

**Healing a Divided Nation: A Path to Repairing Democratic Norms in the Face of Pernicious
Polarization and Political Violence**

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Officials from the legislative and executive branches being escorted out of the Capitol Building by the Secret Service, donning gas masks, and avoiding areas that had been overrun would, at first glance, seem to be a description of a foreign attack on our government. These events, however, do not stem from foreign-born terrorism. Rather, they were the culmination of years of breakdowns in democratic thought in the U.S. and undoubtedly instigated by the careless (or perhaps *careful*) words of a president that was elected despite his rampant attacks on democratic institutions, politicians, and his own constituents. January 6th, 2021 is now preeminent in modern discourse, so much so that one need only say the date of its occurrence when referring to it. It is a deeply troubling day for democracy when the National Guard must be mobilized to the nation's capital, curfews must be set, and the sitting president takes hours to respond to violence tied to his own remarks. That same president tweeted the following at the end of the day of assault on our democracy: "These are the things and events that happen when a sacred landslide election victory is so unceremoniously & viciously stripped away from great patriots who have been badly & unfairly treated for so long. Go home with love & in peace. Remember this day forever." While the tweet was a continuance of baseless claims, perhaps we should heed the former president's advice. We ought to remember that day forever, but rather than in praise, its remembrance should be in infamy. Keeping such an event in our minds and working to understand its causes is the only way we can move towards remedying the situation we currently face, a country that is deeply divided and primed for more political violence in the future.

History of Political Violence in the United States

Political violence is a difficult term to define precisely, with there still being many outstanding arguments among scholars about the inclusion of particular acts in the category, such

as acts against government officials that are driven by non-political motives.¹ To avoid confusion, political violence is understood here to refer to acts that cause injury to persons or property, are motivated by identifiable political ideologies, and are conducted by non-state actors.¹⁻³ The tendency of political violence to be destructive to a free society was recognized by the founders of the U.S. In *Federalist* No. 10, James Madison referred to factions as “a number of citizens...who are united and actuated by some common impulse of passion, or of interest, adversed [*sic*] to the rights of other citizens, or to the permanent and aggregate interests of the community.”⁴ He offered potential causes for the formation of factions, including “different opinions concerning religion, concerning government and many other points” and “attachment to different leaders ambitiously contending for pre-eminence and power”; ultimately, Madison argued, these differences had “divided mankind into parties, inflamed them with mutual animosity, and rendered them much more disposed to vex and oppress each other than to cooperate for their common good.”⁴ In *Federalist* No. 9, Alexander Hamilton pointed to the downfalls of the Greek and Italian societies as examples of what “domestic faction and insurrection” can cause.⁵ Madison and Hamilton both argued that the Constitution was well suited to combat the tendencies of factions that could result in political violence.

Just three years after the ratification of the Constitution, an excise on whiskey was passed, sparking the Whisky Rebellion. The rebellion saw the formation of militias that would hunt down tax collectors to tar and feather them before leaving them in the local forests. The same militias would burn the barns of those who decided to pay the new tax, an attempt to force the federal government to give up on the endeavor.⁶ To quell the violence, a federal force of 13,000 men had to be marched into western Pennsylvania.⁶

The political violence that plagued the 1850s was far more concerning. After the Kansas-Nebraska Act of 1854, it was up to citizens in the new states to vote on whether to allow slavery. Senator David Atchison of Missouri called upon groups of citizens (now known as “Border Ruffians”) to storm Kansas and stuff ballot boxes, attack settlers in the state (sometimes even killing them), and ultimately ensure that slavery extended westward into Kansas.⁷ The violence worked its way into the chambers of the Senate where Charles Sumner was beaten nearly to death by a senator from South Carolina for giving a speech denouncing the violence that had occurred in Kansas.⁷ Ultimately, instances like these caused northern abolitionists to eventually respond with violence. The back-and-forth exchanges of violence both outside of and within political bodies created the situation that resulted in the breakout of the Civil War.⁷

For over a century afterward, violent acts were used both to intimidate voters and politicians and to actively prevent the enforcement of integration laws. A prime example of the extent of the violence (and its acceptance among Democrats) was the assassination of Abraham Lincoln. Rather than be appalled at the murder of the nation’s elected leader, news outlets in the South were circulating articles defending the act, stating things such as “There is no reason to believe...that Booth in killing Lincoln was actuated by malice or vulgar ambition,” instead they argued that “God Almighty ordered this event” and it “freed us from the threatened yoke of a tyrant.”⁸ That kind of rhetoric emboldened the next few decades of violence that were characterized by frequent lynching of Black Americans and Republican voters/politicians.⁹ While Republicans were vocal in denouncing the widespread instances of violence, Democrats were largely silent, engaging in tacit support of the events.⁸ Ultimately, it took strong enforcement of perpetually ignored laws by the federal government in the 1950s and 60s for the violence to end.⁸

After the turbulent 1960s came and went, new organizations cropped up to commit political violence, though these instances of violence stemmed mostly from left-wing groups. Much of the political violence in the 1970s was centered on U.S. involvement in the Vietnam War, particularly the use of the draft.² One of the most long-running, and most violent, organizations was Weather Underground. They carried out over 25 bombings, mostly of government buildings (including the U.S. Capitol and the Pentagon).¹⁰ The FBI asserts that their efforts to stop attacks became effective after the formation of task forces dedicated to combatting domestic terrorism, but others have pointed out that left-wing violence in this era also became far more rare after legislative reforms advocated for by left-wing groups finally passed.^{10, 11} Political violence became rather rare through the 1990s and 2000s, but finally spiked again in 2016.²

Before turning to the modern situation, it is prudent to contextualize the U.S.'s long history of political violence to the founders' vision of how the Constitution would prevent it. In their writings, the founders asserted that they looked back at the failings of other societies in order to design a system of representative government that could avoid the pitfalls that led to violence in and the downfall of those societies.¹² The chief argument that Madison offered in *Federalist* No. 10 was that the size of the new Union would be an impediment to the ability for nefarious factions to form and spread their ideas. Specifically, Madison stated that "The influence of factious leaders may kindle a flame within their particular States, but will be unable to spread a general conflagration through the other States" and that with the proposed system it would be "...more difficult for unworthy candidates to practice with success the vicious arts by which elections are too often carried; and the suffrages of the people being more free, will be more likely to centre [*sic*] in men who possess

the most attractive merit and the most diffusive and established characters.”⁴ Madison also thought that the influence of factions would be diminished in the large Union as a result of the influence of more parties that should have naturally cropped up: “...you take in a greater variety of parties and interests; you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens.”⁴

