

## ELECTION PROTECTION & INTEGRITY IN CAMPAIGN FINANCE

*A Resolution adopted by the 222<sup>nd</sup> General Assembly (2016) of the Presbyterian Church (U.S.A.)*

1. Approve the following response, “Election Protection and Integrity in Campaign Finance,” to both Items 09-15 and 09-06 from the 221st General Assembly (2014) on voter suppression and campaign finance reform, and that this response serve as the requested update to “Lift Every Voice: Democracy, Voting Rights, and Electoral Reform (2008),” which is to be sent by the Stated Clerk to mid councils as a resource to advocate “for voter rights in a more just and democratic society.”
2. Approve the following statement:

### Statement of Concerns for the U.S. Electoral Process

Respect for the conscience of the individual anchors Presbyterian reverence for the right to vote for everyone. Public service is seen by us as a high calling, and government itself a servant and agent of the people, accountable to all citizens. Politics as public decision-making has an ethical purpose and benefits from laws that prevent corruption by special interests against the common good. Weakening the rights of citizenship for some and unfairly enhancing the power of others distort the practices and legitimacy of democracy.

As a Reformed Christian church, understanding God’s covenant to have been opened by Jesus Christ even to “the least of these,” the Presbyterian Church (U.S.A.) seeks to live out and witness to its values of love and justice in the public sphere. Today, both the protection of voting rights and the integrity of our electoral process due to unlimited private spending are matters of concern. This statement and recommendations address these matters that have emerged since the 218th General Assembly (2008) approved, *Lift Every Voice: Democracy, Voting Rights, and Electoral Reform*, with the principles enunciated in that policy and its predecessor, *Reformed Faith and Politics* (1983).

Historically, racial discrimination limited the franchise, and since 1965 the Voting Rights Act, repeatedly renewed, provided federal oversight for jurisdictions deemed most resistant to allowing African Americans and other racial ethnic minorities to vote. With the effective suspension of the “pre-clearance” oversight section of that act in June 2013, a good number of those jurisdictions and others are renewing methods to suppress voter turnout. These efforts, reinforced by the tailoring of districts to demographics (gerrymandering), threaten the promise of “one person one vote.” This situation is complicated by the polarization in the Federal Election Commission that has largely stalemated its enforcement of election law.

Since January 2010, with the *Citizens United* decision by the Supreme Court, reinforced by the appeals court decision, *SpeechNow* (March 2010) and *McCutcheon* (April 2014), and building on *Buckley v. Valeo* (1976), campaign finance reform and limits to personal and corporate spending have been struck down. At the least, campaign funding from wealthy individuals and interests buys access; the elimination of funding limits on allegedly independent political action committees and technically nonprofit “social welfare organizations” allows for unlimited and often undisclosed political spending, monetizing our democracy and allowing small numbers of donors enormous influence on political discourse, regulatory protections, military spending, etc. This is a phenomenon virtually unique among democracies but unfortunately reflective of a pattern of economic inequality whereby, since 2007, 1 percent of the U.S. population has held at least 35 percent of the nation’s wealth.

Without claiming to be a judicial body, but in accord with our understanding of the impacts of concentrated power on the common good, the General Assembly affirms the words of the Supreme Court in 1990 in *Austin v. Michigan Chamber of Commerce* as it spoke in favor of the government having a compelling interest in legislation to prevent or restrain: “the corrosive and distorting effects of immense aggregations of wealth that are accumulated with the help of the corporate form and that have little or no correlation to the public’s support for the corporation’s political ideas.”

As a corollary, the assembly supports measures and judgments that distinguish clearly between technical corporate personhood and the personhood of individual citizens, and opposes laws and rulings that allow the spending or communications of corporations and other private enterprises to be considered free speech, necessary to it, or otherwise accorded the rights due human persons.

