COMPARATIVE STRUCTURAL REFORM: ASSESSING STRATEGIES FOR IMPROVING AMERICAN ELECTIONS – *EXECUTIVE SUMMARY*

FAIRVOTE: THE CENTER FOR VOTING AND DEMOCRACY AUGUST 2015

FairVote's *Comparative Structural Reform* report presents an extensive assessment of 37 structural reforms to election laws and legislative structures produced in collaboration with 14 prominent political scholars. The scholars chosen are chief authorities on electoral reform and legislative functionality, with extensive collective expertise and mastery of both quantitative and qualitative approaches to the study of American legislatures, elections and electoral rules. They include: Michael Crespin (University of Oklahoma), Ronald Keith Gaddie, (University of Oklahoma), Nicholas Goedert (Lafayette College), John Hudak, (The Brookings Institution), Jason Kirksey (Oklahoma State University), Thad Kousser (UC San Diego), Seth Masket (University of Denver), Jack Nagel (University of Pennsylvania), Jonathan Rodden (Stanford), Mathew Shuggart (UC Davis), Nicholas Stephanopoulos (University of Chicago), Dan Tokaji (Ohio State University), and Caroline Tolbert (University of Iowa).

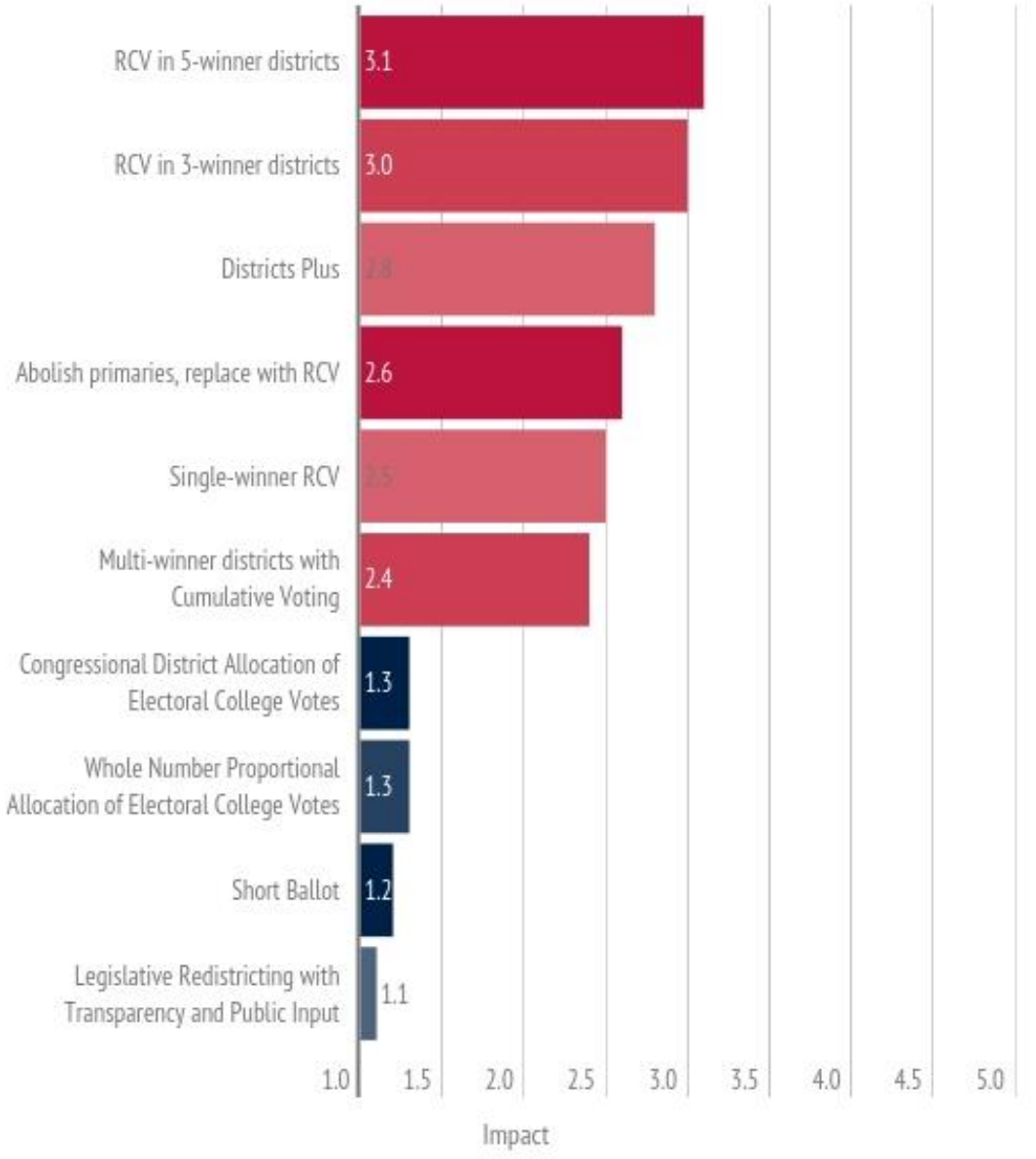
Each of the 14 participating scholars was asked to assess each reform's impact on 16 different criteria fitting within four topline categories: legislative functionality, electoral accountability, voter engagement, and openness of process. The respondents were provided with background documents and annotated bibliographies to inform their opinions and completed eleven surveys, grouped by reform category. Scholars rated the likely impact of each reform on a scale of 1 - 5, with a score of one indicating no impact (or a negative impact), a score of three indicating a moderate impact, and a score of 5 indicating that the reform would, on its own, have a profound, "game-changing" impact on the criterion in question. In conjunction with impact ratings, scholars were also asked to rate the certainty of their rating for each reform on a scale of 1 to 5, where 1 indicated low certainty and 5 indicated high certainty. Scholars were also asked to provide additional comments about the potential impact of each reform on each criterion. Scholars were compensated for their participation. All scholars responded to all eleven surveys and provided a wealth of insightful comments, new sources, and useful information in addition to their well-considered ratings of each reform.

