

BEST DEMOCRACY



**Proportional
Representation:
Bringing
Pluralism to
Boulder County &
Colorado**

BEST DEMOCRACY



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BFA, U. of Colorado

Dr. King's 5 Step Protocol



Dr. Martin Luther King's proven method for overcoming 100 years of Jim Crow.

- 1) Observation**
- 2) Understanding**
- 3) Remedies**
- 4) Attention**
- 5) Action**

Step 1: Observation



- Stepping into the puddle in stocking feet.
- Acknowledging a problem exists.
- Deciding to address the problem.
- Identifying the problem correctly.
- Correct diagnosis is critical to the correct solution.

Acknowledging the problem exists

Rank ↕	Country ↕	Score ↕	Electoral process and pluralism ↕	Functioning of government ↕	Political participation ↕	Political culture ↕	Civil liberties ↕	Regime type ↕
1	Norway	9.87	10.00	9.64	10.00	10.00	9.71	Full democracy
2	Iceland	9.58	10.00	9.29	8.89	10.00	9.71	Full democracy
3	Sweden	9.39	9.58	9.64	8.33	10.00	9.41	Full democracy
4	New Zealand	9.26	10.00	9.29	8.89	8.13	10.00	Full democracy
5	Denmark	9.22	10.00	9.29	8.33	9.38	9.12	Full democracy
6	Ireland	9.15	9.58	7.86	8.33	10.00	10.00	Full democracy
	Canada	9.15	9.58	9.64	7.78	8.75	10.00	Full democracy
8	Finland	9.14	10.00	8.93	8.33	8.75	9.71	Full democracy
9	Australia	9.09	10.00	8.93	7.78	8.75	10.00	Full democracy
10	Switzerland	9.03	9.58	9.29	7.78	9.38	9.12	Full democracy
11	Netherlands	8.89	9.58	9.29	8.33	8.13	9.12	Full democracy
12	Luxembourg	8.81	10.00	8.93	6.67	8.75	9.71	Full democracy
13	Germany	8.68	9.58	8.57	8.33	7.50	9.41	Full democracy
14	United Kingdom	8.53	9.58	7.50	8.33	8.13	9.12	Full democracy
15	Uruguay	8.38	10.00	8.57	6.11	7.50	9.71	Full democracy
16	Austria	8.29	9.58	7.86	8.33	6.88	8.82	Full democracy
17	Mauritius	8.22	9.17	8.21	5.56	8.75	9.41	Full democracy
18	Malta	8.21	9.17	8.21	6.11	8.75	8.82	Full democracy
19	Spain	8.08	9.17	7.14	7.78	7.50	8.82	Full democracy
20	Costa Rica	8.07	9.58	7.50	6.67	7.50	9.12	Full democracy
21	South Korea	8.00	9.17	7.86	7.22	7.50	8.24	Flawed democracy ^[a]
22	Japan	7.99	8.75	8.21	6.67	7.50	8.82	Flawed democracy
=23	Chile	7.97	9.58	8.57	4.44	8.13	9.12	Flawed democracy
	Estonia	7.97	9.58	8.21	6.67	6.88	8.53	Flawed democracy
25	United States	7.96	9.17	7.14	7.78	7.50	8.24	Flawed democracy
26	Cape Verde	7.88	9.17	7.86	6.67	6.88	8.82	Flawed democracy
27	Portugal	7.84	9.58	7.50	6.11	6.88	9.12	Flawed democracy
28	Botswana	7.81	9.17	7.14	6.11	7.50	9.12	Flawed democracy
29	France	7.80	9.58	7.50	7.78	5.63	8.53	Flawed democracy
30	Israel	7.79	9.17	7.50	8.89	7.50	5.88	Flawed democracy

The United States is a Flawed Democracy and getting worse.

The US is down from #21 to #25 in the EIU Democracy Index since 2016.

Acknowledging the problem exists.

What is Pluralism?

“Pluralists stress civil rights, such as freedom of expression and organization, and an electoral system with at least two parties.”

Wikipedia

Pluralism is failing in Colorado

82.3% of Colorado Counties are predetermined, one party dominant counties.

“As of now (3/2018), 36 counties are dominated by the Republican Party, 15 counties dominated by the Democratic Party, and 11 counties capable of swinging back and forth between the two parties.”