3. Further, to address these concerns, to increase voting levels, and to decrease dysfunctional polarization in our country, the 222nd General Assembly (2016):
  - a. Supports the reversal of measures to suppress voter turn-out, such as
    - (1) additional and burdensome registration requirements, often linked to the purging of voter rolls;
    - (2) roll-backs and restrictions on voting times, including for early and same-day voting;
    - (3) elimination or narrowing of means for felon re-enfranchisement after they have paid their debts to society;
    - (4) inequality of polling site resources, including antiquated or faulty voting machines, as create long lines, discouraging voters; and
    - (5) lack of enforcement for violations of election law, including dissemination of false or misleading information in particular neighborhoods, intimidation of voters, use of public funds for campaigns, etc.
  - b. Encourages congregations and presbyteries to study the downloadable *Lift Every Voice* social witness policy booklet, which contains biblical, theological and ethical foundations and application of Presbyterian principles yielding affirmations of an affirmative national right to vote (Constitution allows state definition and practice), universal voter registration, nonpartisan legislative districting (to prevent gerrymandering), national minimum quality and verifiability requirements for voting equipment, professionalized and nonpartisan election commissions, election day as a holiday or weekend, campaign finance reforms, and structural proposals to shorten and diversify the primary process and testing of instant runoff and proportional voting to broaden potential representation.
  - c. Supports the election of the president by popular vote through the National Popular Vote Plan (by which states would award their electoral votes to the person receiving the highest national vote), constitutional amendment, or apportioning all electoral votes by congressional district, in order to prevent presidential elections like that of 2000, where the popular vote winner was defeated, and to end a process that gives inordinate attention to ten or less “swing” or “battleground” states while neglecting the forty or so “spectator” states.<sup>1</sup>
  - d. Supports the restoration of meaningful limits for political contributions by corporations, unions, political action committees, superPACs (“527’s”), and individuals, while eliminating the capacity of 501.c.4’s and 501.c.6’s (nonprofit social welfare organizations) to contribute to election campaigns and political referenda.<sup>2</sup>
  - e. Supports restructuring the Federal Election Commission on a nonpartisan and adequately funded basis with special election courts, if necessary, to adjudicate election law violations in a timely way.
  - f. Endorses proposals for full disclosure of political donations and lobbying costs by corporations and the ability of shareholders to review and refuse to be party to partisan donations, receiving proportionate dividend increases instead.
  - g. Endorses the continuing prohibition of partisan political endorsements by religious organizations or their leadership and other measures to respect both religious liberty and the separation of church and state. The Presbyterian Church (U.S.A.) strongly supports the freedom of

religious organizations to speak on matters of policy, but personal endorsements and partisan ties may present the appearance of or opportunity for collusion, special treatment, and the violation of nonprofit tax status.

## **Rationale**

This statement and recommendations are in response to the following referrals:

*Item 09-15: A Resolution to Educate Against and Help Prevent Voter Suppression. Direct the Presbyterian Mission Agency to Develop Programs of Education and Advocacy for Full Voting Rights and Against Disenfranchisement Due to Racism, and Direct the Advisory Committee on Social Witness Policy (ACSWP) to Update Lift Every Voice: Democracy, Voting Rights, and Electoral Reform, Approved by the 218th General Assembly (2008), to Include Changes in the Voting Rights Act (Minutes, 2014, Part I, pp. 15, 38–39, 659ff.).*

*Item 09-06: On Advocating for Financial and Political Reform. Direct the Presbyterian Mission Agency to Advocate for Financial Reforms and Campaign Finance Reform and Other Efforts to Reduce the Influence of Special Interest Money in Politics (Including That of the Financial Sector, the Gun Lobby, the Oil Industry, etc.) (Minutes, 2014, Part I, pp. 15, 36, 635ff.).*

This action combines the two referrals because “Lift Every Voice” itself treats the two main forms of racial and economic disenfranchisement. Further, although the first action does not require a report back to the General Assembly, the Advisory Committee on Social Witness Policy considers the matters addressed to go beyond prior policy at several points, requiring accountability to the General Assembly for any advocacy on its behalf.

As an update, this action is designed to be distributed with “Lift Every Voice: Democracy, Voting Rights, and Electoral Reform,” a General Assembly resolution from 2008: <https://www.pcusa.org/resource/lift-every-voice-democracy-voting-rights-and-elect/>. This background documentation begins with the situation of voting rights, then looks at electoral and campaign finance reforms, and concludes with theological reflection on the Reformed civic ethos noted in the 2008 report. This update has been prepared by the Advisory Committee on Social Witness Policy in consultation with the Office of Public Witness of the Presbyterian Church (U.S.A.) in Washington, D.C., which is also preparing a resource for congregations interested in increasing political participation, pursuing electoral reforms and, in particular, “sponsoring conversations about the negative social impacts of voter suppression and why this matters to the church, providing ideas for congregations to help in local efforts to stop voter suppression” (*Minutes*, 2014, Part I, p. 660) as requested by the 221st General Assembly (2014). Recommendation 3.c. views the Electoral College as a mechanism that gives individual votes different value, depending on one’s state, and hence supports measures that would end its distortion of the general election.

