



POLITICAL REFORM: FIXING A DEADLOCKED SYSTEM

A REPORT OF THE CSPC
COMMISSION ON CIVILITY &
EFFECTIVE GOVERNANCE



CSPC



The Center for the Study of the Presidency and Congress, founded in 1965, is a nonprofit, nonpartisan 501(c)(3) organization. The Center's mission is to utilize the lessons of history to address the challenges of today; serve as a strategic honest broker for discussions with leaders from government, the private sector, and the policy community; and to educate the next generation of leaders through the Presidential and International Fellows Program.

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January 2019

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EXECUTIVE SUMMARY

Dysfunction in Washington has reached a critical point. This dysfunction—the inability to reach minimum bipartisan agreement on legislation and move the country forward—is a result of increasingly polarized partisan politics. The problem manifests itself in the failure to do basic things like pass budgets and keep the government open, the increasingly prevalent use of wasteful continuing resolutions to fund the federal government (the average CR has increased in length by nearly 200% in the last decade), the frequency and duration of government shutdowns (once unthinkable, these have now grown from one-day flukes to weeks-long crises), and the inability of elected representatives to pull together and tackle pressing national issues such as immigration, crumbling infrastructure, and the ballooning national debt.

In order to address this trend, CSPC launched the Commission on Civility and Effective Governance in 2018 to convene bipartisan leaders from government service and the private sector to identify the key issues contributing to this dysfunction and how to fix them. The fundamental fact is that there is a problem of misaligned incentives in our political system, which encourage elected leaders to cater to the most extreme voters who prioritize rigid ideology over the cooperation needed to move the country forward.

While the gridlock in Washington is a grave matter, it is not an insurmountable challenge. Organizations across the nation have identified some of the largest contributing factors to this dysfunction, and solutions to them are attainable with determination and a will to fix the system.

- **Gerrymandering** is a top driver of dysfunction in American politics. Elected officials of both parties often use their power to draw legislative districts to advantage their party by maximizing the number of seats their party can win or by creating districts with such a strong partisan advantage that no real competition exists in the general election. This makes partisan primaries the determining factor in the vast majority of congressional races. Implementing reforms such as non-partisan redistricting commissions helps to combat this rigged system of districting and encourage more competitive elections, empowering a wider range of voters and incentivizing politicians to take a more pragmatic approach to governing.
- **Closed Primary Elections** favor more extreme candidates on both sides who are incentivized to appeal to the most ideologically extreme voters through divisive rhetoric and avoidance of compromise at all costs. This system of candidate

selection is prevalent in many states, and efforts to change it are often opposed strongly by the two major parties in an effort to maintain a tight grip on power. A more open primary system, such as California's Top-Two primary or Maine's ranked-choice election system, which allows all candidates to run in the general election and includes an instant run-off feature, ensuring one candidate gets majority support, encourages candidates to appeal to a broader set of voters, and thus encourages more compromise among elected officials.

- **Partisan Echo Chambers** have been created by major cable networks and social media sites, which facilitate a vicious cycle in which sensationalist news kindles extremist voters and extremist voters demand sensationalist news. Although this issue may not be solved through governmental action, platforms are being pioneered by private entities to encourage civil debate and factual, dispassionate reporting of the news.
- **Money in Politics** has grown steadily for decades and the influence of donors on political campaigns and policy making has damaged public faith in our institutions of democracy. While federal reforms have been limited by Supreme Court actions, there are many models being implemented at the state and local levels that provide options for federal action that would improve public trust in our political system.

Organizations such as the Independent Voter Project and Represent.Us, among others, have sought to promote solutions to these issues; they have found success in multiple state ballot measures, accelerating greatly in 2018. Efforts to build broad coalitions, like the Bridge Alliance, and targeted coalitions focused on federal reforms, like 'Fix-the-System,' have ambitious plans to provide additional momentum to reform efforts over 2019 and beyond, with an unprecedented coordination of efforts from within Washington and across various states. The progress and potential is described in the following sections.

CSPC is dedicated to identifying compelling nonpartisan solutions to today's pressing issues. This report is designed to assist decision-makers and citizens alike in bridging the divides that have stymied progress in Washington for too long. The ultimate goal is a democratic system that allows for healthy debate, inspires public trust, and encourages cooperation to move the country forward.

INTRODUCTION

ESTABLISHING THE COMMISSION ON CIVILITY AND EFFECTIVE GOVERNANCE

In July of 2017, the late Senator John McCain—in a landmark speech that should be taken as a teachable moment for a Congress headed down a dead-end path of hyper partisanship and grid-lock—entreated his colleagues to recapture the spirit of consensus-building that is the lifeblood of a representative democracy. The first step towards recapturing that lost common ground, McCain argued, was to reject the incivility and petulance that increasingly dominates our national political discourse.

Our current political system has been skewed far from the Founders' original intent. Factions on extreme ends of the political spectrum have far more power than ever envisioned. Despite the tremendous levels of division currently plaguing our political system, however, the situation is not hopeless. There are efforts underway to effect positive change in our politics and governance—though many efforts at the grassroots remain below the public radar—and there are numerous elected officials who wish to work within a system that promotes and rewards an effective level of bipartisan cooperation. There is also a growing sense among Americans that the national situation is dire, and many are looking for a way to help.

The Center for the Study of the Presidency and Congress (CSPC) was founded in 1965 at the behest of President Dwight D. Eisenhower, who envisioned an organization that would provide historical perspective about our nation's highest offices for citizens and policymakers.

CSPC has a strong history of assembling transformative national figures to provide roadmaps for advancing our country's interests, including the Strengthening America's Future Initiative and the National Committee to Unite a Divided America, formed in 2008. The Center has always embraced the mission of promoting enlightened leadership and effective government, while encouraging leaders to maintain civility in the national dialogue.

The value of political civility goes far beyond simply using respectful language. True civility means acknowledging that your fellow citizen loves and believes in this country, and wishes it to prosper just as much as you do. From that kind of civility flows reasoned debate, which builds trust among citizens. This mutually beneficial cycle eventually enables cooperation, and, thus, a healthy republic able to overcome national challenges.

But civility alone is not sufficient to reverse the downward spiral gripping our politics. We must also address the incentives driving the actions of our elected officials. Only by realigning the incentives in our political system can we reconnect with a broad range of the American citizenry who hunger for an effective government able to perform its basic responsibilities, and also confront serious challenges both at home and abroad. To achieve this, it is necessary to reform the incentive structure in our political system, such that elected officials once again believe they can both do the right thing and be rewarded by their constituents with re-election. The goal is a democratic system that allows for healthy debate, inspires public trust, and encourages enough cooperation to move the country forward.

To address this challenge, CSPC launched the Commission on Civility and Effective Governance in early 2018 to bring together bipartisan leaders from government service and the private sector to tackle the incentives driving the deadlock and rancor in the American political system. Chaired by former Representatives Jason Altmire (D-PA) and Tom Davis (R-VA), the Commission's members convened a series of early meetings in Washington, New York, and Philadelphia to start identifying the best ideas and the most promising efforts to address our dysfunctional politics and civic debate. The Commission examined the drivers of incivility in political discourse, campaign and election systems, the role of money in politics, media and voter information, and recalibrating incentives to favor compromise.

Beyond simply diagnosing the problem, the Commission, working with the research from CSPC staff, have identified and tracked a range of efforts—from the state-and-local grassroots to the halls of Congress—that seek to reform the American political incentive structure. The Commission is also looking at the range of roadblocks, from procedural matters to special interests, that may stand in the way of reformers' efforts, as well as identifying bold efforts to overcome those roadblocks.

While the Commission's work is ongoing, this report serves as a first examination of what the Commission has identified as impactful political reforms—with special attention paid to reforms to redistricting and election processes that could increase the competitiveness of U.S. elections and reduce the power of the narrow tranches of voters on the left and right that dominate primary elections and heavily-gerrymandered general elections. This report highlights some of the current successful efforts focused on improving the incentives in federal politics, including those that were on the 2018 ballot in selected states, while also seeking to provide a tool for citizens hoping to support and expand those reforms across the country.

THE URGENT NEED FOR SYSTEMIC POLITICAL REFORM

American politics is mired in dysfunction. Tribal partisanship dominates the Washington environment, and across the country politics is driven by vocal minorities on the furthest ends of the political spectrum. As competitive congressional districts dwindle through gerrymandering and self-sorting, most Members of Congress look to a primary challenge from the left or right as the greatest threat to their political careers. While politicians choose their voters through gerrymandering, the most politically active citizens choose their own sources of news. Within these partisan media echo chambers, the line between news and commentary is blurred in favor of the latter. In this media environment, partisan orthodoxy is rewarded over compromise—and civility is an afterthought.

In such a political environment, the American people are losing faith in a range of institutions. Tired of the rhetoric from both parties, a growing number of Americans identify as independents, yet are unable to participate in many of the primaries and party conventions of the two-party system. Combined with the pernicious influence of money in politics, the average American increasingly feels that the political system is not looking out for them. Even the most basic functions of government succumb to political deadlock and shutdowns, while debts mount. The American people—rather than the practitioners of dysfunction—pay the price.

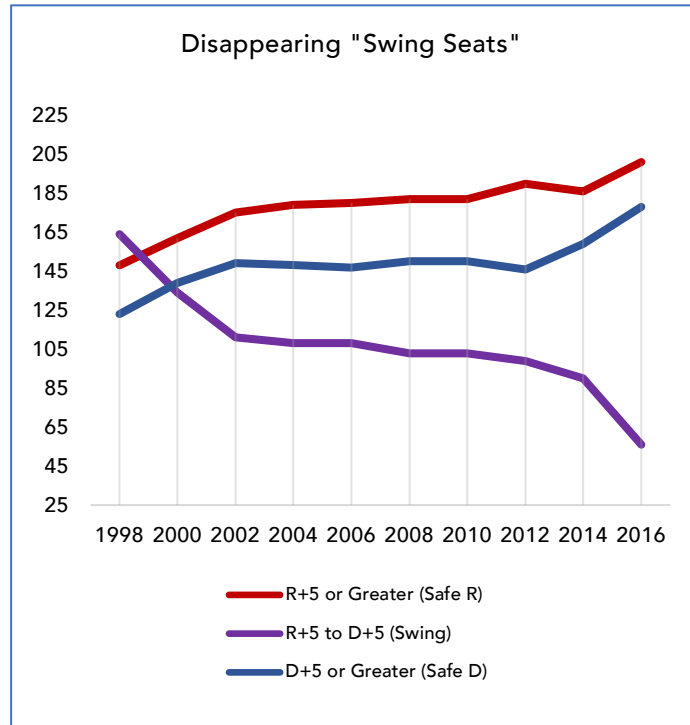
Some would decry the state of American politics as being the result of President Trump's election in 2016, but the aforementioned trends began long before then. The tenor of politics over the past couple of years is the symptom of these trends, not the cause. Some may think that the American political experiment is on an inexorable decline, but that assumption is false. The hallmark of America is the ability to restore, renew, and reform.