KEY FINDINGS

- In the scholars' assessment, ranked choice voting in five-winner districts (RCV-5), ranked choice voting in three-winner districts (RCV-3) and Districts Plus would have the greatest beneficial impact on American democracy.
- The six reforms with the highest impact were all reforms to the structure of the general election. These six reforms have the potential to transform American politics because they depart from our corrosive and unrepresentative electoral system, particularly when combined with expanding voter choice and representation with multi-winner districts and ranked choice voting.
- Redistricting reforms were ranked as less impactful by scholars, who generally believed that redistricting reforms would only improve competition at the margins. To have a greater impact on general elections where the electorate is largest and most representative, it is necessary to reform the winner-take-all, single-winner district system that currently dominates the American electoral landscape.
- Changes to primary rules that had little-to-no impact on general election choice were also rated generally as less impactful than primary changes that affect general election, with two examples being the higher impact given to Louisiana's primary rules and a "Top Four Primary with Ranked Choice Voting" than the California and Washington models of Top Two that limit general election choice to two candidates.
- Legislative redistricting with transparency and public input, short ballots and the whole number proportional method of assigning Electoral College votes were assessed by scholars as the three least impactful reforms.

REFORMS ASSESSED	
REDISTRICTING REFORMS	1. Civil Servant Approach 2. Independent Commission 3. Legislative Redistricting with Judicial Approval 4. Bipartisan Commission 5. Legislative Redistricting with Transparency and Public Input
PRIMARY ELECTION REFORMS	6. Open Primaries 7. California Top-Two 8. Top-Four with RCV 9. Abolish Primaries, Replace with Party Control of Nominations 10. Top-Two with RCV 11. All-Independent Primaries 12. Nebraska Nonpartisan Top-Two 13. Abolish Primaries for Special Elections, replace with RCV or Runoff