The key argument on both the racial justice/voting rights side and the electoral reform side is that the structures of voting are too liable to partisan capture, as when incumbent legislators through redistricting choose their voters, rather than be chosen by them. Clearly many profit from the current system, but all would profit more from a more even playing field.

## *Historical Context*

The PC(USA) has a long history of advocacy for civil and voting rights. Beginning in 1947, PUCS assembly stated its official civil rights support by condemning all organizations and individuals who aim to hinder any minorities on the basis of creed, class, or color. In 1956, the northern church called upon

Christians to work to eliminate the poll tax “and other restrictions which prevent many citizens from exercising their legal rights at the polls” (*Minutes*, PCUSA, 1956, Part I, p. 235; see also *Minutes*, PCUS, 1957, Part I, p. 194). In 1965, the PCUS affirmed the historic Voting Rights Act, saying “The basic purpose of the civil rights movement should be to obtain for the Negro—and of course, for all minority groups—justice in the affairs of daily life and the right to respect as a human being under the redemptive concern of God. Jesus, by His words and life, calls us, as his followers, to support him in this struggle ...” (*Minutes*, PCUS, 1965, Part I, p. 159).

The 2008 *Lift Every Voice* resolution referenced above supports the extension of the Voting Rights Act of 1965, in its form prior to changes described below, and opposes any measures that would disenfranchise voters on the basis of race or other condition. It supports the re-enfranchisement of felons (or returning citizens) who have paid their debt to society and “full voting rights” for the District of Columbia, while leaving the voting status of territories undefined.

### *The Supreme Court and the Voting Rights Act’s Pre-Clearance Review Provision*

Despite the near unanimous re-approval in 2007 of the Voting Rights Act and its “pre-clearance” provisions for counties in eleven states that had previously kept African Americans from voting, in response to a challenge from an affected town, the Supreme Court in June 2013 struck down Section 4 of the Act that determined which states and counties were covered by Section 5’s provision that required Justice Department approval of state changes in election administration. The majority of the 5-4 decision claimed that Section 4 reflected historic patterns identified in 1965 and that new studies would be needed to determine where oversight was still needed. In the current polarized political climate, obtaining new congressional agreement on jurisdictions to cover is effectively impossible, eliminating the force of implementation for the Act. Shortly after the Court’s decision, a majority of the states and counties (not all in the South) began to reduce voting times, restrict advance voting, purge rolls by adding new registration requirements, and impose new voter identification documents (such as photo ID’s); collectively termed “voter suppression” methods.<sup>3</sup>

### *Examples of Measures Used to Suppress Voter Turnout<sup>4</sup>*

#### 1. *Photo ID Requirements*

Antifraud legislation has been introduced in some states that will require voters to produce new types of identification on election day (despite very little to no evidence of fraud). A driver’s license or an accepted state-issued alternative is usually specified, requiring working poor and elderly citizens to make special and sometimes costly arrangements. Twelve states now require voters to show a form of photo identification while approximately thirteen other states are pursuing similar legislation.<sup>5</sup> In 2011, the state of Alabama passed a law that required voters to have valid photo identification in order to vote. In the same time period, Alabama law enforcement offices closed thirty-one driver’s license locations, meaning that twenty-nine counties will not have a place where they can receive a valid driver’s license on photo identification card. Eight of the ten Alabama counties with the highest nonwhite registration will lose their primary location to receive valid voter identification and will depend on visits from a kind of registration-mobile.<sup>6</sup>

#### 2. *Purging Voter Rolls*

Purging voter rolls is intended to remove duplicate names, people who have moved, died, or are otherwise ineligible to vote. On November 3, 2015, the NAACP in Georgia filed a federal voting rights lawsuit against election officials in Sparta and Hancock counties. The lawsuit was filed because Sparta and