Across the country, a variety of efforts are underway to tackle the deadlock in American politics. From the grassroots to the Halls of Congress, there are those who seek to build a system that better represents the American people. The beauty of the American system is that the fifty states provide a range of solutions for this problem. While it is messy, it allows for an array of grassroots reforms in the "laboratories of democracy." Some states have already taken the lead by instituting reforms like top-two primaries, open primaries, and non-partisan redistricting. Beyond the immediate reforms to the political system, a range of entrepreneurs and innovators are seeking to solve the challenge of a partisan media environment and the echo chambers of social media.

DIAGNOSING THE PROBLEM: MISALIGNED INCENTIVES

Extreme gridlock is causing Americans to lose faith in our governing institutions. In a recent Washington Post poll, 80% of Americans said the Congress is basically dysfunctional. A key question is to what extent efforts by political parties to manipulate the system to their short-term advantage have exacted a cost on our representatives' ability to effectively deliver on the basic responsibilities of government.

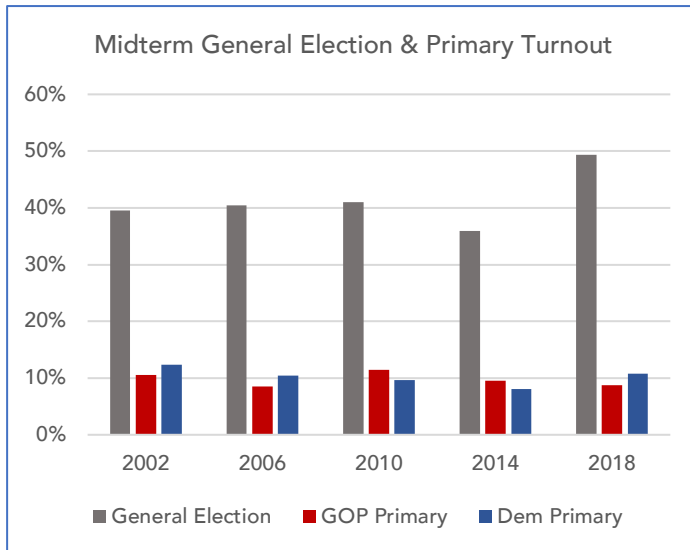
Computer-assisted gerrymandering allows lawmakers to choose their voters—upending the fundamental foundation of representative democracy. Thus, they create a majority of largely ideologically homogenous districts. Since 1998, the number of competitive “swing” districts in the House of Representatives has fallen from 164 to only 56.¹ In most districts, politicians—whose only real competition could come from a primary challenge—are rewarded for playing to their respective bases on the far left and right, rather than compromising to move the country



forward. This problem is exacerbated as voters self-sort into politically-like-minded communities—which politicians and pundits then use to emphasize regional identity and geographic division to further cement party orthodoxy.

Increasingly informed solely by partisan media, these ideologically rigid voters also cheer elected officials who speak in contemptuous tones about political rivals. Partisan media anchors, who blur the line between journalism and polemic, amplify these uncivil party stalwarts and turn coverage away from those trying to meet in the middle. The vicious circle between stalwart voters and the partisan media outlets requires absolute adherence to dogma that destroys any hope of finding common ground.

¹ Cook Political Report



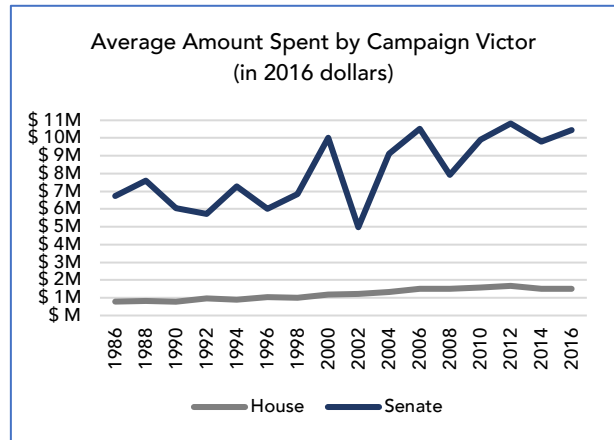
When these electoral blocs, on the left and right, go to the primary polls, they are often the only concern faced by an incumbent. The gerrymandered districts already pre-ordain much of the general election outcome, and the partisan mix is further homogenized by primary structures that disenfranchise registered independents, voters with no registered affiliation, or cross-party voters. Beyond these closed primary elections—where turnout already hovers at or below a paltry 10%

of eligible voters in midterm cycles—some parties have increasingly closed the aperture by opting for “firehouse primaries” or party conventions that further limit voter participation.

In such an environment where politicians must play to a limited segment of highly partisan voters and a media echo chamber, scorched earth campaign tactics are becoming the new norm. Deeply divisive politics and uncompetitive congressional races provide a disincentive for broad voter participation in races where the outcomes seem pre-ordained. As a result, voter participation rates have generally declined from the Watergate era onward. For example, in comparing voter participation in the 1970 midterm election and 2014 midterm election, voter participation rates declined 29.4%. That is in contrast to the 11.1% decline in comparing the 1972 presidential election to the 2016 presidential election.²

² U.S. Census Bureau Data

The huge role of money in politics feeds the perception of government corruption and stokes deep cynicism. In a 2016 University of Maryland national poll, 65% of respondents said “our system is rigged against people like me” due to the influence that special interests exercise through campaign finance contributions. The costs of campaigns have steadily risen, and, in 2016, a successful Senate campaign cost, on average, about \$10.5 million—a successful House campaign, about \$1.5 million.³

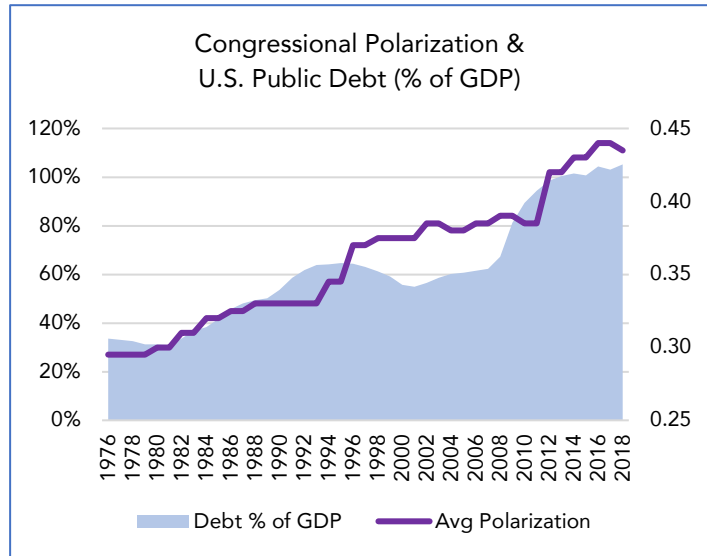


Simply put, many Americans see a system where politicians choose their own voters; partisans choose their own facts; and political outcomes are bought and sold. As common-sense voters become demoralized, electoral power and influence on our government accrues to the most radical voters, who increasingly control the national debate, while the actions of Congress appear closer to a scrum of political activists than a meeting of statesmen.

Perpetual campaigns designed to divide us no longer pause for the consensus-building acts of bipartisan governance which our democratic system was designed to require. The resulting political dysfunction means that serious problems fester, whether it’s crumbling national infrastructure or ballooning debt. Congress finds itself repeatedly unable to reach agreement on budgets, and showdowns result in continuing resolutions that force spending patterns into wasteful short-term cycles, or government shutdowns that threaten economic stability and further diminish voter confidence. Due to Congress’s inability to reach an accord on fiscal year budgets, these continuing resolutions have grown longer. From FY1998 to FY2007, the average continuing resolution lasted 22.6 days. From FY2008 to FY2018, their average length more than doubled to 53.9 days.⁴

³ CSPC Analysis of FEC Data
⁴ Congressional Research Service

In a cruel irony, the near-term inability to address basic fiscal budgets spills over into inaction regarding long-term autopilot spending on entitlements, and debt service further exacerbates the national debt. This gridlock is ultimately becoming a national security issue, as our government fails to deliver stability, invest in the future, and provide for the common defense. Admiral Mike Mullen, the former Chairman of the Joint Chiefs of Staff, called the burgeoning debt America’s greatest national security challenge.



Source: U.S. Federal Reserve Data/DW-Nominate Scores

Politicians’ inability to find a compromise solution contributes to the growing lack of trust in the political system and its institutions. The media environment—in its pursuit of dramatic, attention-grabbing narratives—further strengthens the impression among many voters that the system is hopelessly broken, while the scorched-earth tactics employed by some political actors damage our sense of national unity. In a recent Washington Post poll, 71% of Americans said the country’s politics have reached a dangerously low point.⁵

THE REFORM SOLUTIONS

Responding to the crisis in American politics, a range of reformers and innovators are working to alter the incentive structure for our elected officials. It is not sufficient to merely decry polarization or call on elected leaders to cooperate better. Across a wide range of arenas, reformers are working to tackle the incentive structure in American politics by reforming election processes, changing redistricting methods, developing new models for media consumption, reducing pay-to-play schemes, and a range of other reforms to push elected officials toward better governing outcomes.

