key actions of witness for justice was the voter registration drive. The unusual Hattiesburg Ministers Project in Mississippi, for example, drew more than three hundred ministers to help register voters, to teach in the Freedom Schools, and sometimes to march. It would be our study team’s claim that this was faithful politics as well as electoral reform, and something that enriches the heritage of those who are white and Presbyterian as well.

Our advocacy and social witness goals: To improve government in our time is to address, as this report and its recommendations do, the continued disenfranchisement of some Americans and the challenges for us all of new forms of voting technology and new levels of monetary power in politics. Cynicism may be today’s biggest enemy of democracy, as the rule of money threatens to disenfranchise voting itself. Yet it is not cynicism to recognize that under current practice, non-wealthy candidates need not apply, and expensive TV advertising suppresses thoughtful deliberation, while organized groups and corporate interests effectively determine policy in their chosen areas. We see what some have called “endless campaigning,” with marketing and governing increasingly mixed. This report begins with the belief that hope will continue to outpoll distrust, but only if it is a wise hope.

Despite a campaign to identify a problem of voter fraud that would necessitate further restrictions on voter access—a campaign that has led to congressional investigations of the politicization of the Justice Department, no significant levels of fraud have been found. Rather, increasing levels of corruption and lobbying abuse have been revealed with increasing numbers of members of congress under investigation. This points to the significant difference between enacting laws and enforcing them.

The pressing global need for effective government: In terms of determining need for the reforms proposed in this resolution, we look not only at problems in the electoral process, but to basic problems in our governmental decision-making—for governance is communal decision-making. Back in 1983, the General Assembly study asked, “Can the U.S. political process handle ... the energy issue for a just and sustainable future? Is the system adequate to meet the needs of the urban population of the country? Can a just migration policy be developed with all the pressure groups and fears around the issue? Finally and most important, can a just peace be secured? ... All four issues, addressed theologically and ethically by the church will require political leadership.” We can only say that solutions to these four major issues remain elusive, while the threats to the environment and world peace have only intensified. The need for effective government, in fact, is the six billion-person question for the future of the planet today.

## Historical Steps in Civil Rights Advocacy

For the purposes of this study, to show the development of support for the 1965 Civil Rights Act, the history of the church's official stands for civil rights is traced back to the Presbyterian Church in the United States (PCUS) 1947 General Assembly. This is not to ignore earlier concern for non-racial democracy and denunciations of lynching, for example, that may be found in General Assembly *Minutes* and Home Mission records. A thorough review of the legislative advocacy steps can be found in the 2004 Assembly Report on Electoral Reform and the Disenfranchisement of People of Color. Highlights of the transformative post-World War II period include:

- ▶ The 1947 PCUS assembly stated its official civil rights support by condemning all organizations and individuals who aim to hinder any minorities “in the exercise of their civil rights or deny such rights on the basis of race, creed, class or color” (*Minutes*, PCUS, 1947, Part I, p. 164).
- ▶ Two years later, the General Assembly received and sent down to lower judicatories the report, “States’ Rights and Human Rights.” The paper was not proposed for adoption because of its controversial character, but it was commended to the churches by the assembly for study because it “... set forth with great clarity problems in the field of civil rights ... and points up with equal clarity our responsibilities ...” (*Minutes*, PCUS, 1949, Part I, p. 100).
- ▶ In 1953, the individual’s Christian political duty was affirmed as part of our responsibilities to our neighbors when the PCUS assembly encouraged men and women of the church to use the right to vote wisely and to work for the “same privileges for all citizens” (*Minutes*, PCUS, 1952, Part I, p. 93; see also *Minutes*, PCUSA, 1956, Part I, p. 234, and *Minutes*, PCUS, 1974, Part I, p. 164).
- ▶ By 1956, this was brought to a practical level, the voting arena. In the northern church, the 1956 PCUSA General Assembly called upon Christians to work to eliminate the poll tax “and other restrictions which prevent many citizens from exercising their legal rights at the polls and which affront the dignity of persons ...” (*Minutes*, PCUSA, 1956, Part I, p. 235; see also *Minutes*, PCUS, 1957, Part I, p. 194).
- ▶ The 171st General Assembly (1959) went on to call for measures to guarantee voting rights to all citizens of voting age and to establish the U.S. Commission on Civil Rights as a permanent agency of the U.S. government (*Minutes*, UPCUSA, 1959, Part I, p. 380).
- ▶ The 172nd General Assembly (1960) urged state legislatures and the United States Congress to continue to work for legislation that would effectively secure and protect the rights of all citizens to vote, regardless of race (*Minutes*, UPCUSA, 1960, Part I, p. 356).
- ▶ The 174th General Assembly (1962) of the UPCUSA urged federal leadership to eliminate racial restriction of voting rights by any of the states (*Minutes*, UPCUSA, 1962, Part I, p. 349).
- ▶ In 1965, the PCUS affirmed the historic Voting Rights Act, saying “The basic purpose of the civil rights movement should be to obtain for the Negro—and of course, for all minority groups—justice in the affairs of daily life and the right to respect as a human being under the redemptive concern of God. Jesus, by His words and life, calls us, as his followers, to support him in this struggle ...” (*Minutes*, PCUS, 1965, Part I, p. 159).
- ▶ In 1981 and 1982, the UPCUSA also supported extension of the Voting Rights Act of 1965 and opposed the attempt to deny civil rights to new immigrants to the United States (*Minutes*, UPCUSA, 1981, Part I, p. 309; and *Minutes*, UPCUSA, 1982, Part I, p. 425).

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- The 194th General Assembly (1982) of UPCUSA affirmed all efforts to include actively all citizens in the election process, including the use of bilingual ballots as mandated by the Voting Rights Acts, and declares its opposition to actions by government that have the effect of discouraging such exercise of citizen's rights (*Minutes*, UPCUSA, 1982, Part I, p. 425).

To reflect on these acts of witness and solidarity is also to reflect on the enduring patterns of white privilege within both society and church, social, economic, and cultural patterns that are reflected only partly in the formal political process. Changes in the language of the resolutions—the return of “people of color,” for example, signals a changing social reality, and the prospect of a time when no one racial ethnic group may be in the majority. As a resolution team focused on the mechanisms of representation and participation, we have not analyzed the dynamics of partisanship in U.S. politics and its relation to the question of race. We can only say here that the church benefits from challenging questions that push us toward truth, in both the inward and the outward being.

