

Rethinking Electoral Institutions



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POL 106: The Presidency

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Outline

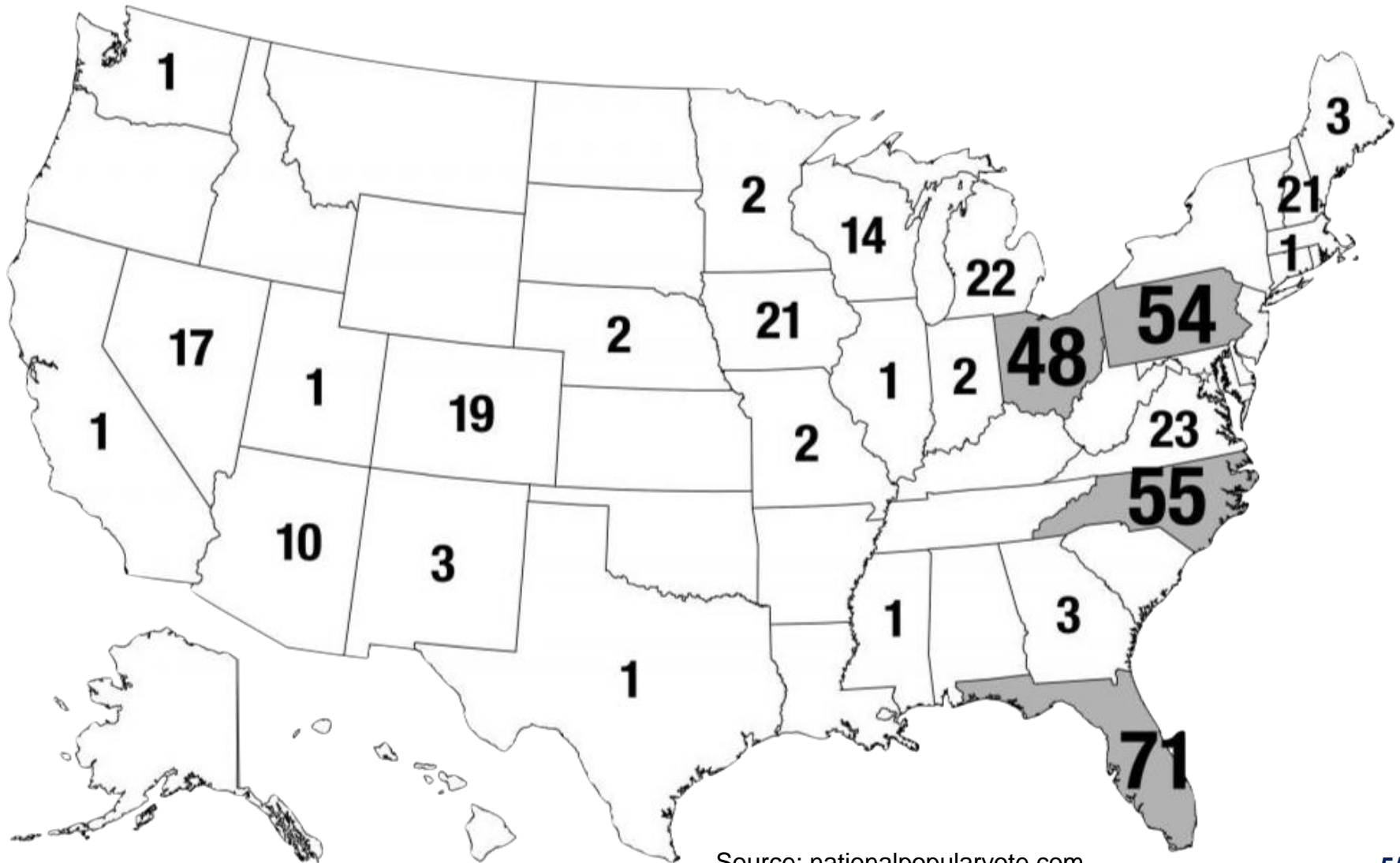
1. Debating the Electoral College
2. The Alternatives
3. The National Popular Vote Interstate Compact (NPVIC)

Debating The Electoral College

Defenses of the Electoral College

- It helps rural voters get representation
- It prevents large states from dominating small ones
- It ensures that candidates have to campaign, not just advertise in major media markets
- The founders intended it to be a check on the will of the masses

Do These Defenses Hold Water?



Source: nationalpopularvote.com

Critiques of the Electoral College

- The popular vote loser can get elected
- Only a few swing states get attention from the candidates
- White voters are overrepresented
- Small states are overrepresented
- It hurts third party candidates
- It unfairly benefits Republicans

DOES IT SPARK JOY?



