





# Lessons from Other Democracies: Ideas for Combatting Mistrust and Polarization in US Elections

By Rachael Dean Wilson, Kevin Johnson, and David Levine



#### About the Alliance for Securing Democracy at GMF

The Alliance for Securing Democracy (ASD) at the German Marshall Fund of the United States (GMF) is a nonpartisan initiative that develops comprehensive strategies to deter, defend against, and raise the costs on autocratic efforts to undermine and interfere in democratic institutions. ASD has staff in Washington, DC, and Brussels, bringing together experts on disinformation, malign finance, emerging technologies, elections integrity, economic coercion, and cybersecurity, as well as Russia, China, and the Middle East, to collaborate across traditional stovepipes and develop cross-cutting frameworks.

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#### **About the Election Reformers Network**

The Election Reformers Network (ERN) team advances research-driven policy change to ensure the institutions running U.S. elections are as impartial as possible. We believe the laws and norms in our country give too much influence over elections to partisans and political parties, damaging voter trust, creating conflicts of interest, and threatening fair results. To help address these problems, we draw on lessons from across the globe. Our founders have supported hundreds of election processes in scores of countries over a 30-year period.

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### Introduction

Protections are <u>baked</u> into each stage of US election administration. For example, nearly every state has paper records of each vote, safeguards to ensure the chain of custody of those ballots, and the ability to go back and count each ballot if necessary. Yet, there is a crisis of confidence in US elections. After falling to a record low following the 2020 elections, trust in US elections increased after the 2022 midterms. However, far too many Americans continue to harbor mistaken beliefs about the prevalence of widespread fraud and miscounted votes, as well as concerns about the ability of election officials to administer future elections fairly. Malign actors—both foreign and domestic—are taking advantage of and reinforcing these trends to serve their varied interests, including geopolitical advantage and monetary gain.

These problems are exacerbated by the political polarization that is increasingly dominating life in the United States. Fault lines that once cut across political party affiliation now <u>align</u> with the divide between the Republican and Democratic parties. Increasingly, many Americans seem to find themselves in two warring camps, opposing the other side on virtually every issue of social and political importance, with elections serving as an almost existential battleground.

While elections in other democracies are also stressed by hardening divisions among political parties, the impact of polarization is greater in the United States because policymaking under the US Constitution is so dependent on self-enforced norms, compromise, and cross-party cooperation. The United States needs to think creatively about how best to address two potent and interconnected problems: first, the impact of our virulent polarization on election

management and our democracy, more broadly; and second, the trust-destroying propagation of election related mis- and disinformation. False information is thriving because of our polarization.

There is also the challenge of knowing if information is true, which in our real-time information environment is often difficult. When mis- and disinformation is mentioned in this paper, we are referring to verifiable election mis- and disinformation, such as the wrong date for Election Day or the spread of a verifiably doctored and false video used to claim fraud. This topic is difficult to navigate in a polarized environment, but that makes it even more important that we continue to share ideas on how to build trust in the information space.

These are problems that would benefit from new ideas, including ideas that come from a source the United States often overlooks: what is working in other democracies. Democracies can and do learn from each other about how to respond to threats, and how to design rules and systems that increase trust and help find common ground. Our history demonstrates this: the United States adopted the secret ballot from Australia, and many countries learned how to constitutionally establish basic freedoms from the US Bill of Rights.

Adopting best practices from other countries is an opportunity to buttress policies and procedures that make US elections free and fair and draw inspiration from others facing the same challenges. With its decentralized election system and state "laboratories of democracy", the United States is well suited for incremental, location-specific adaptation of new ideas.

This report provides examples of strategies that draw inspiration from systems and programs in place in other countries, including some which are already gaining traction in the United States. We divide these strategies into two categories: minimizing the impact of polarization and com-

batting election mis- and disinformation. The ideas in this paper will not work for every jurisdiction in the United States, but more states and localities should consider them as they seek to effectively counter polarization and election-related information manipulation.

# Strategies from Other Democracies to Combat Polarization and Disinformation in the United States

Threat	Potential Solutions	
Political polarization	Increasing fairness through independent redistricting	
	Example: United Kingdom	
	Incentivizing accountability through ranked choice voting	
	Example: Canada	
	Broadening representation through multi-member districts	
	Example: Northern Ireland	
	Increasing trust through impartial election administration	
	Example: Canada	
Election process mis- and lisinformation	Promoting accurate election information through collaborative government leadership	
	Example: Sweden	
	Providing good information through pre- and debunking	
	Example: Australia	
	Ensuring transparency through impartial observation	
	Example: South Korea	

### Minimizing the Impact of Polarization

As scholars like Lee Drutman have <u>noted</u>, US politics once functioned more like a four-party system, in which ideological overlap between liberal Republicans and conservative Democrats facilitated compromise. But in today's polarized environment, there is little common ground between even the most progressive Republicans and the most conservative Democrats.