### Presbyterian Precedents for Electoral Reform

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The church's concern for voting rights, outlined above, has been accompanied by concern for electoral reform. One sentence from a 1950 General Assembly statement sums up the basic Presbyterian approach to faith and politics: “We believe that every Christian should recognize the individual responsibility of citizenship including not only the responsibility to know about public issues and candidates, but also to provide Christian leadership in local parties and to go faithfully to the polls” (*Minutes*, PCUSA, 1950, Part I, p. 236).

The church's call for public participation and witness was stated most forcefully in 1983 when the General Assembly adopted a major policy on “Reformed Faith and Politics” in response to the rise of the new religious right and the political disappointments of the 70s.<sup>10</sup> As shown in the affirmation quoted at the beginning of the resolution that begins this study, the 1983 policy lifted up the political vocations of citizenship and leadership in public service as forms of discipleship in individual and institutional terms. It goes on to recommend that Presbyterians actively support political participation, voter registration, civil discourse, and the pursuit of political office, revitalized parties, and beyond “single-interest politics” broad coalition work for justice, always recognizing, once again, that we heed the Reformed concern to resist “human limitations, narrowness, and sin” (*Minutes*, 1983, Part I, pp. 778–79). It recommended specifically that we:

- “Affirm responsible participation in politics as an indispensable part of the calling of all Christians and encourage individual Presbyterians to become active in the political process, including but not limited to being candidates for political office at all levels. . . .” (Ibid, p. 778).
- “Request that sessions or presbyteries study the voter registration patterns of their communities and consider, where appropriate, action to assure a greater level of registration and voting as a sign of minimal participation in the political process” (Ibid).
- “Call on each session and presbytery to promote public dialogue on the significant political issues of the day to assist in restoring a climate of civic discourse in the country” (Ibid).
- “Urge presbyteries to acknowledge individual Presbyterians within their bounds who seek or hold political office. . . .” (Ibid, p. 779).
- “Affirm the party system and encourage individual Presbyterians to work within parties to revitalize them and make them more responsive to ethical and theological demands. . . .” (Ibid).
- “Decry the practice of ‘single-issue’ politics and recommend a broad consideration of a candidate's position in determining whether to support the candidate” (Ibid).

- ▶ “Affirm coalitions of individuals to lobby for social justice issues and causes and call on the governing bodies of the church to take public policy stands on such issues” (Ibid).
- ▶ “Acknowledge human limitations, narrowness, and sin, which prevent any one political stance from being labeled exclusively ‘Christian’” (Ibid).
- ▶ “Reaffirm our historical commitment for working for economic justice, peace and disarmament, racial and civil rights, and the promotion of social righteousness” (Ibid).

A question, to which this study returns at its conclusion, is the matter of how much the “political vocation” envisioned implies the kind of Reformed civic virtue that, in turn, is formed in the ethos of the democratically organized congregation and presbytery.

With the 1996 “Theological Ethics and Political Participation” statement, the General Assembly summarized several earlier policies showing that they have consistently encouraged the political activity of Christians acting in response to their faith. More directly about voting rights and electoral reform, the assembly included two requests that: (1) “sessions or presbyteries study the voter registration patterns of their communities and consider, where appropriate, action to assure a greater level of registration and voting as a sign of important and needed participation in the political process. . . .” and (2) “[we] acknowledge human limitations, narrowness, and sin, which prevent any one political stance from being labeled exclusively ‘Christian’; and reaffirm our historical commitment for working for economic justice, peace, and disarmament, racial and civil rights, and the promotion of social righteousness” (*Minutes*, 1996, Part I, pp. 76, 122, 521–22).

The 2000 Resolution on Campaign Finance Reform: The role of money in our electoral processes drew the General Assembly’s attention in 2000 when it called for campaign finance reform by “Direct[ing] the Office of the General Assembly and the Washington Office to communicate the General Assembly’s strong support for . . . campaign finance reforms, in order to increase public participation in elections and fairness in allocating the benefits and burdens of society” (*Minutes*, 2000, Part I, pp. 51, 424). The study group reporting in 2008 felt that a responsible analysis of this issue deserves future attention, in light of the Supreme Court’s recent ruling in support of special interests purchasing unlimited advocacy advertising under an interpretation of the right to “free speech.” Such attention would need to consider patterns of ownership of television and other media, and the remarkable influence of those at the top of our social pyramid of wealth.

## Recommendations

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### 1. Toward Increasing Voter Participation

Since its beginning, the United States has been a democracy in the process of becoming, with each new generation taking steps to advance the goal of “government by the people.” The poet, Langston Hughes speaks to “Let America Be America Again.”<sup>11</sup> Yet despite the hard-won right to vote by landless white men (1856), African Americans (1870–1965), women (1921), Native Americans (1924–48),<sup>12</sup> Chinese Americans (1943), 18–20 year-olds (1971), and others, serious obstacles and groups depressing active voter participation remain. In recent years only about 50–55 percent of U.S. citizens of voting age have voted in presidential elections, while smaller percentages have voted in “off-year” congressional, state, and local elections. These percentages are significantly lower for racial ethnic minorities and poorer citizens. The explanation for Americans’ lack of voter participation can be found in: (a) the provisions of our Constitution, (b) our voter registration system, (c) cynicism about “meaningful choice” or that their vote counts, and (d) various other obstacles that discourage voter turnout.<sup>13</sup>

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**a. Voter Franchise: The Affirmative Right to Vote**

The United States, the oldest constitutional democracy in the world, is one of only eleven (of the estimated 120 democracies) that do not guarantee to their citizens the right to vote. Article I of the Constitution allows each state to define for itself which of its citizens have the right to vote in both state and national elections. While the 15th, 19th, 24th, and 26th Amendments prohibit states from denying the franchise on the basis of race, sex, ability to pay a poll tax, or being eighteen years of age or above, states are still able to deny voting rights to selected groups, most notably to prison inmates and to persons with a prior felony conviction. In the United States, voting is considered not a fundamental right of citizenship but rather a privilege that may be denied. What is needed is a constitutional amendment that would provide U.S. citizens with the same fundamental right to vote as is enjoyed by citizens in other democracies.

