



# USING THE DEMOCRATIC PROCESS TO BETTER THE DEMOCRATIC PROCESS

A Proposal for Electoral Solutions Presented to the Mayor and Council,  
City of Tucson Arizona, January 2009



The City of Tucson last made formal changes to our electoral process in the early 1960's when a switch was made from 2-year to 4-year terms for the Mayor and Council. Since then the city's population has grown by over 400,000. The Tucson metropolitan area population is currently breaching the 1.3 million mark.

*It is time for another look.*

## A Proposal in Four Parts

1. Forming a Citizen's Task Force to look into reform of the election process
  - \* Finding and including all stake-holders
  - \* Creating a functioning framework
2. Finding and refining proposals for electoral reform
  - \* Including procedural and mechanical reform
3. Checking the validity of the proposals
  - \* Developing a statistically significant database sample of registered voters
  - \* Formating and developing a ballot for the sample
  - \* Analyzing results from the canvas
4. Proposing to the City of Tucson Mayor and Council

In the end, we need to determine if reform is needed and, if it is, what specific reforms improve the process.

The effort must be inclusive, effective and honorable.

The People of Tucson deserve no less.



# DEFINING THE PROBLEM

*"It has been said that democracy is the worst form of government, except all the others that have been tried." --Winston Churchill –*

## **Building a Better Democracy for the City of Tucson, Arizona**

As a nation based on the ideals of republican democracy, we have to choose to continually improve our ability to work within our system. If we believe that it is best for the people to hold as much power as possible, then we need to be watchful as we choose those we elect to represent us in decisions that effect us.

So, how can we build a better republican democracy?

We choose to allow decisions to be made for us by our representatives. This made sense in the time of our nations founding and it makes even more sense as our world becomes increasingly complex. There is just not enough time for the entire voting population to study and confer in order to make all the decisions necessary to run our governments. This is why we require a bureaucracy of governmental professionals. This is also a dangerous way to loose control over our government.



So we elect people we trust to watch over the complex machinery of government. Often our trust in a public official is more important then actual competency or experience. The problem is, we don't all trust the same people. So we vote.

As a people we have great successes and we make mistakes. This is the simple nature of decision making as individuals or as a group. Most of us have been represented in government by someone we disagree with philosophically. Some become disheartened and others hold tight and wait.

Our candidates win and loose elections, but if the process is considered fair, then we accept the outcome.

It has been said, that democracy does not end with an election, but is does not begin without one. Democracy, though, is weakened when citizens are disenfranchised from the process of government. So it follows that if we seek a better democracy, then the election process is a good place to start.

Modern elections are less about actual people then they are about coalitions of people promoting a candidate. If in a joint electoral victory we wish to be accepted by our constituencies, then we must begin by giving them a fair voice in our selection.

So we must design a better election system that is acceptable to all. We can start by designing as if we were forming a system for a population that is unlike our own. If we can use the coarse statistic of political partisanship as an indicator, then we have a good example surrounding us.

## Party Population Dynamics

In 1950 the United States Census Bureau reported that in the City of Tucson, 59% of the population spoke a language other than English. We had a Republican Mayor and six Democratic Councilmen. We elected once a year in April and the election of 1951 would end with a Democratic loss in the elections for of Wards 1, 2 and 4 and inn the Mayors seat. In 1952 Democrats would loose Wards 3, 5 and 6 giving total control to the Republican Party. This happened as no Republican council candidate, save Ageton<sup>1</sup> in Ward 3, would be elected within the ward they were charged to represent. So by 1952 a Republican dominated Mayor and Council would govern over a city representing people that for the most part had not voted for them.



In 1954 the Democratic Party would begin to take back seats starting with Wards 3, 5 and 6 where they would win within their prescribed wards. By 1954 the Mayor and Council would be in Democratic hands except for the Republican dominated Ward 2 on the east-side of the city<sup>2</sup>.

This argument would repeat itself in a struggle that lasted from 1957 through 1971. This is the political landscape that acted as a background during what has been called the “Great White Migration” into the City of Tucson. This is the governmental structure that would preside over the destruction of large Hispanic neighborhoods underneath what is now the downtown governmental complex of the city. During the time-period of 1957 through 1971, 13 of 32 of these elections (40.6%)<sup>3</sup> would elect a candidate that lost within their wards.

“Progress” came to Tucson after World War II for reasons that Tucson itself had little direct control over, though the State of Arizona aggressively advertised for regional growth. In the United States we tend to move where we wish and the wave of anglo-migrants was something that was not fully avoidable and in many circles was viewed as beneficial. Tucson’s government, though, directed the growth of the city. It is important to note that many of the most effected negatively by this growth had a spotted representation in the chambers of the Mayor and Council.