The depth and impact of polarization in the United States has prompted frustrated voters and lawmakers to consider change to two long-standing elements of our approach to democracy. The first is our simple plurality voting system—in which the candidate with the most votes wins even if that candidate is not supported by the majority—a system that often amplifies polarization.

The second is our approach to election administration and rulemaking that allows for an unusually high level of involvement and control by political parties, a <u>risky</u> dynamic in a high-polarization context. Unlike most <u>other democracies</u>, the United States often uses partisan-elected individuals to manage elections or appoint election-related commissioners (e.g., the Federal Election Commission, the Election Assistance Commission, and many state election boards). Another example is redistricting; in most states, state legislatures, which channel the interest of the majority party, draw district boundaries.

"Polarization increasingly incentivizes parties to maximize the use of that influence [over election administration] to their benefit."

The United States is also an <u>outlier</u> in allowing legislatures, rather than election professionals, to set many specifics of election administration. While international organizations strongly sup-

port a role for parties in <u>observing and check-ing</u> election administration, the United States involves parties directly in election-related decision-making <u>much more</u> than other democracies. Polarization increasingly incentivizes parties to maximize the use of that influence to their benefit.

This section discusses several strategies already in use in the United Kingdom, Northern Ireland, and Canada to counteract polarization and create systems more reflective of the majority.

# The United Kingdom: A case study on independent redistricting

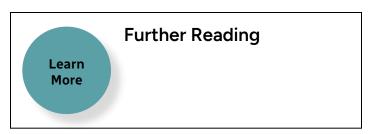
Countries that elect legislators from single-member districts, as the United States does, need to redraw district boundaries periodically to ensure equal representation as the population changes. The United States is one of very few democracies to entrust that process primarily to state legislators, who have a direct personal interest in the process. The US approach results in widespread use of partisan gerrymandering, which contributes to polarization, decreases competitiveness, and sometimes gives legislative control to the party with fewer votes. Districts drawn for partisan benefit often elect more extreme, less collaborative representatives, and the process can deepen public distrust of government.

One effective way to <u>address</u> this problem is to take redistricting out of the hands of legislatures and entrust it to independently appointed commissioners authorized by state constitutions to draw district lines based on set criteria. One of many countries that have implemented this approach is the United Kingdom, which established independent <u>Boundary Commissions</u> in 1944 to

set parliamentary constituency boundaries for England, Scotland, Northern Ireland, and Wales.

The Boundary Commissions are composed of the speaker of the House of Commons (who plays no role in parliamentary constituency boundary reviews), a high court judge, and two other individuals appointed via an open public appointments selection process. With funding from the UK government, the commissions carry out a review every eight years of the constituency boundaries, which are analogous to US Congressional districts.

Criteria guide the review, most importantly that each constituency must have a voting population within 5% of the average number of eligible voters in each UK constituency (with a few exceptions made in unique circumstances). In addition, commissions give priority in boundary drawing to keeping existing local political jurisdictions together. The commissions do not consider any data on how areas under review have previously voted. Initial boundary proposals are subject to two rounds of public consultation over a two-year period, after which the final proposal is "laid before" Parliament and then sent to the government for implementation. Parliament has no vote on the final recommendations, and neither Parliament nor government ministers have any control over the commissions' work.



#### How it could work in the United States

A handful of states, including <u>Colorado</u>, <u>Michigan</u>, and <u>California</u>, have constitutionally-established independent redistricting commissions, and other states are already considering this reform for the 2030 census. Despite some inevitable criticism, maps drawn by these new

commissions have succeeded on <u>key metrics</u>. Researchers have <u>confirmed</u> that independent redistricting commissions in the United States create more districts that are competitive, in turn incentivizing candidates to reach beyond their bases and govern more collaboratively.

Legislatures in some states are already exploring reforms to prepare for the 2030 redistricting cycle, and state supreme court decisions against partisan gerrymandering (including this recent ruling in Alaska) could further that development. But state-based efforts alone may have limited reach because of the reluctance of both parties to accept changes that could cost them seats in Congress.

Where state-based progress is stymied by concerns of "unilateral disarmament", Congress could consider establishing national standards for new maps and redistricting processes that enable independent redistricting in every state ahead of the next redistricting cycle in 2030. For House and Senate elections, Congress clearly has the constitutional authority to set such standards, and significant majorities of voters from both sides support handing election map-making powers to independent commissions.

# Canada: A case study on ranked choice-voting, particularly in primary contests

The traditional approach to voting in the United States works well enough when there are two, maybe three candidates in a race, but when more candidates compete, simple plurality voting can lead to winners who represent the will of perhaps 30 or 35% of voters, not the majority. The problem is compounded in the US primary election system, where turnout is comparatively low and voters more partisan. This dynamic creates significant risks for political parties, which can lose otherwise winnable general elections if crowded primaries give the nomination to candidates lacking broad support across the party.