Why Is it Hard to Get Rid Of?

- While Marie Kondo makes it look easy, the electoral college is actually hard to get rid of
- The electoral college is in the Constitution, and amending the Constitution is hard
 - 2/3 support of Congress or of state legislatures
- Those who benefit from the current system are unlikely to support getting rid of it:
 - Swing states
 - Red states

The Alternatives

What Are the Alternatives?

1. Abolish the presidency
 - Good luck with that
 - There are lots of parliamentary democracies though!

2. National popular vote
 - E.g. Honduras, Kenya, Philippines, South Korea, Taiwan
 - Could include RCV

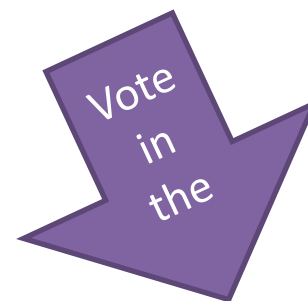
3. Two-round system
 - This is the most popular method
 - E.g. France, Chile, Turkey, Brazil, Iran, Nigeria, Tanzania, Uruguay

Reform Option 1: Abandon The Presidency

- This approach would put the US in line with countries like Canada, Japan, Germany and New Zealand
 - All parliamentary democracies
- Parliamentary democracy is a top-down system of government
- The executive consists of the prime minister and the cabinet
- The executive can be dissolved at any time by a vote of “no confidence” in the legislature

Presidential System

Voters



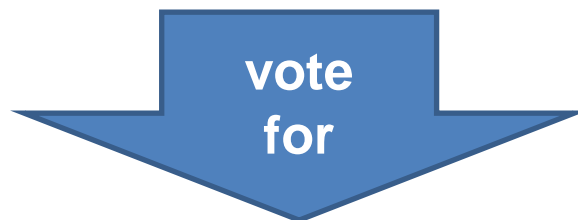
Assembly



President

Parliamentary System

Voters



Assembly



**Executive
(Prime Minister and Cabinet)**

This Could Be Us, But We're Presidential ☹️



Pros and Cons

- PRO: parliamentary systems tend to struggle less with gridlock
- PRO: if a government can't pass policy, a new prime minister can be chosen or new elections called
- PRO: parliamentary systems tend to result in more interparty bargaining, compromise, and collaboration
- CON: without a president, parliamentary countries can have a harder time responding rapidly to crises
- CON: this would be a *very* radical change

Reform Option 2: National Popular Vote

- This is a very simple way to elect a president
- One national election, and the candidate with the most votes wins
- Many countries use this system for presidential races: Mexico, Turkey, Kenya, Gambia, etc.
- This system almost always results in three or more competitive candidates

Popular Vote Example: Mexico 2018

Candidate	Party	Alliance	Votes	%
Andrés Manuel López Obrador	National Regeneration Movement	<i>Juntos Haremos Historia</i>	30,113,483	53.19
Ricardo Anaya	National Action Party	<i>Por México al Frente</i>	12,610,120	22.28
José Antonio Meade	Institutional Revolutionary Party	<i>Todos por México</i>	9,289,853	16.41
Jaime Rodríguez Calderón	Independent	None	2,961,732	5.23
Margarita Zavala ^[b]	Independent	None	32,743	0.06
Write-in votes			31,982	0.06