Thomas E. Cronin and Robert D. Loevy
Colorado College Professors Emeritus

51/62 = 82.3%

2 counties not included.

Acknowledging the problem exists.

What is a Cartel?

A cartel is a group of independent market participants who collude with each other in order to dominate a market. Cartels are in the same sphere of business, and thus an alliance of rivals. Most jurisdictions consider it anti-competitive behavior. Cartels implement systems to exclude competition and create barriers to entry.

“In the United States, virtually all cartels, regardless of their line of business, are illegal by virtue of American anti-trust laws.”

Wikipedia

Acknowledging the problem exists.

The Democratic & Republican Parties are a Cartel

The two parties collude to exclude competition.

“The Commission on Presidential Debates was established in 1987 by the chairmen of the Democratic and Republican Parties to take control of the Presidential debates”. - Wikipedia

Laws at the national, state and local levels present a dense web of regulations that impede ballot access and representation for minor parties.

Election Issues

Most district elections are predetermined

Safe Districts = Unaccountable elected officials

- **85% - 87% of Congressional seats nationally are in “safe”, predetermined districts.**
- **98% of incumbents running for reelection in US House and Senate races won in 2016.**
- **82% of Colorado counties are One Party Dominant counties.**
- **83% of Georgia state House districts were uncontested in 2016.**

How To Predetermine Elections

4 institutionalized variables largely predetermine elections

- 1) **Distort Who Votes:** voter suppression, gerrymandered districts, off year and non-November elections.
- 2) **Ballot Access Suppression:** candidate suppression, party suppression, Direct Democracy initiative suppression.
- 3) **Distorted Representation:** Single Member Districts, At Large - Plurality “block” voting, the US Senate.
- 4) **Distorted Outcomes through Vote Counting:** First Past the Post (FPTP, aka plurality), Electoral College.

The cumulative effects of systemic electoral distortions are: concentrated power, limited accountability and exclusion of the majority from decision making.

Proportional Representation solves most of these issues

Identifying Election Issues

- From inception, electoral systems in the US have been designed to distort election outcomes.
- Most electoral systems are still designed to exclude large blocks of the electorate from representation.
- Voter Intent isn't accurately reflected in outcomes.
- Government is the only industry which writes its own rules, resulting in a duopoly that concentrates power and excludes competition.
- Voting for representatives has been conflated with decision making.

Proportional Representation solves most of these issues

Single Member Districts exclude people by design

- **Lead to Distorted map drawing: Gerrymandering.**
- **One individual supposedly represents all points of view in his/her district.**
- **Only two ideologies allegedly represent everyone in the state and country.**
- **Lead to a restrictive one or two party systems, shutting out minority viewpoints.**
- **Discourage minority (ethnic, ideology, race, religion, social class) from participation.**
- **Create barriers to entry for candidates, limiting voter choice.**
- **As used in combination with First Past the Post (FPTP), create a “Spoiler Effect”.**

Low voter turnout

A large block of the American public is disengaged.

- **Only 54.5% of the national electorate voted in the 2016 Presidential election.**
- **The 2018 Swedish General Election, had 87.1% voter turnout, 59% higher participation than the US.**
- **Only 52% of the Boulder County electorate voted in the 2019 State/County/city election.**

Distorted Distribution of Power favoring land over people

The US Senate is the least representative elected body in the world, with a strong enduring bias favoring rural states.

- The 9 largest population states have 50.6% of the population, but only 18% of the representation.**
- The 9 lowest population states have 2.4% of the population, but also have 18% of the power in the Senate.**

Rural states have $(50.6/2.4) = 21.1$ times voting power per person than high population states.

At Large Winner Take All systems

At Large Plurality elections are designed to diminish or exclude minority representation, whatever that minority might be.

At Large Plurality elections, aka "Block Voting" appear to be Multi Member Districts, but they behave like Single Member "Winner Take All" Districts. At Large Plurality has been repeatedly found in violation of the Voting Rights Act of 1965 for discrimination against minorities.

- **Charleston County v. United States** 2004 the US Supreme Court decided At Large violates the Voting Rights Act.
- **Dillard v. Crenshaw County** 1987, forced 183 jurisdictions throughout Alabama to abandon their discriminatory At Large method of elections.

Acknowledging the problem exists



The Boulder County Democratic Party has won every Boulder County office, every election in the 21st Century. 100% one party control \neq democracy.