Political parties, and the country more generally, can also suffer if a candidate supported by only a faction of one party ends up making it to Congress from an uncompetitive district, because that politician could well lack the willingness to collaborate that is so important to how Congress is intended to function.

An alternative to simple plurality voting is\_ranked-choice voting (RCV). In RCV, voters rank candidates in order of preference. If no candidate has a majority of first choice votes, an "instant runoff" takes place, drawing on the second choices of voters whose first-choice candidates are out of the running. This process continues until one candidate has support from more than 50% of the votes.

Because voters' second and third choices can decide the outcome, candidates have an incentive to campaign beyond their base and to appeal to supporters of other candidates. This change in incentives for both candidates and voters can have a profound and curative impact on our democracy. It can also reduce the risk of candidates emerging from a competitive primary damaged by scorched earth campaigning from within their own party.

Although RCV cannot alone eliminate political polarization, it can help ensure that those elected to office have greater public support. It can also help parties build consensus within their ranks, heading into general elections in a stronger position. For example, in 2020, the Conservative Party of Canada used RCV to elect its new leader. Initially, Peter McKay led in the first round with 33.52% of points, in front of the three other candidates. However, Erin O'Toole emerged as the majority winner in the final round after candidates Leslyn Lewis and Derek Sloan were eliminated. O'Toole ended up with 57% of the final round points compared with MacKay's 43% because he received enough second and third choice votes from voters who had initially supported Lewis and Sloan that he was easily able to overcome McKay.

Allowing voters to express their second and third preferences essentially helped one candidate who appealed to a broader swath of the Conservative Party defeat another candidate who relied on a limited base. This approach not only allows for more voters to feel invested in the winner, with more than 50% of voters ranking the winner on their ballot; it also increases the likelihood of a political party, such as the Canadian Conservatives, selecting a consensus leader who can unify the party before a general election.



#### How it could work in the United States

RCV is beginning to be implemented at scale in the United States. According to the nonpartisan organization FairVote, 63 US jurisdictions <a href="https://example.com/have.ncv">have</a>
RCV in place, reaching approximately 13 million voters. This includes two states (Maine and Alaska), three counties, and 58 cities. In addition, military and overseas voters cast RCV ballots in federal runoff elections in six states. Further adoption of RCV in large part depends on political candidates and party leaders' assessment of its benefits.

There is resistance to this reform from some incumbents of both major parties. Many incumbents do not see personal benefit in changing the existing system, in which they know how to win. However, there are good reasons why all parties should see RCV as in their interests. In many states, the opportunity to rank candidates should be used most frequently at the primary level, where crowded races are becoming the norm. Parties face a significant risk of losing winnable general election races because of more extreme candidates picked under plurality rules in crowded primaries. Parties would have a political advantage with a general election candidate

that has broad support that comes from RCV in primaries.

That said, no voting system can outperform all others in all circumstances, and RCV results will not necessarily be universally viewed as the fairest outcome in all cases. In Maine's first Congressional RCV general election race, for example, Republican Bruce Poliquin received a 46% plurality of first place votes but lost when second choice votes were allocated. Although the politically inverse outcome is equally likely, early experiences such as Poliquin's, along with the use of RCV in blue cities such as Minneapolis and San Francisco, have led some Republican state legislatures to pass or consider legislation to ban RCV.

Such efforts are misguided. Right-leaning parties have not only had <u>success</u> in RCV systems used in other countries, but in the United States as well, and there's a <u>strong case</u> to be made that Republicans could benefit as much from a move to RCV as Democrats, if not more. For example, in Virginia RCV <u>helped</u> the Republicans nominate a candidate for governor, Glenn Youngkin, who reversed a losing trend for the party in the state and quickly rose to national prominence.

While the focus here is on the primary stage of elections, RCV can also apply to general elections. Alaska <u>recently adopted</u> the "final four", in which four candidates selected in an open primary compete in the general election decided using RCV. As with RCV at the primary level, RCV used in the general election does not by nature benefit either party.

#### Northern Ireland: A case study on multi-member districts that award seats through proportional ranked choice voting

As promising as the two reforms discussed so far are, independent redistricting and RCV are limited by the United States' reliance on single-member legislative districts across a geography of increasing ideological division. Americans are increasingly sorting themselves politically into <u>like-minded communities</u>, which are then projected through our elections into starkly divided red and blue politics.

One idea to address this deeper problem is to consider redesigning representation for Congress and state legislature on the basis of larger, more diverse districts that elect multiple representatives. Northern Ireland provides a good example of how the system works and its benefits.

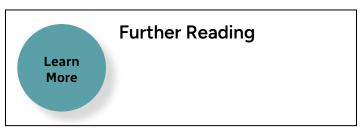
Americans are increasingly sorting themselves politically into like-minded communities, which are then projected through our elections in starkly divided red and blue politics.