Popular Vote Example: Mexico 2018



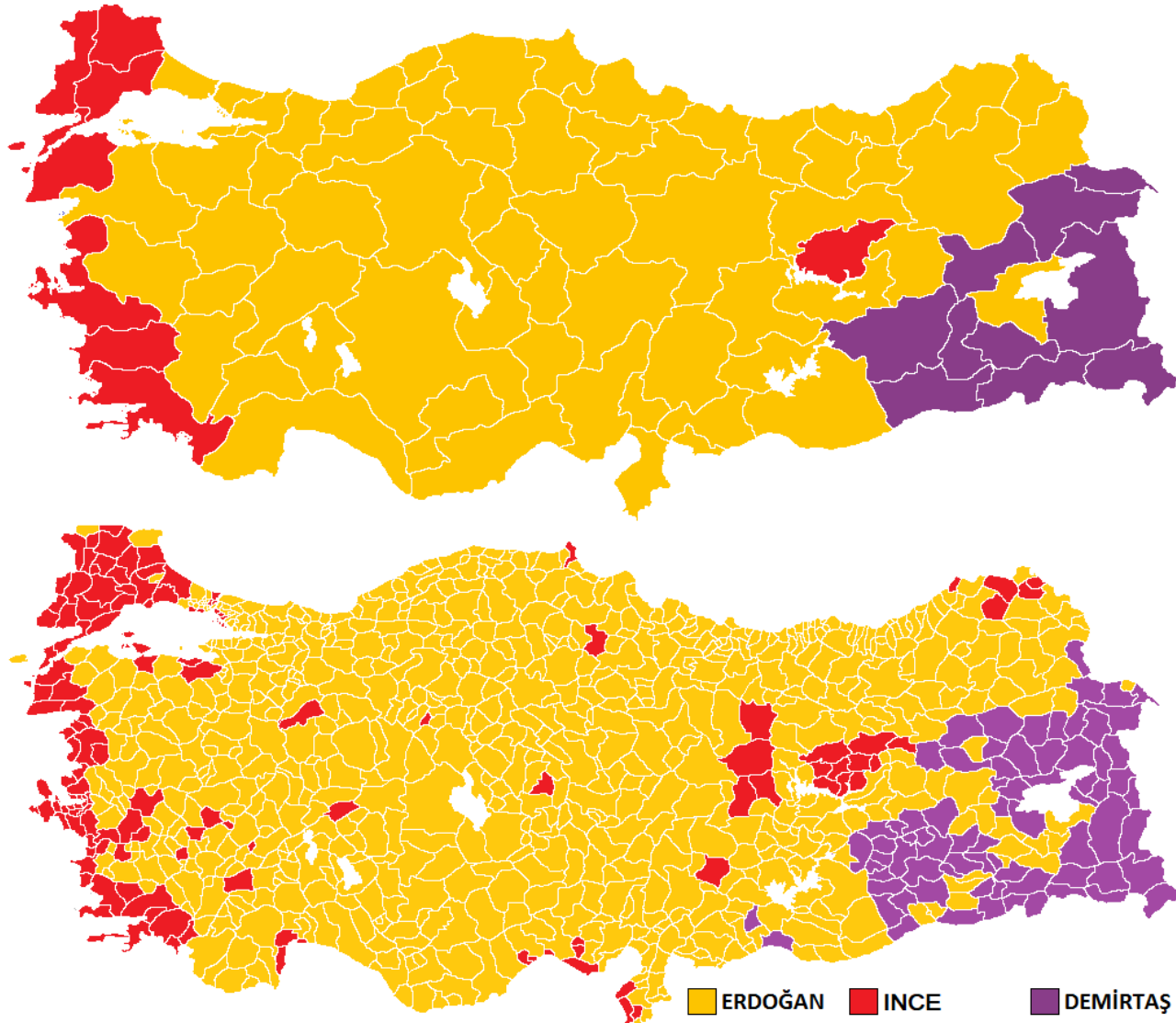
Popular Vote Example: Turkey 2018

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Summary of the 24 June 2018 presidential election in Turkey

Candidate	Party	Votes		
		#	%	±
Recep Tayyip Erdoğan	Justice and Development Party (AKP)	26,330,823	52.59	+0.80
Muharrem İnce	Republican People's Party (CHP)	15,340,321	30.64	New
Selahattin Demirtaş	Peoples' Democratic Party (HDP)	4,205,794	8.40	-1.36
Meral Akşener	İyi Party (İYİ)	3,649,030	7.29	New
Temel Karamollaoğlu	Felicity Party (SP)	443,704	0.89	New
Doğu Perinçek	Patriotic Party (VP)	98,955	0.20	New

