

Why Electoral Reform Must Come First

by Todd Altman

In this article I'd like to address the issue of electoral reform, but first a bit about myself. Ideologically, I'm a Neo-Georgist (in the sense Robert V. Andelson used the term) on economic issues, and a libertarian on social issues. Politically, I'm an independent. I've never been a member of either the Democratic or Republican party. I've been a Life Member of the Libertarian Party since early 1997, but have not been active within that party for years, primarily because of the acute hostility most LP members have towards my Georgist views on tax and monetary reform.

If, like me, you are opposed to (among other things) the Iraq war, the "Patriot" Act, the drug war, federal involvement in education, our fraudulent and parasitic debt-based monetary system and our destructive and unjust anti-labor, pro-land speculation tax system — not to mention the bipartisan unwillingness to address the many troubling, unanswered questions surrounding the 9/11 terrorist attacks and the incessant, shameless fear-mongering of those who would move our country still further in the direction of an Orwellian police state — then you are probably as dissatisfied as I am with the presidential and congressional candidates being fielded this year by both major parties. Yet because of the various measures that these two parties have instituted to shield themselves from competition, we have become effectively disenfranchised.

When one considers that all 100 US Senators and all but one of the 435 US Representatives are either Democrat or Republican, one might be tempted to assume that all but a tiny fraction of the electorate must also be Democrat or Republican. In reality, there are more than twenty million registered voters nationwide who do not identify with either major party. Likewise, when one considers how displeased many people are with the status quo, one might expect the congressional reelection rate to be relatively low, yet in each of the last three elections (1998, 2000 and 2002), the reelection rate for US House incumbents was a ridiculous 98%.

Another problem is voter turnout. While voter turnouts of 60-80% are common in Western Europe, in the US they are unheard of. Voter turnout in the US was below 55% in our last two presidential elections, and below 40% in our last two congressional midterm elections. While there are undoubtedly many factors that contribute to such low turnouts, is it not

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obvious that the primary reason is the perception that there are simply no meaningful choices on the ballot, or, if there are, that, thanks to bipartisan election rigging, the desired candidates have no chance of winning?

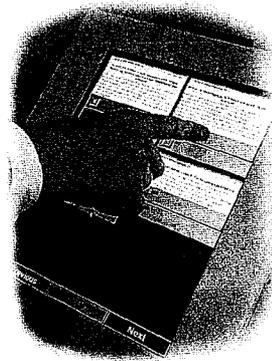
In response to this one might ask: "Why, specifically, is our electoral system so uncompetitive?" There are five key reasons, and hence a corresponding set of five solutions that needs to be implemented to reverse this trend.

First, although there is no shortage of alternative candidates, the exclusionary ballot access barriers instituted by Democrats and Republicans in most states force alternative candidates to spend the bulk of their campaign funds just to get on the ballot. While ballot access is practically automatic for major party candidates, in some states, to be listed on the ballot as a US Congressional candidate, alternative candidates must submit petitions signed by more than 10,000 registered voters. The solution to this is simple: reform our ballot access laws so that access requirements are no higher for alternative candidates than they are for major party candidates. As a step in this direction, we should pressure Congress to enact Representative Ron Paul's Voter Freedom Act, which would require all states to include on their respective ballots any candidate for the US House of Representatives who collects at least 1,000 signatures from those registered to vote in the applicable district (less restrictive ballot access rules would remain unchanged under this Act).

Second, our plurality voting system often compels voters to vote for major party candidates they don't even like, because they're afraid that by voting for an alternative candidate they will merely be helping to elect the worst candidate. The solution to this is to institute instant runoff voting (IRV) for single-office elections and proportional representation (PR) for legislative elections. (*see box on next page*)

Third, the increasing use of paperless electronic voting systems — i.e., systems that do not provide a voter-verifiable paper-audit trail — makes it increasingly doubtful that our votes are even being counted correctly. In light of the history of vote fraud in this country, from the apparent ballot trickery employed by New York City's Tammany Hall against Henry George in 1886 to the documented vote-purging employed by Florida's State Department against African-American voters in 2000, it is practically a given these voting systems are being used to further shield incumbent politicians from competition. The obvious solution is to mandate the use of voter-verifiable paper ballots.

Fourth, the Federal Election Campaign Act (FECA), which dates back



to the 1970s, compels alternative candidates to spend money (assuming that they have any left, after clearing ballot access hurdles) complying with burdensome regulations. What is worse, FECA severely limits the financial contributions candidates may receive from individuals. This harms alternative candidates in two ways. First, it makes it very difficult for them to compete with the various taxpayer funded benefits enjoyed exclusively by incumbents, including taxpayer funded mail, taxpayer funded web sites, taxpayer-funded recording studios, and taxpayer-funded travel. Second, it makes it virtually impossible for those who support alternative candidates

Instant Runoff Voting is a system that allows voters to rank candidates in order of preference, so that we can determine which candidate is actually preferred by a majority of voters. Imagine there are a hundred voters choosing among Bush, Kerry and Nader. After the first round, the vote tally is:

Bush: 46 Under plurality voting (our current system), Bush would win, even though 54 of the 100 voters didn't want him to. Under IRV, because
Kerry: 44 no candidate received a clear majority, an "instant runoff" would be
Nader: 10 conducted as follows: Nader would be eliminated since he came in last, and the "second choice" candidate on each of those ten ballots would be counted. Let's say that seven of Nader's ballots have Kerry listed as a 2nd choice, and three have Bush listed as a 2nd choice. The tally:

Kerry: 51

If you get this example, you understand IRV.