Do these arguments comport with the politics of the past and present? It seems decidedly not so. In the modern day, the two-party system is laid out in plain view. Indeed, two parties have historically dominated American politics, going all the way back to the first federal elections.¹³ In fact, only one political party has ever grown from a third-party into one of the two major parties, the Republican party in the 1850s.¹⁴ Since then, a third-party candidate has only won electoral votes in the presidential election 5 times, with the best performance being Theodore Roosevelt capturing 16.57% of the electoral vote in 1912.¹⁵ So it seems that Madison’s argument that a large nation would offer more parties has not borne out in American politics. Madison also argued that a large nation would help ensure that elected officials would be more moderate as divisive rhetoric that appeals to one part of the nation would not appeal to most voters across the nation; however, this too seems to have been incorrect. Both Democrats and Republicans in Congress have been steadily moving away from the political center over the past 50 years.¹⁶ Recently, President Trump was rated by experts as the most polarizing president in American history and had an end-term approval rating of only 34%.^{17, 18}

We shouldn’t be shocked that the founders’ predictions did not bear out completely. They studied history in an attempt to design a system that could weather the test of time, and overall, they did rather well at that task; the U.S. boasts the oldest written charter of government in the world, having lasted now for over 230 years.¹⁹ We should take on the task of combatting political

violence utilizing what we have learned over the years because we have information that the founders did not, just as Hamilton noted in *Federalist* No. 9: “The science of politics, however, like most other sciences, has received great improvement. The efficacy of various principles is now well understood, which were either not known at all, or imperfectly known to the ancients.”⁵ Thomas Jefferson believed that political violence was not only inevitable, but also necessary, stating “I hold it that a little rebellion now and then is a good thing, and as necessary in the political world as storms in the physical” and that “the tree of liberty must be refreshed from time to time with the blood of patriots and tyrants.”²⁰ Instead of taking his opinion and accepting the violence we now face, we should aim to understand our situation so that we might quell political violence. This is the task undertaken here.

Attitudes About and Roots of Political Violence in the Present

The U.S. is currently faced with pernicious polarization, an extreme degree of polarization characterized by the separation of citizens into mutually distrustful political camps that take on the form of social identities.^{21, 22} A particular problem is the high level of affective polarization, polarization where the focus shifts towards negative feelings about other political parties rather than positive feelings about co-partisans.^{23, 24} Americans have increasingly grown distrustful of those belonging to the other major political party, leading to a situation where dislike of members of the opposing political party now exceeds any positive feelings towards one’s own partisan affiliation.^{25, 26} This state of affective polarization has caused concerns that the U.S. could soon be facing significant democratic degradation as affective polarization is thought to undermine trust in institutions, weaken support for basic democratic principles, and erect barriers to bipartisan government.²⁷⁻²⁹ Indeed, an analysis of the changes in democratic indices of countries that have faced pernicious polarization showed that without depolarization, countries will likely

experience democratic backsliding.²² The situation appears bleak, suggesting that the U.S. may be at a critical point in determining the future health of its democratic governance.

There are, however, indicators that the situation may not be entirely hopeless. First, partisan animosity typically is not rooted in substantive beliefs.³⁰ This suggests that we can work towards reducing polarization through structural or procedural reforms rather than needing to change opinions on important issues of policy. Further, the link between affective polarization and democratic degradation remains unclear, providing at least some hope that we may be able to face such polarization without substantial harm to democratic norms.²⁴ The U.S. has also faced high levels of pernicious polarization for far longer than any other country, and so far it has weathered that situation without significant declines in democracy.²² However, this should not pacify us. High levels of polarization still do seem to make countries susceptible to reductions in democratic and liberal norms, and the data indicate that that susceptibility can be mitigated by pursuing depolarization.²²

A particularly important note is that the U.S.'s high polarization now coincides with large-scale instances of political violence. While the January 6th attack on the Capitol stands out due to its severity, political violence has occurred at a much broader level. Now overshadowed by the reporting on January 6th, the breakout of widespread violence in Portland, Oregon in 2020 showed where high rates of affective polarization and the normalization of violence can lead the U.S. A Black Lives Matter protest in the city quickly met resistance. The situation continuously worsened, leading to attacks on law enforcement, bomb threats on government buildings, and violent clashes in the streets.³¹ There are other instances of large-scale violence with political motives, but perhaps even more concerning is the rise of threats towards and intimidation of elected officials. In 2021, there were more than 9,600 reported threats against members of

Congress, representing a ten-fold increase from 2016.³² Threats against federal judges have also risen by over 400% in the past six years.³² Such threats are rising at the local level as well, with 81% of local elected officials having reported experiencing harassment, threats, or violence.³³ These threats are not always hollow, as demonstrated by the attack on the House Speaker's home, during which her husband was struck with a hammer.³⁴

There has been significant concern over the potential for even more violence as surveys done prior to the 2020 election have been cited more frequently. One survey reported that one in three Americans, Democrat or Republican, believe that violence could be justified to advance their party's political goals.³⁵ Another survey showed that 23% of Americans would support violence if their party didn't win the presidential election in 2020.³⁶ These results were so shocking that they have been cited in political science journals, referenced by 40 news articles, and garnered millions of X (Twitter) engagements.³⁷ However, these results don't seem to comport with the actual frequency of violence conducted with political aims in the U.S. In fact, an analysis of the survey methods utilized in those previous reports pointed out flaws in the surveys that caused a bias in the data.³⁷ The chief flaws were 1) that the surveys did not specifically identify what they meant by "violence" and 2) that the surveys did not appropriately control for disengaged respondents (which becomes a problem if disengaged respondents tend to choose more extreme responses). Resurveying while addressing these two problems, the authors found that the previous studies overestimated support for political violence by up to 13 times (with a maximum potential support level being 6.86%, but more likely being about half of that figure). They further found that the overwhelming majority of Americans (~99%) supported criminal charges for acts of political violence that caused physical harm to people.³⁷