National Security Vulnerability

**Russia attacked & exploited
our election system vulnerabilities.**

- Distortions in outcomes are controlled by chokepoints, the Electoral College “Swing” states, determined target states.
- Disinformation campaigns on social media targeted vulnerabilities.
- Hackers tested/breached election registration lists and vote counting.
- They will continue attacking and testing our electoral systems for vulnerabilities.

The same solution to concentrated power, Proportional Representation with dispersed power, helps defend us against attacks on control points.

What are the Solutions?

- Electoral systems should be designed to disperse power and include everyone.
- Identify and remove all barriers and obstructions to voter access.
- Make ballot access easy for candidates of all ideologies. Adopt online petition gathering for initiatives at all levels of government.
- Accurately include candidate and voter diversity from all demographic subsets of the electorate, proportionate to their percentage of the vote, in all outcomes.
- Retain and include voter intent throughout the vote counting process, with only 3% to 5% wasted votes. 95%+ voter inclusion, can be accomplished through [Proportional Representation](#), MMP in the County, STV in the cities.

[Proportional Representation](#) solves all the above except Voter Access & Initiative issues.

The Founders had different views on Representation

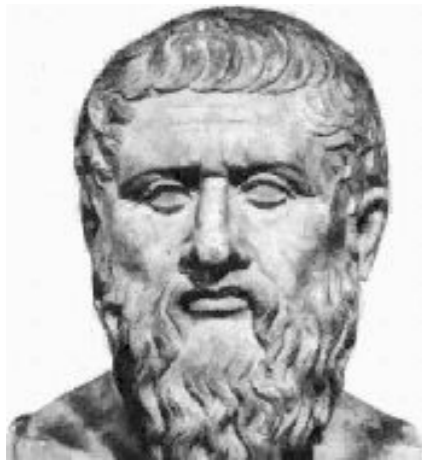


John Adams

Second President

In 1776 John Adams wrote an influential pamphlet “Thoughts on Government”.

“It should be in miniature, an exact portrait of the people at large. It should think, feel, reason, and act like them.”

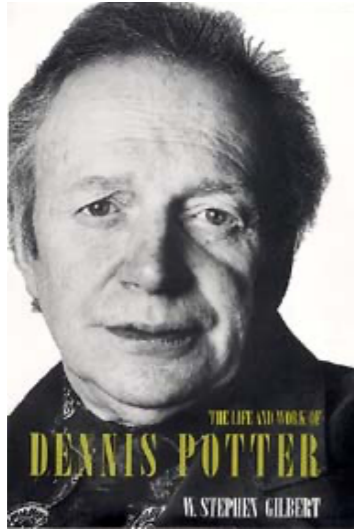


“The price of apathy towards public affairs is to be ruled by evil men.” - Plato

What if Adams had prevailed?

The problem started when only 6% of the country, property owning white men over 25, controlled the Constitutional Convention. They excluded everyone from having a seat at the table, 94% of the population (taxation without representation) who might have objected to their 100% control. They extended slavery for 93 years after it was abolished in England, devised permanent distortions in representation to maintain their control, and laid the foundations for the Civil War.

We need to acknowledge past mistakes and move on, not drag the baggage of the past behind us.