In Northern Ireland, five members of the Assembly are elected from each constituency, and voters rank the candidates they like in order of preference. Any candidates who receive more than the threshold support—which is determined mathematically by the number of seats—are elected. A voter's second or third choice will come into play if their first choice is out of the running or already has enough votes for a seat, ensuring most ballots count to elect someone the voter has chosen.

The results of Northern Ireland's 2022 assembly election, shown in the table on the next page, illustrate that each party's share of seats is quite close to their share of voters' first choices. In this way proportional RCV is similar to proportional representation (PR) systems used in many countries in Europe. A key difference likely to find favor in the United States is that the Northern Irish system is still based on voting for individual candidates for representative of a given district, whereas in PR, voters typically pick parties not candidates.

Results of Northern Ireland's May 5, 2022 Assembly Election					
Party	Share of First Choice Votes	Share of Seats			
Sinn Féin	29%	30%			
Democratic Unionist Party	21%	28%			
Alliance Party	14%	19%			
Ulster Unionist Party	11%	10%			
Social Democratic & Labour Party	9%	9%			
Independents	3%	2%			
Others	9%	2%			

Analysts have pointed out that this voting system has helped bridge sectarian differences between nationalist and unionist parties in a deeply divided Northern Ireland. Sinn Fein won the most seats, but rather than focusing on questions of national identity as it had when it was the political wing of the militant Provisional Irish Republican Army, it campaigned more on "kitchen-table issues like the cost of living and the National Health Service". Previous scholarship found that proportional RCV creates incentives to reduce ongoing inter-ethnic conflict in Northern Ireland, and the gains of the non-sectarian Alliance party can be viewed as evidence of an element of cooperation.



#### How it could work in the United States

Americans are now accustomed to living in districts represented by one member of Congress and one state legislator, but it was not always this way. For much of US history, districts electing more than one member were common for both Congress and state legislatures. It wasn't

until 1967 that Congress mandated single-member districts. Congress did so to prevent states from using a specific multi-member system called block voting to dilute black voting power and prevent black candidates from winning seats.

Multi-member districts are worth considering again—using proportional RCV, not block voting previously used in the United States. They could open the door to representation in Congress of the many substantial political minorities that can't currently gain seats. For example, Republican voters are nearly 30% of the population in Massachusetts but no Republican has won one of the state's nine or ten House seats since 1992. Gerrymandering is not the only culprit; Republican voters are too geographically scattered to constitute a majority in any one district. Somewhat similar dynamics exist in the opposite direction for Democrats in states like Oklahoma, where Democratic-leaning voters are 40% of the vote and have none of the state's five seats.

In the US context, this system would not need or create the large number of political parties illustrated in the data from Northern Ireland. Instead, a likely US result could show representation of currently underrepresented segments of a two party system, such as urban Republicans, rural Democrats, New England Republicans, and Plains States Democrats.

This reform, which New York Times Columnist David Brooks called "One Reform to Save America", would not favor either major political party; rather it creates situations in which more than one party is represented in a district's delegation. That could incentivize parties to become less polarizing and more inclusive, fostering the tolerance and mutual respect required by a healthy democracy.

## Canada: A case study on impartial administration of elections

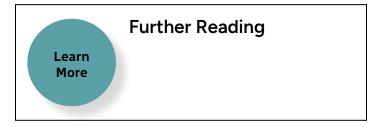
While the 2022 US midterms are widely seen as free and fair, they were not free of attempted partisan interference. While still thankfully rare, some political leaders tried to stop the certification of elections results on little more than conjecture; other election officials enabled security breaches that resulted in the improper accessing of sensitive voting technology; and still other officials adopted policies that make their elections less secure and efficient to appease their party base.

One way to help prevent similar future challenges is to put in place safeguards that ensure those chosen to oversee the administration of US elections are primed to act in an impartial manner. Similar safeguards exist in most democracies around the world, but Canada is a particularly useful case, given some similarities in election management between US states and Canadian provinces and territories.

Following a particularly fraud-ridden election in 1917, Canadian parties agreed to <u>transition</u> to a nonpartisan election administration model, requiring that federal, provincial and territorial election offices be led by nonpartisan individuals. This nonpartisanship is ensured through a range of legal mechanisms, most importantly by the nonpartisan chief electoral officers being <u>ap-</u>

<u>pointed</u> rather than elected, a process that often includes requirements for broad-based approval.

Over the intervening decades, the Parliament of Canada and the provincial and territorial assemblies have delegated greater authority and discretion to these chief electoral officers. These trends bolstered the electoral officers' neutrality and authority, and made it easier for these officers to manage election administration issues that are often fought over intensely in US legislatures, such as what IDs voters can present to vote and how to implement voting by mail.