**b. Universal Voter Registration**

Most of the world's constitutional democracies provide for universal voter registration of its citizens, either by automatically registering all citizens to vote, or by not requiring formal registration for elections. In the United States, by contrast, the burden to register to vote (and to maintain that registration) is placed upon the individual citizen, and states and localities differ widely in determining where, how, and when a person can register. Because of varying and changing local registration procedures, FairVote estimates that "More than eight million American citizens cannot vote where they live, but could vote if living in another state."<sup>14</sup> A section of the 1965 Voting Rights Act was aimed specifically at eliminating tactics used by southern states to prevent blacks from registering, and in 1993 Congress passed the Motor-Voter law intended to ease the registration burden for all Americans. But only seven states have taken the much more effective step of allowing "same day" registration, allowing citizens to register on Election Day. Compounding the registration burden is the fact that state and local registration lists are often inaccurate and incomplete, resulting in voters being turned away from the polls on Election Day.

The Help America Vote Act (HAVA) of 2002 addressed part of the problem. The act requires each state to implement a "single, uniform, official, centralized, interactive computerized statewide voter registration list." That standard would help prevent some of the problems widely reported in the 2000 and 2004 elections when the names of many voters who believed that they were registered did not appear on the registration list of their jurisdiction. As the Baker-Carter Election Reform Commission reported in 2005, however, most states have yet to comply with that requirement. Our recommendation goes further than HAVA. We propose that the United States adopt legislation that would more closely follow the practice of the majority of the world's democracies of automatically registering all citizens to vote, a registration that would be recognized in all fifty states and other U.S. jurisdictions. As noted by FairVote, universal registration would help ensure that the more than fifty million unregistered Americans, representing nearly one-third of the eligible electorate, would be eligible to vote on election day. Since unregistered voters are disproportionately young, low-income, or people of color, such a move could potentially have a dramatic impact on voter turnout and election results.

**Toward Universal Registration:** There are various methods by which universal registration can be accomplished in the United States. One of the more widely supported proposals, which we support, is the registration of high school students—making registration a requirement for graduation or for community service credit, or registering all students age seventeen and older as part of Constitution Day on September 17 each year. Other means that have been proposed to achieve universal registration include automatically registering citizens as they obtain a driver's license or deal with a government agency, or providing every citizen upon birth or naturalization a voter registration number similar to the requirement for a social security number.



c. Other Obstacles to Voter Participation

The United States has more than ten thousand separate voting jurisdictions with separate laws and regulations. A citizen's right to vote is thus very much dependent on the jurisdiction in which the citizen resides. Even if citizens are legally eligible and registered to vote, they often are confronted by obstacles preventing them from doing so. One serious obstacle is the inconvenience of having to vote on a single defined day, and often encountering long lines and equipment failures.

- ▶ Voting by mail is one reform designed to eliminate those problems but only the state of Oregon has enacted that change.
- ▶ Early voting is another reform designed to address those problems and sixteen states have adopted that change.
- ▶ Reform groups also recommend easing absentee ballot restrictions.
- ▶ By far the most fundamental reform, however, and one that we endorse, is setting aside a national holiday for voting. A national election day (or weekend) holiday would enable people of all income levels, employment conditions, and family responsibilities to participate in the election. A holiday would also focus attention on this crucial event in our national lives, as well as facilitate the recruitment of poll volunteers.
- ▶ Accessibility for all eligible voters ensuring that disabled and minority language voters can vote privately and independently

d. Community Organizing So That Voters Count

The Presbyterian church has encouraged community involvement and political activity on the part of its members, especially toward meeting urgent human needs. For instance, in 1996, the General Assembly maintained: "There is a continuing need for those in the public arena to hear God's voice through our political participation as citizen voters and advocates, and as politicians. As Christians this is in full accord with our belief that God is sovereign of all of life" (*Minutes*, 1996, Part I, p. 522). The most basic political activity is the responsibility to vote and to ensure that others are empowered for that same responsibility. To this end, we encourage churches to organize their local communities for voter registration and turnout. Voter registration can happen in a variety of ways such as joining with local organizations that already engage in voter registration; sending teams of members door to door or into local shopping areas to register people to vote, and registering congregants to vote before and after church activities. It is critical that the leaders of this effort know the voter registration laws of their local jurisdiction and avoid advocating for specific candidates. In addition, churches can organize teams of member to call registered voters to remind them of an upcoming election and offer rides to polling stations. Finally, churches can work in their communities in order to find out what issues are important in an upcoming election. All of these activities are in full accord with our calling as Christians and citizens.

**2. Toward Insuring Equality and Fairness**

a. Give the District of Columbia Full Voting Rights and Congressional Representation.

It continues to be a travesty that the 600,000 tax-paying residents of Washington, D.C., have no voting representation in the House of Representatives or in the Senate. This is despite D.C. having a population larger than Rhode Island and Wyoming that are able to elect two Senators and one member of the House. While the

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intention was originally to counteract the power of local citizens (and militias) over the fledgling early capital, today the disenfranchisement of D.C. residents has become an international embarrassment, especially for its impact on the nonwhite 65 percent of the D.C. population who would likely vote for candidates of color. In the spirit of the overall recommendation that full voting rights be given to the 600,000 tax-paying citizens of D.C., we recommend passage of a bill currently before Congress that would at least give to residents of D.C. the right to elect one member of the House of Representatives, the same right that is extended to all other Americans.<sup>15</sup>

#### b. Re-enfranchise Felons Who Have Paid Their Debt to Society

According to the Brennan Center for Justice, the United States is alone among Western democracies that permit laws that lock people out of the voting booth for life once they have been convicted of a crime. These laws are often a remnant of Jim Crow discrimination—with stiffer sentences linked to crimes more likely to be committed by people of color. In three states, a felony conviction will result in a lifetime ban from voting, while in eight other states lifetime disenfranchisement may result. In other states, prisoners on parole or on probation may be denied the right to vote. Altogether across the nation, state felon disenfranchisement laws permanently bar more than five million Americans from voting and in many jurisdictions, serving on juries. Restoring the right to vote to ex-felons strengthens democracy by increasing voter investment in the system and provides incentives for ex-offenders to make more positive contributions to society. Political participation also helps people reintegrate into the community after serving time in prison. Re-enfranchisement also means that the home communities of those convicted regain their political voice and ability to elect representatives accountable to their needs and interests.<sup>16</sup>

#### c. Enforce the Voting Rights Act

Recognizing that civil rights legislation is not always enforced or well funded, the following concerns highlight the kind of protection for the vulnerable that we would like to see the Department of Justice Civil Rights Division emphasize.

#### d. Reject Expensive Voter ID Requirements

For generations, discriminatory practices such as poll taxes and literacy tests prevented people of color from voting. Today so-called “antifraud” legislation is being introduced in some southern states that will recreate similar filters by requiring voters to produce new types of identification on election day. No longer will documents such as a birth certificate or social security card suffice to prove a prospective voter’s identity. A drivers license or an accepted state-issued alternative will now be required, a burden that will heavily fall on low-income voters, and therefore also persons of color. The elderly will also be disadvantaged.