Popular Vote Example: Turkey 2018



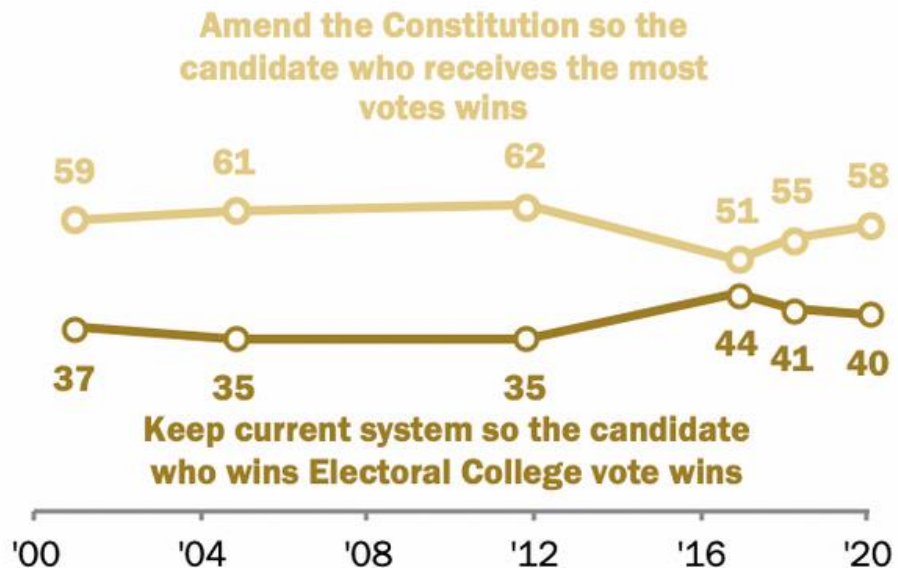
Pros and Cons

- PRO: this system is simple and easy to understand
- PRO: this system is already popular with Americans
- PRO: this system would not require a change in government structure or even in ballot design
- CON: this system can still lead to questionably democratic outcomes
 - Candidates can win with less than 50% of the vote, just like now

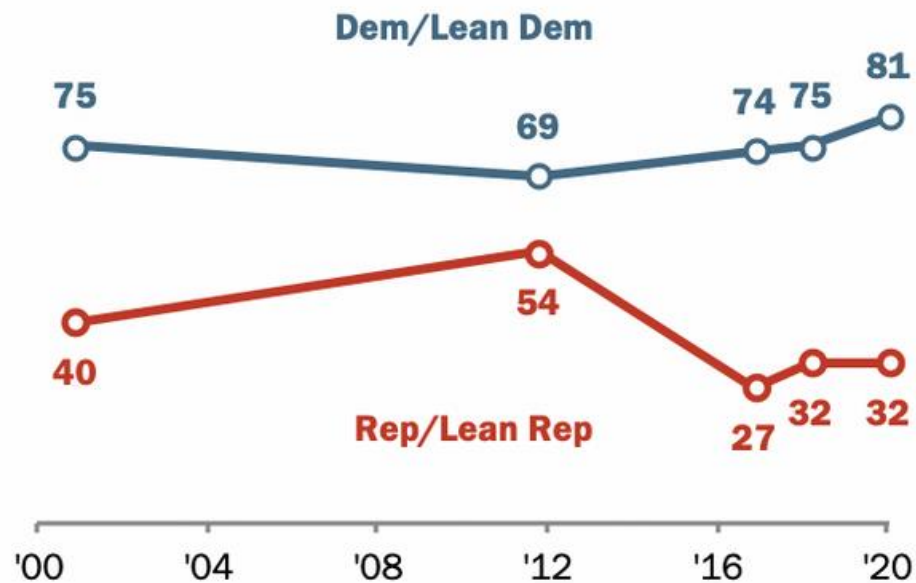
The National Popular Vote Is Popular

Majority says candidate who gets the most popular votes should be president

Thinking about the way the president is elected in this country, would you prefer to ... (%)



% who say Constitution should be amended so the candidate who receives the most nationwide votes wins



Presidents Can Still Get Elected Without Majorities

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Summary of the 2 July 2006 Mexican presidential election results

Candidates	Party	Alliance	Votes	%
Felipe Calderón	National Action Party	-	15,000,284	35.89%
Andrés Manuel López Obrador	Party of the Democratic Revolution	<i>Coalición por el Bien de Todos</i>	14,756,350	35.31%
Roberto Madrazo	Institutional Revolutionary Party	<i>Alianza por México</i>	9,301,441	22.26%
Patricia Mercado	Social Democratic and Peasant Alternative Party	-	1,128,850	2.70%
Roberto Campa Cifrián	New Alliance Party	-	401,804	0.96%
<i>Write-in</i>			297,989	0.71%
<i>Blank/Invalid</i>			904,604	2.16%
Total			41,791,322	100.0%

Reform Option 3: Two-Round (“Runoff”) Popular Vote

- In this system, a president would be selected by a popular vote – but there’s a twist!
- There would be two rounds to the election, with a gap of time between them.
- All candidates run in the first round, then the top-two advance to the second
- Most presidential countries use this system.
- E.g. France, Chile, Brazil, Egypt, Ghana, Zimbabwe, etc.

This System Tends to Lead to Lots of Candidates!