#### How it could work in the United States

US states place only very limited requirements on even their most senior election administrators (including secretaries of states) to be nonpartisan, and most are elected under a party affiliation. Presidential commissions, like the 2005 Carter-Baker Commission on Federal Election Reform and the 2014 Presidential Commission on Election Administration, have called for reforms that would help ensure that elections are administered in a more impartial manner, and some states have even experimented with nonpartisan structures. These efforts have often met resistance based on the view that nonpartisanship is inherently unattainable. That view contradicts the experience of dozens of other countries and US success in establishing sufficiently neutral control of other politically important institutions, such as the Federal Reserve Board.

Recent developments have spawned new efforts to increase impartiality in US election administration and to change the <u>incentives</u> for election officials. Both Republicans and Democrats have introduced <u>state legislation</u> this year addressing

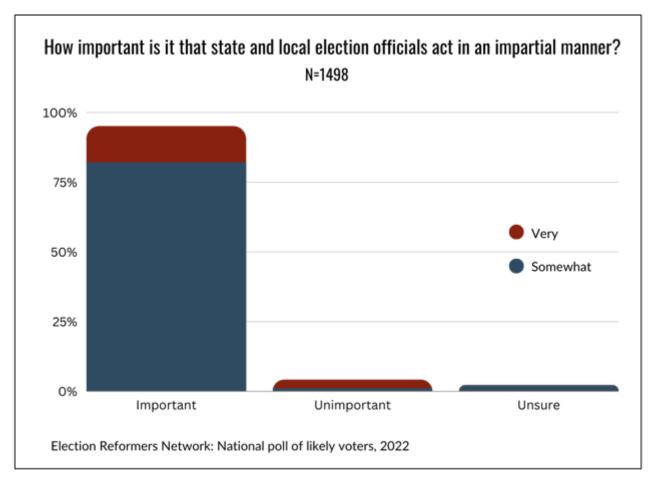
election related conflicts of interest and reducing the ways election officials can take an active role in politics and campaigns.

In fact, large <u>bipartisan majorities</u> want election officials to do their jobs in a nonpartisan manner, as the chart below illustrates. Reforms that help achieve that goal should be seen as protecting officials against partisan pressures and preventing outlier hyper-partisan infiltration, not as criticism of the ethics and bona fides of election officials.

Reform design should consider the benefits and downsides to the use of bipartisan "mutual policing" structures in US election administration. In all viable democracies, the right of competing parties to observe election processes is essential, but the United States has for many decades taken this party involvement beyond observing and into actually doing the election work. In many jurisdictions, election processes are often required to be undertaken by teams of biparti-

san workers. Likewise, state and county election boards are often comprised of appointees of the two parties.

This tradition now faces at least three significant challenges. First the 2020 and 2022 elections demonstrated the vulnerability of bipartisan structures, as some partisan appointees to these bodies have simply refused to take steps reguired of them. Second, a recent federal district court ruling in Delaware may have opened the door for challenges against the legal requirement of party affiliation for election positions on First Amendment grounds. Third, with approximately half of Americans now identifying as independent, it is becoming increasingly difficult to conduct elections in a fully bipartisan manner in many parts of the country. This context creates an opportunity to diversify states' election governance bodies away from prioritizing the needs of the two largest parties over all other election stakeholders.



### **Combatting Election Mis- and Disinformation**

Efforts to undermine the credibility of election results and the election process are the <u>most corrosive threat</u> to the integrity of US elections. The core of the problem is homegrown mis- and disinformation, supported and amplified by foreign adversaries, which sows significant doubt in the US voting system. When bad information is prevalent and compelling, particularly in an information void, it can create a downward spiral that undermines confidence even in empirically grounded fields like elections.

# When bad information is prevalent and compelling, it can create a downward spiral.

It is clear that there is no evidence to call into question the results of the 2020 election and that verifiably false election narratives contributed to declining trust, the January 6th attack on the US Capitol, and an increase in threats against election officials.

One consideration for combatting election misand disinformation is that historically US elections have not always been <u>flawless and fraudfree</u>, and it cannot be assumed that they will always be flawless in the future. For that reason, efforts should focus on bolstering public knowledge of and confidence in election procedures while keeping open room for dialogue about reasonable concerns. Mistakes may occur, but the emphasis should be on identifying and rectifying them quickly, so that voters are not disenfranchised.

To bolster resilience to election-related information manipulation, we can look at actions taken by Sweden, South Korea, and Australia.

#### Sweden: A case study on leadership networks and "bottom up" resilience building

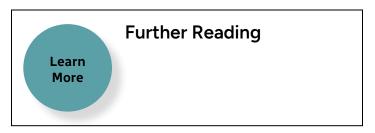
One country the United States should look to for ideas on how to develop and successfully implement a formal government program—either on the state or federal level—for combating false election administration information is Sweden, which has both been a frequent target of Russian-sponsored disinformation and also operates a highly decentralized electoral management structure. To safeguard its 2018 general election against potential disinformation campaigns, Sweden created a leadership component within the Swedish Civil Contingencies Agency (MSB) that focused on building election official resilience from the bottom up, rather than taking a "top-down, regulatory approach". These efforts centered around training and educating leaders across sectors in order to counter nation-state efforts to undermine confidence in the election.