Hancock county election officials repeatedly challenged and purged eligible voters due to alleged address changes and without complying with federal guidelines. These challenges and purges predominantly affected African American voters.<sup>7</sup> A lawsuit on improper purging of voter rolls has been filed in Kansas as well, in response to a 2013 law requiring proof of citizenship, often time-consuming for working people. More than 36,000 Kansans have tried to register since this law went into effect, (many 18–24 year olds), but were unable to complete their registrations. The purge removed these people from the list and required them to restart the entire registration process over again.<sup>8</sup>

### 3. *Felon Disenfranchisement, Often Permanently*

Felon disenfranchisement is often permanent in the United States, barring people with felony convictions from voting for life. The United States is the only democracy in the world that regularly bans large numbers of people from voting after they have completed their sentences. Many countries, such as Denmark, France, Germany, Israel, Japan, Kenya, Norway, Peru, Sweden, and Zimbabwe, allow prisoners to vote unless convicted of crimes against the electoral system. The 2008 *Lift Every Voice* presents more discussion but as of that time, approximately 5.3 million Americans were denied the right to vote because of previous felony convictions.<sup>9</sup> These missing votes have a great impact on elections. In Florida during the controversial 2000 presidential election, even some non-felons were banned due to recordkeeping errors and not warned of their disqualification until the deadline for contesting had passed.

In the United States, felon disenfranchisement disproportionately affects communities of color because they are disproportionately arrested, convicted, and subsequently denied the right to vote. As result, as much as 10 percent of the population in some minority communities are unable to vote.<sup>10</sup> Given current incarceration rates, 30 percent of the next generation of African American males can expect to be disenfranchised at some point in their lifetime.<sup>11</sup> In 2011, Florida Governor Rick Scott disenfranchised 97,491 ex-felons and prohibited another 1.1 million prisoners from being allowed to vote after serving their time.<sup>12</sup> Similarly in Iowa, Governor Terry Branstad overturned his predecessor's decision to restore voting rights to 100,000 ex-felons.

### 4. *Misinformation About Voting Procedures*

There have been multiple cases of misinformation about voting procedures and practices in the past years. In recall elections for the Wisconsin State Senate in 2011, Americans for Prosperity (AFP) sent many Democratic voters a mailing that gave an incorrect deadline for absentee ballots. Voters who relied on the deadline in the mailing would have mailed in their ballots too late for them to be counted in the election. The organization responded by saying that the mistake was simply a typographical error; however, this was not the last time this would occur.<sup>13</sup> In April of 2014 in West Virginia, voters in at least eight counties received a different kind of misleading leaflet from AFP. These leaflets led people to believe they were not properly registered to vote in the May primary, when many were registered.<sup>14</sup>

### 5. *Inequality of Resources Available on Election Day*

Underfunded election areas can result in long lines at polling places, requiring some voters to either wait hours to cast a ballot or to forgo their right to vote. Voters with disabilities or who cannot afford the wait are therefore disenfranchised. Delays at polling places are generally greater in urban areas, often home to working-class families and communities of color.<sup>15</sup> A marginalized group often overlooked by federal and state governments are Native Americans living on and off reservations. In San Juan County Utah there is a large Navajo population with only two voting options. Most people mail in their votes, or they can go to the single polling place, located in a predominantly white area often inaccessible due to lack of transportation or inability to get time off.<sup>16</sup>

## 6. *Restricting Early Voting*

Since 2011, eight states that saw recent increases in minority early voting usage have sharply cut back on early voting hours and days. States including Florida, Georgia, Nebraska, North Carolina, Ohio, Tennessee, West Virginia, and Wisconsin slashed the days and hours most available to working-class communities: Sundays and evenings.<sup>17</sup>

## 7. *Ending Same-Day Voter Registration*

About 10 to 15 percent of voters register to vote or update their addresses at the polls during major Wisconsin elections. The law is credited with giving Wisconsin one of the highest voter turnout rates in the nation, but legislation has been introduced to end same-day voter registration.<sup>18</sup> Voter turnout is much higher in states using election day voter registration than in states that do not. According to official turnout data reports in the 2014 edition of *America Goes to the Polls*, voter turnout in election day registration states have averaged 10 to 14 percent higher than states that do not have the option.<sup>19</sup>