#### e. Protect People and Communities of Color From Targeted Purges of Voting Lists

Evidence has arisen that party activists in Florida targeted communities of color in particular with postcards to determine if voter-mailing addresses were still good.<sup>17</sup> They then challenged all voters whose cards were returned as “undeliverable,” including military personnel, college students, mis-delivered and recent moves—for unfair, partisan impact. We commend developing legislation that requires each state to provide notice, at least forty-five but ideally ninety days before an election, of all names that have been removed from a voter registration list, thereby giving individuals an opportunity to cure the problem that led to the purge. We also note that universal and same day registration, with proper identification and affidavit, would also make this practice less likely to be abused.

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f. Punish Deceptive Campaign Practices

Over the past several years, voters have had to endure deceptive practices targeted at persons of color. Examples are fliers distributed in Milwaukee telling voters that they can't vote if they didn't pay their parking tickets; flyers in Maryland misleading voters about the party affiliations of candidates for key state offices; and e-mails sent in Virginia providing false information about where to vote. The Deceptive Practices and Voter Intimidation Act introduced in Congress is designed to criminalize such practices. The bill has our strong support.

g. Nonpartisan Legislative Districting

Drawing the boundaries of congressional and state legislative districts to their partisan advantage has become a favorite tool of both political parties. The result is that most districts are heavily stacked to favor one party, resulting in incumbents almost always being reelected and voters left with few competitive races in which to participate. Many reformers, including Governor Arnold Schwarzenegger of California, have thus proposed that after every census a nonpartisan commission draw district boundaries. Voters would then more likely be able to participate in meaningful competitive contests, while legislators would be forced to pay more attention to the views of their constituents.<sup>18</sup>

### **3. Toward Enforcing Accountability and Responsibility in Our Electoral Process**

There are thirteen thousand electoral jurisdictions in our country, each under widely varying state regulations. We need a more uniform, well-funded, credible, and popularly supported national electoral infrastructure that is nonpartisan and locally accountable. In 2004 and 2008, stories emerged from states such as Ohio, Florida, Texas, Virginia, and Maryland, of long lines at precincts with high proportions of low-income voters, including students. The following causes have been noted: a failure of funding and leadership; inadequate resources for voter education and training of election workers; inferior voting equipment and or ballot design; failure to plan for high volumes of voters, including inexperienced voters; poorly designed ballots; an unfairly executed purge system; and a resource allocation system that often left poorer counties, which often were counties with the highest percentage of black voters, adversely affected.<sup>19</sup> We recommend:

a. Development of a “best practices” standard or uniform national infrastructure for voter registration records, staff training, public education, and electoral management.

Counties are usually responsible for key functions such as the hiring, training and paying of poll workers, setting up polling places, establishing systems of election day communication, and handling breakdowns in electronic machines and poll books. We recommend a uniform and well-supported electoral infrastructure that is nonpartisan and has local accountability. (An elections official from Denver, Colorado, has shared with us one standard of such an infrastructure that we pass on as an Appendix B for local comparison and consideration.) Standards should be in place for:

- ▶ Transparency: We need utter transparency for decision-making that is too often made behind closed doors. Every election director should make public—for public review and comment in a timely way—their county's plan for running elections that addresses any problem exposed in the primary elections and a full checklist of what they plan to do in preparation for November.
- ▶ A national (and universal) voter registration system in light of the new mobility of American voters.
- ▶ Nonpartisan elections officials: All local, state, and federal elections officials must be protected from partisan influence, even secretaries of states appointed by their governors national standards for the allocation of voting systems and poll workers for each precinct.

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- ▶ Poll worker training: providing a common model and funds to states for the education and training of poll workers.
  - ▶ Procedures for counting or rejecting provisional and emergency ballots, counted even if voters are sent to the wrong precinct or polling place, as long as they are voting in the correct county.
  - ▶ Procedures for proper registration verification or purging: each state should provide public notice, at least forty-five days before an election, of all names removed from a voter registration list. States must also give individuals an opportunity to cure the problem that led to the purge.
  - ▶ Minimum and universal national standards for voting equipment, ballot design, and ballot counting.
- b. Full funding and expanded authority of the Election Assistance Commission (EAC) once nonpartisan safeguards are in place.

As a result of the controversies surrounding the 2000 presidential elections, Congress passed the federal Help America Vote Act (HAVA) of 2002. The act funded electronic voting equipment in every state, established an Electoral Assistance Commission and Council—elected by president and approved by senate, required verification of equipment and funded numerous model programs. While we are concerned about the politicization of relatively minimal “voter fraud” cases when we see greater threats from systemic powers than wayward local voters, we also recognize the importance of this important center for the development of our electoral infrastructure. Increased federal funding should be partnered with new protections against partisan use of its oversight and funding powers.

- c. Legislation to require independence and verifiability of electronic voting machines, if not paper trails.

The implications of HAVA have yet to reveal themselves fully. However, the act has been heavily criticized. Many express grave concern that electronic equipment will make balloting more susceptible to political manipulation, fraud, and racial bias. There is distrust of the manufacturers of the leading voting machines as well as in the verifiability of the software itself. We recognize the need for verifiability and the independence of electronic voting machines in order to permit selective auditing. We understand the desire of many to have a “paper trail”. Paper ballots—or even op-scan “ballots” as advocated by the League of Women Voters, however, are expensive and time-intensive to count, store and also to verify. Until sufficient safeguards for confidentiality, independence and audit ability are in place, we recommend continuing public participation in both electoral monitoring and in this important public debate about the necessary layers of protection against fraud in the handling of all electronic equipment and software.

- d. Campaign finance reform and public financing—it is not too late!

Large sums of money, and the time needed to raise it, dominate our electoral and legislative processes. Money buys access to legislators as well as to the details in legislation.<sup>20</sup> If they reject special interest money, candidates fear that their opponents will outspend them—and spending counts: incumbents almost always raise more money than challengers, and the candidate who spends the most money almost always wins. (For House seats, the number is more than 90 percent.) Because the Supreme Court has ruled the campaign contributions are a protected form of “speech,” the most important reform to enhance the voice of citizens and reduce the role of powerful special interests and big money in elections is public financing.<sup>21</sup> Under such systems, candidates or parties receive public funds to replace or augment private money. Public funding can curb the appearance of the influence of big money over lawmakers, encourage candidates with limited resources to run for office, and allow politicians to spend less time raising money and more time serving their constituents.