In the initial stages of the CSPC Commission effort, we have focused more attention on the reforms that are addressing gerrymandering and primary elections systems (as they are showing the greatest progress are likely to result in changes to federal-level politics)

⁵ https://www.washingtonpost.com/politics/polling/americas-disagreement-dangerous-problems/2018/06/25/c2f43e82-789d-11e8-ac4e-421ef7165923_page.html

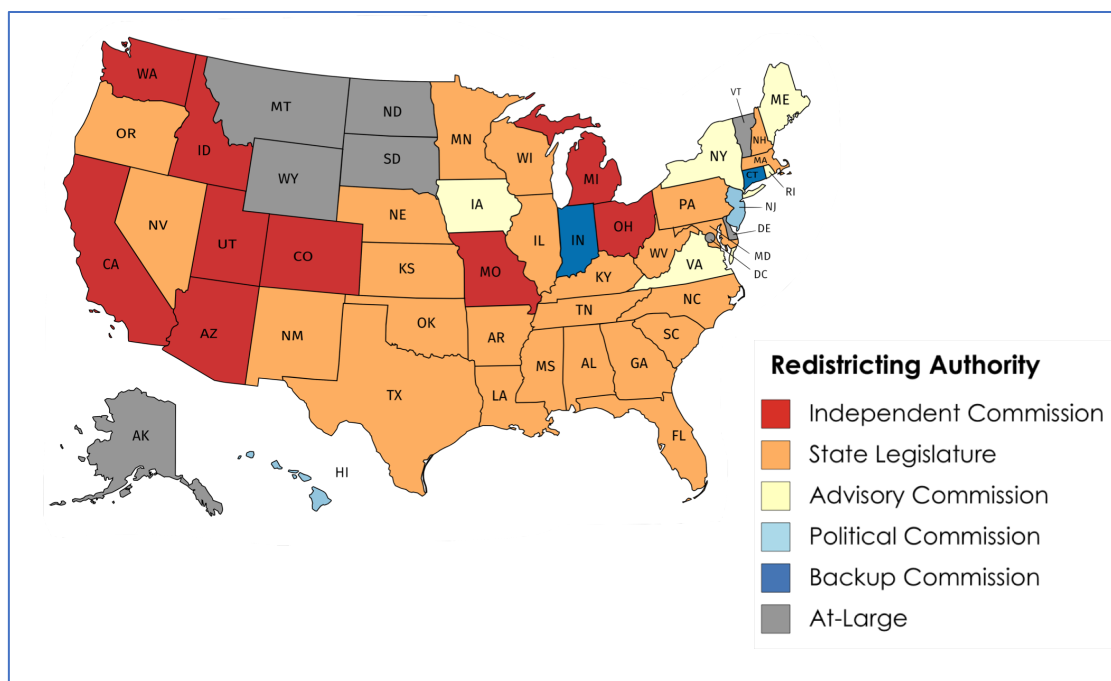
while also examining innovations in the field of information and media consumption. We acknowledge the challenges posed by the role of money in politics, where the *Citizens United* precedent and a web of legal and constitutional issues complicate meaningful reform. However, there are some indications that bipartisan reform to end pay-to-play politics, with renewed momentum coming from the various states, might be apt for renewed traction at the federal level.

CONGRESSIONAL REDISTRICTING REFORM

One of the first steps in re-empowering voters and restoring true and fair competition to congressional elections is to change the redistricting process. Across the country, there exists a range of methods that are used to determine the allocation of congressional seats. In the vast majority of states, the state legislature and governor are responsible for determining the shape of congressional districts. Under that system, politicians get to choose their voters, often resulting in undemocratic districting.

Several states have sought to bring in outside advisory commissions to inform the process, though there are diverging policies regarding whether the state legislature is bound to accept the recommendations of the advisory commission. Often, the legislature can still overrule the proposals of the commission.

State Congressional Redistricting Authorities



Common Redistricting Criteria

- **Compactness:** Having the minimum distance between all the parts of a constituency (a circle, square, or a hexagon is the most compact district).
- **Contiguity:** All parts of a district being connected at some point with the rest of the district.
- **Preservation of counties and other political subdivisions:** This refers to not crossing county, city, or town boundaries when drawing districts.
- **Preservation of communities of interest:** Geographical areas, such as neighborhoods of a city or regions of a state, where the residents have common political interests that do not necessarily coincide with the boundaries of a political subdivision, such as a city or county.
- **Preservation of cores of prior districts:** This refers to maintaining districts as previously drawn, to the extent possible. This leads to continuity of representation.
- **Avoiding pairing incumbents:** This refers to avoiding districts that would create contests between incumbents.

Other Emerging Criteria

- **Prohibition on favoring or disfavoring an incumbent, candidate, or party:** The prohibition in a given state may be broader, covering any person or group, or it may be limited to intentionally or unduly favoring a person or group. Details on these prohibitions are included in the state descriptions below.
- **Prohibition on using partisan data:** Line drawers, whether they be commissioners (California and Montana), nonpartisan staff (Iowa), or legislators (Nebraska), are prohibited from using incumbent residences, election results, party registration, or other socio-economic data as an input when redrawing districts.
- **Competitiveness:** Districts having relatively even partisan balance, making competition between the two major parties more intense. This criterion typically seeks to avoid the creation of "safe" districts for a particular party. For instance, the Arizona constitution states that "to the extent practicable, competitive districts should be favored where to do so would create no significant detriment to the other goals."
- **Preservation of partisan advantage:** A North Carolina congressional redistricting committee required plan drafters to "make reasonable efforts to construct districts in the 2016 Contingent Congressional Plan to maintain the current partisan makeup of North Carolina's congressional delegation."
- **Proportionality:** (Ohio, starting in 2021) The statewide proportion of districts whose voters, based on statewide state and federal partisan general election results during the last ten years, favor each political party shall correspond closely to the statewide preferences of the voters.

Source: <http://www.ncsl.org/research/redistricting/redistricting-criteria.aspx>

While many state constitutions place the ultimate authority for redistricting in the hands of the legislature, that does not mean that existing or proposed commissions cannot be further empowered. For example, in Iowa, an independent commission draws maps that the legislature ultimately approves, with a strong statutory prohibition on the use of any "political data"—such as voters' registration, incumbents' residency, or past election results—to draw the district lines.⁶ The state supreme court steps in if the legislature rejects the commission's map for a third time. Statutory rules are in place to ensure that districts are drawn compactly, while congressional districts act as the first layer in determining the drawing of the state's legislative and senate districts.⁷ Reforms passed in Utah on the 2018 ballot create an independent commission that will make a recommendation to the state legislature. If the state legislature turns down the commission's recommendations, it would have to issue a reasoning for their rejection—and a ballot referendum can overturn the legislature's rejection.

Ohio voters recently chose a different model for redistricting in a recently-approved reform measure, incorporating the state legislature and political data into the process rather than avoiding it entirely. Under its new redistricting regime, the state maps will be drawn by an independent commission and must be approved by a three-fifths majority, with a requirement that the three-fifths include 50% of the minority party joining the majority. Political data will be incorporated into the redistricting process, but

rather than using the data to divvy up voters and pack districts toward one party or the other, the Ohio redistricting process will use the data from previous elections to ensure

⁶ California, Montana, and Nebraska also prohibit the use of such data in redistricting processes.

⁷ <http://www.ncsl.org/research/redistricting/the-iowa-model-for-redistricting.aspx>

that the partisan balance of the districts reflects the statewide partisan preference of the voters.

Should the legislature fail to approve a map under such criteria, a bipartisan commission will, in turn, be responsible for creating a map that can only be adopted if two minority-party members of the commission approve the new map. Should that effort fail, a new map can be drawn by the legislature that will only require 33% of the minority party to vote yes, and, if even that fails, then a map can be adopted with a simple majority—but with severe restrictions on how compact districts can be, and that map will only be valid for four years. Reading between the lines of the new Ohio plan, the complexity itself is an incentive to reach agreement early in the process, rather than later.

In four western U.S. states, a different model has been implemented through voter referenda to institute independent commissions for redistricting. Designed to take the process entirely out of politicians' hands, these non-partisan commissions have full authority over redistricting. In Arizona, these commissioners are chosen by the same body selected for appellate court appointees. In California, the initial pool is selected by state auditors; the legislature can winnow the pool, then the auditors make the final selection. In Idaho and Washington, the redistricting commissions are selected by the state legislature party leaders and/or state political party chairs. (Note that Montana has an independent redistricting plan, but it is a moot point since the state has only one at-large congressional district.)

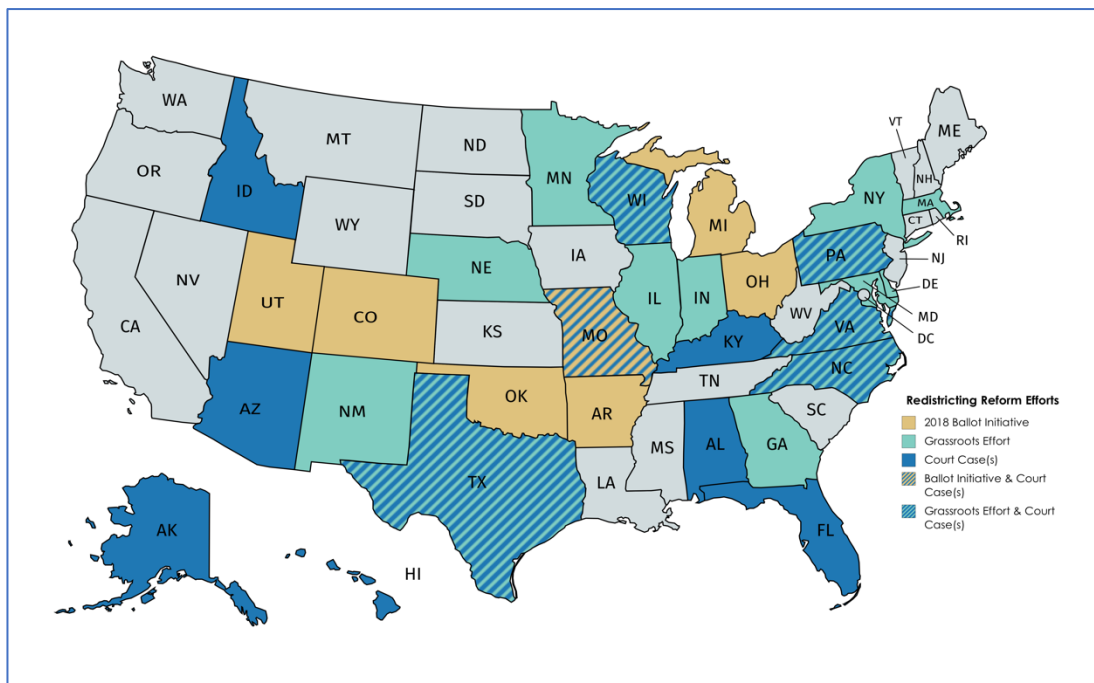
Finally, even in states where politicians maintain control over the redistricting process, state and federal courts have sometimes provided a remedy when overly-gerrymandered maps have been put in place. North Carolina, Pennsylvania, and Wisconsin have garnered the most attention, as court cases have forced the redrawing of maps in the former two states, while a challenge to the latter's maps was turned down by the United States Supreme Court. Adding to North Carolina's controversial redistricting is the state's requirement that redistricting preserve the partisan makeup of the existing delegation.