LEGISLATIVE REFORMS	14. Professionalization of the Legislature 15. 4 year Legislative Terms 16. Increasing Size of the Legislature 17. Eliminating Majority Party Agenda Control 18. Legislative Term limits 19. Unicameralism
VOTING SYSTEMS REFORM	20. Multi-Winner Districts with Numbered Posts 21. Multi-Winner Districts with Block Voting 22. Multi-Winner Districts with Cumulative Voting 23. Abolish Primaries, Replace with RCV w/wo Contingent Runoff 24. Districts Plus 25. Single-Winner RCV 26. RCV in 3-Winner Districts 27. RCV in 5-Winner Districts 28. Abolish Primaries, Replace with Louisiana Runoff Model
REFORMS TO BALLOT ACCESS AND FORM	29. Short Ballots 30. Easing Ballot Access Restrictions 31. Abolishing Straight Party Ticket Voting 32. Repeal of Sore Loser Laws
REFORMS TO THE ELECTORAL COLLEGE	33. National Popular Vote 34. Congressional District Allocation 35. Whole Number Proportional
OTHER REFORMS	36. Initiative and Referendum Rights 37. Debate Reform

REFORMS WITH THE MOST (AND LEAST) IMPACT



DISTRICTS PLUS AND RCV-5 EXCEL

Districts Plus received the three highest rankings on any criteria. Scholars expect Districts Plus to have a significant impact on competition and responsiveness. RCV-5 was also rated as having a significant impact on competition and on representation.

TOP-TWO FAILS TO IMPRESS

Scholars rated the impact of the Top-Two Primary much lower than the hype and energy around the reform would suggest, citing numerous studies into Top-Two's effects in California and Washington.

REDISTRICTING FLOUNDERS

Redistricting reforms were ranked poorly by scholars, who believed that redistricting reforms could only improve competition at the margins. To have a greater impact on American democracy, it is necessary to reform the winner-take-all, single-winner district system that currently dominates the American electoral landscape.

STRUCTURAL REFORM OF GENERAL ELECTIONS

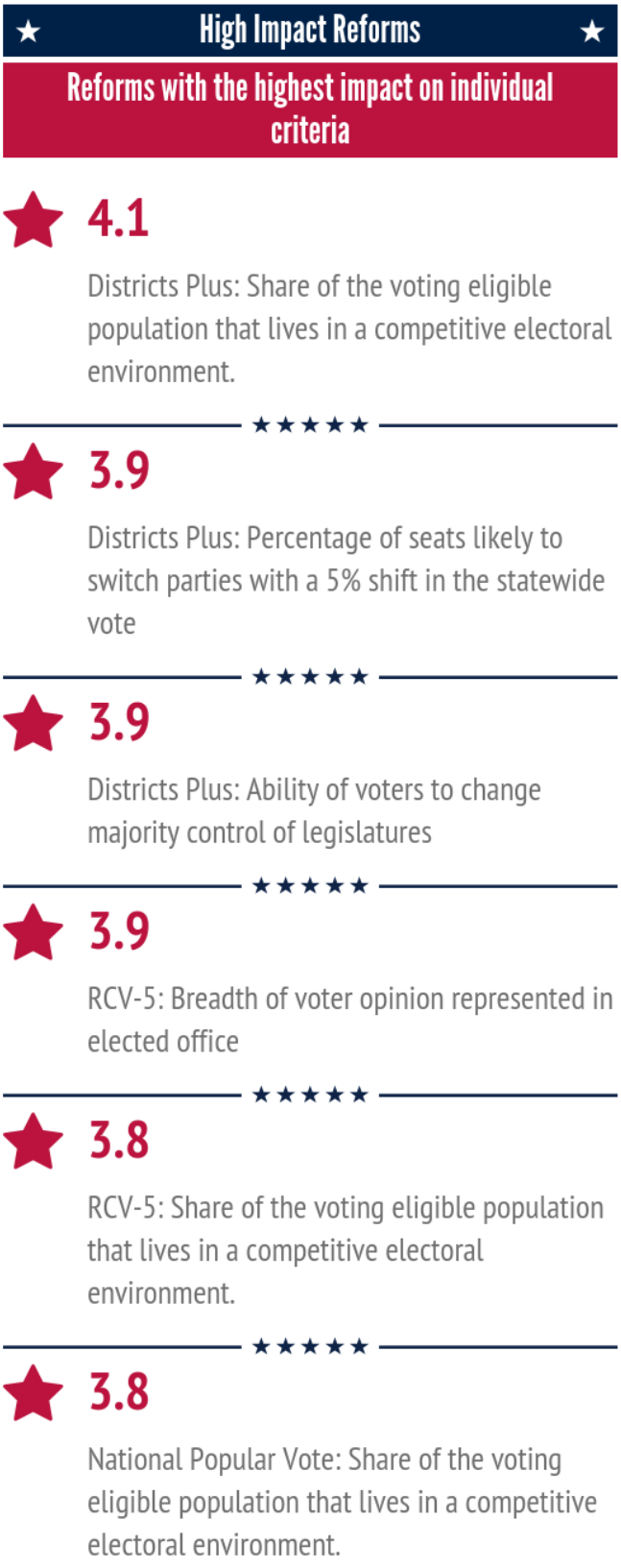
The scholars' ratings show that electoral systems reforms that change the way votes cast in general elections are converted into seats will have a much wider-reaching effect than measures reforming primary elections, the redistricting process, ballot access or other, less central, parts of our electoral and legislative machinery.