The cost of political advertising has played a major role in driving up the expense of political campaigns. According to the League of Women Voters, candidates, parties, and issue groups spent approximately \$1 billion on political ads in 2002. We encourage Presbyterians to support the McCain-Feingold-Durbin Free Air Time legislation. That legislation will require television and radio broadcast stations to provide free airtime to candidates and political parties for political debate before elections.

We also recommend a comprehensive federal “clean elections” bill that, like bills in four states, gives public financing to qualified candidates who agree not to take campaign contributions from private sources (except for a limited number of small “qualifying” contributions that serve to establish eligibility for the full public stipend). Good examples are the Fair Elections Now Act and the Clean Money Clean Elections Act. Modeled after existing election-financing systems in states like Arizona and Maine, this legislation outlines a new system for financing congressional campaigns with public funds. Significantly, the Fair Elections Act is a voluntary program.

#### **4. Proposals for Renewing Our Democracy**

The famed economist, Milton Friedman, is quoted saying, “We need to keep political alternatives alive ... until the politically impossible becomes the political inevitable.”<sup>22</sup> The following approaches challenge the polarizing “duopoly” of our two-party system, allow minorities to better leverage their votes for representation and offer every voter more meaningful choices and alternative choices. The local governments that are seeking new ways to empower their voters and welcome the application of these electoral mechanisms to our church government also encourage us.

##### **a. Reform Our Primary System**

While 100 million or more Americans regularly participate in the election of the president, rarely do more than a third of that number vote in the presidential primaries and caucuses that select the party candidates. Only a small percentage of these voters have a truly meaningful voice. The fortunate few in Iowa, New Hampshire, and a handful of other early voting states usually decide for the rest of the nation who the nominees will be. In 2008, particularly in the Democratic primary, more states were involved, highlighting differences in candidates’ strategy and funding. Unfortunately, the early states still do not adequately mirror the racial, ethnic, and socioeconomic diversity of the country as a whole.

##### **b. Elect President by Popular Vote (Electoral College Reform)**

Our current Electoral College system produced the divisive results of the 2000 presidential election where the popularly chosen candidate does not win the overall election. That method of electing the president also allows voters in only a few “battleground” states to have their support seriously courted by the candidates. One solution to these problems would be for states to exercise their ability to distribute their electoral votes among the state’s congressional districts, thereby breaking up the statewide winner-take-all system. However, only two states have exercised that option, and unless all the large states agree to follow that example, the electoral college vote is even less likely to reflect the preference of the popular majority. Thus those who look to reform the Electoral College system have proposed another idea, the National Popular Vote plan. This plan calls upon states to enter into an interstate compact with each member state pledging to award its electoral votes not, as now, to the presidential candidate who receives the most popular votes in that state, but rather to the presidential candidate who has received the most popular votes nationwide. States that join the compact are bound to follow that procedure only if the compact’s membership commands a majority of electoral votes to elect a president (270 or more votes). Thus the challenge for the proponents of this idea is to convince that number of states to join the compact.<sup>23</sup>

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c. Allow Instant Runoff Voting (IRV)

Our representative system is oddly built around another contradiction—winner-take-all legislative elections: the candidate who receives the most votes wins the election, even if not receiving a majority of the votes; votes cast for other candidates count for nothing. Such elections reinforce two-party dominance, contribute to the polarization of our county, often lead to a lack of meaningful choices, and hence discourage voter participation. We therefore recommend consideration of “instant runoff” (or ranked choice) voting whereby voters rank their preferences by placing the numbers 1, 2, 3, etc. beside the names of their first, second, or third choice candidates. If no candidate receives a majority of first preferences, the candidate with the fewest first preferences is eliminated and those ballots are counted again, this time with the eliminated candidate’s supporters having their ballots counted for their second choice candidate. The counting process continues until one candidate receives a majority. Not only would this system save the cost of run-off elections in jurisdictions where such elections are required (hence the name), it also increases voter choices. Voters are liberated to vote for the candidates they really like instead of only having to choose the “lesser of two evils” or worry about being a “spoiler” leading to the election of their least favored candidate. The system also encourages civility during election campaigns—candidates dare not attack one another lest they forfeit second or third place preferences. The system can be used in legislative elections as well as executive offices such as mayor, and it has been endorsed by the League of Women Voters and by leaders from both major parties. It is currently being used in two major cities, San Francisco, California, and Burlington, Vermont.

d. Consider Proportional Voting (PV)

Proportional voting systems require multi-member legislative districts and are thus less likely to be adopted in the United States than an IRV system. Their strength, however, is that they allow like-minded groups to put forth on the ballot a list of legislative candidates and ask voters to choose from among the lists. If 40 percent of the voters in a ten-member district chose the Republican list, then the top four candidates on the Republican list will be elected. The winners from the other lists will be similarly determined. Obviously political parties other than the two major parties will be favored under such a system, and the elected legislative body will more closely reflect diverse groups, interests, and viewpoints.

## **Conclusion: Civic Virtue and Civic Ethos; The Reformed and Reforming Citizen and Church**

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Because we believe God works through both human freedom and the love of neighbor as self, our self-love and self-interest must always be tempered by neighbor-love and neighbor-interest. Our electoral practices, like our democratic principles, must be actively respectful of the dignity, liberty, and equality of all of those neighbors created in the “image of God” who also deserve voice and vote in self-determination. When people do not have voice or vote, they exit the political system.<sup>24</sup> Politics is communal decision-making and the more diverse the community, the more personally enlarging politics can become—if our moral commitments and communities of support are strong enough. To listen to all voices, even to help lift them up as the title of this study—from James Weldon Johnson’s hymn—suggests, is not to agree with them all. It is a call to listen for God’s voice, and then to speak and act as Christians for the good of all as best as we can see it (building on the resources available to us).

The members of the Presbyterian Church (U.S.A.) are among the most politically active of U.S. citizens, partly because many of us know how the system works (or doesn’t). We vote at a higher percentage than other Americans, and give significant amounts of money to political campaigns, and that translates into economic and generally racial advantage. We embody a mixture of self-interested savvy and high-minded idealism that helps us recognize how checks and balances begin on the inside. And that awareness makes us cautious in claiming “civic virtue,” but convinced that politics is about more than interests grappling for advantage. Politics is not simply a marketplace.

It is about power and subsidies and resentments and fears of loss, but it is also about enduring loyalties and hopes, expanded identities, and generosity of spirit.