## 8. *Database (Mis)matching*

In 2008, more than 98,000 registered Georgia voters were removed from the roll of eligible voters because of a computer mismatch in their personal identification information, leading registrars to conclude that they were no longer eligible voters at their registered addresses. People were being told that they were not eligible to vote based on information in a database that had not been checked and approved by the Department of Justice and had known flaws.<sup>20</sup> In a separate case in Florida, election officials found that 75 percent of approximately 20,000 voter registration applications were mismatched due to typographical and administrative errors.<sup>21</sup>

## *Campaign Finance Issues*

In the initial statement of concern, the pattern of 5-4 Supreme Court rulings against more than 100 years of campaign finance laws was referenced by the names of key decisions. The one early case cited from 1976, *Buckley v. Valeo*, did open the door to money being considered speech, though its position was that any effective expression of political or other opinion required money in our developed economy. Thus it expanded the amount of money that could be used, though a range of spending caps on individuals, parties, corporations, unions, and others were still in place. Since that time, and accelerating today, all caps are off and only direct, quid pro quo exchange of money for legislation is considered corruption by the Court. Fundraising, even by those foregoing PAC monies, dominates communication. Legislators' lives, in fact, are initially consumed with fundraising, even though gerrymandered districts usually guarantee reelection to more than 90 percent of federal officeholders.

Perhaps the most illuminating data point regarding the role of money in politics is that as of June 2015, (only) 158 families contributed almost half the money for the early efforts to capture the White House. "Just [158 families](#), along with companies they own or control, contributed \$176 million in the first phase of the campaign, a *New York Times* investigation found. Not since before Watergate have so few people and businesses provided so much early money in a campaign, most of it through channels legalized by the Supreme Court's Citizens United decision five years ago."<sup>22</sup> Yet this is not the full picture, which the public is likely never to have, since the Internal Revenue Service has been prevented from establishing regulations on "social welfare organizations," which can give money without disclosing donors, and the Securities and Exchange Commission has been prevented from "finalizing" rules for companies to disclose their political contributions.<sup>23</sup>

The result of this lack of disclosure by 501.c.4 and 501.c.6 organizations is that an estimated \$500 million has entered the U.S. political system as “dark money” prior to 2016.<sup>24</sup> This could well include funds from other countries, or from individuals of dual citizenship whose primary allegiance is not to the United States. So far, President Obama (who did not accept public funding limits in his elections) has declined calls to issue an executive order requiring government contractors (most of the largest corporations) to disclose their political contributions to PACs or 527 organizations.<sup>25</sup>

Presbyterians and others of good faith certainly will differ on how effective the U.S. government has been in addressing the problems of unemployment, housing (especially since the credit crash of 2008), climate change, long-running wars, and particular problems, such as the extraterritorial prison at Guantanamo Bay, Cuba. Some will point to a declining deficit, jobs regained, and health insurance made available to almost 20 million additional people. Others will see problems of immigration and mass incarceration still inadequately addressed, manufacturing and mining under pressure, and undesirable cultural changes.

In Jane Mayer’s book, *Dark Money: The Hidden History of the Billionaires Behind the Rise of the Radical Right*, she traces the millions already spent to influence the redistricting of states, the cutting of taxes, and the halting of regulation. This story is ongoing, as Jane Mayer reports that “the Koch network aimed to spend \$889 million in the 2016 election cycle.”<sup>26</sup> This number creeps toward the \$1 billion each the parties are expected to spend, but more than that, it suggests a downgrade of political parties and the public communications they are based on. The non-party spending translates into hundreds of full-time staff across the country pushing elected officials and candidates to take preset stands against greener energy and labor protections, for example, and in favor of the interests of the funders.

#### *Brief Theological Reflections on Current Politics: Money Is Not Yet All*

This resolution focuses partly on the undemocratic financial distortions of the U.S. political system. This section briefly argues that money still does not determine everything, and that the church has other ways to influence the character of politics, without itself becoming a partisan actor through direct endorsements. When emotional appeals (even borrowed from church practice) are made, the church can model civil discourse and identify ethical claims.<sup>27</sup> In response to both populism and false populism, Christian leaders and communities may need to point to persons and acts of prophetic character.