Before the MSB began its work, it first conducted a landscape review of the Swedish election system's potential vulnerabilities. This included studying Russia's attacks on the 2016 US elections, and conversing with foreign counterparts from the United States, the United Kingdom, and other European countries to learn how other democracies were analyzing and countering the disinformation threat. Within Sweden, the review included a briefing with the Swedish Election Authority to discuss how elections worked broadly, conversations with municipal and county officials to discuss how elections were administered locally, and a questionnaire it sent to all of the country's county administrative boards seeking information on how the various boards prepared for information manipulation activities. The MSB also received a classified threat assessment from the Swedish Security Service, the country's

counterrorism and counterespionage agency.

The MSB used the review's findings to provide election authorities with the knowledge, training, and tools needed to understand the threat of disinformation, vulnerabilities in the electoral system, and methods for responding. This included: a practical handbook for how municipal administrators could counter disinformation; election protection best-practices that could form trainings for making elections more secure and less mistaken-prone, which is critical to mitigating disinformation; and suggestions for strengthening coordination between the entities that administered elections and those that secured them, coordination that was previously close to non-existent. All told, approximately 14,000 civil servants and election officials participated in readiness activities on disinformation threats, building and strengthening interagency coordination structures, and raising public awareness.

These readiness activities helped ensure that the 2018 election ran smoothly, notwithstanding a cyberattack on the Swedish Election Authority that generated a flood of homegrown political mis- and disinformation. Over 87% of voters cast ballots, the highest turnout since 1985. Feedback for these activities was overwhelmingly positive, and much of the MSB's strategy and methods were subsequently appropriated by other countries. Following 2018, the government doubled down on this "whole of society, resilience building approach" for future elections.



#### How it could work in the United States

In countries with decentralized electoral management structures, such as the United States,

local election authorities often lack the knowledge, training, and other support to meaningfully counter election related mis- and disinformation. In most election jurisdictions, US election officials need additional support to ensure accurate election information is available and to counter election related mis- and disinformation. States across the country are increasingly carrying out aspects of the work described above to ensure that accurate election information is available to bolster legitimacy of their elections at both the state and local levels.

Like the MSB, the Cybersecurity and Infrastructure Security Agency (CISA) could conduct a landscape review of the US election system's current vulnerabilities. CISA could then share the review's findings with state election authorities, and then work with these authorities to provide other state and local election officials with customized knowledge, training, and tools needed to understand information manipulation, vulnerabilities in their electoral system, and methods for responding. Both state and federal actors have the ability to build coalitions like the MSB did to strengthen the resilience of state and local election officials, which in turn can better prepare election officials for any future threats to US democracy.

The critical work of building resilience to false election information must be carefully scoped as countering disinformation that targets trust in elections and ensuring the right to free speech can be in tension. Many are concerned that such effort could put the government in a position of the arbiter of truth, potentially leading to overreach. Any effort to build resilience in the information space and support accurate election communications and information should make the scope of the effort clear from the outset. These efforts should promote accurate and compelling information that can provide common ground to equip communities and institutions to withstand an influx of false election

narratives. The MSB provided Swedish election officials with knowledge, training, and support to help counter false election narratives, tools that Swedish election officials used to strengthen its resilience to attacks from both foreign and domestic actors.

# Australia: A case study on election education campaigns and pre-bunking

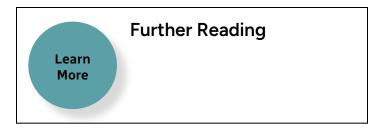
Analysis from the the Midterm Monitor—a joint project from the Alliance for Securing Democracy at GMF and the Brennan Center for Justice that tracked national and state media, candidates, and foreign state-backed actors across social platforms during the 2022 general election—showed that those seeking to cast doubt on the validity of 2022 US elections relied on a core set of false narratives. These narratives—which include attacks on voting machines and mail voting, and exaggerations of voter fraud—reoccur and evolve over time. The cyclical pattern highlights the importance of more effectively preempting and exposing election misand disinformation.

One country worth looking at for potential ways to educate the public in more timely and strategic ways is Australia, whose elections have often been targeted by authoritarian actors, such as China. After seeing false election claims of widespread fraud that resembled those that fueled the January 6 attack on the US capitol, the Australia Electoral Commission (AEC) launched an aggressive campaign to combat disinformation by helping voters "Stop and Consider" the messages they received during the country's 2022 federal election. The campaign advised people to reflect on three things when encountering election information: 1) the reliability of the information's source; 2) the date the information was published; and 3) and whether the information was safe, or perhaps a scam.