While the majority of Americans don't seem to be as sympathetic to political violence as some estimates have suggested, that shouldn't ease all concern. There is potential for flashpoints to crop up and instigate more turmoil and political violence. For instance, the recent indictments of former President Trump.² Or perhaps even worse, the potential enforcement of Section 3 of the Fourteenth Amendment to prevent former President Trump from even being on the ballot for the upcoming election (which has been argued for in *The University of Pennsylvania Law Review* and by a former U.S. Appeals Court judge as well as a Professor Emeritus of Constitutional law at Harvard Law School).^{38, 39} It is clear that the U.S. still finds itself in the face of persistent, pernicious polarization that has divided the country deeply. The potential for that circumstance to lead to violence in the future should motivate us to work towards erecting safeguards against political violence while we can still avoid dire consequences. This is especially true given that the same circumstances driving political violence also drive other forms of violence. Most concerning at present is the increasing frequency of hate crimes. According to the most recent data available, hate crimes rose from 8,000 instances in 2020 to over 11,000 instances in 2021, with most of the increase being attributable to increases in hate crimes targeting Asian Americans and LGBTQ Americans.⁴⁰ Overall, the available data seem to indicate that America has not yet hit a point of no return when it comes to democratic norms; however, rising instances of threats towards elected officials and increasing rates of violence that are associated with political discussions demonstrate that something must be done if we are to avoid the fates of other democracies that have faced extreme polarization.

Given the current climate, we must evaluate the roots of the polarization and violence we currently face. There is a wealth of literature examining these roots, and that literature tends to point to a few key areas: distrust in institutions, vitriolic and violent language by politicians, and

elections.^{3, 22, 41} On the first, Americans currently trust institutions at the lowest rates ever recorded, with only 25%, 23%, and 7% having “a great deal” or “quite a lot” of confidence in the Supreme Court, the Presidency, and Congress, respectively.⁴² These rates have been consistently dropping.⁴¹ The general reason appears to be that Americans, as a result of being in a republican government dominated by two parties, view political ongoings mostly in terms of whether “their” side or the “other” side is winning.⁴³ This has turned politics into a game—a zero-sum one—rather than a system for the betterment of our country, and viewing politics this way naturally leads to distrust in the intentions of governmental actors. This eroding trust has only been accelerated by populist and anti-establishment rhetoric, hallmarks of speeches given by recent political figures like former President Trump but which date back at least to Reagan.⁴⁴ The overall effect of this distrust in institutions is increasing feelings of disenfranchisement and disillusionment that can lead towards the types of violence we have seen.

The rhetoric leveraged by politicians goes beyond being anti-establishment, however. American politicians have seemingly only increased their usage of violent and vitriolic rhetoric over time. Particularly concerning is that negative campaigning in American elections focuses far more on trait attacks rather than issue attacks (identifying personal failings rather than policy failings).⁴⁵ The prevalence of this tactic has led to a point where individuals view candidates of the opposing party as evil rather than simply being wrong on policy issues, and increasingly has led to a sense of elections being about voting for the lesser of two evils.^{46, 47} This perception of the “other” side as evil would itself be enough to instigate violent sentiments when that side wins, but politicians of late have added fuel to those flames by using violent rhetoric themselves. Even after his statements led to an attack on the Capitol, former President Trump has continued using violent language that can drum up aggression from his base. Following announcements

pertaining to the FBI's investigation of him, former President Trump stated that indictments being brought against him could lead to "potential death and destruction."⁴⁸ Such rhetoric is not isolated to him. Sarah Palin, former governor of Alaska, spoke of how the investigation and prosecution of former President Trump would lead to "civil war," saying "Those who are conducting this travesty and creating this two-tier system of justice, I want to ask them what the heck, do you want us to be in civil war? Because that's what's going to happen" and "We're not going to keep putting up with this."⁴⁹ This kind of language has been linked to an increasing willingness of individuals to engage in political violence.^{3, 50}

The final piece necessary to understand the rise in political violence is the influence of our electoral system. As mentioned earlier, the winner-takes-all system in the U.S. produces a situation in which politics becomes zero-sum, resulting in a clear dichotomy between the "good side" and the "bad side." It also encourages political polarization.⁵¹ The dynamics leading to this effect are complex, but the general reason it arises is that the single-member district and winner-takes-all system for elections in the U.S. leads to candidates either being aligned or misaligned with their constituents. Aligned representatives, ones whose district has a majority population of their own party, have an incentive to support extreme views to solidify support in both primary and general elections. Misaligned representatives, however, must moderate their positions to ensure that they can win over voters from the other party in general elections. Those misaligned representatives also have an incentive to not discuss contentious issues publicly as doing so would only harm their chances of winning in the general election. The ultimate result is that the views heard most commonly from members of both parties are the most extreme ones.⁵¹ These two factors combine to make elections more high-stakes, with a loss being viewed as the granting of power to immoral people who hold extreme views. The potency of this system in

terms of inducing political violence is demonstrated by the fact that political violence rises leading up to elections and falls in the interim.^{52, 53}

A Path for Safeguarding Democratic Norms

Before discussing solutions, it is important to note two things that should not be done. First, reforms cannot ignore standing law. There are many actions that could be useful in reducing instances of political violence that would only cause the situation to deteriorate further. For instance, legislation that would criminalize the use of violent rhetoric by politicians likely would not stand against the First Amendment. Alterations to law enforcement practices that would target organizations advocating for violence or insurrection could violate the Fourth Amendment (depending on exactly what measures were implemented). Even if Congress chose to pursue such routes, the solution would only be temporary as judicial review would likely stop such reforms in their tracks. Solutions must be chosen carefully, weighing their potential to reduce political violence against potential infringements upon the civil liberties or civil rights of citizens.

Second, the opinions and writings of the founders should not be taken as the main guides for action now. While the founders attempted to design a system that would provide a bulwark against political violence, history shows that it has not been effective. The U.S. has faced, and is currently facing, political violence despite the system of government devised by the founders still being in effect. Further, the words of the founders do not always prove useful to us now. The language they used in explaining their revolutionary actions is often quoted, but that language, without the proper context, can encourage violence.²⁰ The view among some founders, particularly Thomas Jefferson, that political violence is inevitable (and potentially healthy) should also temper our expectations about how helpful referring to their ideas will be.²⁰ With both of these considerations in mind, three useful approaches are presented here.