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<sup>1</sup> Note that Ageton won his seat from the Democrat Adams who was serving as a Councilman who was rejected by his ward in 1950.

<sup>2</sup> Ward 2 voted out of Sam Hughes and Jefferson Park Elementary Schools (west of the 2008 center of Tucson) that are currently under in the center of Democratic dominated Ward 6

<sup>3</sup> Tucson’s Ward 5 would be represented by candidates that lost within their ward 75% of the time while Ward 1 would be represented this way in 33% of elections. These wards today and then, represented majority Hispanic regions of the city.

According to voter registration records, Republicans represent a distinct population of citizens that have consistently moved east away from the city's center. Ward boundaries have moved with them as Wards 2 and 4 have historically held the majority of citizens who identified themselves as Republican. These wards have consistently moved east as the city grew from a population of 45,454 in 1950 to a population of 486,699 recorded in the census of 2000.

It is interesting to note that elections in Ward 2 have been won by a candidate that also won within the ward in only 5 of 13 elections since 1951 (38.4%). Ward 4 has had a more representative history with only 4 of 15 elections (26.6%) settled in this manner. It is arguable that a philosophical minority within the city that is distinct and describable has also been under represented by our cities election system.

This disparity is caused by our at-large system that holds a primary within the ward to be represented and then holds a general election with the entire city voting to select representation for the ward. This is a system that was removed from many municipalities in the US Southeast under the Voting Rights Act of 1965<sup>4</sup>.

### **The Nature of Partisan Politics in Tucson**

Since 1950 there have been 111 council elections. Of these elections, 35 have been won by Republicans (31.5%). Superficially, this is understandable if compared to the current 2:1 Democrat to Republican ratio, though this ignores non-partisan voters who have a higher population than Republican in 2009, according to the Pima County Records Office.



A closer look shows that when Republicans have gained power, they've done so throughout the city taking over the council wholly. This happened in time periods beginning in 1951, 1958, 1969, 1977<sup>5</sup> and 1997<sup>6</sup>. With each of these electoral changes came an equal response returning control to the defeated party. A continuation of this history could lead to further disfunction as political mood swings in Tucson continue.

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<sup>4</sup> South Carolina v. Katzenbach, 383 U.S. 301, 327-28 (1966).

"...Enforcement of the Act has also increased the opportunity of black and Latino voters to elect representatives of their choice by providing a vehicle for challenging discriminatory election methods such as at-large elections, racially gerrymandered districting plans, or runoff requirements that may dilute minority voting strength. Virtually excluded from all public offices in the South in 1965, black and Hispanic voters are now substantially represented in the state legislatures and local governing bodies throughout the region."

<sup>5</sup> This election was the Recall Election of 1977 when Catalina Foothills financed candidates took over the council in an election based largely on complaints about water funding issues relating to the elevated regions of the foothills outside of the city. Technically, these candidates ran as non-partisan, but defeated Democrats and were defeated in the next elections by Democrats.

<sup>6</sup> This began with the election of Fred Ronstadt in the Democratic majority Ward 6. This election was due to the high number of "non-votes" recorded by Ward 6 voters. Additionally, though the Republican Party would not gain a true majority, a technical majority was achieved with the inclusion of Ward 2 & 4 Democrats in key votes adding to a Mayor and 2 Republican council seats.



# FINDING A SOLUTION

*“If you don’t like the President, it costs you 90 bucks to fly to Washington to picket. If you don’t like the Governor, it costs you 60 bucks to fly to Albany to picket. If you don’t like me, 90 cents.”*  
– Edward Koch, Mayor of New York, (1978-1989) –

## The Electoral Process seen as Economy

Life is a beautiful thing, but much of it comes down to fundamental economic decision-making. That is, decisions dealing with what we give, what we gain and why we do it.

An ancient Roman poet boiled the whole of it down to “Bread and Circuses” as a metaphor for what we need and what we want.

In the realm of a democratic political system, our economic outlook is based on the basic currency of a vote placed on a ballot. In a representative democracy we are willing to allow others to make basic decisions for us as long as they compete for our vote. The weight we put on that currency is very different depending on the position of the elector spending and of the elected who provides a service.

We electors need our bread and desire our circus. The elected, promise to provide a stable society in which we can find both.

Much has been said lately about the impact of buying locally. Buying at a locally run business tends to put more back into our local economy. Whereas, buying at a national or multi-national outlet takes much more from us. Many of us decide to forgo the local benefit as we chase the savings provided from an economy of scale. So we’re willing to go to a big box store to spend a bit less and have our money shipped out of our reach and into the pockets of people we do not know.