Reports like this produce recommendations because “truth is in order to goodness,” as the *Book of Order* says, and because even the elect benefit from guidance, as Calvin taught in the “third use of the law.” Democracy itself can be mean, if the voters and the choices before them are mean, although we suspect that such a democracy would soon leave too many people out. Popular leaders and parties can promote irresponsible ideas, ignore dangers, burden future generations. Good laws are essential but not sufficient; enforcement requires a belief that government itself should serve “the people.”

We thus advocate a Presbyterian democratic or electoral ethic of individual discipline, multicultural awareness and communal responsibility. Presbyterians cannot just plead good intentions and self interest and still be full witnesses to the loving will of God in Christ for all of creation. We seek to interpret the world through the scriptural categories of sin and grace, justice and love, death and resurrection. In that light we may find what Christian ethicist Cheryl Sanders calls a “prophetic citizenship,” which calls the privileged to concern for the “oppressed least of these.”<sup>25</sup> The recommendations in this report are to help provide a communal base for that kind of citizenship.

## **Our Presbyterian Civic Ethos**

We are Christians first and Americans second, understanding God’s sovereignty above every nation, including our own. The gifts of the Reformed tradition to democratic life have been large, based in a clarity about justice and the importance of impartial law for the common good. This report is intended to aid in the naming and updating of that civic contribution, yet also be a contribution the life of the church itself. Do we look for the Holy Spirit in struggles of the suffering for liberation, both at home and abroad? Do we see that there is both a Christian and a citizen’s response to make to their condition, without identifying the two? The answers to these questions depend on the nature of our congregational life and the scope of our preaching.

As a fraction of the U.S. population, we must share our traditions and ethos with other churches and welcome their convergence with us in old and new ecumenical ways. In 1975, Robert N. Bellah wrote that America suffered from a “broken covenant,” something deeper than a social contract. In the 1980s and 90s, he and four colleagues wrote about the “habits of the heart” necessary for “the good society” (to use both book titles). The civic ethos called for here would be among our Presbyterian “habits,” but would point to new habits as well: deeper engagement in our churches and communities across political, racial, and class differences; more explicit and intentional practices of dialogue and discernment; and continued vigilance for the rights of individual conscience. We may find reinforcement for this sense of ethos as lived communal ethic in the proposed Social Creed of 2008, also before this assembly:

With all those who labor and are heavy-laden, we commit ourselves to a culture of peace and freedom that embraces non-violent initiatives, human dignity and greater equality, with a deeper spirituality of inward growth and outward action. By these means, we witness to our hope in the God who makes all things new, whom we know in Jesus Christ.<sup>26</sup>



## **Appendix**

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### **The Work of the Study Team**

Assembled and completing its work in 2007, the study team consisted of: Elder Dianne Briscoe, Esq., chairperson, member of the Advisory Committee on Social Witness Policy and a family court officer in Denver, Colorado; the Reverend Roger Gench, Ph.D., vice-chairperson, pastor, New York Avenue Presbyterian Church, Washington, D.C.; Elder Charles Easley, member, Advisory Committee on Social Witness Policy, vice-chairperson, General Assembly Council, academic administrator, ret., Atlanta, Georgia; Elder Howard Scarrow, Ph.D., professor of political science, ret. State University of New York, Stony Brook, New York; Elder Ronald Stone, Ph.D., professor of Christian social ethics, ret. Pittsburgh Theological Seminary, Pittsburgh, Pennsylvania; Elder Patricia Petty Morse, Esq., International Affairs, U.S. Department of Justice, Washington, D.C.; Wayne Vaden, Esq., former Denver city clerk, lawyer in private practice, Denver, Colorado; Khalilah L. Brown-Dean, Ph.D., assistant professor of political science, Yale University, New Haven, Connecticut; Beverly Ann Gaddy, Ph.D., professor of political science, University of Pittsburgh, Pittsburgh, Pennsylvania; the Reverend Rebecca Reyes, M.S.W., coordinator, Latino Health Project, Duke University Medical Center, Durham, North Carolina.

The study team met twice in full, first in Washington, D.C., at the Washington Office of the Presbyterian Church (U.S.A.), and then in Denver, Colorado. At the first meeting, hosted by then Presbyterian Washington Office Director the Reverend Elenora Giddings Ivory, the study team heard from eight civil rights and electoral reform organizations and received materials from several other organizations and individuals. Initial research and drafting was done by the Reverend Louisa L. Davis, Ph.D., director of Greater Washington Allies in Reconciliation, an Interfaith Antiracism Alliance, consultant to the study team, complemented by several study group members. The Reverend Christian Iosso, Ph.D., coordinator of the Advisory Committee on Social Witness Policy, provided staff services. At its Denver meeting, the team reviewed a draft of the report, reached consensus on most points, and authorized revisions. The Advisory Committee on Social Witness Policy received the report at its October meeting and authorized further revisions for its January 2008 meeting.

[Note: A summary document on electoral process, "Election 101," by Wayne Vaden, Esq., has been posted at [www.pcusa.org/acswp](http://www.pcusa.org/acswp).]