Presbyterians and many other Protestants understand the link between voting and individual conscience. Most probably consider the right to vote an essential of citizenship. Presbyterians, in particular, may point to structural similarities between their church’s government and that of U.S. representative and democratic polity, even down to the Constitution’s sin-aware checks and balances. Yet the influence of religion comes more through the continuing impact of revivalism on popular democracy in America, in its use of all emerging technologies, from theatrical techniques and imitations of courtroom logic to cheap printing and transportation. Even though these practices were pioneered in the 19th century, they still influence the nature of televised and tweeted political speech and performance today.

In *The New Measures: A Theological History of Democratic Practice*, Presbyterian minister, Ted A. Smith, describes the transformative effects of emotional worship on elections and the authority that more charismatic (though not Pentecostal) preaching stars came to have over more traditional authorities. Personality trumps policy as experience trumps theology: “... the authority of celebrity requires the display of whatever counts as private, and so as real. This leads to the instrumentalization of interests, feelings, activities, and relationships.”<sup>28</sup> People claim that politics has become a “circus.”

In *Democracy & Tradition*, Jeffrey Stout responds to critics of “liberalism” who see the marketplace of political ideas and feelings to be increasingly empty of value. This resolution maintains that there is too

much market in politics, and seeks to protect human free speech from being overwhelmed, even if some of that speech is not great. Stout agrees with Stanley Hauerwas and others who see a need for moral exemplars and virtuous communities influencing public discourse, yet any insistence on standards of competence seems to be swept away in the merger of entertainment and desire for success (a problem also for the church). Yet Stout reminds us that:

The Bible says that such [moral] gifts might be found in any human being among us—old or young, male or female, free or enslaved (Joel 2:27–28, Acts 2:17–18). No idea is more central to modern democracy. ... Its motivating premise is that society must take care not to block the expression of thoughts that might prove to be inspired. It is therefore at odds with the silly notion that all speech will be equal in value ... Everyone knows that free speech increases the volume of mediocre ethical discourse—in both senses of “volume.” But this is the price we pay for democracy, not the reason we pay it. ... Freedom of speech, like freedom of religion, rests on a crucial point of spiritual concord between the forms of Protestantism that influenced Madison (Presbyterianism—ed.) and the unchurched forms of Emersonian heterodoxy that emerged several decades later.<sup>29</sup>

Given the enormous crossover of religious and political practice and preaching, why should ministers and other religious leaders not endorse particular political leaders or parties? If power can be used for good purposes, can the religious leader not guide members of a congregation to identify the right candidate? This is where the invaluable work of James Hastings Nichols, *Democracy and the Churches* (1950), reminds us of the core Reformed cautions against idolizing fallible sinners, no matter how eloquent, and about Calvin and Knox’s insistence on the independence of the church. To endorse candidates is to put the pulpit in service to the platform, a step that ultimately distorts both. There should be cooperation and even mutual support between religious communities and political and social movements, but no concordats.<sup>30</sup>

At another level, all churches are always aware that patriotism, though sometimes noble, can be like tribalism, ethnic superiority, and class distinctions: a barrier and not a conduit for the love of neighbor.

In terms of the limits of speech, the Reformed churches regularly wrestle with the boundaries of membership and leadership (ordination) within a tradition that is both democratic and confessional. In the United States, with the Constitution seen primarily as a procedural Book of Order, the tradition of democracy finds its free speech boundaries when threats are perceived, as in the perceived threat of terrorism today or communism in the 1950s. In 1953 John Mackay and Eugene Carson Blake led the General Assembly Council in a prophetic letter confronting the government’s witch-hunting hysteria of that day, an example of institutional leadership worth remembering.<sup>31</sup> The recent General Assembly resolution, *Drones, War, and Surveillance*, echoes that concern about the monitoring of speech violating the rights of citizenship and the turning of “strangers” into “enemies” out of fear rather than evidence.<sup>32</sup>

To conclude this reflection on Presbyterian ethos regarding the influence of money in politics, we may simply ask whether a Presbyterian aware of human fallibility and naiveté could have written what Supreme Court Justice Kennedy did in *Citizens’ United*: “We now conclude that independent expenditures, including those made by corporations, do not give rise to corruption or the appearance of corruption.” After affirming that corporate contributions were effectively part of free speech of their chosen speakers, he noted, “the fact that speakers may have influence over or access to elected officials does not mean that these officials are corrupt.” His aspirational conclusion: “The appearance of influence or access will not cause the electorate to lose faith in our democracy.”<sup>33</sup>



Writing as a \$3-4 billion campaign heats up, perhaps we may hope that the excess of expenditures being spent may conversely restore a faith in democracy, precisely in reaction to a system so dominated by money at all levels.