The first approach is nothing new, and in fact is already being pursued. For each of the historical instances of political violence discussed earlier, it was the enforcement of law that ultimately resolved the violence. From the Whiskey Rebellion to Weather Underground, law enforcement was key in reducing violence. Thus, ensuring that standing laws are enforced now against those who seek to commit political violence is a historically supported measure that ought to be pursued, and has already been discussed by others.³ Fortunately, progress has already been made on this front. There were worries (justifiable ones) that the 2022 midterm elections would lead to more political violence, but that scenario did not come to fruition. The chief reason for this seems to be that law enforcement officials were far more vigilant than they had been in 2020/2021 as a result of seeing where a lack of focus on election violence can lead.⁵⁴ Beyond vigilance, the investigation and prosecution of those involved in the January 6th attack weakened groups who likely would have otherwise incited more violence.⁵⁴ Going into the future, law enforcement seems to be preparing for preventing political violence, with the Department of Homeland Security forming a new branch dedicated to domestic terrorism reduction that has received significant funding to improve information sharing, threat identification, and even to provide resources to local communities for the prevention of radicalization.^{55, 56}

While this is reassuring, there are other measures that can and should be pursued to abate political violence at its roots. Considering that polarized politics is significantly aided by our current electoral system, reforming the structure and procedure of elections in the U.S. has the potential to meaningfully reduce polarization without running the risk of infringing upon civil liberties or civil rights. In particular, shifting away from single-member electoral districts (SMDs) with winner-takes-all elections and towards proportional ranked choice voting (PRCV)

would help to produce more moderate politicians and to eliminate the view of politics as a zero-sum game between two competing political parties.

Ranked choice voting (RCV), also referred to as instant runoff voting, is an alternative voting scheme where voters get to rank candidates in order of preference. Instead of the person receiving the plurality of votes after one round of tallying instantly becoming the winner, it uses multiple rounds where the lowest supported candidates get eliminated and their votes are redistributed to the next choice candidate of their supporters. As an example of this process, consider an election for one potential seat where three candidates are running for that seat (candidates A, B, and C). In order to win, a candidate must receive more than 50% of the total vote. For the first round of tallying, A received 40% of rank 1 votes, B received 35%, and C received 25%. Under the current system, candidate A may have won the election. However, under RCV candidate C is eliminated and the second choice candidate of their supporters receives their votes. In this instance, suppose that 80% of those who ranked candidate C as their first choice ranked candidate B as their second choice. That would distribute 20% of the total votes to candidate B while candidate A would receive the remaining 5%. The final result, then, would be candidate B winning the election with 55% of the vote in comparison to 45% for candidate A. For PRCV, the only changes are that each election has more than one winner and the threshold needed for a candidate to win a seat is lower; rounds would continue after the first candidate wins a seat until all seats have been allocated.⁵⁷

Sixty-one percent of American voters are in favor of using PRCV, with a majority of Democrats and independents supporting the change and 49% of Republicans also being in favor.⁵⁸ This indicates that there would not be significant public pushback to implementing PRCV. Lawmakers, especially at the federal level, seem willing to make alterations to election

procedures to curb election-related violence. For instance, the Electoral Count Reform and Presidential Transition Improvement Act of 2022 was passed by both the House and the Senate and signed into law on December 23rd, 2022.⁵⁹ The law clarified the role of the Vice President in certifying election results as well as introduced legal means by which candidates could challenge election results, a clear response to the events of January 6th.⁵⁹ Importantly, both parties have viewed RCV (not PRCV specifically) as benefitting the other disproportionately, but the system actually doesn't seem to benefit either more than the other.⁶⁰ RCV also has already been used in the U.S.⁶¹ The above indicate that there should not be significant reluctance to the implementation of PRCV.

Given that it should be politically feasible to implement PRCV, what are the benefits hoped to be gained? There are a variety, but the chief ones in terms of reducing polarization are that partisan gerrymandering becomes harder, proportionality in representation can be increased, more moderate candidates can be elected more frequently, and third parties become more viable. On the first, effective gerrymandering requires packing (drawing districts in which the opposing party is a significant majority) and cracking (breaking geographical regions that have a large proportion of the opposing party into multiple different districts where they will now be minority members). The strategies make it easy for those in control of redistricting to sway elections for a decade or more by making it nearly impossible for the opposing party to win.⁶² Single-member districts (SMDs) make these strategies incredibly effective, as the party in power can guarantee wins by drawing many districts in which they have slight majority representation and few districts in which the opposing party has significant majority representation.⁶² PRCV can make such tactics much more difficult to implement.⁶³ The reason for this is that drawing districts in which the opposing party receives no winners while also drawing districts in which the party in

power receives all of the winners would be incredibly difficult. With multi-member districts (MMDs) under PRCV, ensuring the opposing party receives no representation in a particular district (depending on the number of winners per district) would require drawing a map in which the opposing party has nearly zero voters because more representation could guarantee them at least one winner in that district.⁶³ The ultimate result is that it would be far more difficult for a state with a majority of a certain party to have election results where the other party wins overall as a result of districting tactics.

The main benefit of this decrease in gerrymandering is that proportional representation would be increased. When a certain group is diffuse geographically, SMDs make it almost impossible to produce district maps that would give that group proportional representation across a state (this is often referred to as the “Massachusetts Problem”).⁶⁴ With MMDs, the threshold for a candidate to win is decreased, making it more likely that a diffuse group is able to win representation in enough districts to achieve proportional representation across a state.⁶³ In fact, modelling has shown that PRCV specifically would be able to achieve proportional representation in all 50 states with three-winner districts.⁶³ This proportional representation is an important goal for increasing institutional trust as a significant criterion for that trust is a feeling of influence in those institutions; analysis of voters’ feelings of efficacy after transitioning to proportional representation schemes shows that proportional representation increases feelings of efficacy for minority group voters.⁶⁵

The third benefit afforded by PRCV is that candidates tend to become more moderate.⁶⁶⁻⁶⁸ This is a result of a necessity to appeal to a broader base in order to ensure that those who do not rank a candidate first will still rank that candidate highly. For example, an extreme candidate might be able to secure a large proportion of the vote in the first round of tallying by appealing to

an extreme base but still fall short of the threshold to get elected. In the subsequent round, it is far less likely that they were voted as a second choice candidate because most people don't hold those extreme views. This extends to campaign practices as well. Systems with MMDs, such as PRCV, see less negative campaigning because a negative campaign against one opposing candidate may damage that candidate but will cause the public to view the negative campaigner as less desirable.⁶⁶ PRCV also incentivizes lawmakers seeking reelection to focus less on benefiting a particular population and to instead focus more on cooperation with those of differing ideologies to pass legislation that benefits a broader population; this is again attributable to the need to be viewed positively by more voters rather than solidifying support with a small base.^{66, 68} The overarching benefit of forcing candidates and lawmakers to appeal to broader bases is that politics would become less polarized. A system that disadvantages extreme views, encourages cooperation, and discourages negative campaigning would directly combat the current norm of viewing American politics as a zero-sum game between dichotomous ideologies as well as the tendency to demonize those on the opposite side of the political spectrum.