Ultimately, the fact that the Supreme Court did not step in to address the gerrymandering of the Wisconsin map is a useful reminder to reformers that the courts are not a panacea, and that grassroots, citizen-led efforts are more likely to be successful in the long-run.

Among the states, there are nearly forty-three different models for congressional redistricting (seven states have single, at-large congressional seats). While it ultimately raises the complexity of reform efforts, it does provide an opportunity to see how various reforms play out in reality. States are taking divergent paths on reforming their

redistricting with varied roles for their legislature, different models of independent commissions, and unique approaches for district criteria. This is another positive example of how states can serve as the “laboratories of democracy” as we can begin to examine how certain models work in real-life, as well as which model of reforms can match to the political environment in their respective states. While it requires a prolonged, state-by-state approach, it is always worth remembering that the messiness of each state selecting its own system can be a feature, rather than a bug, of American democracy.

Federal-Level Redistricting Reform

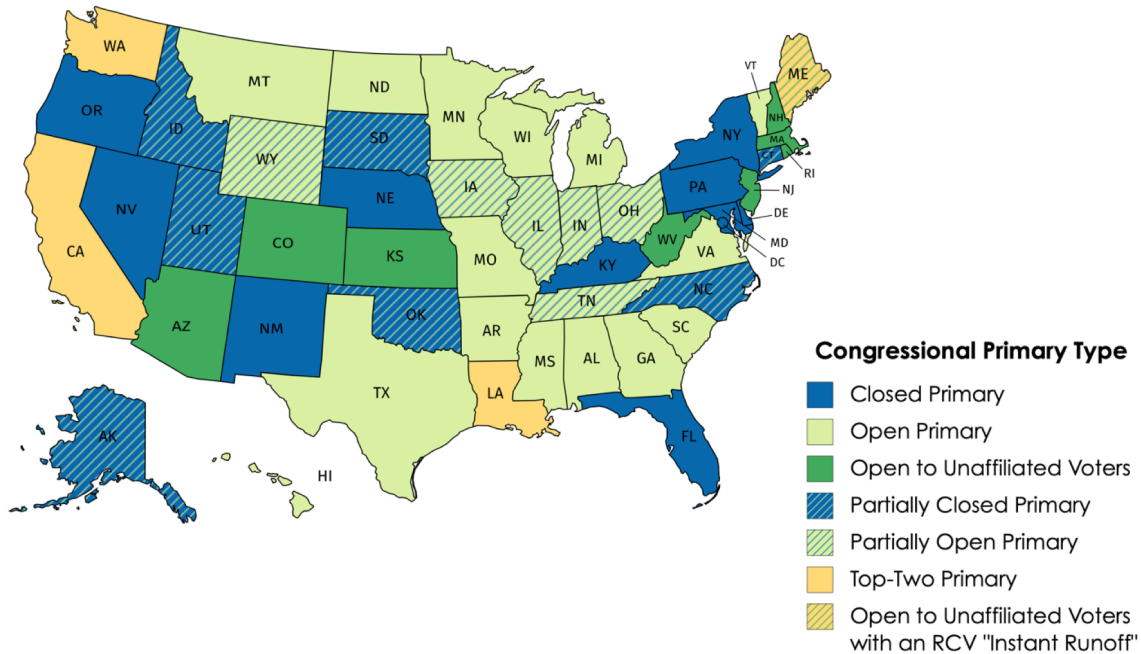


PRIMARY REFORM

While gerrymandering must be tackled to ensure that congressional districts are fair and competitive, the primary process for selecting candidates is also a ripe opportunity for reform efforts. By expanding the pool of voters involved in the primary process, the grip held by the far-right and far-left can be weakened. Just as there is a wide range of methods amongst the states for redistricting processes, there are variations between the states on the rules for their primaries. That said, they generally fall into the following types:

- **Closed Primary:** Only the registered members of a party may participate in the primary process. Generally, the party registration is declared when a voter registers to vote, and there are limited opportunities to change registration in advance of a primary election.
- **Partially Closed:** Parties have the ability to decide, year-by-year, whether they will allow unaffiliated voters to be able to vote in their primary, while still excluding registered members of the opposite party. While it allows for flexibility, this can cause some confusion amongst voters about whether they can participate in a particular primary.
- **Partially Open:** Voters have the ability to cross party lines to cast their vote, yet there is still a declaration of a party preference or a change in party registration. This allows for cross-over voting to occur, but in some states, this results in a record of whether an individual changed their party preference.
- **Open to Unaffiliated Voters:** Each party's primary is open to voters who are generally independent or have not previously registered a party affiliation. Registered party members still cannot cross over into the other party's primary, and there is still a record of which primary an individual voted in, though their unaffiliated status will not change as if they registered as a member of the party whose primary in which they voted. In Maine, described in further detail below, such a primary is combined with ranked choice voting (RCV) to conduct an instant runoff.
- **Open Primary:** Voters need not register as a member of any party, and they can decide which party's primary they will vote in when casting their ballot. There is no record of registering for any given party when voting, and voters have maximum flexibility in how they participate in the primary process.
- **Top-Two Primary:** Top-two primaries, or run-off primaries, are primaries in which the top-two vote getters, regardless of party, advance to the general election. Thus, in some districts, you can have two members of the same party facing each other in the general election. Proponents of such a system believe that it results in more moderate politics, as candidates must appeal to a broader swath of the voters in order to finish in the top two in the primary and win the general election.
- **Blanket Primary:** Declared unconstitutional by the U.S. Supreme Court in *California Democratic Party v. Jones*, this primary allowed for voters to pick from candidates from either party across offices. The Supreme Court struck this type of primary down as a violation of political parties' First Amendment freedom of association.

Type of Primary for Congressional Races



Reforms to the primary process continue to be hotly debated, with much attention paid to the adoption of top-two primaries or a push towards open primaries. Perhaps one sign of the promise of these reforms is that when they are proposed, they are opposed by the leadership of both parties. Understandably, the parties and their leadership enjoy a certain amount of predictability when their primary electorate is kept smaller and honed down to the party faithful. Party stalwarts will pejoratively refer to the top-two primary process as a “jungle primary,” seeking to make the process seem more confusing for the voting public.

Most attention has been paid to the advent of the top-two primary in California—though Washington has also adopted a similar model and Louisiana has long had a runoff election model.⁸ In California, opponents of the system have decried the instances where two candidates of the same party share the general election ballot, or where so many candidates from one party enter the primary that the vote is diluted and two members of a minority party advance to the general election with a shared plurality of the vote. By and large, these instances have been rare. Instead, as proponents of the method point out, it has forced candidates to try to appeal to a broader group of voters, including those who would support pragmatic compromise over rigid ideology.

⁸ Louisiana differs from California and Washington in that there is no primary. Rather, all candidates are on the ballot during the November general election, and, if no candidate garners a majority of the vote, the top-two move on to a December runoff election.

Beyond the reforms to the primary process, there are other measures that can be taken to further expand voter participation in primaries. Some of these solutions can also be applied to the general election to improve voter turnout as well—e.g. extended early voting or postal voting. First, primary turnout is often depressed by the fact that there is not as much attention paid to the primaries as there is to the general election, when national news stories focus attention on the upcoming races. While the politically-active voter—also more likely to be a more partisan voter—is aware of the primary date, members of the general public, who may also be more moderate voters, are less aware of these elections. While U.S. general elections are statutorily set as “the Tuesday next after the first Monday in the month of November,” the primary calendar across the country has a wide range of dates. In some states, there may even be separate primary dates for each party.

Maine has provided an interesting opportunity to examine how ranked-choice voting (RCV) can impact the primary and general election process. While each party will continue to have separate primaries, the people of Maine approved a measure to switch from simple plurality voting to the RCV method. RCV will allow voters to rank the candidates in order of preference, allowing for an instant runoff once the voters’ preferences are settled down to the final two candidates. This will allow for a greater impact in elections with a broader array of candidates potentially entering the party primaries, as well as opportunities for independents and third-party candidates to have a greater impact in the general election.

Reforms to simplify primary dates and set a regular structure can work in concert with reforms designed to further open primaries to increase voter participation and dilute the impact of party stalwarts. Simply put, as an increasing number of American voters identify less and less with the two-party system, they should not be disenfranchised from the primary process for the sake of party orthodoxy or incumbents’ comfort.

ADDRESSING PARTISAN ECHO CHAMBERS

If gerrymandering has resulted in a world where the politician selects their voters, the outgrowth in partisan media has created a world where the highly-partisan can select their own facts. Starting with the advent of talk radio and the expansion of partisan cable news channels—then compounded with the growth of partisan blogs and social media online—the left and right in America have built their own information silos. As a result, there is little shared common ground as to what the facts are. It becomes far easier to draw eyeballs—and profits—to your media outlet by vilifying the other party and

breaches of your own party’s orthodoxy than highlighting attempts to reach common ground.

Across cable news, evening anchors increasingly blur the line between opinion and journalism, and both sides attack traditional journalism when it presents facts that discomfort their partisan leanings. In fact, delegitimization of traditional journalism has been the hallmark of many partisan outlets’ efforts to encapsulate the news in ideological frameworks. Certainly, this trend has been more pronounced on the right, with Rush Limbaugh’s radio show and the success of Fox News, but it has also expanded on the left—especially online.

Combined with a febrile social media environment—where false information travels faster than facts and voters can further self-select what they want to hear—the American media environment is more fractured than ever. In a vicious cycle, partisan media can drive polarization in the electorate, and, in turn, this polarized electorate seeks more partisan media. Even for those seeking to keep their news coverage “down the middle,” they are forced to provide a platform for more partisan politicians or “talking heads” from either side of the aisle to foment the heated discussions that fill a 24-hour news cycle.