To help ensure the campaign reached voters, the AEC employed two primary strategies. First, it actively monitored social media to provide accurate information to counter false claims before they had the chance to "go viral". The AEC used its social media accounts to respond to people who tagged the AEC's handle, and to monitor public conversations using key election search terms. When false claims about the election process were made, the AEC acted quickly to debunk them and provide facts about how the election process actually worked. The AEC also tried to keep its engagement attractive to general audiences by using humor and memes to increase the sharing of its content. For example, after being accused by a Twitter user of being corrupt, the AEC initially replied with a sarcastic, "are not", before giving a more detailed answer.

In addition to its social media engagement, in the lead up to the May 2022 federal elections, the AEC launched a <u>searchable database</u> that listed and categorized mistruths about Australian election processes in a manner akin in many respects to <u>2020 CISA's Rumor Control website</u>, which many states have replicated. But the AEC did a bit more to efficiently and effectively prebunk and debunk information. For example, each piece of disinformation noted in the AEC's database was accompanied with factual information on the matter, as well as information about the platform the falsehood was spread on, the date it was detected, and actions the AEC had taken in response.

The effort appears to have been successful. For example, despite <u>poll worker shortages</u> that nearly forced the closure of regional polling places in Western Australia, South Australia, and Queensland and fanned claims of malfeasance, no mis- or disinformation <u>compromised</u> the administration of the 2022 federal election or cast significant doubt on its legitimacy.



#### How it could work in the United States

The Australia example shows the power of an election official-driven public education campaign paired with quick pre- and debunking of false information. In part, the effort would build on the work of Rumor Control and other similar state-level websites and make it easier to communicate effectively to counter election disinformation. This is particularly important in places where the volume and pace of both accidental and intentional false information have previously overwhelmed the ability of election officials to effectively counter and educate the public about how elections work. And humor, GIFs, and memes that encourage sharing of good information can amplify official efforts. The reality of this information environment underscores the importance of states rethinking essential staffing for election offices. Communication staff is no longer "nice to have".

One pre-bunking theme that could be effective in our polarized context is an emphasis that, as every sports fan knows, rooting hard for one team must go hand in hand with acknowledging and accepting the decisions by referees. In elections, the final verdict, the "video review" to extend the sports analogy, is done by courts, and their rulings need to be recognized and accepted as the best system we imperfect humans have for deciding a disputed election.

There is a concern that such efforts can be perceived as too political, underscoring the importance of election and government officials appropriately scoping the effort and clearly communicating its purpose. When the Department of Homeland Security announced the

creation of the first Disinformation Governance Board in April of 2022, it did so in a manner that left the scope and mission unclear, opening itself up to immediate criticism. Three weeks after its announcement, the Disinformation Governance Board was paused, and soon after it was shut down. Efforts to counter false election information with factual information should be appropriately scoped at the outset.

# South Korea: A case study on transparency through impartial election observation

People tend to seek evidence confirming their preexisting beliefs, rather than adjusting their opinions based on the available evidence. Therefore, it is important not only to debunk false election information, but to also show people how elections actually work and why they should be trusted. One way to do this is to build broader confidence that US elections are so transparent and so well watched that manipulation does not pose a meaningful risk. That confidence can come from expanding election observation opportunities.

The significant variance in rules and practices regulating observers detract from the transparency of the electoral process and helps bad-faith actors exploit election mis- and disinformation.

In the United States, political parties and candidates can generally deploy observers or poll watchers to witness many stages of the election process in each state. But some states <u>prohibit</u> <u>domestic nonpartisan observers</u>, who focus on the overall <u>integrity</u> of the election process for all candidates, regardless of the outcome. The significant variance in rules and practices regulating observers detracts from the transparency of the electoral process and helps bad-faith actors exploit election mis- and disinformation to further erode electoral trust.

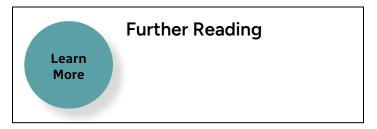
South Korea—a <u>newer democracy</u> whose recent elections have been marred by internal factionalism and political polarization—took important steps recently by expanding election observation, steps that can provide useful lessons for the United States. In April 2020, South Korea transformed the mechanics of voting for millions of its voters to ensure that polling stations would not trigger a second wave of coronavirus infections during the 21st National Assembly elections. At the same time, South Korea also went to extraordinary lengths to expand and ensure observation of the elections.

South Korea enacted a number of <u>safety measures</u> to guard against the then new threat of COVID-19, which facilitated a relatively smooth voting experience. These measures also <u>allowed</u> domestic partisan and nonpartisan observers to monitor the voting process in-person in similar numbers to South Korean elections conducted before the pandemic.

To ensure others could observe the election remotely, the National Election Commission (NEC) of the Republic of Korea arranged for polling station activities to be livestreamed and broadcast on national channels, both during early voting and on election day. The livestreaming provided access to several stages of the electoral process, including preparations for voting; the actual voting in process; the close of voting and the storing of the voted ballots; the preparation and beginning of counting; the counting process as it was progressing; and the close of the vote counting. These measures not only made it easier to observe the elections, but helped many South Koreans understand how their election procedures were tweaked to protect both their health and democratic rights.