**“Flexible stems bend in the wind.
Rigid ones snap.” - Dennis Potter**

Step 3: Remedies

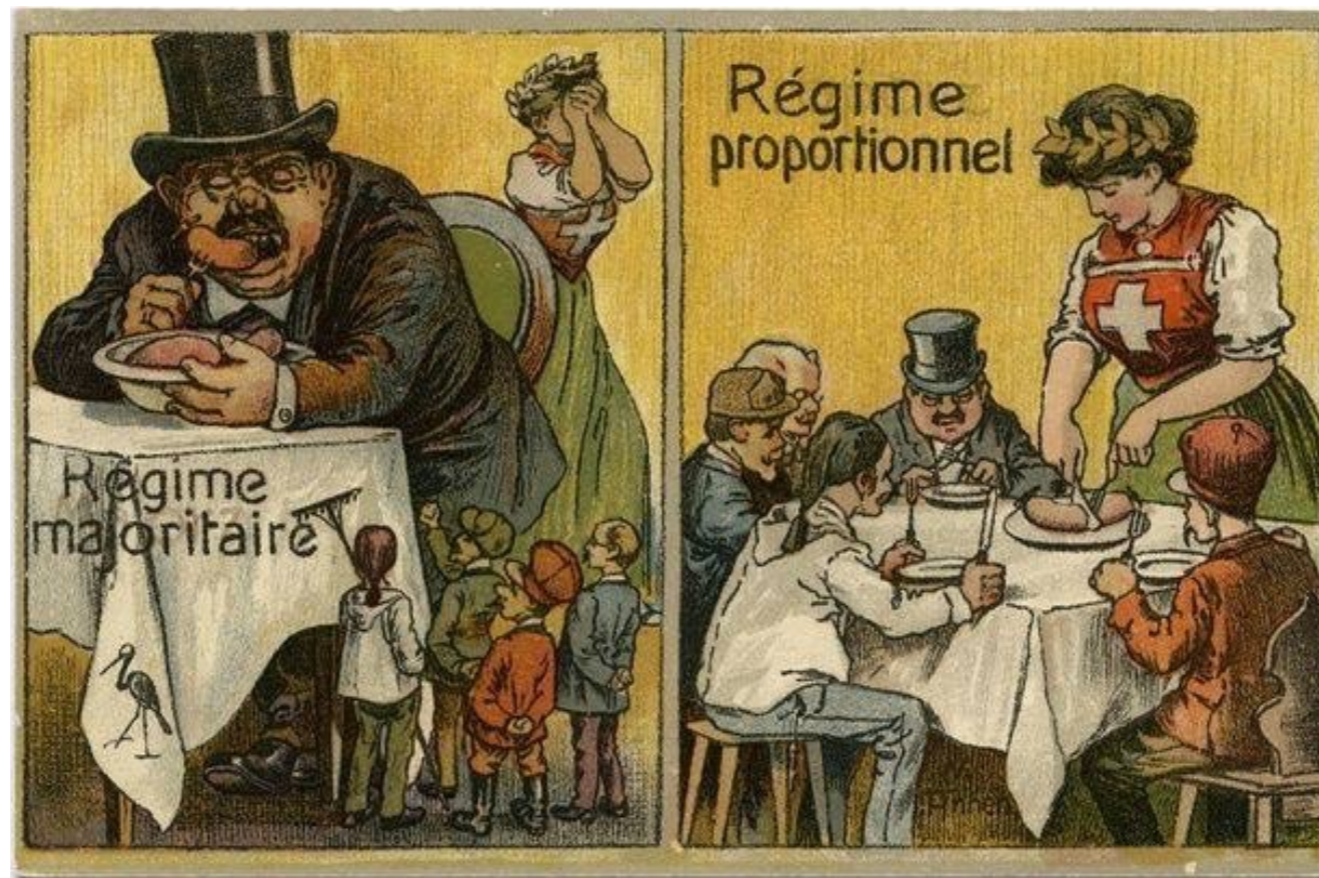
What better models exist?

How do they work?

Why adopt the remedies?

Proportional Representation

“...the right of decision belongs to the majority,
but the right of representation belongs to all.” - Ernest Naville



**Everyone gets a seat at the table.
Everyone's interests are represented.**

Why do we need Proportional Representation?

“What Scandinavians call the Nordic model is a smart and simple system that starts with a deep commitment to equality and democracy. That’s two concepts combined in a single goal because, as far as they’re concerned, you can’t have one without the other.” - Ann Jones

How do Pro Rep systems work?

Multi Member Districts

Multi Member Districts solve most major issues,
offer the best solutions on the
“Inclusiveness v. Exclusiveness” test.

- Pro Rep systems represent nearly everyone.
- Completely disrupt any possibility of gerrymandering.
- Eliminate the “Spoiler Effect”.
- Very few “wasted” votes.
- Offer the easiest candidate ballot access and voter choice.
- Make parties and candidates far more accountable.

Why adopt Pro Rep?

All Proportional Representation systems are designed to disperse power and include nearly everyone.

- Faithfully translate votes cast into seats won.
- Encourage or require the formation of political parties or groups of like-minded candidates to put forward lists.
- When thresholds are low, almost all votes cast elect a candidate of choice, faithfully preserving voter intent.
- Facilitate minority parties' access to representation.

All Proportional Representation systems are designed to disperse power and include nearly everyone. (2)

- Encourage parties to campaign beyond the districts in which they are strong or where the results are expected to be close.
- Restrict the growth of 'regional fiefdoms'.
- Lead to greater continuity and stability of policy.
- Eliminate any need for primaries and runoff elections, saving taxpayer money, shortening election campaigns.
- Make power-sharing between parties and interest groups more transparent.