## Endnotes

1. The Electoral College has been changed twice since the Constitution was written, though there have been many other proposals for change. The three options provided here are drawn from two respected nonpartisan groups with expertise, Common Cause: <http://www.commoncause.org/democracy-wire/new-york-legislature-backs-national-popular-vote.html> and FairVote: [http://www.fairvote.org/presidential\\_elections#presidential\\_elections\\_the\\_electoral\\_college](http://www.fairvote.org/presidential_elections#presidential_elections_the_electoral_college). Both document the focus of the U.S. political system on 10 “swing” states and other undemocratic distortions.
2. These articles describe the removal of limits on section 527 organizations after the Citizens United reversal of previous election law: <http://www.fec.gov/law/litigation/speechnow.shtml> March 2010 and <http://www.scotusblog.com/2010/03/widening-impact-of-citizens-united/>.
3. [http://www.nytimes.com/2013/06/26/us/supreme-court-ruling.html?\\_r=0](http://www.nytimes.com/2013/06/26/us/supreme-court-ruling.html?_r=0).
4. The Lawyers’ Committee for Civil Rights Under Law is a key group in protecting voting rights, and studying the impact of the Supreme Court case weakening the Voting Rights Act. They have a toolkit for faith communities: <https://lawyerscommittee.org/wp-content/uploads/2015/07/0381.pdf> and a one pager on how to protect voting rights: <https://lawyerscommittee.org/wp-content/uploads/2015/07/0406.pdf>.
5. “Voter ID laws in the United States,” Wikipedia, <[https://en.wikipedia.org/wiki/Voter\\_ID\\_laws\\_in\\_the\\_United\\_States](https://en.wikipedia.org/wiki/Voter_ID_laws_in_the_United_States)> (2 November 2015).
6. “Give Us the Ballot: The Modern Struggle for Voting Rights in America,” Center for American Progress, <<https://www.americanprogress.org/events/2015/09/25/122091/give-us-the-ballot-the-modern-struggle-for-voting-rights-in-america/>> (October 6, 2015). The mobile units may give out free voter IDs, but they will only stop in one location in each county and are open for just two hours at a time. This makes it nearly impossible for many working families to obtain the identification cards needed to vote. Only 29 people have received IDs this way so far in 2015 while an estimated 250,000 potential voters still lack an appropriate ID as of publication date.
7. “NAACP files lawsuit to stop alleged voter purges in Hancock County,” 13WMAZ, <<http://www.13wmaz.com/story/news/2015/11/03/suit-alleges-voters-illegally-purged-in-sparta-and-hancock-county/75114908/>> (November 3, 2015).
8. “Voter ID Battle Shifts to Kansas,” *The New York Times*, [http://www.nytimes.com/2015/10/16/us/politics/kansas-voter-id-law-sets-off-a-new-battle-over-registration.html?\\_r=0](http://www.nytimes.com/2015/10/16/us/politics/kansas-voter-id-law-sets-off-a-new-battle-over-registration.html?_r=0) (October 15, 2015).
9. “Voter Suppression in the United States,” Wikipedia, <[http://en.wikipedia.org/wiki/Voter\\_suppression\\_in\\_the\\_United\\_States#Impediments\\_to\\_voter\\_registration](http://en.wikipedia.org/wiki/Voter_suppression_in_the_United_States#Impediments_to_voter_registration)> (23 January 2014).
10. “Felony Disenfranchisement,” Wikipedia, <[https://en.wikipedia.org/wiki/Voter\\_suppression\\_in\\_the\\_United\\_States](https://en.wikipedia.org/wiki/Voter_suppression_in_the_United_States)> (October 15, 2015).
11. “Felony Disenfranchisement Laws in the United States,” The Sentencing Project, <[http://www.sentencingproject.org/doc/publications/fd\\_Felony%20Disenfranchisement%20Laws%20in%20the%20US.pdf](http://www.sentencingproject.org/doc/publications/fd_Felony%20Disenfranchisement%20Laws%20in%20the%20US.pdf)> (November 2, 2015).
12. “The GOP War on Voting,” *RollingStone*, <http://www.rollingstone.com/politics/news/the-gop-war-on-voting-20110830> (November 10, 2015).
13. Op. cit. at 2 (ii). Further examples of this particular group: Two years later in Virginia, voters reported receiving a mailing from Americans for Prosperity that told them they were not registered to vote, when in fact many were. The mailer also threatened to contact neighbors of the recipients and inform the neighbors of the recipient’s lack of registration. Again in 2014, Americans for Prosperity mailed out more misleading leaflets.