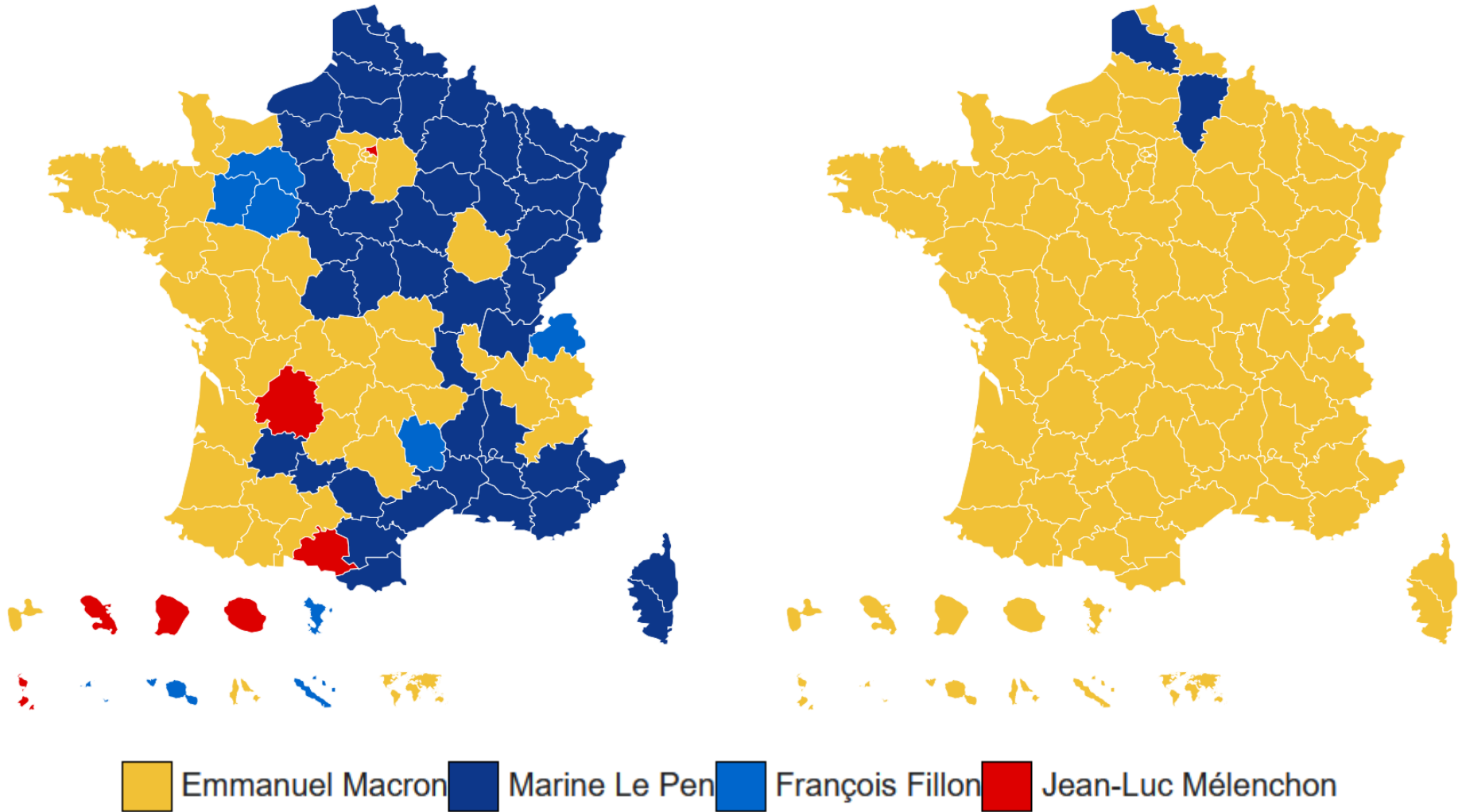
2-Round Example: France 2017

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Summary of the 23 April and 7 May 2017 French presidential election results

Candidate	Party		1st round		2nd round	
			Votes	%	Votes	%
Emmanuel Macron	En Marche!	EM	8,656,346	24.01	20,743,128	66.10
Marine Le Pen	National Front	FN	7,678,491	21.30	10,638,475	33.90
François Fillon	The Republicans	LR	7,212,995	20.01		
Jean-Luc Mélenchon	La France Insoumise	FI	7,059,951	19.58		
Benoît Hamon	Socialist Party	PS	2,291,288	6.36		
Nicolas Dupont-Aignan	Debout la France	DLF	1,695,000	4.70		
Jean Lassalle	Résistons!		435,301	1.21		
Philippe Poutou	New Anticapitalist Party	NPA	394,505	1.09		
François Asselineau	Popular Republican Union	UPR	332,547	0.92		
Nathalie Arthaud	Lutte Ouvrière	LO	232,384	0.64		
Jacques Cheminade	Solidarity and Progress	S&P	65,586	0.18		