Does FPTP in Single Member Districts do a better job than Pro Rep in any of the following categories?

	FPTP	Pro Rep
Inclusive of 95%+, few wasted votes	No	Absolutely
Gerrymandering and the Spoiler Effect	Unsolved	Destroyed
Faithful to Voter Intent	Distorts	Accurate
Concentrated Power Subject to Corruption	Intense	Less Likely
Facilitates Compromise in Decision Making	Polarizes	Required
Holds Elected Officials Accountable	Hell No!	Best
Holds Parties Accountable	Sometimes	Always
Voter Participation	Low	High
Women Elected	23%	45%
Govt. Policies Closer to Median Views	Rarely	Best
Endorsed by Minority Parties in US & Canada	Hell No!	Yes!

Competition & Choice is Good!

Which do you prefer?

Two clunky old phones that don't have today's features?



Or, unlimited sizes, vendors, colors, price points,
with up to date functionality?



How do Pro Rep systems work?

3 variations of Proportional Representation

All require Multi Member Districts

Party List (Open & Closed Lists)

Mixed Member Proportional (MMP) (Open Lists)

Single Transferable Vote (STV)

Party List Proportional Representation

- Party centric; the voter has 1 vote for a party. Parties usually determine the list order, not voters (closed lists).
- Most popular system, 85 of the world's 94 countries that use Pro Rep, use Party List.
- Party bosses can maintain discipline, control within party ranks.
- Depending on the threshold, usually results in 7 - 10 parties.
- Greatest amount of party accountability.

Party List Proportional Representation

Used by 4 of the top 5 democracies in the world as defined by the “EIU Democracy Index”.

Norway (4% threshold, 169 members, 8 parties)

Iceland (3% threshold, 63 members, 7 parties)

Sweden (4% threshold, 349 members, 8 parties)

***New Zealand** (5% threshold, 120 members, 6 parties, uses MMP)

Denmark (2% threshold, 179 members, 10 parties)

Mixed Member Proportional (MMP) with “Open Lists”

- **Balanced, 2 votes: 1 for the party, 1 for candidates.**
- **Enables the greatest level of party *and* candidate accountability.**
- **Offers the easiest candidate ballot access and most voter choice.**
- **Voter Centric: the only system that allows voters the choice of voting for a party, a candidate, both candidate and party, or voting for a candidate different from the party vote.**
- **Voters can reorder open party lists, support candidates they like, withhold support from candidates they dislike.**
- **With “Additional Members” or “Adjustment Seats”, MMP is the most fully proportional and accurate representation of voter intent.**

Mixed Member Proportional (MMP)

Bolivia: since 1994 (3% threshold).

Germany: Bundestag and most state parliaments (5% threshold).

New Zealand: Parliament since 1996 (5% threshold). Now the #4 EIU Democracy in the world. 56% voted for retention of MMP in 2011.

South Africa: All local elections.

United Kingdom:

London: London Assembly.

Scotland: National Assembly.

Wales: National Assembly.

**It's possible to adopt MMP in Boulder County;
first we need to achieve "Home Rule".**

Single Transferable Vote (STV)



- Based on a system developed by British lawyer Thomas Hare in 1857.
- First used in the Tasmanian House of Assembly 1896 (called Hare-Clark).
- Renamed by H.G. Wells as “Proportional Representation by Single Transferable Vote”.
- Used by 20+ US cities in the early to mid 20th C. - Boulder, Cleveland, Cincinnati, New York City. Based on a system developed by British lawyer Thomas Hare in 1857.
- Candidate Centric: no party affiliation labels. Facilitates independent candidates.
- STV can be implemented where state law precludes candidate party affiliation.
- STV ranking and counting techniques can be applied to Party List and MMP systems to enable participation of minor parties not able to clear a set minimum threshold.

Single Transferable Vote (STV)

Australia: Tasmania since 1896: Adopted since in Senate, state legislatures and local elections, called “Hare-Clark” system.

Malta since 1921: Parliament, EU and local elections.

Ireland since 1922: Parliament, EU and local elections.

FPTP rejected 2X in national referendums in 1959 and 1968.

New Zealand: Most local governments.