Beyond its contribution to the polarization of the electorate, the current media environment is ripe for manipulation by a range of bad actors. From online trolls to foreign intelligence services, social media and the partisan media environment is fertile ground for efforts to cloud the U.S. media landscape, sow falsehoods, and discredit or delegitimize democratic processes. Even when companies like Facebook and Twitter seek to remove online trolls, bots, or foreign-led influence campaigns, they still provoke controversy regarding censorship—and many of the foreign actors lean on partisan Americans to amplify these complaints.

Top Five Main Sources of News by Political Self-Identification

Overall	Consistently Liberal	Consistently Conservative
CNN 16%	CNN 15%	Fox News 47%
Fox News 14%	NPR 13%	Local Radio 11%
Local TV 10%	MSNBC 12%	Local TV 5%
NPR 5%	NY Times 10%	Local Paper 3%
Local Radio 4%	Local TV 5%	Google News 3%

Source: 2014 Pew Media Survey

While the complexities of the media economy are legion and many traditional media companies are trying to find new paths forward, a range of entrepreneurs are also seeking to bring innovative products to the marketplace to improve the media

environment. Included in the CSPC Commission's catalogue of reform efforts are tools designed to provide an analysis of news sources so that readers may understand what the legitimacy or partisan lean of their news source is. Other innovative apps are seeking to improve the discussion surrounding news stories by curating the responses of experts from a range of fields and backgrounds to provide a more robust discussion.

Two such efforts are particularly notable. NewsGuard was founded by co-CEOs Steven Brill and Gordon Crovitz, respectively the founder of Court TV and a former publisher of *The Wall Street Journal*. NewsGuard has brought together a team of independent journalists to grade the quality and veracity of a news website. This grade is displayed in a web browser plug-in so that the user can see the neutral evaluation of the news site they are viewing. Users can click on this rating for a more thorough evaluation of the site including its history, ownership, and other details. Quartz is another innovative app for news consumption and shared commentary based on building a community approach to news where the "picks" of experts in various fields are followed by the community. This allows readers to track news stories that are referred by leaders in business, journalism, politics, and academia rather than purely algorithmic or politically-slanted news aggregation. Participants are only allowed to comment once on each story, thereby limiting the often vitriolic back-and-forth common on other social media news platforms.

The media environment is perhaps one of the most complex factors in addressing the incentives in American politics. The free exchange of ideas and open media environment are a cornerstone of American democracy. Even with those who abuse the system, there is no better alternative than this system. Still, the fundamental challenge is that this partisan media environment further polarizes the electorate, which, in turn, seeks more polarized media. Reform in this area will not come from a change to laws, rules, or regulations, but through the advent of more innovative ways to cut through the partisan noise surrounding the news, as well as a generational shift towards a more media-savvy electorate and improved civic education.

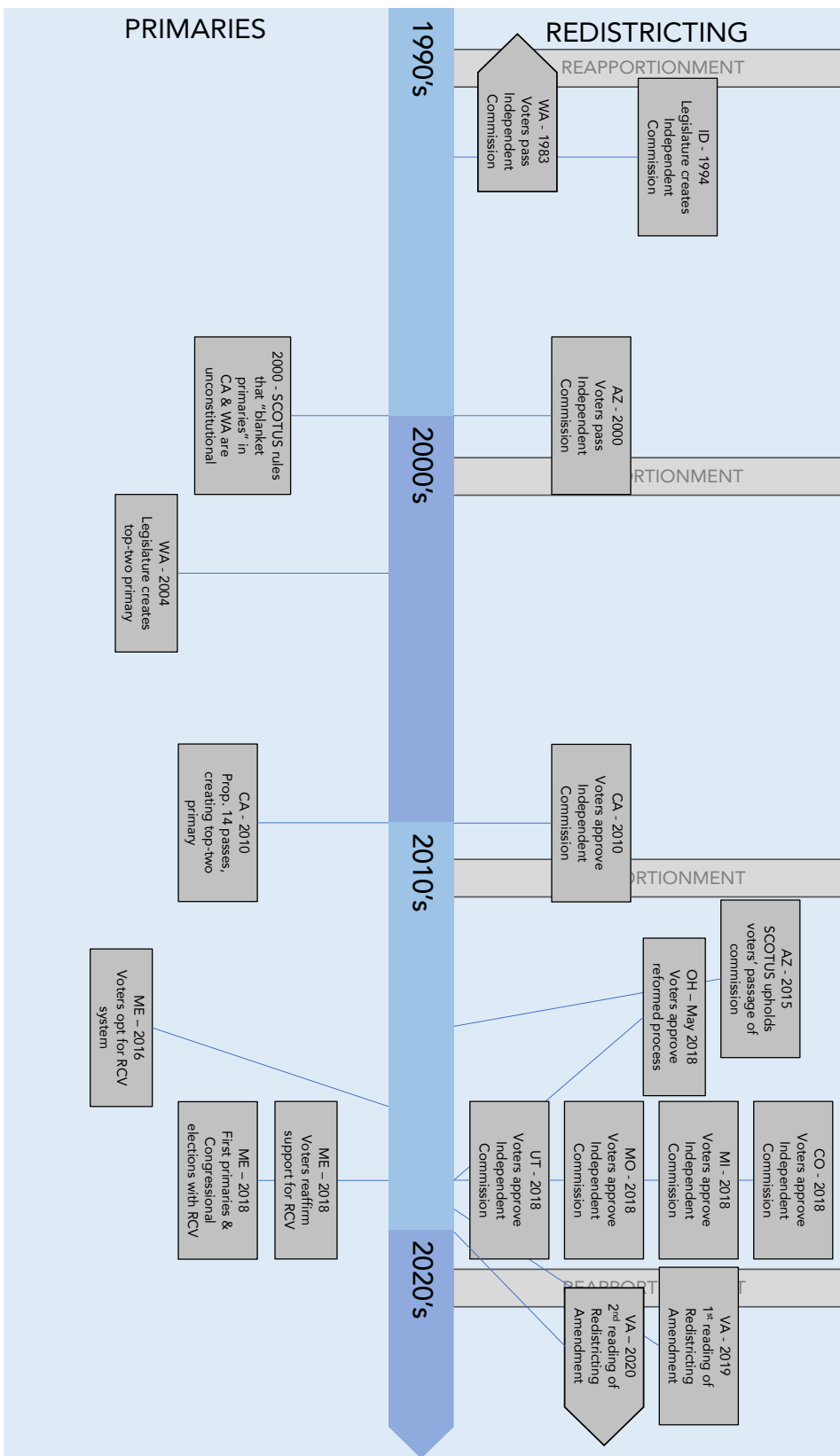
THE OUTSIZED ROLE OF MONEY IN POLITICS

In 2018, five states saw ballot initiatives regarding the outsized influence of money in their respective political systems. Although reforms were not approved in every state, their very presence on each ballot and their passage in four out of five instances is an encouraging sign to those who wish to modify the system. In Massachusetts, voters endorsed a citizens' commission, consisting of fifteen members, to advocate for certain amendments to the United States Constitution regarding campaign finance and other

aspects of the *Citizens United* ruling. Ballot Measure 1 in North Dakota established new rules on campaign finance ethics, including restrictions on lobbying, conflicts of interest, and foreign political contributions. Likewise, Missouri voters approved a measure to impose campaign finance limits and restrict the activities of lobbyists, while South Dakotans banned out-of-state actors from influencing ballot measures within the state.⁹

⁹ https://ballotpedia.org/2018_ballot_measures

PRIMARY & REDISTRICTING REFORM TIMELINE



CHARTING REFORM PROGRESS

Across America, there are many state-level efforts underway to reform some of the aforementioned factors driving disunity and rancor in American politics. While a handful of examples have resulted from “quick wins” in state and federal courts, there has been less appetite at the Supreme Court to tackle issues related to gerrymandering and elections. While the approach to court cases will be discussed in further detail later in this section, the immediate purpose of these timelines is to explore commonalities in the advent, progress, and success of major reform efforts. In doing so, researchers and reformers may benefit from understanding how these efforts fit within existing election cycles, the “flash to bang” timing of a reform concept becoming reality, and, perhaps, better plan how new reform efforts might fit into upcoming political cycles. Combined with the narratives of key reform leaders in the subsequent section, these timelines paint a picture of progress on some fronts, yet a recognition of the effort required to address both procedural factors, as well as the political winds of any given time.

GERRYMANDERING REFORM EFFORTS

With increased attention to how gerrymandering distorts American politics, a large number of grassroots efforts have been launched to tackle this issue. Depending on the state in question, these efforts have ranged from citizen-driven ballot initiatives to measures in state legislatures to change redistricting laws or amending state constitutions’ codicils regarding redistricting.

In following the timeline of reform efforts, we see that ballot-led initiatives have pushed state legislators’ hand faster than legislature-led efforts. This is understandable, as the parties have generally opposed gerrymandering reform, though there is less of a consensus on gerrymandering policy on the left as opposed to the organized efforts of the Republican Party and conservative groups to focus on the control of state legislatures and bodies related to gerrymandering. That said, it is unsurprising that elected politicians would be less sanguine about gerrymandering reform than the public—after all, “why would turkeys vote for Thanksgiving?” What the examination of some efforts demonstrates is that even if the parties are reluctant to push forward with redistricting reform, pressure from the citizenry, as well as support from the state’s governor, can push legislators to consider amendments or ballot initiatives. Pushing simply for a signature-driven initiative risks falling short of the necessary requirements to appear on the ballot, while solely-legislative driven activity can be stymied by partisanship and pressure from special interest groups.

While there are a handful of commonalities that these efforts share, there is one key deadline across the entire country—the 2020 census and the subsequent 2021 reapportionment of seats before the 2022 midterm elections.

2018 BALLOT MEASURES

In 2018, five states successfully-passed ballot measures in place to address redistricting reform—Colorado, Michigan, Missouri, Ohio, and Utah. Two states, Arkansas and Oklahoma, had efforts underway to place redistricting reform measures on the 2018 ballot, but were ultimately unsuccessful.

Of the five states that had ballot measures in 2018, Ohio had already successfully approved its “Issue 1” referendum on May 8, 2018. As described in the previous section, it has set a standard of benchmarks necessary for redistricting maps to be approved and will take effect for the 2021 reapportionment.