14. "Voters getting misleading info from group, Tennant says," *Charleston Gazette-Mail*, <<http://www.wvgazettemail.com/article/20140422/GZ01/140429746>> (November 2, 2015).
15. Op. Cit. at 2 (2).
16. Op. Cit. at 6 (6).
17. "Voter Suppression: How Bad? (Pretty Bad)" *The American Prospect Longform*, <<http://prospect.org/article/22-states-wave-new-voting-restrictions-threatens-shift-outcomes-tight-races>> (October 6, 2015).
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21. Ibid.
22. [http://www.nytimes.com/interactive/2015/10/11/us/politics/2016-presidential-election-super-pac-donors.html?WT.mc\\_ev=click&WT.mc\\_id=NYT-E-I-NYT-E-AT-101515\\_a-L3&nl=el&nid=26025810&r=1](http://www.nytimes.com/interactive/2015/10/11/us/politics/2016-presidential-election-super-pac-donors.html?WT.mc_ev=click&WT.mc_id=NYT-E-I-NYT-E-AT-101515_a-L3&nl=el&nid=26025810&r=1).
23. [http://www.nytimes.com/2015/12/26/opinion/political-dark-money-just-got-darker.html?emc=edit\\_th\\_20151226&nl=todaysheadlines&nid=26025810&r=0](http://www.nytimes.com/2015/12/26/opinion/political-dark-money-just-got-darker.html?emc=edit_th_20151226&nl=todaysheadlines&nid=26025810&r=0).
24. See the data built on by the New York Times: [https://www.opensecrets.org/outsidespending/nonprof\\_summ.php](https://www.opensecrets.org/outsidespending/nonprof_summ.php).
25. For definition of how social welfare organizations maintain secrecy: [https://www.opensecrets.org/outsidespending/nonprof\\_summ.php](https://www.opensecrets.org/outsidespending/nonprof_summ.php).
26. Mayer, Jane *Dark Money...* (N.Y.: Doubleday, 2015), p. 377.
27. See Davis, James Calvin. *In Defense of Civility: How Religion Can Unite America on Seven Issues that Divide Us* (Westminster John Knox Press, 2010).
28. Smith, Ted A. *The New Measures: A Theological History of Democratic Practice* (Cambridge/New York: Cambridge UP, 2007), p. 216.
29. Stout, Jeffrey. *Democracy & Tradition* (Princeton: Princeton UP, 2004), (pp. 167–8).
30. This has led the Presbyterian Church always to oppose even Vatican ambassadors, whose vestigial medieval state symbolizes exactly the confusion of realms Reformed Christians distrust.
31. See: <http://pres-outlook.org/2014/06/general-assembly-detroit-1954-personal-retrospective-david-m-evans/>.
32. The resolution, *Drones, War, and Surveillance* comes in four parts due to the topics it covers, although a booklet version is also available: <http://pc-biz.org/Explorer.aspx?id=4787>.
33. These quotes from the conclusion of the Citizens' United decision are in an article that tries to explain Justice Kennedy's longer term framework on the place of corporate contributions in politics: [http://www.truthdig.com/report/item/citizens\\_united\\_supreme\\_court\\_justice\\_anthony\\_m\\_kennedys\\_gift\\_to\\_moneyed\\_i/](http://www.truthdig.com/report/item/citizens_united_supreme_court_justice_anthony_m_kennedys_gift_to_moneyed_i/)