UK: Northern Ireland: Parliament, EU and local elections.

Scotland: Parliament, EU and local elections.

United States:

Cambridge, Massachusetts: City Council.

Minneapolis, MN: Municipal Board At Large seats, Park Board.

50+ US universities, student government: Caltech, Harvard, MIT, Stanford, Texas.

Fine Grain Proportional Representation



More members of a legislature from Multi Member Districts enable representation from a far greater diversity of the electorate.

Helsingborg, Sweden a city of 142,793 has 65 members in their Kommunfullmäktige, from 8 parties.

What better models exist?

Boulder County's FPTP At Large system is exclusive
Iceland's Party List system is inclusive



Boulder County

Iceland

326,078	Population	360,390
County Commissioners	Legislative Body	Alþingi
3	Districts	6
1	Members per District	9
0	Leveling Seats	9
3	Elected Representatives	63
FPTP - Single Member District	Electoral System	Party List Pro Rep
1 Party Rule	Parties Represented	7
#25 (US)	EIU Democracy Index Rank	#2



**Colorado's FPTP electoral system is exclusive.
Denmark's Party List system is inclusive.**



Colorado		Denmark
5,540,545	Population	5,748,769
General Assembly	Legislative Body	Folketing
2	Chambers	1
35 Senate + 65 House	Districts	12
1	Members per District	13.5 ave. from 10 districts
0	Leveling Seats	40
100	Elected Representatives	179
First Past the Post	Electoral System	Party List Pro Rep
50%	Threshold	2%
Yes/Possible	Spoiler Effect & Gerrymander	Not Possible
3 to 5	Steps to Election (w. caucuses, primaries)	1
2	Parties Represented	10
#25 (US)	EIU Democracy Index	#5

Remedies: **Design electoral systems to meet today's needs.**

- **Government officials should more accurately reflect the diversity of people they represent.**
- **Mixed Member Proportional is the most accurate, voter oriented system to represent the electorate.**
- **Single Transferable Vote is legal in districts which preclude party affiliation.**
- **Both MMP and STV disperse concentrated power.**
- **MMP and STV make government and government officials much more accountable.**

Remedies: Why adopt Proportional Representation?

- **Greatly improved ballot access for candidates.**
- **Much more voter choice.**
- **Everyone gets an equal voice in decision making. Fairest system of representation: 39% of the vote = 39% of the seats.**
- **Includes nearly everyone at the table.**
- **Facilitates and incentivizes government based on coalitions, civility and cooperation. Reduces polarization and partisanship.**
- **Ends gerrymandering and safe districts.**
- **Eliminates the Spoiler Effect and reduces wasted votes to under 5%.**
- **Increases diversity; includes women and minorities currently under-represented.**

Remedies: Colorado MMP/STV

- Unicameral Legislature.
- 2 votes per elector, candidate and party.
- Ranked ballots for candidates and party.
- Conjoin 3 House Districts.
- 22 districts, ave. 7 members each = 154.
- 3% party threshold.
- 20% Leveling Seats (31). 185 seats total.
- STV counting in districts, candidate centric.
- Much greater diversity of representation in every district.
- Much greater diversity of representation statewide, 7 - 8 parties elected.
- Governor elected by legislature, becomes accountable to all coalition partners in real time, not every 4 years.
- Input matches outcomes accurately, fewer than 3% wasted votes.
- MMP makes gerrymandering and spoilers impossible.
- Much easier candidate ballot access.
- Much greater voter choice, candidate and party accountability.
- Eliminates the financial and time costs of caucuses and primaries.
- Would make Colorado the #1 democracy in the United States.
- Prototype Pro Rep for rest of the United States.



Diversity is nature's greatest strength.

Remedies: Boulder County MMP/STV

Formula for counties 250K - 400K population

- 2 votes per elector, candidate and party.
- Ranked ballots for candidates and party.
- 3% party threshold.
- 4 districts, 7 members each ave. (27).
- 20% Leveling Seats (6). 33 seats total.
- STV counting in districts, candidate centric.
- 5 - 7 parties elected.
- A full spectrum of diversity in every district.
- Input matches outcomes accurately, <3% wasted votes.
- MMP makes gerrymandering and spoilers impossible.
- Much easier candidate ballot access.
- Much greater voter choice.
- Would make Boulder County the #1 democracy in Colorado.
- Prototype Pro Rep for the rest of Colorado and the United States.