## Endnotes

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1. Information on media spending can be found at Campaign Media Analysis Group at [www.tnsmi-cmag.com](http://www.tnsmi-cmag.com).
2. For turnout data going back to 1945, access the International Institute for Democracy and Electoral Assistance at [www.idea.int/vt](http://www.idea.int/vt). Note the stress on “recognized democracies” as this site lists all countries. We note the argument of FairVote and others that it is the proportional voting of parliamentary systems that may contribute to this pattern. See Robert Ritchie and Steven Hill, “The Case for Proportional Representation,” *Boston Review*, February-March 1998, p. 5 and <http://www.bostonreview.net/BR23.1/ritchie.html>.
3. See Ian Urbina, “Panel Altered a Draft Report on Vote Fraud,” *New York Times*, April 11, 2007, p. 1.
4. David M. Herszenhorn, “Congressional Crackdown on Lobbying Is Already Show Cracks,” *New York Times*, January 4, 2008. For a brief report on the effects of the McCain-Feingold, see “The Right to Spend,” *New York Times*, July 8, 2007.
5. “An Innocent Proposal,” Glenn Tinder, *The Christian Century*, October 2, 1991.
6. See Sanford Levinson, *Our Undemocratic Constitution* (New York: Oxford University Press, 2006). An interview with Levinson can be found on Bill Moyers Journal (<http://www.pbs.org/moyers/journal/12212007/transcript2.html>). While we cite Levinson, this kind of analysis is widely shared. See Thomas E. Patterson, *The Vanishing Voter: Public Involvement in an Age of Uncertainty* (New York: Knopf, 2003); Robert A. Dahl, *How Democratic is the American Constitution?* (New Haven: Yale University Press); Larry J. Sabato, *A More Perfect Constitution: 23 Proposals to Revitalize Our Constitution and Make America a Fairer Country*, (New York: Walter, 2007).
7. The potential scope of recommendations is great nonetheless. The National Association of Election Officials presented a very thorough compendium of practical improvements in their *National Task Force on Election Reform*, May 2005 report. See <http://www.electioncenter.org/documents/Task%20Force%20Final%20PDF.pdf>.
8. For more information about alternative voting procedures that give more meaningful choices to voters, see the good work of FairVote, 6930 Carroll Avenue, #610 Takoma Park, MD 20912 or at [www.fairvote.org](http://www.fairvote.org). (This organization’s beginnings go back to John Anderson’s 1980 independent campaign for the presidency.)
9. Cornel West, *Race Matters*, (New York: Vantage Press, 1994), p. 158.
10. Ronald H. Stone, ed., *Reformed Faith and Politics*, (Washington, D.C.: University Press of America, 1983).
11. <http://www.americanpoems.com/poets/Langston-Hughes/2385>
12. In 1924, Congress granted citizenship to all Native Americans born in the U.S. Yet even after the Indian Citizenship Act, some Native Americans weren’t allowed to vote because the right to vote was governed by state law. Until 1948, some states barred Native Americans from voting.
13. Other obstacles include inefficient or starved government agencies, such as Citizenship and Immigration Services not processing applications fast enough. “Citizenship Backlog to Affect Voting in ’08,” *Associated Press*, November 21, 2007.
14. Booklet distributed by FairVote: “The way democracy will be” (2007), p. 5.
15. Michael Luo, “House Votes to Owe the Capital a Full Voice in Congress,” *New York Times*, April 20, 2007, A19.

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16. Khalilah L. Brown-Dean, 2007. “Permanent Outsiders: Felon Disenfranchisement Laws and the Breakdown of Democracy.” *National Political Science Review*
17. Greg Gordon, “Ohio, Florida Laws Could Dampen Democratic Voting,” McClatchy Newspapers, September 26, 2007. This article describes the tactic of “caging” voters.
18. Richie and Hill, op.cit., p. 6, argue that proportional voting also takes some of the incentives for gerrymandering away.
19. U.S. Commission on Civil Rights: Voting Irregularities in Florida During the 2000 Presidential Election
20. This section is about what could be called structural corruptions. The church has always stood against public officials selling their offices. For anti-corruption legislation, see Citizens for Responsibility and Ethics. ([www.citizensforethics.org](http://www.citizensforethics.org))
21. Short of reading the actual court records, the decision is summarized in Linda Greenhouse and David D. Kirkpatrick, “Justices Loosen Ad Restrictions in Campaign Law,” *New York Times*, June 26, 2007, p. 2.
22. Steven Hill, *Fixing Elections*, (New York: Routledge, 2002), p. 196.
23. FairVote has produced a sixty-page study of the Electoral College “Presidential Election Inequity: The Electoral College in the 21st Century.”
24. Albert O. Hirschman, *Exit, Voice and Loyalty*, (Boston: Harvard University Press, 1972).
25. Cheryl Saunders, “Prophetic Citizenship” Commencement Address, Anderson University in Anderson, Indiana, on May 5, 2007. Similarly, sociologist Michael Schudson calls for a “monitorial citizen” (in contrast to what he considers the currently predominant “rights-based” citizen.) The prophetic or monitorial citizen has the critical, Calvinist eye of electoral suspicion: “It implies that they should be informed enough and alert enough to identify danger to their personal good and danger to the public good. When such danger appears on the horizon, they should have the resources—in trusted relationships, in political parties and elected officials, in relationships to interest groups and other trustees of their concerns, in knowledge of and access to the courts as well as the electoral system, and in relevant information sources to jump into the political fray and make a lot of noise.”
26. “NCCC Receives Draft Social Creed,” *Presbyterian News Service*, Nov. 2006.

## Recommendations

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The Advisory Committee on Social Witness Policy and the Advocacy Committee for Racial Ethnic Concerns recommend that the 218th General Assembly (2008) do the following:

1. Approve the report, “Lift Every Voice: Democracy, Voting Rights, and Electoral Reform,” for study, and approve the following recommendations:
  - a. In order to strengthen the study and witness of Presbyterians across the church:
    - (1) direct the Stated Clerk of the General Assembly to publish both resolution and study paper (together, the report) on the PC(USA) website, making available a printed copy for interested Presbyterians, for each presbytery and synod, and for use with state and federal legislators, election commissions, and other appropriate officials;
    - (2) encourage all members and friends of the Presbyterian Church (U.S.A.) to study and take actions suggested, including, above all, to vote their consciences; and
    - (3) direct the Office of the General Assembly (OGA) and the General Assembly Council (GAC), through the Presbyterian Washington Office and other appropriate ministries of peace and justice, to advocate and support the positions developed in this resolution, and urge presbyteries, synods, and ecumenical ministries—national, regional, and local—to advocate and support these positions as well within their witness for the common good in a democratic society.
  - b. To increase voter participation:
    - (1) commend the extension of the Voting Rights Act of 1965 by the Bush Administration and Congress, by wide majorities (July 26, 2006; Senate: 98–0; House of Representatives: 390–33);
    - (2) support adequate funding and non-partisan enforcement of the Voting Rights Act’s provisions by the Department of Justice, the Federal Election Commission, and other federal and state agencies, with the ultimate goal of increasing U.S. voting levels among all U.S. population groups;
    - (3) support a constitutional “affirmative right to vote” of all citizens to undergird full and fair exercise of the franchise in all states, counties, and municipalities, including districts, territories, commonwealth, and protectorates unless specifically excluded by law;
    - (4) support universal voter registration to allow all citizens over eighteen years of age to vote, unless specifically excluded by civil or criminal sanction during period of sentence, building on the “single, uniform, official, centralized, interactive computerized statewide voter registration list” called for by the Help America Vote Act of 2002 (HAVA);
    - (5) support making election day a holiday or weekend event, to give people of all income levels, employment situations, and family responsibilities more opportunity to get to the polls;
    - (6) support the easing of absentee ballot restrictions to allow general voting by mail and early voting, by mail or in person, to reduce potential for long lines and equipment failures; and

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(7) support measures providing greater accessibility for all voters, including those with disabilities and those speaking foreign languages.