2-Round Example: France 2017



2-Round Example: Chile 2017

Candidate	Party/coalition	First round		Second round	
		Votes	%	Votes	%
Sebastián Piñera	Ind./Chile Vamos	2,418,540	36.64	3,796,918	54.57
Alejandro Guillier	Ind./The Force of the Majority	1,498,040	22.70	3,160,628	45.43
Beatriz Sánchez	Ind./Broad Front	1,338,037	20.27		
José Antonio Kast	Ind.	523,375	7.93		
Carolina Goic	PDC	387,784	5.88		
Marco Enríquez-Ominami	PRO	376,871	5.71		
Eduardo Artés	UPA	33,665	0.51		
Alejandro Navarro	País	23,968	0.36		
Valid votes		6,600,280	100.00	6,957,546	100.00

Pros and Cons

- PRO: this system is also pretty simple and easy to understand
- PRO: this system ensures the winner has majority support
- CON: if parties don't coordinate, niche candidates can make it to Round 2, leaving many voters with two candidates they strongly dislike
 - France 2017 is a good example

Reform Option 4: Ranked Choice Voting


- Sometimes called “instant runoff voting”
 - Has similarities to the 2-round system, but there is only one election day
- Voters rank candidates in order of preference
- This system (in theory!) decreases strategic voting
- This system is used around the world in local and legislative elections, but only Ireland and Sri Lanka use it for presidential races

Example Ballots

INSTRUCTIONS

1. Write 1 in the box beside the candidate of your first choice, write 2 in the box beside the candidate of your second choice, and so on.
2. Fold the paper to conceal your vote. Show the back of the paper to the presiding officer and put it in the ballot box.


CASEY
 PETER JOSEPH CASEY, of Edgewater House,
 Carrowhugh, Greencastle, Co. Donegal, F93 A2P3,
 Businessman.




DUFFY
 GAVIN DUFFY, of Kilsharvan, Bellewstown,
 Co. Meath,
 Training and Development Advisor.




FREEMAN
 JOAN FREEMAN, of 37 Weston Drive, Weston Park,
 Lucan, Co. Dublin,
 Senator.



GALLAGHER
 SEÁN GALLAGHER, of Eden Gate, Delgany,
 Greystones, Co. Wicklow,
 Entrepreneur, Disability Advocate, Former Youth
 Worker.



HIGGINS
 MICHAEL D. HIGGINS, of Áras an Uachtaráin,
 Baile Átha Cliath 8,
 President of Ireland.



NÍ RIADA
 LIADH NÍ RIADA, of Baile Mhic Ire, Maighchromtha,
 Co. Chorcaí,
 MEP.



U.S. Senator	1st Choice	2nd Choice	3rd Choice	4th Choice
Brakey, Eric L. Auburn Republican	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
King, Angus S., Jr. Brunswick Independent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ringelstein, Zak Yarmouth Democratic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Write-in	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Sample Ballot: Berkeley

NONPARTISAN	NONPARTISAN	NONPARTISAN
CITY	CITY	CITY
FOR MAYOR	FOR MAYOR	FOR MAYOR
1 FIRST CHOICE <i>Vote for One</i>	2 SECOND CHOICE <i>(This must be different from your first choice.)</i> <i>Vote for One</i>	3 THIRD CHOICE <i>(This must be different from your first and second choices.)</i> <i>Vote for One</i>
ELEANOR ROOSEVELT	ELEANOR ROOSEVELT	ELEANOR ROOSEVELT
BOOKER T. WASHINGTON	BOOKER T. WASHINGTON	BOOKER T. WASHINGTON
DIEGO RIVERA	DIEGO RIVERA	DIEGO RIVERA
ARTHUR MILLER	ARTHUR MILLER	ARTHUR MILLER
SHIRLEY HORN	SHIRLEY HORN	SHIRLEY HORN
BRUCE LEE	BRUCE LEE	BRUCE LEE

