

# Reframing the Issue of Electronic Voting

## George Lakoff on framing

- “Frames are mental structures that shape the way we see the world.”
- “Don’t think of an elephant... Because every word evokes a frame, we don’t use the words, the language of the other side.”
- “Reframing is changing the way the public sees the world. It is changing what counts as common sense.”

## Elections Belong to the People

1. Elections belong to the people, not to election officials, not to software programmers, not to private corporations, not to technicians of any description. The proper role of elections administration is to *assist the people* in the conduct of their own elections.
2. Elections are not an administrative *fiefdom*, though by our neglect, we have allowed them to become one. It is time to wrest a significant measure of control away from election officials, and back into the hands of the people. Elections must be strictly protected from those who would reduce them to a stepping-stone for higher office.
3. Any election system that begins with the assumption that *a self-governing people* cannot execute the ordinary tasks of hand-marking, casting and counting ballots has turned its back on democracy.
4. The only true remedy for our electoral crisis is to redress the *structural imbalance* that has shifted control of elections away from the people, and into the hands of prominent election officials. Public, election-night hand-counting of paper ballots in the precinct redresses this structural imbalance *decisively*.

## Our Elections Cannot Be Privatized

1. By replacing pen and paper, electronic voting has created an intolerable situation, whereby the votes of every citizen are recorded, cast and tabulated by a private corporation. Private corporations are by design unaccountable to the general public, and therefore have no legitimate role in the conduct of the people’s elections.
2. Privatized, outsourced and monopolized elections serve not the interests of the people, but only of insiders who have a vested interest in their perpetuation. Legislators, election officials, public regulators and private “certifying” authorities all lay claim to their piece of the pie. In the meantime, the public’s right to fair elections stands little chance against the media and marketing forces mobilized in defense of the electronic voting industry.
3. The wall of proprietary secrecy that protects the electronic voting industry from public

scrutiny and legal challenge is beyond outrageous. Particularly given the insidious role played by software programming in electronic voting, proprietary protections all but guarantee that criminal election fraud enforcement has become a thing of the past.

### **Election Outcomes Must be Based Upon Evidence of the Voter's Intent**

1. Without voter-verified evidence of the vote, there is no way to demonstrate the accuracy of machine-produced totals, and therefore no way to verify election results. That means there is no way of *knowing* who actually received more votes—the officially declared “winner,” or the officially declared “loser.” Paperless election outcomes are in fact based upon *hearsay*—official declarations—rather than evidence of voter intent.
2. Historically, the only way election fraud has *ever* been uncovered is by virtue of the paper evidence in the voting system. Take away the evidence, and indeed any system can appear beyond reproach.
3. Evidence is needed not for the purposes of auditing the vote, but rather for purposes of *counting* the vote. When unverifiable, non-transparent, insider-conducted audits are proposed as the sole legitimate context for inspecting voter-verified evidence, we have made not a single step in the direction of returning elections to the people, where they belong.

### **Elections Require an Unbroken Chain of Citizen Custody of the Vote**

1. Democratic elections are not built upon trust, but rather upon citizen verification of the vote. The very function of a ballot—privately marked, publicly cast and counted—is to assure an unbroken chain of citizen custody—and democratic verification—of the vote.
2. Electronic voting *abolishes* the chain of citizen custody, replacing every citizen function with software acting as an *invisible agent* in the voting booth. Without voter-verification of the official paper ballot, electronic voting machine software has complete freedom to manipulate votes as it chooses, without *any* fear of detection.
3. Private ballot-marking and public casting and hand-counting assure that the right eyes are watching, at the right time. Privately, the voter does what only s/he can do, which is verify her/his own vote. Publicly, the observing citizens provide the “many eyes on the ballot box” verification that is *essential* to democratic legitimacy. (Note: mediated participation of the blind is not excluded from the chain of custody, despite the importance of visual evidence)
4. Election auditing, early voting and cryptography all break the chain of citizen custody of the vote, and create insurmountable obstacles to the informed verification of ordinary voters. Informed verification must require no special qualifications or legal privilege, and require nothing more than ordinary human capacities to accomplish.

- *Evidence-based arguments* in support of electronic voting cannot be made.
- *Evidence-based evaluation and oversight* of electronic voting cannot be done.

*Evidence-based demonstrations of fraud, to satisfy the burden of proof, cannot be provided.*