The final benefit of PRCV is that it would increase the viability of third-party candidates, allowing Americans the additional voting options that they seem to have a desire for. For instance, 49% of Americans would support a third-party candidate if the 2024 election is a rematch between President Biden and former President Trump, but the current system discourages that support.⁶⁹ While PRCV could not be used for the presidential election since there is only one winner (though, RCV could be since it is suitable for single-winner elections), PRCV can ameliorate this issue in other elections by making it such that votes for a losing candidate can be redistributed to a second choice candidate, thus removing the incentive to vote for a less desirable candidate that has seemingly higher electability.⁷⁰ The introduction of more

variety in political thought by breaking the clear two-party divide would significantly reduce polarization by breaking the binary logic that presently dominates the American political system. That binary logic creates clear divides between citizens that allows for easy demonization of the “other” side and thus can make individuals more sympathetic to political violence. The reorientation of electoral thought from voting for the lesser of two evils and towards voting for a preferred candidate would also help to increase institutional trust, thereby abating the breakdowns in support for democratic norms that can lead to violence.⁶⁵

An important note is that while RCV could be implemented unilaterally by individual states for elections with one or multiple winners (and has been), PRCV could not be for federal elections.⁶¹ For elections to the House, the States have been restricted to utilizing SMDs by the Uniform Congressional District Act (passed in 1967).⁷¹ While it may seem reasonable to implement RCV across the board, including for SMDs for election to the House, this approach could be counterproductive. RCV in SMDs may lead to more extreme candidates winning as a result of moderate candidates being knocked out of contention in the initial rounds of counting (though the literature is equivocal on this question as of now).⁷²⁻⁷⁴ To realize all of the benefits described above without risking rewarding extremist candidates, the U.S. should repeal or amend the Uniform Congressional District Act, and the 50 States should individually institute RCV for elections in MMDs (which would be PRCV). According to current models, the greatest potential is in creating 3-5 member districts, and so that is recommended here for elections to the House.⁶³ For the Senate and Presidency, additional considerations apply. For the Senate, it is most often the case that only one position in each state is available in each election, essentially being a single-winner election that could seemingly fall into the pitfalls of RCV in SMDs mentioned above. However, statewide elections avoid gerrymandered districts and would still require

candidates to appeal to voters across the state, thus reducing the likelihood of worse outcomes under RCV. For the Presidency, the States are bound to elect via the electoral college. There are two options for reform to current procedures that would be beneficial under the electoral college system. The first is to institute RCV and maintain the winner-takes-all system utilized by 48 states for presidential elections. The second option is to adapt what Maine and Nebraska have already done: allocate electors to candidates based on their proportion of the total vote and use RCV to determine winners.⁶¹ Either option is preferable to the current system. The last alteration needed would be reforming primary elections. For MMDs to achieve maximum efficacy, general elections should include more than just one member of each party.^{67, 68} To achieve this, both major parties (at a minimum) should advance more than one candidate to the general election (hopefully using RCV in the primaries to do so). Alternatively, primaries could be done away with (though this seems like a far-away future).

Even with PRCV (and just RCV where necessary), a potential for politicians to utilize vitriolic and violent rhetoric will always remain. Fortunately, there is a cogent option for preventing such language that doesn't carry First Amendment concerns. Since lawmakers now seem more aware of the threat of political violence and the fact that lawmakers themselves can lead people to such violence, the leadership of both parties should cooperate on a bipartisan pact that would disincentivize candidates and lawmakers from using violent rhetoric. Key points of such a pact should be 1) establishing a bipartisan committee of former lawmakers to evaluate violations of the pact, 2) defining what kinds of rhetoric must be avoided, 3) denial of access to pooled party funds for campaigning as a punishment for using the discouraged rhetoric, and 4) censure of lawmakers found to use the discouraged rhetoric paired with a requirement to not cosponsor legislation with those who have been censured.⁵³ The overall effect of this kind of pact

would be to significantly discourage the use of rhetoric that leads to violence, ultimately reducing one of the main driving factors for political violence in the U.S.

Conclusion

Having seen how political violence can destabilize otherwise successful liberal societies, the founders of the U.S. designed a system that they hoped would provide safeguards that would limit it. While well-intentioned, they ultimately did not succeed to the extent they likely hoped; political violence has repeatedly cropped up throughout U.S. history, each time destabilizing the democratic processes that the Constitution was designed to instill. Now, political violence has reached the chambers of Congress, representing a concrete threat to the democratic way of life that the U.S. is supposed to be a champion of. Meanwhile, threats against elected officials and hate crimes are both at all-time highs. Eroding trust in institutions, pernicious polarization, and the use of violent rhetoric by political figures all have contributed to the current circumstances. While potential actions are restricted due to concerns about infringing upon civil liberties, there are still means by which this nation can combat political violence: namely, continuing to be vigilant in preventing and punishing violence through law enforcement, reforming election procedures, and instituting bipartisan agreements aimed at punishing political figures who stoke animosity or violence. Rather than accepting that political violence is inevitable, we ought to pursue these measures so that we can stabilize this country before political violence can affect lasting harm on democratic norms.

