

VOTING AND DEMOCRACY REVIEW

The Newsletter of The Center for Voting and Democracy

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"Making Your Vote Count"

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Instant Runoff: Past, Future... and Now! *Expect Big Breakthroughs on Reform to Energize Campaigns*

The Center for Voting and Democracy advocates representation of the full spectrum of political opinion in the United States through adoption of forms of proportional representation (PR) for legislative elections.

But "PR" is not our only interest, particularly given that such important offices as governor and president are inherently "winner-take-all" -- one can't have PR when only one candidate wins. Two of PR's chief virtues, majority rule and expanded participation, are well addressed by instant runoff voting (IRV), a majority vote system that dramatically improves winner-take-all elections.

Advances for PR and fairer methods of redistricting in the U.S. have been steady and important, as detailed in this newsletter. But IRV is bursting onto our political landscape, with exponentially growing interest and action.

In 1997, Texas became the first state in decades to consider IRV. Now three states are positioned to adopt IRV for their most powerful offices, and several cities and counties are conducting or planning IRV campaigns. The Reform Party has adopted IRV for its national presidential primary in 2000.

Caleb Kleppner directs the Center's Majority Rule project. Working with other staff members and Vermont consultant Terrill Bouricius, Kleppner is addressing the full range of political, technical, historical and administrative issues involving IRV. The Center's web site (www.fairvote.org) has more details.

• **The IRV System:** Instant runoff voting (IRV) is a majority voting system, as opposed to the plurality system used in most American elections. In plurality voting, voters can indicate only one

preference, and the candidate with the most votes wins -- even with less than a majority of votes cast.

In contrast, IRV increases voters' options by allowing them to rank candidates in order of choice: 1, 2, 3 and so on. If a candidate has a majority of first choices, that candidate wins. If not, ballots for the last-place candidate are added to the vote totals of the candidate listed next on each ballot. The process continues until a candidate wins with a majority of votes. IRV simulates a series of traditional runoff elections.

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<u>3</u> Candidate A
<u>1</u> Candidate B
<u>2</u> Candidate C

▲ ▲ ▲ ▲ ▲ ▲ ▲

Used to elect Australia's parliament, Ireland's president and, starting in 2000, London's mayor, IRV is a winner-take-all system that alone is unlikely to end two-party domination of representation. But it expands the spectrum of choice in campaigns and has clear benefits for our politics. Among them are:

- IRV preserves majority rule even if minor party and independent "spoiler" candidates run and split the vote.
- IRV boosts participation by allowing more diverse candidates to run, deepen campaign debate and mobilize currently disaffected voters.
- In comparison to two-round runoffs, IRV shortens the campaign season, saves tax dollars and maximizes turnout.

IRV's Past: IRV was devised by W.R. Ware, an MIT professor, in 1870. Its first known use in a governmental election was in 1893 in Australia, which in 1918 adopted IRV for national elections. Great Britain has twice nearly adopted IRV, and it remains popular there. Just last year, a high-profile commission led by Lord Roy Jenkins

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Congress Debates PR!

On September 23, 1999 the House Judiciary Subcommittee on the Constitution held a dignified hearing on the States' Choice of Voting Systems Act (HR 1173), a bill which would allow states to elect their House members by proportional representation (PR).

PR was discussed more than had occurred in Congress for years -- it isn't every day that House members solemnly ask witnesses to explain their five favorite voting methods.

The most powerful testimony (see page 3) was provided by Rep. Tom Campbell (R-CA), Theodore Arrington (UNC-Charlotte), Nathaniel Persily (Brennan Center for Justice) and Anita Hodgkiss (on behalf of the Department of Justice, which provided critically important support for the legislation).

Rep. Campbell's endorsement was instructive. Growing up in Illinois, Campbell experienced cumulative voting directly -- an experience with a proportional system that is exactly what we expect many Americans to share in the new century.

The Center for Voting and Democracy (CVD) is a non-profit, non-partisan organization. It researches and provides information on the impact of voting systems on governance, representation and voter participation.

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Voting System Reform Update

Amarillo (TX) now biggest city with cumulative voting: This spring the Amarillo school district adopted cumulative voting for May 2000 elections to settle a voting rights suit brought by the NAACP and LULAC. More than 50 Texas jurisdictions use cumulative voting to boost minority representation; in 1995, Gov. George W. Bush signed legislation to allow school districts to enact PR voting methods.

DOJ upholds PR in New York City: In February, the U.S. Justice Department raised its first-ever lasting objection (under the Voting Rights Act) to a PR or semi-PR system. It rejected New York City's plan to adopt limited voting for community school board elections because the City already has choice voting -- a fully proportional system that in May once again elected the most representative assemblies in New York.