Ohio Redistricting Reform Timeline



The Ohio timeline illustrates how a combination of grassroots pressure, leadership from Governor John Kasich, and the desire of state legislators to compromise helped to drive reform. From the state legislators’ perspective, it is worth noting that the pressure from the public and Governor Kasich illustrated the desire for gerrymandering reform and the importance of compromise to get a reform measure on the ballot. If the legislators did not move to make a reform, they risked being shut out of the redistricting process entirely. Therefore, they were willing to compromise and put in place a series of benchmarks and guardrails surrounding redistricting to ensure that they would not be replaced entirely by an independent commission or separate model.

Other 2018 ballot initiatives beyond Ohio took somewhat different approaches. Unlike Ohio’s measure, these measures seek to put in place independent commissions for

redistricting decision-making—or, in the case of Missouri, create a position of “state demographer,” who would submit a redistricting plan to the state legislature that meets specific benchmarks to limit gerrymandering. Missouri’s plan is also unique in that it is a package of measures fixing not only gerrymandering concerns but also contains provisions reforming rules regarding lobbying and campaign finance.

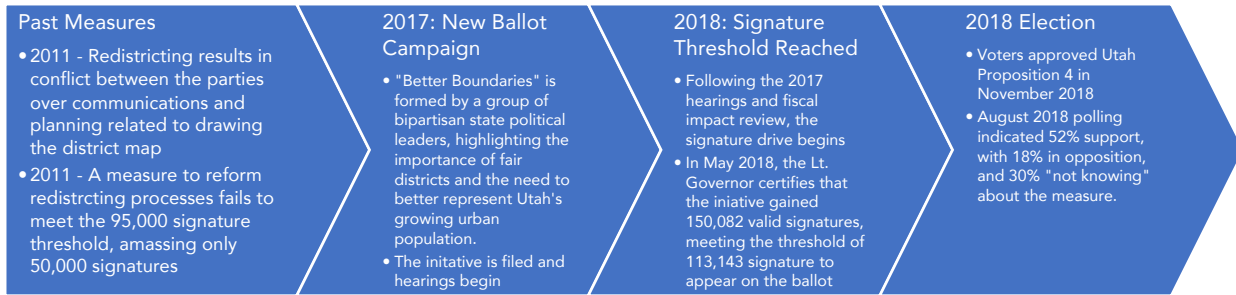
For the purposes of further examining the path of these reform measures, Colorado and Utah provide important examples. In the case of the former, the hurdles put in place by past amendments to the state constitution required the cooperation of state legislative leaders. Furthermore, the prospect of gaining seats with the 2020 reapportionment also raised the stakes of how Colorado’s maps would be redrawn. Given the impact of the 2011 *Moreno et al. v. Gessler*, there was an emphasis on putting a process in place that would not require judicial intervention for the 2021 map.

Colorado Redistricting Reform Timeline



In Utah, the process was driven by memories of the past redistricting process, notably the amount of partisan rancor surrounding how each party weighed in on the 2011 map, as well as the failure of a 2011 measure to garner the sufficient number of signatures needed to appear on the ballot. While there was a push to support the measure from leaders of both parties, there was more concerted pushback from some Utah Republicans against the measure, as these lawmakers saw it as an effort to flip seats in more populous areas away from Republicans and towards Democrats—especially those near Salt Lake City.

Utah Redistricting Reform Timeline



Notably, Utah’s process was driven entirely by citizen engagement, with some support from the state legislature, though some legislators have voiced their concerns about how the measure would take away responsibility from elected representatives. Unlike Ohio and Colorado, where governors and state political leaders gave support to the reform process, most major political figures in Utah remained silent about the initiative—which may explain the close result in that state compared to the others.

The results of the 2018 ballot measures demonstrate that the need to reform redistricting processes is resonating with voters at the state level. As the narratives from those on the “front lines” of reform efforts demonstrate, the simple concept that voters should choose their politicians, rather than vice versa, is a powerful message at a time when confidence in the American political system continues to decline. Even when opposed by party leaders on both sides of the aisle, efforts to make American elections more competitive were generally well-favored by voters participating in the highest midterm turnout since 1966.

It is now important to understand the lessons-learned from these efforts, especially how the combination of grassroots and grasstops support helped in some states, as well as to anticipate how the success of these measures may prompt more organized opposition to future measures by political partisans and special interest groups.

Results of 2018 Redistricting Reform Measures

Colorado Amendment Y	YES
Yes	71.37%
No	28.63%
Colorado Amendment Z	YES
Yes	71.06%
No	28.94%
Michigan Proposal 2	YES
Yes	61.27%
No	38.73%
Missouri Amendment 1	YES
Yes	61.99%
No	38.01%
Ohio Issue 1*	YES
Yes	74.89%
No	25.11%
Utah Proposition 4	YES
Yes	50.34%
No	49.66%

*Ohio’s vote on May 8, 2018; all others tabulated as of November 29, 2018

NARRATIVES OF REFORM EFFORTS: CHALLENGES & SUCCESSES

Understanding the timeline of reform efforts and the processes involved is necessary, but not sufficient, for political reform success. While the procedural aspects of political reform are important, key individuals and citizens' groups are often the ones propelling political reform efforts forward. These narratives of the political reform movements—compiled by journalist and CSPC Senior Fellow James Kitfield—illustrate how the grassroots political reform efforts around the country are being driven by citizens who have risen to the challenge to fix the American political system. These stories tell of challenges overcome, as party establishments and special interests aim to keep their grip on American politics. Not all of these stories are successes, but there is as much to be learned in the failures of efforts to empower future victories.

THE CALIFORNIA MIRACLE

For Steve and Chad Peace, the cause of election reform has been a family affair. Former State Senator Steve Peace spent 22 years at the California state house, watching in growing frustration as the legislature became steadily more partisan and dysfunctional. A self-described "radical moderate," Peace witnessed firsthand how the election process perversely rewarded the hyper-partisanship and intransigence that was infecting American politics. He had thus been one of only three elected officials to endorse California's non-partisan Open Blanket Primary system, which passed in 1996. It allowed all voters in primary elections to pick candidates, regardless of party affiliation or office, from a single ballot.

However, the political parties were not going to cede power over candidate selection so easily. Despite being popular with a majority of Republican, Democratic, and Independent voters in California, the Blanket Primary system was struck down by the U.S. Supreme Court in 2000. In a case brought by the Republican, Democratic, and Libertarian parties, the court ruled in a 7-2 decision that the Blanket Primary violated the political parties' First Amendment right to freedom of association.

Not one to take setbacks lying down with so much at stake, Steve Peace and a handful of other reformers founded the nonprofit Independent Voter Project in 2006. The group began its work from a few core principles: democracy works best when elections are more competitive, when more voters participate, and when politicians are accountable to a broader swath of the public. Very low-turnout, closed primaries designed by the political parties to engage their most passionate and partisan base voters work against

those tenets. Closed primaries also disenfranchised growing numbers of independents, whose percentage among all California voters were on track to more than double between 1997 and 2018.

IVP's answer was to propose an open "Top-Two Primary" which would change the fundamental purpose of the exercise. Instead of the private selection of a particular party's nominee, a Top-Two Primary's very public purpose is to narrow the candidate field. After all, primary elections are state-funded and state-mandated, and thus arguably in the public domain. In the proposed Top-Two Primary, all voters and political parties would participate on the same ballot, under the same rules. The top two vote getters, regardless of party affiliation, then face off in a general election.

To have any chance of success, IVP officials understood that they would have to conduct an aggressive voter education program, one that reached out to younger and minority populations with traditionally low voter-turnout rates. That's where Steve Peace's son Chad came into the picture.

"I was still in law school at the time and spending a lot of time online, and they needed an outreach effort to educate voters how the Top-Two Primary system would work, and from that we developed an online voter education platform," said Chad Peace in an interview. "I also began taking classes and reading about the legal constructs of our election systems, and how the structures and processes of our elections had been institutionalized such that the incentives aligned with hardline partisans on both sides. I don't blame the politicians for that, it's just the way the system of accountability works and candidates get elected. Unfortunately, the result was that the partisans who control government are not really representative of the broad base of voters whose opinions tend to be a lot more nuanced and moderate. At some point I was like, 'Holy Cow!' I realized that if we could change the system to make it more competitive and politicians more accountable to a broader base of voters, the results could really be revolutionary."

To change the incentives in a system that elects over 90% of its politicians in very low turnout, party-controlled primaries, IVP developed a systematic approach that focused on legislative reforms, legal challenges in the courts, and aggressive voter outreach. Along with a sister organization called the Foundation for Independent Voter Education (FIVE), IVP began publishing a news network focused on election reform called Independent Voter News, which would grow to reach over 20 million online users per month.

As President of IVC Media and publishing editor of IVN, Chad Peace frequently visits universities and high schools to engage students on the subject of the U.S. election system and concrete steps that can be taken to fix our broken politics. "To be honest I wish my only job was to talk to students 100 percent of the time," said Peace. The students expect a boring lecture on the 'law of democracy,' he said, but when they get to engage in a discussion about how the election process works and why it's not as responsive to the electorate as it should be, they are fascinated.

"The students know that something is wrong with our politics, but they weren't sure what it was or how to change it," said Peace. "So by the end of those discussions the quality of the questions the students ask always blow me away."

On a scale of election reform that can measure progress in decades, IVP's success has been explosive. The nonpartisan Top-Two Primary System it proposed ("Proposition 14") was introduced in 2008, passed in a referendum in 2010, and became the basis of California's first nonpartisan Top-Two Primary election in 2012.

"The story of California's success in election reform is one of luck and circumstances aligning just right," said Chad Peace. The fact that Californians had experienced open primaries and then had them taken away by a Supreme Court decision, he said, created an openness to reform, especially as the consequences of hyper-partisanship and gridlock in Sacramento became increasingly obvious. At key moments in the process, moderates from both major parties also stepped in to support the measure, to include California's former Republican Governor Arnold Schwarzenegger. Both political parties also underestimated IVP's ability to rally independent voters to the polls in support of Proposition 14 in an off-year primary, when turnout is traditionally low.

"The Top-Two Primary system is not perfect, and partisanship certainly still exists, but I would argue that because of Proposition 14 lawmakers in Sacramento are now much more collaborative and willing to work together than before," said Peace. "So as a result of that confluence of luck and circumstance, a kind of miracle has happened in California. That's the only way to really explain it."