References

1. Dino Bozonelos, J.W., Charlotte Lee, Jessica Scarffe, Masahiro Omae, Josh Franco, Byran Martin, Stefan Veldhuis. *What Is Political Violence?* ASCCC Open Educational Resources Initiative. 2023 [Accessed 08-25-2023]; Available from: [https://socialsci.libretexts.org/Bookshelves/Political_Science_and_Civics/Introduction_to_Comparative_Government_and_Politics_\(Bozonelos_et_al.\)/11%3A_Political_Violence/11.01%3A_What_is_Political_Violence#:~:text=Finally%2C%20political%20violence%20can%20include,actors%20have%20a%20transnational%20presence.](https://socialsci.libretexts.org/Bookshelves/Political_Science_and_Civics/Introduction_to_Comparative_Government_and_Politics_(Bozonelos_et_al.)/11%3A_Political_Violence/11.01%3A_What_is_Political_Violence#:~:text=Finally%2C%20political%20violence%20can%20include,actors%20have%20a%20transnational%20presence.)
2. Parker, N. and P. Eisler. *Political Violence in Polarized U.S. At Its Worst since 1970s.* Thomson Reuters Corporation. 2023 [Accessed 08-25-2023]; Available from: [https://www.reuters.com/investigates/special-report/usa-politics-violence/.](https://www.reuters.com/investigates/special-report/usa-politics-violence/)
3. Kleinfeld, R., *The Rise of Political Violence in the United States.* Journal of Democracy, 2021. **32**(4): p. 160-76.
4. Madison, J., *Federalist No. 10*, in *The Federalist Papers*.
5. Hamilton, A., *Federalist No. 9*, in *The Federalist Papers*.
6. CRF. *The Whiskey Rebellion and the New American Republic.* Constitutional Rights Foundation. 2007 [Accessed 08-27-23]; Available from: <https://www.crf-usa.org/bill-of-rights-in-action/bria-23-3-a-the-whiskey-rebellion-and-the-new-american-republic.html>.
7. Zeitz, J. *Where Will This Political Violence Lead? Look to the 1850s.* Politico. 2022 [Accessed 08-27-2023]; Available from: [https://www.politico.com/news/magazine/2022/10/29/political-violence-1850s-paul-pelosi-00064107.](https://www.politico.com/news/magazine/2022/10/29/political-violence-1850s-paul-pelosi-00064107)
8. Suri, J. *The Attack on Paul Pelosi and America's Long History of Political Violence.* Time Magazine. 2022 [Accessed 08-28-2023]; Available from: [https://time.com/6227343/paul-pelosi-attack-political-violence-history/.](https://time.com/6227343/paul-pelosi-attack-political-violence-history/)
9. Foner, E., et al., *Southern Violence During Reconstruction*, PBS, Editor. n.d., PBS.
10. FBI. *Weather Underground Bombings.* United States Federal Bureau of Investigation. n.d. [Accessed 08-28-2023]; Available from: <https://www.fbi.gov/history/famous-cases/weather-underground-bombings#:~:text=Three%20Weather%20Underground%20members%20were.and%20ot%20her%20bomb%20making%20equipment.>
11. Jenkins, B. *Could 2020 Spawn '70s-Style Radicals and Violence?* RAND Corporation. 2020 [Accessed 08-28-2023]; Available from: <https://www.rand.org/blog/2020/08/could-2020-spawn-70s-style-radicals-and-violence.html>.
12. Edel, C. *The Founding Fathers Didn't See This Coming.* Foreign Policy. 2021 [Accessed 08-28-2023]; Available from: [https://foreignpolicy.com/contact-us/.](https://foreignpolicy.com/contact-us/)
13. Pruitt, S. *The Founding Fathers Feared Political Factions Would Tear the Nation Apart.* History Channel. 2019 [Accessed 08-29-2023]; Available from: <https://www.history.com/news/founding-fathers-political-parties-opinion>.
14. Sifry, M. *Why America Is Stuck with Only Two Parties.* The New Republic. 2018 [Accessed 08-29-2023]; Available from: <https://newrepublic.com/article/146884/america-stuck-two-parties>.
15. O'Neill, A. *Third-Party Performances in U.S. Presidential Elections 1892-2020.* Statista. 2022 [Accessed 08-29-2023]; Available from: [https://www.statista.com/statistics/1134513/third-party-performance-us-elections/.](https://www.statista.com/statistics/1134513/third-party-performance-us-elections/)

16. Desilver, D. *The Polarization in Today's Congress Has Roots That Go Back Decades*. Pew Research. 2022 [Accessed 08-29-2023]; Available from: <https://www.pewresearch.org/short-reads/2022/03/10/the-polarization-in-todays-congress-has-roots-that-go-back-decades/>.
17. Eady, G., J. Vaughn, and B. Rottinghaus. *Comparing Trump to the Greatest—and the Most Polarizing—Presidents in Us History*. Brookings Institute. 2018 [Accessed 08-29-2023]; Available from: <https://www.brookings.edu/articles/comparing-trump-to-the-greatest-and-the-most-polarizing-presidents-in-u-s-history/>.
18. Woolley, J. and H. Peters. *Final Presidential Job Approval Ratings*. University of California Santa Barbara. 2022 [Accessed 08-29-2023]; Available from: <https://www.presidency.ucsb.edu/statistics/data/final-presidential-job-approval-ratings>.
19. Mintz, S. *Historical Context: The Survival of the Us Constitution*. The Gilder Lehrman Institute of American History. 2023 [Accessed 08-29-2023]; Available from: <https://www.gilderlehrman.org/history-resources/teaching-resource/historical-context-survival-us-constitution>.
20. Kristian, B. *How the Founding Fathers Encourage Political Violence*. The Week. 2021 [Accessed 08-29-2023]; Available from: <https://theweek.com/articles/963438/how-founding-fathers-encourage-political-violence>.
21. McCoy, J., T. Rahman, and M. Somer, *Polarization and the Global Crisis of Democracy: Common Patterns, Dynamics, and Pernicious Consequences for Democratic Polities*. *American Behavioral Scientist*, 2018. **62**(1): p. 16-42.
22. McCoy, J. and B. Press. *What Happens When Democracies Become Perniciously Polarized?* Carnegie Endowment for International Peace. 2022 [Accessed 08-30-2023]; Available from: <https://carnegieendowment.org/2022/01/18/what-happens-when-democracies-become-perniciously-polarized-pub-86190>.
23. Webster, S.W. and A.I. Abramowitz, *The Ideological Foundations of Affective Polarization in the U.S. Electorate*. *American Politics Research*, 2017. **45**(4): p. 621-647.
24. Druckman, J. and J. Levy, *Affective Polarization in the American Public*. 2021, Northwestern University Institute for Policy Research.
25. Iyengar, S. and M. Krupenkin, *The Strengthening of Partisan Affect*. *Political Psychology*, 2018. **39**(S1): p. 201-218.
26. Iyengar, S., et al., *The Origins and Consequences of Affective Polarization in the United States*. *Annual Review of Political Science*, 2019. **22**(1): p. 129-146.
27. Graham, M.H. and M.W. Svobik, *Democracy in America? Partisanship, Polarization, and the Robustness of Support for Democracy in the United States*. *American Political Science Review*, 2020. **114**(2): p. 392-409.
28. Hetherington, M. and T. Rudolph, *Why Washington Won't Work: Polarization, Political Trust, and the Governing Crisis*. 2015: The University of Chicago Press.
29. Whitt, S., et al., *Tribalism in America: Behavioral Experiments on Affective Polarization in the Trump Era*. *Journal of Experimental Political Science*, 2021. **8**(3): p. 247-259.
30. Mason, L., *Uncivil Agreement: How Politics Became Our Identity*. 2018: The University of Chicago Press.
31. LaFrance, A. *The New Anarchy*. The Atlantic. 2023 [Accessed 08-30-2023]; Available from: https://www.theatlantic.com/magazine/archive/2023/04/us-extremism-portland-george-floyd-protests-january-6/673088/?utm_source=feed.