Remedies: **Cities - Single Transferable Vote**

Scalable formula for cities 75K - 150K

- 1 vote per elector in multi member districts.
- 3 districts, 7 members each (21).
- Rank candidates by preference.
- STV with Droop Quota vote counting.
- Input matches voter intent accurately. Very few wasted votes.
- A full spectrum of diversity is elected in every district.
- Much easier candidate ballot access.
- Much greater voter choice.
- STV makes gerrymandering and spoilers impossible.
- Makes any city that adopts STV the #1 inclusive democracy in the state.
- See the [Best Democracy STV](#) page for other city population STV formulas.
- Prototype Pro Rep for the rest of the state and the United States.

BEST DEMOCRACY

Democratize the US Supreme Court

The solution to lifetime, unaccountable concentrated power, is term limited, accountable, dispersed power. Let's introduce Democracy to the Supreme Court, using Single Transferable Vote (STV): 4 Regional Districts, 7 seats each.

<http://www.bestdemocracy.org/supreme-court.html>



Step 4 Attention: **Target Audience**

Think Globally, Act Locally.

Start with local governments, 22,000+ Home Rule cities and counties, then states. Start in your community.

Spread knowledge of Issues and Pro Rep remedies.

Step 5: Action, Achieving Social Change

Proportional Representation and Range Voting are great remedies.

How do we realize them into working electoral systems?

- **Management by Objective; step by step.**
- **Marketing 101: innovators and early adopters first.**
- **Local governments, 22,000+ Home Rule cities and counties, then states.**
- **Home Rule campaigns in non-Home Rule counties.**
- **Create YouTube videos.**
- **Ask your local city council to create a “Good Governance” Board to examine election reforms and political accountability.**
- **Identify the low hanging fruit. Which local governments need change most?**
- **Write Charter Amendment templates. Clear legal tests.**
- **Introduce change incrementally by conducting winning campaigns, 50%+1, in the low hanging fruit local governments, giving voters tangible Pro Rep examples to examine.**

Step 5: Action, Achieving Social Change

Proportional Representation and Range Voting are great remedies.
How do we realize them into working electoral systems?

Home Rule Campaign in Boulder County

Call or Write the Boulder County Commissioners:

Bring Pluralism to Boulder County

Put Home Rule on the 2020 ballot.

Deb Gardner • Elise Jones • Matt Jones

commissioners@bouldercounty.org • 303-441-3500

Step 5: Action, Achieving Social Change

Think Globally, Act Locally.

- Ask friends, neighbors and your cranky uncle, if they would rather be excluded or included in decision making. When/IF they decide they want to be included, explain how Pro Rep guarantees everyone a seat at the table.
- Introduce your state legislator and city council member to Pro Rep.
- Communicate with candidates for local, state and Congressional offices. Explain how fixing our democracy, taking a platform position for inclusion of everyone, can be a compelling advantage over their competition.
- Contact your elected representatives. Ask them what they're doing to make elections more fair and politicians more accountable. Ask them if they know about Proportional Representation. Educate them if they don't.
- Ask your Congressional Representative to support the "Fair Representation Act" [HR 4000](#).
- Host a "Town Hall" on election reform.

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Best Democracy was started in Colorado on Facebook in September, 2015. As of Dec/2019 we have 408 FB members from 24 states, Washington D.C., and 12 countries.

- Join Best Democracy on [Facebook](#).
- Join Best Democracy on [Meetup](#). Organize a local Meetup.
- The www.bestdemocracy.org website has more about election issues and remedies.
- Print Best Democracy [handout cards](#).
- Contact jesse@bestdemocracy.org; volunteer to work on charter campaigns, the web site and to organize events.

BEST DEMOCRACY

Bringing Democracy to Boulder County Credits

Writing, research, photography in the US & Europe, and presentation design.

- Jesse Kumin

Photos of Colorado Columbines, me, Chautauqua Park, Helsingborg Kommunfullmäktige, Boulder County Courthouse, Reykjavik, Colorado State Capitol, Danish Folketing and Maroon Bells © 2019 Jesse Kumin, All Rights Reserved.

Dr. Martin Luther King Memorial photo - © 2016 Robert R. Gerlits, All Rights Reserved.

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Patience, feedback, excellent nourishment and understanding. - Margaret Look Kumin

More info, candidate resources at www.bestdemocracy.org