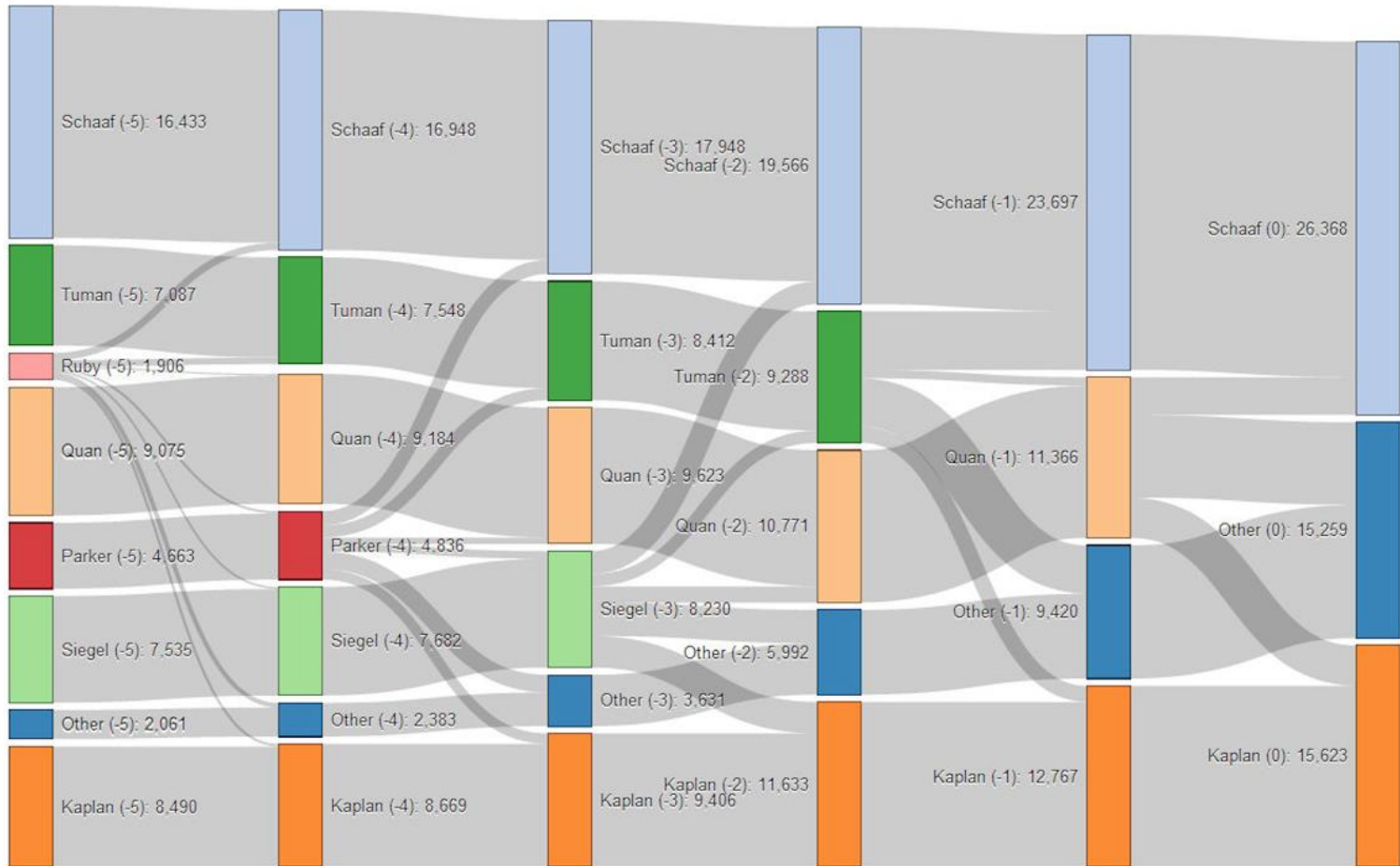
Example: Irish Presidential Election (2011)