32. Bergengruen, V. *The United States of Political Violence*. Time Magazine. 2022 [Accessed 08-30-2023]; Available from: <https://time.com/6227754/political-violence-us-states-midterms-2022/>.
33. *New Report: Harassment, Threats and Violence Directed at Local Elected Officials Rising at an Alarming Rate*. National League of Cities. 2022 [Accessed 08-30-2023]; Available from: <https://www.nlc.org/post/2021/11/10/new-report-harassment-threats-and-violence-directed-at-local-elected-officials-rising-at-an-alarming-rate/>.
34. Herb, J. *Court Releases Video of Attack on Paul Pelosi*. CNN. 2023 [Accessed 08-30-2023]; Available from: <https://www.cnn.com/2023/01/27/politics/paul-pelosi-attack-video-release/index.html>.
35. Diamond, L., et al. *Americans Increasingly Believe Violence Is Justified If the Other Side Wins*. Politico. 2020 [Accessed 08-31-2023]; Available from: <https://www.politico.com/news/magazine/2020/10/01/political-violence-424157>.
36. Carey, J., et al. *American Democracy on the Eve of the 2020 Election*. Bright Line Watch. 2020 [Accessed 08-31-2023]; Available from: <https://brightlinewatch.org/american-democracy-on-the-eve-of-the-2020-election/>.
37. Westwood, S.J., et al., *Current Research Overstates American Support for Political Violence*. Proceedings of the National Academy of Sciences, 2022. **119**(12): p. e2116870119.
38. Baude, W. and M. Paulsen, *The Sweep and Force of Section Three*. University of Pennsylvania Law Review, 2023. **172**.
39. Luttig, J. and L. Tribe. *The Constitution Prohibits Trump from Ever Being President Again*. The Atlantic. 2023 [Accessed 09-08-2023]; Available from: <https://www.theatlantic.com/ideas/archive/2023/08/donald-trump-constitutionally-prohibited-presidency/675048/>.
40. Li, W. and J. Lartey. *New Fbi Data Shows More Hate Crimes. These Groups Saw the Sharpest Rise*. The Marshall Project. 2023 [Accessed 08-31-2023]; Available from: <https://www.themarshallproject.org/2023/03/25/asian-hate-crime-fbi-black-lgbtq>.
41. Thomson-Deveaux, A. and Z. Qamar. *What Happens When Americans Don't Trust Institutions?* FiveThirtyEight. 2022 [Accessed 09-07-2023]; Available from: <https://fivethirtyeight.com/features/what-happens-when-americans-dont-trust-institutions/>.
42. Jones, J. *Confidence in U.S. Institutions Down; Average at New Low*. Gallup. 2022 [Accessed 09-07-2023]; Available from: <https://news.gallup.com/poll/394283/confidence-institutions-down-average-new-low.aspx#:~:text=Americans%27%20confidence%20in%20institutions%20has,lower%20than%20the%20prior%20low>.
43. Lopez, M. *Sick of Choosing between the 'Lesser of Two Evils'? Push for Electoral Reform*. The Hill. 2021 [Accessed 09-07-2023]; Available from: <https://thehill.com/opinion/campaign/584353-sick-of-choosing-between-the-lesser-of-two-evils-push-for-electoral-reform/>.
44. Jenkinson, C. *Americans' Diminishing Trust in Their Institutions*. Governing. 2022 [Accessed 09-07-2023]; Available from: <https://www.governing.com/context/americans-diminishing-trust-in-their-institutions>.
45. Thelen, S. *Negative Campaigning in the U.S Midterm Elections: Role Model or Warning for German Campaign Strategies?* American-German Institute. 2018 [Accessed 09-07-