(8) support polling places on or near college campuses.

c. To ensure equality and fairness:

(1) support full voting rights for the more than 600,000 residents of the District of Columbia who are currently unrepresented by a voting representative in the congress, even though many pay taxes;

(2) support restoration of voting and other civil rights to former felons (more than five million persons), helping reintegrate them into society and give more voice to their generally poorer home communities;

(3) disapprove the imposition of special identification (ID) requirements that do not provide for opportunities and means by which all persons may meet the requirements without placing a disproportionate and undue burden upon any group(s) of persons;

(4) support the Deceptive Practices and Voter Intimidation Act and similar legislation to prevent misleading mailings and advertisements, unofficial yet uniformed personnel being posted near polling stations, and other “vote-suppression” methods;

(5) support mandated publicity for voter roll purges to supplement direct mail communication in poorer and academic communities with high percentages of renters; and

(6) support nonpartisan legislative redistricting based on an adequately funded census to make districts more contiguous and competitive, including those with racial ethnic majorities.

(7) Support efforts designed to ensure that persons otherwise qualified to vote be permitted to cast ballots only in the jurisdiction in which they are entitled legally to vote.

d. To provide for greater accountability and responsibility, to support:

(1) development of a nonpartisan professional electoral infrastructure in the place of partisan elections and patronage hiring of election officials, to apply “best practice” standards for recordkeeping, staff-training, public education, and electoral management;

(2) national minimum standards for voting equipment, ballot design, ballot counting, and transparency of administration to help all citizens have their votes counted properly;

(3) increased expertise and funding for the Electoral Assistance Commission and Council to perform testing and licensing of electronic voting equipment, such machines and software to require safeguards for confidentiality, modular independence, and audit-ability;

(4) public funding and guaranteed access to airwaves for candidates to offset the great advantages of private contributions and personal wealth, as well as legislation to limit total contribution levels insofar as this is possible: examples of such legislation include the Fair Elections Now Act, the Clean Money Clean Elections Act, as well as the McCain-Feingold and McCain-Feingold-Durbin Free Air Time Acts; <sup>1</sup>

- (5) legislation to restrict the privileged access of former elected officials to lobbying positions in industries they formerly regulated and other legislation to prevent the “revolving door” by which regulation in the public interest is undermined; and
- (6) legislation and appropriate support for judicial cases that distinguish between campaign contributions and “free speech,” allowing meaningful regulation of special interest groups and individuals who are currently expected to spend approximately \$400 million of the \$1.5 billion 2008 election cycle.

e. To renew and broaden democratic practice, to support:

- (1) alternatives to an ever-earlier primary season that would shorten the campaign process, decrease its costs, and increase the influence of diverse and urban states, through such means as the “Delaware Plan,” the “American Plan,” and other rotating primary plans designed to spread opportunity among voters in all states and allow a reasonably open field for new candidates;
- (2) protection of nonpartisan free speech by religious and other groups from government interference, while affirming the church-state proscription of religious and other nonprofit organizations providing election support for particular candidates or parties; and
- (3) consideration of ways to increase voter choice by “instant run-off” or ranked choice voting measures that tabulate first, second, and even third choices, saving money on run-off elections and potentially increasing consensus and diminishing partisanship.

2. Approve the following practical actions for individual members and congregations:

a. Educational programs:

- (1) Cosponsor or participate in political issues forums with members of differing racial ethnic groups, before both local and national elections. It is important that congregants hear both sides of an issue from two or more speakers or from the candidates themselves.
- (2) Provide educational programs on the history and impacts of systemic racism in order to develop the “racial literacy” all citizens need to be able to notice assumptions and practices that marginalize racial ethnic members of our communities.
- (3) Study and debate new voting processes like Instant Runoff Voting and Proportional Voting that could affect the tendencies toward two-party dominance and periodic “gridlock” in our current electoral system.
- (4) Provide voter education, both about the issues and the importance and complexity of this responsibility (this could include instruction on the issues addressed in this resolution).
- (5) Pastors can preach on the moral dimensions of political issues. Sermons should be clearly grounded in Scripture and be informed by our confessional heritage and past statements of the General Assemblies of the Presbyterian church.

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**b. Encourage voter registration and turnout:**

- (1) Conduct voter registration drives in partnership with organizations led by people of color and other neighborhood institutions, including ministerial organizations and interfaith bodies.**
- (2) Survey one's community, especially neighbors with the least means, in order to find out what issues are important to them in an upcoming election.**
- (3) Participate in voter turnout efforts.**

**c. Support improvements in the political process:**

- (1) Volunteer to be a poll watcher. A poll watcher is instructed on how to monitor activities at a local polling station to ensure the electoral process is fair and open to all registered to vote at that station.**
- (2) Support and encourage the action of the Stated Clerk of the General Assembly in filing briefs in the Supreme Court on issues the General Assembly has supported, including campaign finance reform and the role of "free speech" and advertising.**
- (3) Support and encourage presbyteries and synods in monitoring local and state election laws, registration laws, and the use of voting machines.**
- (4) Support legislation; especially those on issues that have been supported by the General Assembly or one's local presbytery, such as voting rights in the District of Columbia, bills against deceptive electoral practices, and felon re-enfranchisement.**
- (5) Call on ACSWP and Racial Ethnic and Women's Ministries-Presbyterian Women, in consultation with ACREC, to sponsor regional conferences on the electoral process and people of color, antiracism issues and systemic discrimination.**

These recommendations are in response to the following referral: *2004 Referral: Item 10-02. Task Force on Election Report and Recommendations, Recommendation 2. That the General Assembly Direct the Advocacy Committee for Racial Ethnic Concerns (ACREC) and the Advocacy Committee for Women's Concerns (ACWC) to Participate in the Work of Advisory Committee on Social Witness Policy as It Develops a Resolution—From the General Assembly Council (Minutes, 2004, Part I, pp. 56, 686-700).*



*Planning team for August 1963 March on Washington includes Martin Luther King, Jr., Presbyterian Stated Clerk Eugene Carson Blake, Robert Spike of the National Council of Churches and other leaders.*



*We the People* of the United States, in order to form a more perfect Union, to insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

*Article I*

*Section 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.*

Developed by  
**Advisory Committee on Social Witness Policy (ACSWP)**  
**Advocacy Committee for Racial Ethnic Concerns (ACREC)**  
[www.pcusa.org/acswp](http://www.pcusa.org/acswp)

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