Governor supports cumulative voting in Illinois: Illinois Governor George Ryan (R) is the latest public advocate of restoring cumulative voting for state assembly elections in Illinois. He joins a remarkable, bi-partisan group of supporters of a "drive to revive" that includes the Democratic leader of the senate Emil Jones, Republican Congressman John Porter, former comptroller Dawn Clark Netsch and former federal judge and Congressman Abner Mikva. The Center soon will release a video on cumulative voting in Illinois, produced with the Midwest Democracy Center.

International News: Joining all other nations in Europe, the *United Kingdom* this year finally used a PR system to elect its representatives to the European Parliament. Assemblies in *Scotland* and *Wales* also were elected by PR.

In *South Africa*, PR was used in national elections in June. More than 99% of voters elected representatives from a wide spectrum of choices. That, combined with high turnout, meant that more than four of five South African adults cast a vote that directly won

representation. In contrast, fewer than one in four American adults elected *anyone* to the U.S. House in 1998.

In general, pro-democracy forces sought more proportional systems, and authoritarian regimes sought winner-take-all elections -- the trend spanned from *South Korea* to *Serbia*, *Zimbabwe*, *Mexico*, *the Philippines* and *Indonesia*.

Major organizations act on PR: In September, the *National Organization for Women* endorsed PR. The *ACLU* at its national biennial conference voted to study PR. The *League of Women Voters* at biennial conferences in California, Georgia and Washington launched formal, two-year studies into the full range of voting systems; the LWV in Illinois will study cumulative voting.

GLOSSARY OF TERMS

• **Proportional representation (PR):** Voting systems in which groupings of voters win representation in proportion to their voting strength: 20% of votes wins two (20%) of 10 seats, 50% of votes wins five (50%) of 10 seats.

• **Multi-seat districts:** An electoral constituency with more than one representative, in contrast to **single-seat districts**, where one winner "represents" all. If the size of a legislature remains constant, conversion to a PR system leads to fewer, but bigger districts.

• **Choice voting:** A proportional system also known as "single transferable vote" and "preference voting." Voters rank the candidates they like in order. Ballots are allocated to first choices, but may go to next choices in order to elect someone. Because all seats are weighted equally, candidates win by reaching a "threshold" that is roughly equal to the number of votes cast divided by the number of seats elected.

• **Cumulative voting:** A semi-proportional system in which voters have as many votes as there are seats in a multi-seat district and can give all their votes to one or more candidates. The candidates with the most votes win.

Notable Quotes

Hearing on HR 1173, 9/23/99

The Dept. of Justice supports this legislation as a valuable way to give state legislatures additional flexibility in the redistricting process...

The bill appears to contemplate the use of alternative voting systems for multi-member districts. These systems would replace the traditional "winner-take-all" method of vote counting with other means, such as cumulative voting, limited voting, and [choice voting]. These methods are designed to allow fuller expression of the votes of cohesive numerical minorities of every kind, whether racial or otherwise.

Anita Hodgkiss (Deputy Attorney General, Civil Rights Division of the Department of Justice)

I am honored that you have invited me to testify before this Committee concerning what might be the most important piece of election-related legislation considered by this body in 25 years. The importance of the bill, however, is matched only by its brevity and simplicity. After all, [it] would merely give back to the states a power... to craft congressional electoral systems with multi-member districts that are tailored to the unique political cultures of each state.

Nathaniel Persily (staff attorney, Brennan Center for Justice)

My concern is to further the process of representative government, to make the election system more effective in translating votes into seats on governmental bodies. Single-member district systems may be less reliable in performing this task because of the increase in diversity within this country and the decrease in geographically defined communities of interest... State legislatures should be given the freedom to experiment with [proportional election systems].

Theodore Arrington (professor of political science, UNC-Charlotte)

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"Making Your Vote Count"

Instant Runoff: Past, Future... and Now! (from page 1)

recommended a version of IRV, combined with an element of proportional representation, be put to a national referendum.

The most recent use of IRV for a governmental election in the United States was in Ann Arbor (MI). Adopted by voters in 1974, IRV was used to elect the mayor in 1975. It produced a majority winner in a three-way race where no candidate won a majority of first choices. But the candidate who would have won under plurality rules spearheaded a repeal campaign. IRV withstood a court challenge, but lost in a low-turnout special election that focused on problems with counting ballots by hand -- problems that are easy to address with modern technology.

IRV's Present: Voters in Vancouver (WA) will vote this November to amend their charter to make IRV an option, as voters did in Santa Clara County (CA) in 1998. In 2000, measures to adopt IRV for *all* statewide and federal elections may be on the ballot in at least three states. Prominent Republicans in Alaska are backing an initiative; signatures will be turned in by January. With the backing of former Democratic and Republican governors, the New Mexico state senate approved IRV legislation in 1999; supporters will try again in 2000. Legislation to enact IRV in Vermont has support from the League of Women Voters, Common Cause and top legislators, parked by concern about the vote-splitting impact of more candidates seeking office under the new public financing law.

The North Carolina state legislature this year created an election laws commission that will consider IRV. Other states likely to debate IRV legislation in 2000 include California,