South Korea's 2020 elections were <u>considered</u> fair and safe, notwithstanding allegations of early voting fraud and Chinese involvement from prominent figures that were <u>refuted and subsequently dismissed</u> by South Korea's Supreme

Court. These allegations were likely easier to discount because of South Korea's robust observation efforts, including its monitoring of the two-day early voting period. Over 66% of voters cast ballots, the highest turnout in a parliamentary election since 1992, and feedback for many aspects of the election was positive, including the observation accommodations. Following the election, the NEC met with election officials from other countries all over the world to discuss how the elections were managed and monitored, and in 2022, South Korea adopted similar observation accommodations for its 20th presidential election.



#### How it could work in the United States

In the United States, election observation is generally governed by state legislation and in some cases even depends on the discretion of jurisdictions within a state. Those states and jurisdictions that don't yet allow access to the electoral process for citizen nonpartisan observers should reconsider. For example, domestic nonpartisan observers agreed to monitor in-person the 2022 midterm elections in Fulton County, Georgia—a place at the core of false assertions that the 2020 presidential election was rigged—at the request of a bipartisan group of Georgia election officials. Relying in large part on the observations of these nonpartisan observers, the bipartisan group of election officials recommended against a state takeover of Fulton County elections and called for a "positive, proactive, and periodic review process, appropriately funded, designed to support and assist all [Georgia] counties with election process improvements" going forward.

While in-person observation is <u>optimal</u>, remote observation like that arranged by South Korea's

NEC is still better than no observation at all, particularly when the remote observation technology has <u>safeguards</u> such as video encryption and anti-fabrication technology. Livestreaming cameras can provide viewers both locally and globally with remote access to various stages of the electoral process.

The critical work of observing elections must be carefully scoped as protecting the administration of elections and ensuring the right to observe them can be at odds. Some are concerned about election observation efforts interfering with the administration of the election, potentially leading to election worker threats and/or voter intimidation. Any effort to expand election observation efforts to help build resilience in the information space and rebut election falsehoods should make the scope of the effort clear from the outset. These efforts should promote accurate and compelling election observation information that can help communities and institutions better understand and improve their election processes, if necessary. South Korea's efforts to expand election observation opportunities for its 2020 elections made it easier for its courts, experts, and the broader public to counter and dispel false election narratives.

### Looking Ahead to 2024 and Beyond

Just as no two states are exactly alike, there is no single way to ensure free and fair elections. But there are many steps and strategies that can help achieve that goal. As the 2024 US presidential election draws nearer, the threats to elections may continue to intensify. Russia and China's strategies of interference in democracies are evolving. Some state legislatures consumed by false claims of widespread election fraud continue to undermine public faith in electoral processes and pursue changes that consolidate electoral powers in partisan hands. Elected officials and candidates continue to inspire misguided efforts to interfere in the administration of elections. And advancements in digital technology are making malign information cheaper, easier to produce, and harder to discern, while the proliferation of alternative social media sites has made false narratives ever more intractable.

"A voting system in which the candidate with the most votes wins even if that candidate is not supported by the majority is a system that rewards polarization.

While no country is immune to these threats, many countries have found approaches that mitigate some aspects of polarization and information manipulation. It is important to learn from them as we evaluate how new ideas can work to enhance trust in the US election system.

Regardless of the reason, lingering mistrust in US elections and a general sense that democracy is not working for the political middle justifies rethinking our approach to protecting our elections, and our democracy, more broadly. A voting system in which the candidate with the most votes wins even if that candidate is not supported by the majority is a system that rewards polarization. Approaches to election administration and district drawing that allow significant

political party control intensify the impact of polarization.

Admittedly, many of the strategies, policies, and ideas discussed above require funding, something which is inconsistent across the states and unreliable on the federal level. In order to support state and local election jurisdictions where they need it most, the United States must devise a way to appropriately and consistently fund elections.

The reform ideas discussed here are a diversified mix of short and long-term proposals that could simultaneously help address US democracy's most immediate needs, such as better communications strategies and threat information, and more distant concerns, like improving the match between voter preferences and electoral outcomes. While it is tempting to focus all efforts on 2024, it is just as important to keep long-term objectives in mind. When it comes to strengthening and improving US democracy, we should heed the words of Benjamin Franklin who said that "by failing to plan, you are planning to fail". Now is the time to plan and, for states especially, to experiment with ideas to improve the US system.

This is a unique moment in US history, one in which there is an openness to new ideas on how to best run our elections and support democracy. These ideas focus on changing incentives to encourage trust, mutual respect, and a willingness to work together, resources essential to our form of government. Politics and political considerations must, of course, be taken into consideration as reforms are advanced, but the innovations discussed here benefit our democratic republic, not Republicans or Democrats. We must be open to new ideas that can strengthen US democracy, learn from our allies and other democracies, and ensure that the United States can tackle the next generation of challenges.