- 2023]; Available from: <https://americangerman.institute/publication/negative-campaigning-in-the-u-s-midterm-elections-role-model-or-warning-for-german-campaign-strategies/>.
46. Montanaro, D. *Americans Have Increasingly Negative Views of Those in the Other Political Party*. NPR. 2022 [Accessed 09-07-2023]; Available from: <https://www.npr.org/2022/08/13/1117232857/americans-have-increasingly-negative-views-of-those-in-the-other-political-party>.
 47. *Voters Choosing among 'Lesser of Two Evils,' Survey Finds*. ABC News. 2016 [Accessed 09-07-2023]; Available from: <https://abcnews.go.com/Politics/voters-choosing-lesser-evils-survey-finds/story?id=42460153>.
 48. Lillis, M. *Squeezed by Investigations, Trump Escalates Violent Rhetoric*. The Hill. 2023 [Accessed 09-07-2023]; Available from: <https://thehill.com/homenews/house/3917300-squeezed-by-investigations-trump-escalates-violent-rhetoric/>.
 49. Pengelly, M. *Sarah Palin Says Us Civil War 'Is Going to Happen' over Trump Prosecutions*. The Guardian. 2023 [Accessed 09-07-2023]; Available from: <https://www.theguardian.com/us-news/2023/aug/25/sarah-palin-us-civil-war-donald-trump-prosecutions>.
 50. Kalmoe, N. *Yes, Political Rhetoric Can Incite Violence*. Politico. 2018 [Accessed 09-07-2023]; Available from: <https://www.politico.com/magazine/story/2018/10/30/yes-political-rhetoric-can-incite-violence-222019/>.
 51. Grimmer, J., *Appropriators Not Position Takers: The Distorting Effects of Electoral Incentives on Congressional Representation*. American Journal of Political Science, 2013. **57**(3): p. 624-642.
 52. Harish, S.P. and A.T. Little, *The Political Violence Cycle*. American Political Science Review, 2017. **111**(2): p. 237-255.
 53. Kleinfeld, R. *The Rise in Political Violence in the United States and Damage to Our Democracy*. Carnegie Endowment for International Peace. 2022 [Accessed 09-07-2023]; Available from: <https://carnegieendowment.org/2022/03/31/rise-in-political-violence-in-united-states-and-damage-to-our-democracy-pub-87584>.
 54. Byman, D. *The Risk of Election Violence in the United States in 2024*. Brookings Institute. 2023 [Accessed 09-09-2023]; Available from: <https://www.brookings.edu/articles/the-risk-of-election-violence-in-the-united-states-in-2024/>.
 55. DHS. *Dhs Creates New Center for Prevention Programs and Partnerships and Additional Efforts to Comprehensively Combat Domestic Violent Extremism*. United States Department of Homeland Security. 2021 [Accessed 09-09-2023]; Available from: <https://www.dhs.gov/news/2021/05/11/dhs-creates-new-center-prevention-programs-and-partnerships-and-additional-efforts>.
 56. DHS. *Dhs Releases Report on Internal Review of Domestic Violent Extremism*. United States Department of Homeland Security. 2022 [Accessed 09-09-2023]; Available from: <https://www.dhs.gov/news/2022/03/11/dhs-releases-report-internal-review-domestic-violent-extremism>.
 57. *Proportional Ranked Choice Voting*. Fair Vote. 2023 [Accessed 09-09-2023]; Available from: <https://fairvote.org/our-reforms/proportional-ranked-choice-voting/>.
 58. *Six-in-Ten Favor Ranked Choice Voting in Federal Elections*. University of Maryland Program for Public Consultation. 2022 [Accessed 09-09-2023]; Available from:

- <https://publicconsultation.org/united-states/six-in-ten-favor-ranked-choice-voting-in-federal-elections/>.
59. *Electoral Count Reform and Presidential Transition Improvement Act of 2022*. Ballotpedia. 2023 [Accessed 09-09-2023]; Available from: https://ballotpedia.org/Electoral_Count_Reform_and_Presidential_Transition_Improvement_Act_of_2022#cite_note-billpage-1.
 60. Cervas, J. and B. Grofman, *Why Donald Trump Should Be a Fervent Advocate of Using Ranked-Choice Voting in 2024*. PS: Political Science & Politics, 2022. **55**(1): p. 1-6.
 61. Edelman, A. *Following a Big Year, More States Push Ranked-Choice Voting*. NBC News. 2023 [Accessed 09-09-2023]; Available from: <https://www.nbcnews.com/politics/politics-news/big-year-states-push-ranked-choice-voting-rcna64945>.
 62. *How Proportional Representation Would Finally Solve Our Redistricting and Gerrymandering Problems*. Fair Vote. 2023 [Accessed 09-09-2023]; Available from: <https://fairvote.org/archives/how-proportional-representation-would-finally-solve-our-redistricting-and-gerrymandering-problems/>.
 63. Garg, N., et al., *Combating Gerrymandering with Social Choice: The Design of Multi-Member Districts*, in *Proceedings of the 23rd ACM Conference on Economics and Computation*. 2022, Association for Computing Machinery: Boulder, CO, USA. p. 560–561.
 64. Duchin, M., et al., *Locating the Representational Baseline: Republicans in Massachusetts*. *Election Law Journal: Rules, Politics, and Policy*, 2019. **18**(4): p. 388-401.
 65. Banducci, S.A., T. Donovan, and J.A. Karp, *Proportional Representation and Attitudes About Politics: Results from New Zealand* | authors' Names Are Listed in Alphabetical Order; Authorship Is Equal. 1. *Electoral Studies*, 1999. **18**(4): p. 533-555.
 66. Eichenberger, R. and P. Schafer, *On Curing Political Diseases: The Healing Power of Majoritarian Elections in Multi-Member Districts*. *Homo Oeconomicus*, 2022.
 67. Drutman, L. *Multimember House Districts*. Politico. 2023 [Accessed 09-09-2023]; Available from: <https://www.politico.com/interactives/2019/how-to-fix-politics-in-america/polarization/multimember-house-districts/>.
 68. Tausonovitch, A. *It's Time to Talk About Electoral Reform*. Center for American Progress. 2023 [Accessed 09-09-2023]; Available from: <https://www.americanprogress.org/article/its-time-to-talk-about-electoral-reform/>.
 69. Vikal, C. *Nearly Half of Voters Would Consider Backing Third-Party Candidate in 2024: Poll*. The Hill. 2023 [Accessed 09-09-2023]; Available from: <https://thehill.com/homenews/campaign/4035698-nearly-half-of-voters-would-consider-backing-third-party-candidate-in-2024-poll/#:~:text=3h%2015m%20ago-.Nearly%20half%20of%20voters%20would%20consider%20backing.party%20candidate%20in%202024%3A%20poll&text=Close%20to%20half%20of%20American,according%20to%20a%20new%20poll>.
 70. Bendert, H., J. Hayes, and K. Ruane, *Third Parties and the Electoral College: How Ranked Choice Voting Can Stop the Third-Party Disruptor Effect*. *Fordham Law Voting Rights and Democracy Forum*, 2023. **1**(3).
 71. Tudor, G. and B. Tremiere. *Towards Proportional Representation for the U.S. House*. Protect Democracy. 2023 [Accessed 09-09-2023]; Available from:

- <https://protectdemocracy.org/work/proportional-representation-uniform-congressional-district-act/>.
72. Burnett, C.M. and V. Kogan, *Ballot (and Voter) "Exhaustion" under Instant Runoff Voting: An Examination of Four Ranked-Choice Elections*. *Electoral Studies*, 2015. **37**: p. 41-49.
 73. Psephomancy. *How Ranked-Choice Voting Elects Extremists*. Medium. 2019 [Accessed; Available from: <https://psephomancy.medium.com/how-ranked-choice-voting-elects-extremists-fa101b7ffb8e>].
 74. Wang, S.S., et al., *A Systems Framework for Remedying Dysfunction in Us Democracy*. *Proc Natl Acad Sci U S A*, 2021. **118**(50).