LEGISLATURES CAN WORK...

Reducing majority party control over the legislative agenda improves legislative functionality. In Colorado, majority party leaders' control over the agenda was largely eliminated by a ballot initiative, which was passed by a large majority, amidst little organized opposition.

... AND WORK FOR THE MAJORITY

In the scholars' assessment, Districts Plus, the Initiative and Referendum, RCV-5, eliminating majority agenda setting control, and abolishing primaries and replacing them with RCV, would all significantly increase the likelihood of policy outcomes that reflect majority preferences.



50 STATE ASSESSMENT

★★★★★

★ REFORM IMPACT STUDY ★

What the Scholars Said:

RCV-5 and RCV-3

"I think there could be an increase in turnout using RCV MMDs, and much of this would come from the increased involvement of third parties and their supporters."

★★★★★

Districts Plus

"[O]ne of the most important things for making a legislature more functional is the electoral system--some moderate form of proportional representation being best."

★★★★★

Eliminating Majority Party Agenda Control

"Eliminating party control, I would expect, produces more 'one issue at a time' majorities, where the legislative outcome reflects the median legislator's (if not voter's) position on each issue taken separately."

★★★★★

Structural reform

"the impact of even the most effective ad campaign only lasts for one policy battle, while the policy impact of reform can last forever (or nearly as long). "

NO REFORM IS A SILVER BULLET...

No individual reform will fix all of the problems in American democracy.

… BUT TOGETHER REFORMS CAN BE TRANSFORMATIVE

The scholars identified relaxed ballot access laws, a repeal of sore loser laws, and public financing of campaigns as reforms that would "help realize the full potential" of RCV-5, RCV-3, Districts Plus, single-winner RCV or cumulative voting. Together, the impact of these reforms is amplified, enabling more independent and third party candidates to run and win.

STRUCTURAL REFORM IS DIFFICULT...

Changing electoral systems is difficult. It takes considerable time, funding and organization.

...WITH SYSTEMATIC AND LASTING BENEFITS

Expending funds on lobbying, changing public opinion and primary challenges are inferior alternatives to structural reform. Each of these three approaches only affect one piece of legislation, issue or legislator at one particular time. Structural reforms changes the incentives for all candidates and elected officials for all time.

None of these three options have anywhere near the potential for systematic and lasting impact on moderate policy outputs as does structural electoral systems reform.

NEXT STEPS

A majority of the scholars indicated they would like to be involved in the next steps of this project, which will include intensive focus groups to fully ascertain the most potent structural reforms.