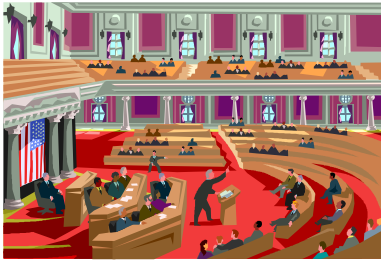


Decision Making in a Democracy

Democracy demands that decisions be made by groups of people. Citizens vote for candidates to represent them in the government. Members of legislative



bodies—including city councils, state legislatures, and Congress—pass laws through a process

involving many group decisions. Citizens acting as juries make decisions about an accused person's guilt.

Many decisions in our democracy are made through what we call majority rule—a vote is taken, and the side getting the greater number of votes wins (in some cases, a particular percentage of votes, whether a simple majority of one more than half or a larger majority is actually required). Majority rule is regarded as a fundamental principle of democracy. It is based on another democratic principle—equality—and provides a way of making decisions that is efficient and transparent. It also encourages discussion of issues to develop a majority opinion. Laws passed by the majority must be adhered to by the minority.

On the other hand, majority rule has some disadvantages. The majority may make bad decisions, electing an incompetent official or passing a bad law. The majority may trample on the rights of the minority, who must be protected from what James Madison described as the “tyranny of the majority.” Members of the minority may be unhappy and thus may destabilize society.

The framers of the Constitution provided constitutional safeguards to protect the rights of minorities. These included the bicameral legislature, the separation of powers, and the Bill of Rights.

Voting and Elections

Voting is one of the most basic ways to participate in a democratic society. While there are many other ways to participate as well, voting is regarded by many as the most fundamental right and responsibility of the citizen. People have struggled for many years to gain the right to vote. Furthermore, free and fair elections are considered one of the “signposts” of democracy.

Elections occur at every level of government and include not only choices among people running for office but also questions related to taxes. In some states with strong direct democracy provisions, people also vote directly on policy questions.

All elections do not work in the same way.

For example, election of the president, the governor of Illinois, and the mayor of Chicago are quite different. After a long process of primaries, caucuses, and conventions, the President is elected via the electoral college, a unique method unlike any other election in the United States. To become president, a candidate must win a majority of the electoral votes (although not a majority of the popular votes).

Major-party candidates for governor also go through a primary process, while independents may petition onto the ballot. In the race to be governor of Illinois, the candidate who gets the **most** popular votes—not necessarily an actual majority—is the winner. Both the president and governor are elected in November, but in different years.



The mayor of Chicago is elected in a different process. In February, voters in Chicago vote on all the candidates—there may be several Democrats and several Republicans running, plus third party candidates and independents. If no candidate gets more than 50 percent of the vote, then the top two vote-getters have a run-off election in April. These top two candidates may be from the same or different parties.

For primary-level students, however, understanding these differences is not important. **What is important is realizing that the people have the right and the responsibility to let their voices be heard.** This understanding can serve as the foundation for adding additional knowledge.

Voting and Juries

During jury deliberations, juries often cast a series of votes to see if they can reach a unanimous verdict. The requirement for juries to reach a unanimous verdict protects the individual from the tyranny of the majority. The Supreme Court has said that the Constitution does not require unanimous jury verdicts, but most states, including Illinois, still require them in criminal cases. Federal law also requires unanimous verdicts in federal criminal cases. These laws provide protection for the accused and help implement the democratic principle of “innocent until proven guilty.” The requirement for a unanimous verdict helps insure that guilt has been proven beyond a reasonable doubt.

While the judge gives the jury its charge, or instructions, he/she does not tell them how to reach a decision. Each individual jury develops its own way of discussing the evidence and the possible verdict. Often, juries take a series of votes, with discussion of the evidence and how various jurors see the evidence occurring between the votes.

The steps used in reaching consensus can be adapted for use in jury

deliberations. The worksheet provided with this e-news suggests a four-step process for increasing agreement about decisions:

- ⇒ **Find out what others in the group think.** This can be done by taking a “straw vote,” defined as a vote that is not final. In reaching consensus, people may be urged not to vote, as this splits the group. While true, not voting is not a realistic approach in the case of jury deliberations.
- ⇒ **Sum up agreements and disagreements.** Students should be encouraged to identify where group members agree and disagree, without associating particular positions with particular students. This will help keep discussion focused on the issues rather than on personalities.
- ⇒ **Find out the reasons for the different ideas. Listen carefully to learn. Make sure everyone has a chance to speak. Tell your ideas as clearly as you can.** At this stage, the emphasis should be on learning the reasons behind the positions, not on one-on-one arguments. Students should recognize that changing your mind in the face of good reasoning is not a sign of weakness, but a sign of thoughtfulness.
- ⇒ **Reach an agreement.** In other decision-making contexts, students may come up with an idea that is different from any of the ideas originally proposed—this is a great development that should be encouraged. In the case of the jury deliberation, however, it is generally not an option. Students may find that they have all come to agree on a verdict as a result of their discussion. They may find that the number who agree has increased; if time allows, they can repeat the steps above to try to reach unanimity. Sometimes, agreement cannot be reached, just as it cannot always be reached in real court cases. Then, a hung jury results.

What Is Voting?

Voting is one way we make our voices heard. It is a way for a group to choose between two or more things.

Imagine that your class has several choices of things you can do at recess. Your teacher lists them on the board:

Play soccer.
Play tag.
Play on the swings and slides.
Play jacks and other games.

Your teacher takes a vote. Every student can vote for one of the recess activities. Here is how the vote turns out.

Play soccer. 9 votes
Play tag. 3 votes
Play on the swings and slides. 3 votes
Play jacks and other games. 3 votes

The vote was a quick way to make a decision. Nine students are very happy with the decision. But nine students are also unhappy. How could you make a decision that would make more students happy? Write your ideas below.

When you are trying to make a decision that everyone can be happy about, talking and listening are very important. Here are some steps that may help.

- ⇒ Find out what others in the group think. You might do this by taking a “straw vote.” This means a vote that is not final.
- ⇒ Sum up agreements and disagreements.
- ⇒ Find out the reasons for the different ideas. Listen carefully to learn. Make sure everyone has a chance to speak. Tell your ideas as clearly as you can.
- ⇒ Reach an agreement. You might come up with an idea that is different from any of the ideas you first voted on. You may all agree on one idea, or the number of people who agree may be higher.



Don't be afraid to change your mind. When you listen and think, your ideas can change and get better!