MAINE: THE ESTABLISHMENT STRIKES BACK

In the middle of a cold Maine night, reformers sat in the gallery of the state capitol in Augusta and watched with dismay as the political establishment tried to smother in its cradle the nation's first-of-its-kind "ranked-choice voting" (RCV) law. The special, one-

day session held on October 23, 2017 was the culmination of a relentless campaign led by Maine's Republican Party, but also supported by a number of Democrats in the state legislature.

The timing of the legislature's vote to suspend implementation of RCV was anything but accidental. Any grassroots campaign to try to resuscitate the reform under Maine law would have only 90 days to collect more than 61,000 signatures in the frozen depths of winter. In the unlikely event they were successful, the vote on another referendum would then take place in a primary election when independents would have no candidates on the ballot, possibly denying reformers a critical constituency.

Cara Brown McCormick, Executive Director of the Chamberlain Project, and Kyle Bailey, of the Committee for Ranked Choice Voting, had co-managed the successful 2016 campaign to pass RCV. McCormick was in the gallery and watching in disbelief as the lawmakers erased the hard work of over 1,800 volunteers in a referendum they had won fair and square less than a year earlier. She had worked in the rough-and-tumble of Maine politics her entire career, but even so, the naked power grab by the political establishment shocked her. It was so...undemocratic.

"It just never occurred to me when we passed ranked-choice voting in 2016 by four percentage points that the legislature and administration would immediately try and kill it, but I think the people in power realized that it would change the ground beneath their feet," McCormick said in an interview. Ranked-choice voting changes the incentives for candidates, she said, and in the view of the establishment shifts too much power in the system to the actual voters of Maine. "So [Secretary of State Matthew Dunlap] compared his mission to kill ranked-choice voting to being Luke Skywalker and having only one laser shot to kill the Death Star, and he scared a lot of people based on completely unsubstantiated and inflammatory rhetoric."

At first glance it seems odd that RCV would strike such terror in the political establishment. Under the system's rules voters "rank" various candidates for state and federal office by order of preference. If no candidate wins an outright majority, the candidate with the least first-place votes is eliminated, and the "second preference" votes of his or her supporters are redistributed to the remaining candidates as designated until someone amasses a majority. This series of "instant runoffs" does not disadvantage candidates from the major parties, but it does allow voters to opt for more long-shot independent and third-party candidates without worrying that their vote will be wasted or diluted in a way that enables a dark horse candidate.

Perhaps not entirely coincidentally, Maine voters have long experience with that “spoiler” effect. Nine of the last eleven governors in the state have failed to win a majority of the vote, often winning in three-way contests that include an independent candidate. The controversial Republican Governor Paul LePage was elected with just 38% of the vote, for instance, and in a 2016 Morning Consult poll he registered a 58% disapproval rate among Mainers, making him the country’s fifth-most disliked governor.

“We like to say that rank-choice voting lets you vote your hopes, and not your fears,” said McCormick, noting that RCV has already been adopted in roughly a dozen U.S. municipalities, and is also used by The Academy of Motion Pictures and Sciences to choose Oscar winners. “For candidates, it means you don’t have to divide people to win, you have to bring them together.”

After the legislature repealed RCV in October 2017, the administration and political parties resorted to stall and delay tactics to try to thwart the campaign to resuscitate it. Secretary of State Dunlap waited until the 11th hour to release the ballot question before a key municipal election that provided an opportunity for reformers to collect signatures outside polling stations; the Republican Party voted to change its rules to require a plurality vote to choose its nominees, and then filed an unsuccessful lawsuit in federal court against RCV on those grounds; and even after 77,000 signatures were collected in the second campaign for RCV the Secretary of State refused to implement the reform in a 2018 primary until ordered to by the courts. Finally forced to recognize the will of the people as expressed in ranked-choice voting, Governor LePage declared RCV “the most horrific thing in the world!”

“From the moment ranked-choice voting originally passed, the political class in Maine did everything in its power to smother it, but the many hundreds of volunteers who collected signatures worked heroically through sub-zero weather and even a ‘Bomb Cyclone,’ and the people of Maine rose up and claimed the sovereign power the State Constitution gives them to decide how to choose their leaders,” said McCormick. “You know I’m not trained to carry a gun and defend my country that way, but I feel like this movement was a way to defend the democracy that I love, which is really sick right now. And if Maine provides a spark that catches fire with someone in Montana, or Tennessee, or Georgia, or any other state, then I believe this really elegant reform can help fix our broken politics.”

McCormick is not alone in that belief. Larry Diamond coordinates the democracy program of the Center on Democracy, Development, and the Rule of Law within the Freeman-Spogli Institute for International Studies. “Along with a growing number of

municipalities, political scientists, thoughtful media, and democratic reformers, I have come to think that ranked-choice voting is the single most promising achievable reform for making our politics more open, more civil, more democratic and more amenable to compromise,” Diamond wrote in a 2018 article in *The American Interest*. “We are entering a new era of political reform in the United States, driven, like the last big one a century ago, from the bottom up. And the voters of Maine have just given this movement its most courageous and inspiring victory.”

REPRESENT.US: ENABLING A GROUNDSWELL OF GRASSROOTS REFORMS

Josh Silver’s journey to a career in public service led him through the foothills of the Peruvian Andes, and was nearly cut short by tragedy. He and best friend Patchen Miller were floating down the remote Marañon River in January of 1995 when they tied their raft up on a mid-stream island to camp for the night. There the two 26-year-old Americans were ambushed by local tribesmen, shot, and left for dead. A wounded Silver escaped by floating down the river in the dark. Patchen Miller’s body was never recovered.

Returning to the United States, Josh Silver was imbued with a sense of his own mortality and a determination to find meaning in his life through a worthy cause. “I spoke with people I really respect, and asked them how I could make the world a better place in this short life,” Silver said in an interview. “One of my mentors steered me towards campaign finance reform, because he believed that politicians were too often selling their souls to the highest bidder.”

That early work in campaign finance ultimately led Silver to co-found Represent.Us in 2012. The goal was to help advance election and good governance reforms nationwide, based on the blueprints established by the universal suffrage and marriage equality movements. They too were started at the local, grassroots level, but were aided by outside groups that helped elevate the issues to national prominence.

Silver sees a similar dynamic in play today, with campaign and election reform initiatives underway in more than two dozen states and localities. Some would end the practice of partisan gerrymandering that allows politicians to choose their voters, rather than the other way around, resulting in a majority of uncompetitive seats in the House of Representatives. Other reforms would establish open primary elections to limit the disproportionate power of extreme partisans in low-turnout, closed primaries that

disenfranchise political independents. Still others would impose much stricter ethics laws to reduce the outsized influence of money in politics.

“I started Represent.Us because polarization, gridlock and corruption have increasingly come to define American politics. That is not a coincidence, but rather the direct result of failed campaign and election policies,” Silver said in an interview. “That makes reforming those policies and fixing the system the quintessential public policy issue of our time, and it’s one that is extremely popular with a majority of both Democrats and Republicans. That explains why we’ve seen an unprecedented number of reform efforts really catch fire all across the country.”

The Represent.Us team focuses its support in areas that have proven successful in previous reform efforts. Taking advantage of extensive polling and focus group work, they help local reform organizations develop carefully sequenced political strategies. They also maintain an experienced digital media team skilled at amplifying reform messages on social media platforms with creative graphics and videos.

“From the start, we forge political strategies designed to transform how people vote, how candidates run for office, and how they govern once in power,” said Silver. “We also created our own digital and social media team because too often local advocacy groups produce wonky and unintelligible messaging. Our media team has learned from experience that the Internet thrives on messages based on simplicity and emotion.”

Working with some 400 local “chapters” around the country, Represent.Us also maintains and shares an extensive databank of voter contacts. That facilitates local outreach efforts such as phone banks and text messaging campaigns. The team has also developed relationships with reform-minded celebrities who are especially effective in influencing younger voters.

“We have what I call an ‘arsenal of celebrities,’ including actors Ed Helms and Jennifer Lawrence, who have produced very compelling videos for us which tend to be sticky and viral, and those are very helpful to our campaigns,” said Silver. “In the past, it was often hard to get celebrities interested in election and campaign reform, but I think they’ve had an epiphany: unless we fix our broken political system, it will be hard for celebrities to address the other issues they care most about.”

From its inception, Represent.Us also focused on mounting bipartisan reform campaigns. They recognized that the hyper-partisanship in Washington, D.C. and in many state houses across the country, is part of the problem that needs fixing. Reaching out to both

sides of the political aisle thus became ingrained in the DNA of the campaign and election reform movement.

“In the past I think there was a perception that reform efforts were often driven by liberal groups talking to a liberal audience using liberal language, and we recognized early on that the math for lasting reform just doesn’t add up in that equation,” said Dan Krassner, political director for Represent.Us. “So we make a conscious effort to reach out to moderate and conservative voters to join our efforts, and to form alliances with conservative reform groups such as ‘Take Back Our Republic.’”

A final focus of Represent.Us goes under the heading of “Holding Bad Actors Accountable.” After more than 425,000 Michigan voters succeeded in getting an anti-gerrymandering proposal on the ballot in 2018, for instance, a dark money group funded largely by the Michigan Chamber of Commerce filed a lawsuit to have the reform measure scratched from the ballot. Represent Michigan, a local affiliate, launched a campaign that included ads taking on the Chamber, protests outside the office of the Chamber’s chairman, and a flood of protests on social media platforms such as Twitter.

The Michigan Chamber decried the group’s “misinformation and targeted harassment,” but Josh Silver offers no apologies for targeting secretive groups that seek to undermine reform and thwart the will of the majority.” For political reasons our local allies in that anti-gerrymandering reform felt they were unable to take the gloves off and really challenge that lawsuit and the Chamber of Commerce, but we at Represent.Us felt no such constraints,” he said. “We attacked the executive committee [of the Chamber], and created a major media firestorm just by revealing that the Chamber of Commerce was trying to kill a very popular reform. So, we created the environment necessary to get that local reform group successfully over the finish line.”