Bush: 49

Turning now to

Proportional Representation,

allow me to quote Professor Douglas J. Amy:

The basic principles underlying proportional representation elections are that all voters deserve representation and that all political groups in society deserve to be represented in our legislatures in proportion to their strength in the electorate. In other words, everyone should have the right to fair representation.... [A]ll PR systems have certain basic characteristics — characteristics that set them apart from our current election system. First, they all use multi-member districts. Instead of electing one person in each district, as we do here in the US, several people are elected. The second characteristic of all PR systems is that they divide up the seats in these multi-member districts according to the proportion of votes received by the various parties or groups running candidates. Thus if the candidates of a party win 40% of the vote in a 10 member district, they receive four of the ten seats — or 40% of the seats. If another party wins 20% of the vote, they get two seats, and so on.

Once IRV is used for single-office elections and PR for legislative elections, no longer will either Democrats or Republicans be able to use to "wasted vote" argument to scare voters into settling for the "lesser of two evils". — T. A.

to buy compensating publicity to counterbalance the free television coverage that corporate media executives routinely give to major party candidates. The solution? Repeal FECA.

Fifth, the Bipartisan Campaign “Reform” Act of 2002 shields incumbents still further from competition, primarily by restricting free speech. According to the ACLU, this act:

- ✧ *Unconstitutionally restricts robust political speech by average citizens prior to federal elections.*
- ✧ *Places restrictions on soft money contributions that support issue advocacy activities.*
- ✧ *Creates draconian penalties for non-partisan interactions between groups and federal candidates.*
- ✧ *Penalizes people of moderate means who want to band together to make their voices heard throughout the year, before during and after federal elections, while protecting incumbents, wealthy individuals, and the press.*
- ✧ *Restricts the right of individuals and organizations to express their opinions about elected officials and issues through unprecedented limits on voter guides and citizen commentary.*

As with FECA, the solution is to repeal the Bipartisan Campaign “Reform” Act.

It is important for those who long to implement various public policy reforms to understand that the day will never come when the proponents of “least worst” voting finally say, “*Now* is the time to vote your conscience; *now* is the time to vote for the candidate you believe in rather than the mere lesser of two evils; *now* is the time to vote for what you support instead of against what you oppose.” It is equally important to understand that we, as reformers, will never get what we want by continually voting for candidates who *oppose* what we want. Indeed, not only will we not get what we want, we’ll continue to get more of what we *don’t* want.

To this some might understandably respond: “But if I vote for a candidate with no chance of winning, I won’t get what I want either.” Right you are. Now you understand the predicament we are in. Because of the two party duopoly, no matter who we vote for, the problems we are most concerned about will continue to go unaddressed, and the solutions we most support will continue to go unapplied.

This is why I call on all established parties — particularly the Constitution, Green and Libertarian parties — and on all social and economic reform groups from all across the ideological spectrum to agree to disagree on the issues on which they differ, and to join forces for the purpose of

getting these electoral reforms implemented as soon as possible.

Now, I'm quite aware that coalition building is not easy, and that in today's society it is difficult to inspire people to involve themselves in any sort of grassroots effort to reform public policy. But it seems to me that building a coalition around the above electoral reforms would prove the least difficult, since these reforms transcend ideological boundaries. For instance, while the Green and Libertarian parties differ strongly on many, if not most, issues, both support ballot access reform, instant runoff voting, proportional representation, and the mandated use of voter-verifiable paper ballots. Thus, the issue of electoral reform presents a golden opportunity to build a massive cross-party, cross-ideological coalition — a coalition that could work wonders toward reasserting the public's control over government.

That doesn't mean there's a good chance that such a reassertion of control will happen anytime soon — but if we don't try, there's no chance of it, or of any other reform, ever happening. If it's a choice between having a small but fighting chance or having no chance at all, I'll take the former. **GJ**

Where to Find Out About...

1. Repealing exclusionary ballot access restrictions: www.theorator.com/bills108/hr1941.html
2. Replacing plurality voting with instant runoff voting for single-office elections
www.instantrunoff.com
3. Instituting proportional representation for legislative elections: www.fairvote.org/pr
4. Mandating the use of voter-verifiable paper ballots for all elections: www.verifiedvoting.org
5. Repealing both the Federal Election Campaign Act and Bipartisan Campaign "Reform" Act:
www.realcampaignreform.org

As corruption becomes chronic; as public spirit is lost; as traditions of honor, virtue and patriotism are weakened; as law is brought into contempt and reforms become hopeless; then in the festering mass will be generated volcanic forces, which shatter and rend when seeming accident gives them vent. Strong, unscrupulous men, rising up on occasion, will become exponents of blind popular desires or fierce popular passions, and dash aside forms that have lost their vitality..... — Henry George, *Progress and Poverty*

The 13th Congressional District
as passed by the Georgia Legislature