The same seems true as we vote in high numbers for national and state politicians, but ignore our local government. This allows others, farther away, to make basic decisions for us. What we get out of this is a more curious problem. Buying locally or electing locally only makes sense if we understand that there is value in our purchasing power. No one likes to waste time, money or, thereby, votes.

If someone else is going to choose your elected official for us, then we might as well stay home, deciding that we don’t care for the process. We see this everywhere from “non-essential” states in our Electoral College system nationally to our antiquated at-large election system here in Tucson. Too many believe that their vote does not matter.

## Is it what or how we spend?

The most effective form of government is placed closest to home. Kitchen decisions tend to trump those in the workplace and so on. So, if we seek to change the way we conduct ourselves locally, then we must begin with locally controlled decision making.

We must make certain that we do things right here, before we can ask for change on a broader level.

We must begin with the most fundamental decision in government. That would be the manner in which we choose those who represents us in our government.

The decisions regarding our election process were made with the adoption of a new City Charter in 1929. At the time our city (a town really) had a population of 32,506 according to the 1930 US Census. Evenly distributed, our six wards would have roughly 5400 citizens. This was just 10 years after women gained a right to vote under the US Constitution. Herbert Hoover was the President of the United States.

It is a basic assumption that it has been a long time since we honestly looked into our election systems here in Tucson, Arizona. It is a basic assumption, that it is time for us to do so now.

### **The Tucson City Council's Call to Action**

On December 19<sup>th</sup> of 2006 the City of Tucson's Council Chamber was filled with citizens who wanted to speak against a long planned switch to an all-in balloting system for city elections. In November of that year, the electorate had turned down such an initiative for the state with no precinct in Tucson favoring it.

The response from the council was a reply that they had never planned an all-mail system, but more of a hybrid-system. Then they made a proposal. First Ms. Trasoff (Ward 6) in the working session and then Mr. Leal (Ward 5) in the public session with Ms Trasoff's second. The proposal would form a "Citizen's Task Force" regarding the election process. The vote was unanimously in favor. The crowd assembled applauded after the vote.

The proposal was a brave one that would put members of the electorate into an advisory roll regarding their elections. The council seemed to understand that a fair election system should be understood as agreeable to the voters electing and not just to those being elected.

### **A Proposal for a Citizen's Commission on Elections**

Any proposal for improving the democratic process should use a democratic process as a central tool for decision-making. This will require all who serve in this process to act in a non-partisan manner that seeks a solution that serves all of Tucson. This proposal uses a set of democratic processes to form a solution-based set of proposals. It then relies ultimately on the good will of our elected Mayor and City Council as another form of checks and balances.

The Mayor and Council should honor their vote and form the task force, though a specific-issue Charter Commission with some authority would be better. In the end, the council would have to vote on any measure proposed for the ballot, so there would be a system of checks and balances evident in the process.

# DEVELOPING A DECISION-BASED PROCESS

If we cannot end now our differences, at least we can help make the world safe for diversity  
-- John F. Kennedy --

Any election commission should include representation from a broad spectrum of the community. This would include significant political parties, and significant election interested organizations. This should not include members of the government, though significant governmental input should be available and provided.

The Charter Commission should look into the entire election system and propose measures to be placed on a ballot. The Commission should be tasked to look at the balloting process as well as the process in which the ballots are counted. This could be quite a list, as there are quite a few alternatives that could better assure fair and well-counted ballots.

## **Finding a Better and Lasting Solution**

Any real solution to creating a better democracy should include the democratic process as a decision making tool. In this, we need to design a system that is understood and agreed upon by all citizens of the City of Tucson.

FairElect-Tucson proposes a commission to formulate proposals that are then checked by a statistically significant sample of voters for validity. Next, they would be presented to the Mayor and Council for inclusion on the next city ballot and then presented on the ballot for final approval by the people of Tucson, Arizona.

The procedure would be as follows:

1. Commission is Appointed and meets
  - a. Commission need to be city representative
  - b. Commission sets rules for decision making
2. Commission Formulates a set of proposals for the city ballot
  - a. Proposals should be single issue and may not represent majority opinion
3. Commission forwards proposals to a Tucson Voter Sample
  - a. Voter sampling should be conducted by an independent body
4. Commission analyses returned responses
5. Commission presents finding to the Mayor and Council
  - a. Council should reject only due to legal issues
6. Council Approved Measures are placed on the next General Election Ballot