Reminder of the presidential election results of 27th October 2011 in Ireland

Turnout: 56.11%

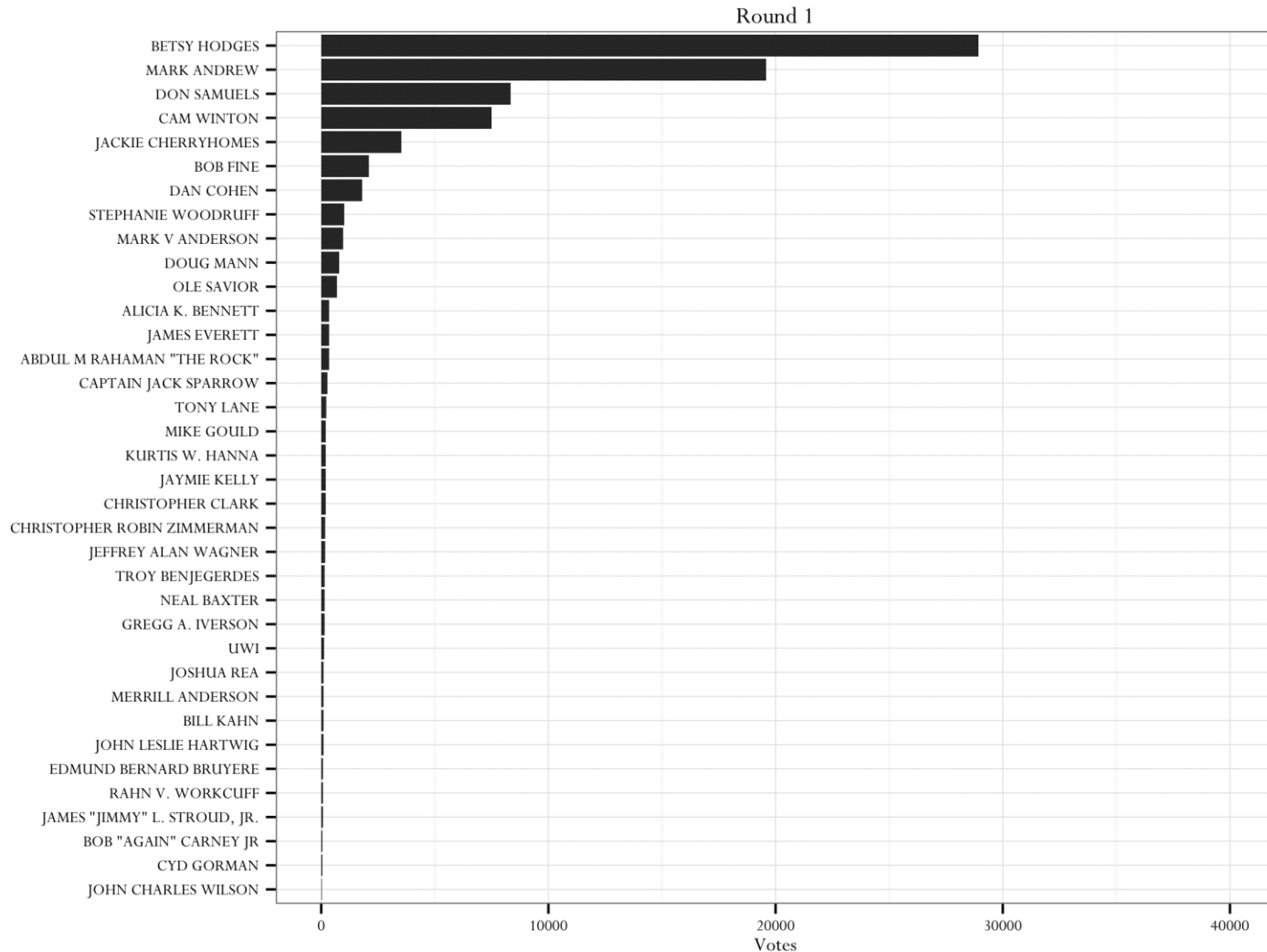
Candidates	First preference votes (%)	Number of first preference votes	Number of second preference votes	Number of third preference votes	Number of fourth preference votes
Michael D. Higgins (Labour Party)	39.57	701 101	730 480	793 128	1 007 104
Sean Gallagher (Independent)	28.50	504 964	529 401	548 373	628 114
Martin McGuinness (Sinn Fein, SF)	13.72	243 030	252 611	265 196	
Gay Mitchell (Fine Gael, FG)	6.40	113 321	127 357	136 309	
David Norris (Independent)	6.18	109 469	116 526		
Dana Rosemary Scallon (Independent)	2.89	51 220			
Mary Davis (Independent)	2.75	48 657			

Example: Oakland Mayor (2014)



Source: Alameda County Registrar of Voters,
http://www.acgov.org/rov/rcv/results/226/OaklandMayor/pass_report.pdf

Example: Minneapolis Mayor (2013)



Pros and Cons

- PRO: this system ensures that the winner is the most broadly acceptable of all candidates
- PRO: unlike two-round systems, ranked-choice doesn't allow unpopular candidates to benefit from a divided field of candidates
- CON: this system is complicated
- CON: voters may not have strong preferences beyond one or two candidates

The Obstacles to Reform

- All of these reforms face huge hurdles
- Changing the Constitution is hard – really hard!
- In order to get a change, you need buy-in from elected officials
- It is very unlikely that 2/3 of both chambers of Congress will support a change
 - Especially the Senate
- Or 2/3 of state legislatures for that matter

The National Popular Vote Interstate Compact

National Popular Vote Interstate Compact

- One reform approach is getting a lot of attention
- The NPVIC is a legislative agreement among the **states** that *only* becomes law if states totaling 270+ electoral votes sign on
- If that happens, those states agree to give all their electoral college votes to the national popular vote winner
- This is a clever way of circumventing the electoral college
 - Nothing in the Constitution restricts how states allocate their electoral votes

A Debate on the NPVIC



What Happens If The NPVIC Succeeds?

- **Increased** attention on dense urban areas currently ignored
 - E.g. Los Angeles, Houston, NYC, Seattle, San Diego, etc.
- Swing states would get a lot **less** attention than they do now
- Some argue rural voters would get less attention – but not much evidence of this in other countries!
 - In fact, rural voters in safe states currently get ignored
- The difference would be presidential candidates would have to compete *everywhere* – not just in swing states
 - Elections could get even more expensive

Q&A