With an unprecedented number of campaign and election reform initiatives underway, Silver perceives a turning point in what he calls a “soft Civil War” that has come to define America’s divisive, hyper-partisan politics in the 21st Century. “People are so despondent about the extremism that increasingly characterizes our politics, and when they learn there is a reason we’re so politically polarized, and that it can be fixed, it’s just extraordinarily empowering,” he said. “One of the great untold stories is the groundswell of optimism behind these political reforms in cities and states across the nation.”

PULLING TOGETHER FOR SUCCESSFUL SOLUTIONS

Across the country, there are grassroots efforts underway to change American politics. The success of some of these movements on the 2018 ballot has demonstrated that the American people are tired of the dysfunctional status quo. With the federal structure of American politics, and each state's role in redistricting and election procedure, a state-by-state approach has proven to be an effective way to cement lasting reforms to the political system, despite the challenges of waging so many individual advocacy campaigns. Momentum built at the state level can also be useful in accelerating the pressure for more Washington-centered "top down" approaches to reform.

Of course, the challenge of the state-by-state approach is to coordinate the various efforts proposed and underway; bring resources and attention to these reform movements; and share lessons-learned and best practices from their failures and successes.

CSPC and the Commission are also seeking to leverage CSPC's reputation as a non-partisan honest broker and research institution to work with like-minded civic and advocacy organizations. This report is an initial foray into providing leaders at the grassroots and grasstops—along with concerned citizens—the tools to inform themselves about the ways that the American political system can be reformed to tackle the deadlock in American politics.

There is significant effort from many organizational leaders to better coordinate efforts and communication between groups, some of which have aligned and overlapping goals, though not always identical methodologies or specific proposals. One notable effort, the Bridge Alliance, is a formation of over 80 civic organizations and serves as a convening center and coordinating body working toward a shared national strategic framework for the many reforms designed to improve democratic functioning.

"INSIDE-THE-BELTWAY" REFORMS

As various efforts proceed and groups work together to reform American politics, it is important to understand the complementary nature of efforts that tackle fixes to governing institutions in Washington with those movements underway at the grassroots level to fix the dynamics of our elections and the incentives for our politicians.

Issue One is an organization active in the political reform arena working to bring together Republicans, Democrats, and independents to develop and promote solutions on issues such as congressional reform and money in politics. Issue One formed a bipartisan group of current and former Member of Congress called the “Reformers Caucus” and also manages an effort called “Rebuild Congress Initiative,” which is promoting key changes to congressional rules and norms designed to break the partisan stalemate, reduce the role of money in politics, and increase transparency.

No Labels created a “Problem Solvers Caucus” in the House of Representatives that has brought together 48 members, equally divided among Republicans and Democrats, to foster bipartisan cooperation and legislative proposals. In July of 2018, the caucus released the “Break the Gridlock” reform package to tackle some of the issues plaguing congressional rules and procedures.¹⁰ These reforms are largely intended to address concerns that Members of Congress have long voiced about the inability to move legislation, deals made by congressional leadership without input from the rank-and-file, and to improve the transparency of lawmaking. No Labels also has a political action committee that raises money to support members of the Problem Solvers caucus.

There is some overlap in the proposals of these bipartisan caucuses in Congress and some significant rules changes, based on their proposals, have been reflected in the rules of the incoming House Democratic majority.

It is important to delineate between this and other efforts that are focused on the health and function of Congress as an institution, compared to legislative proposals and grassroots efforts to fundamentally reshape how the members of that body are chosen by the electorate, and how money factors into political campaigns. Both avenues of reform are important for breaking our nation’s political deadlock—and there may be opportunities for these caucuses and other reformers in Congress to make their voices heard as a new Congress begins—but grassroots-driven changes to address gerrymandering and primary access will be vital in the creation of lasting change to the incentives to which our politicians respond when they seek election and re-election.

GRASSROOTS MOBILIZATION & ROADSHOWS TO RAISE AWARENESS

The aforementioned case study of Represent.Us is an example of one such organization that seeks to promote grassroots efforts across various states to compel an end to gerrymandering and bring about changes to pay-to-play politics that destroy citizen trust

¹⁰ <https://www.nolabels.org/break-the-gridlock/>

in our democratic system. Represent.Us was a driving force behind much of the momentum in 2018 on redistricting reforms that passed in five new states. There are also groups like Open Primaries and FairVote, which are working in several states to change the primary election systems to allow for more participation and open competition. The Campaign Legal Center is an example of a group dedicated to providing legal support to efforts to streamline voting and elections and promote ethics reforms.

Another important trend is the increased cooperation between organizations across the country that are working to reform politics and promote bipartisanship and civility. One such example is the Committee for a Responsible Federal Budget (CRFB), which has long highlighted the looming fiscal crisis from profligate government spending and reductions in tax revenue. While this organization has long focused its attention on fiscal issues—and will continue to do so—it has realized that the needed solutions for our national debt require a functioning, civil political system capable of making the tough choices and compromises necessary to put America on a sound budgetary path. CSPP is working with CRFB and other organizations partnering under its aegis to develop a series of events around the country that highlight reform efforts underway, drive citizen engagement, and empower Americans to understand how they can fix their political system to tackle the challenges that will determine the future prosperity and security of the United States.

“FIX THE SYSTEM”

A number of organizations in the political reform space began conversations in 2018 to form a powerful new coalition called “Fix the System” designed to tackle American political deadlock in a more coordinated way. The coalition brings together reform groups from inside and outside Washington to marry an “inside-the-Beltway” approach to addressing structural and institutional issues at the Federal level, via a package of specific reform proposals, and a grassroots approach to apply citizen pressure at the state level to incentivize the President and Members of Congress to support the reform package.

Part of the proposed reforms in the “Fix the System” package will be a set of changes to congressional procedure and rule-making, as well as a change to laws related to transparency, lobbying reform and money in politics, and election systems. The proposed timeline for this project is to have a package of reforms ready in 2019 as the 2020 presidential campaign cycle starts ramping up and to insert this package of reforms into the debate surrounding the 2020 primaries and general election.

These Washington-focused reforms will be combined with improved coordination of various grassroots efforts around the country to address structural issues related to redistricting and elections. Through implementing necessary reforms from both above and below, Fix the System will work to realign the backward incentives currently presented to decision-makers nationwide. By pushing for less partisan redistricting procedures, politicians running for office will be encouraged to moderate their stances to appeal to the average voter within more competitive districts. A more open primary system will allow independent voters to influence the choice of candidates that are currently becoming increasingly extreme, incentivizing moderate candidates to enter a process that now seems largely futile. Regulations on money in politics, an enduring goal of political reformers, may help to draw the attention of elected officials back to their constituency rather than to wealthy organizations whose influence diminishes trust of the regular citizen in our system of government.

Reform will undoubtedly take many shapes in the coming years, but action must be taken to ensure its perpetuation in the long term. By bringing together a range of reform groups, grassroots advocates, and reform-oriented think tanks—like CSPC—these initial conversations are exploring how these like-minded efforts, at various levels, can be brought to bear in a coordinated way to fix our political system, put our politics on a better path, and restore confidence in our governing system.

COMMISSION MEDIA OUTREACH

To publicize the work of the Commission and the range of grassroots efforts, the Commission leadership, CSPC staff, and CSPC Trustees have made a range of media appearances and published op-eds.

- October 13, 2017: Op-ed by CSPC CEO Glenn Nye in *The Hill*, "America Needs Heroic Civility in an Age of Contempt"
<http://thehill.com/opinion/white-house/355392-american-needs-heroic-civility-in-an-age-of-contempt>
- February 18, 2018: Op-ed by CSPC CEO Glenn Nye and CSPC David M. Abshire Chair Mike Rogers in *The Hill*, "Why American Politics Keep Rewarding Failure"
<http://thehill.com/opinion/white-house/374223-why-american-politics-keep-rewarding-failure>
- April 6, 2018: Appearance by Commission Co-Chairs Reps. Jason Altmire & Tom Davis on C-SPAN's live televised call-in program *Washington Journal*
<https://www.c-span.org/video/?443486-4/washington-journal-jason-altmire-tom-davis-discuss-making-government-effective-partisan>
- April 15, 2018: Op-ed by CSPC Sr. VP & Director of Policy Dan Mahaffee in *The Hill* – "The Echo Chamber has Destroyed Our Faith in American Democracy"
<http://thehill.com/opinion/civil-rights/383193-the-echo-chamber-has-destroyed-faith-in-our-american-democracy>
- May 4, 2018: CSPC CEO Glenn Nye on the Bill Press Radio Show discussing the Commission and CSPC
https://www.youtube.com/watch?v=_pmAOgyPmk0&feature=youtu.be&t=3985
- May 10, 2018: Op-ed by Commission Co-Chairs Altmire & Davis in *The Hill*, "Americans Must Change the Incentives in Our Broken Politics."
<http://thehill.com/opinion/campaign/387048-americans-must-change-the-incentives-in-our-broken-politics>
- June 28, 2018: Op-ed by CSPC Trustee & Commission Member Richard Phillips in *The Hill*, "Recapturing the Center in American Politics."
<http://thehill.com/opinion/campaign/394682-recapturing-the-center-in-american-politics>
- July 19, 2018: Op-ed by CSPC President & CEO Rep. Glenn Nye in *The Hill*, "Only Grassroots Reform Will Retake the Center in Our National Politics."

<http://thehill.com/opinion/campaign/397938-only-grassroots-reform-will-retake-the-center-in-our-national-politics>

- October 30, 2018: Appearance by CSPC President & CEO Rep. Glenn Nye in *The MidPod: The Midterms Podcast*, "Congress and the Future of Compromise."

<https://www.themidpod.com/podcasts/ep-72-glenn-nye-congress-and-the-future-of-compromise>

- November 3, 2018: Op-Ed by CSPC CEO Glenn Nye & CSPC Senior Fellow James Kitfield in *The Hill*, "Spirit of Political Reform is True Bipartisan Force in the Election"

<https://thehill.com/opinion/campaign/414697-spirit-of-political-reform-is-true-bipartisan-force-in-the-election>

- November 10, 2018: Op-Ed by CSPC Senior Fellow James Kitfield in the *Daily Beast*, "The Counterattack Against Rigged Elections Begins as Reform Succeeds in Several States"

<https://www.thedailybeast.com/the-counterattack-against-rigged-elections-begins-as-reform-succeeds-in-several-states>

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Glenn Nye
President & CEO
Center for the Study of the Presidency & Congress

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