

Ending the Endless Election Season



Five Ideas from Around the World to Streamline, Simplify, and Shorten the U.S. Electoral Process

BY RAYMOND A. SMITH, PH.D.

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National elections in the United States now stretch out over nearly 24 months, with each new electoral cycle seeming to start up almost as soon as the last has ended. By contrast, British law allows elections in the United Kingdom to last *no more than 17 working days*. In 2005, for instance, the electoral season began on April 11 with the formal dissolution of Parliament and the vote was taken on May 5. The U.K. is not alone in the speed of its elections: the 2008 Canadian federal election began on September 14 and ended on October 7. That same year, elections in Italy lasted a slightly longer seven weeks, while in 2010 in the Netherlands the process took ten weeks.

There are reasons that the United States probably can't have elections quite as compact as those in parliamentary democracies. But do they really need to last 40 times as long as in Britain, or even 10 times as long as in the Netherlands? And do our elections need to be so exorbitantly expensive? The \$49 million cost of the 2010 U.K. parliamentary election was 120 times less than the almost \$6 billion cost of the 2012 U.S. presidential election, or about 1/23rd as much per capita.¹

There is much that the U.S. system can learn from other democracies that would enable it to significantly streamline, simplify, and shorten our interminable electoral process for both the president and Congress, as well as state and local offices. Following are five ideas from around the world. Not all could be easily or directly imported into the U.S. system, but at a minimum they offer food for thought; in some cases they offer the start of blueprints for action.

Shorten and Simplify the Electoral Calendar

Effectively, the 2012 presidential race began the day after the midterm elections in 2010; indeed, as early as February 2011 nine Republican contenders had already announced their candidacies. Some of the Republican candidates were current office holders with demanding "day jobs", including governors and members of Congress. All were subject to a relentless daily grind of campaign appearances, ceaseless fundraising, and interminable media appearances. In 2012, 57 presidential primaries took place over 26 separate days between January 3 and June 26.

Yet, the party nominations were not formally bestowed until the national conventions more than two months later, with the general election not until November 6. Given that electoral votes were formally cast on December 17 and tabulated in Congress on January 4, 2013, the campaign process lasted nearly two full years.

Parliamentary systems lend themselves to a hypercompression of the electoral season that is not quite feasible for the United States. In the U.K. and many other parliamentary democracies, there is an established “leader of the opposition” and a “shadow cabinet” ready to take over at any time, meaning that challengers are almost as well known as incumbents. Further, political parties in most parliamentary systems appoint candidates for office rather than have them face voters through a primary election process.

Still, the United States could learn a great deal from the brief, focused elections conducted by our allies. Short of the radical step of eliminating presidential primaries altogether, it would still be possible to tremendously condense the presidential electoral process to just a few months by holding a single nationwide primary much closer to Election Day. For an example, the U.S. does not need to look beyond its own shores, but to the large, complicated American state of New York in which primary day is in September, debates are held in October, and the general election is in early November—eight weeks from start to finish.

Standardize Administration of National Elections

Not only are American elections long and costly, they are also highly complex and often chaotically administered. Rather than have a single centrally regulated and carefully monitored electoral process, voting in the U.S. is extraordinarily decentralized; it has been calculated that as many as 13,000 separate entities have responsibility for electoral administration.² This haphazard system reached a nadir in the 2000 presidential election in Florida, with its indelible images of convoluted butterfly ballots and ambiguous hanging chads. But every new electoral season now brings with it allegations of maladministration and malfeasance, along with the threat of politically divisive litigation.

It need not be this way, even in a country with a strong tradition of federalism. The provincial governments in Canada are at least as important as the states in the United States, yet in that country a federal agency known as “Elections Canada” manages notably uniform and orderly national elections. The agency is headed by an independent Chief Electoral Officer who, like all of the agency’s staff, is a non-partisan civil servant—in contrast to the elected or politically appointed secretaries of state who oversee elections in the American states. Elections Canada implements and enforces electoral laws, monitors election spending, maintains voter lists, trains staff to manage balloting, and assists with drawing electoral boundaries.³ And Canada is not alone; in the Federal Republic of Germany, nationwide elections to the Bundestag and to the European Parliament are capably managed by a single independent officer, the *Bundeswahlleiter*, who leads a staff of non-partisan public servants.⁴ Mexico, another federal state, has an effective

centralized Federal Electoral Institute to register voters, administer elections, and oversee campaign spending, as well as independent Electoral Tribunal to adjudicate disputes.⁵

Hold Run-off Elections

Presidential systems throughout the Americas use a run-off process that provides many of the benefits of the primary process without creating such a protracted campaign season. Typically, anyone from any party is free to run in the first round of a presidential election, subject to ballot access requirements such as garnering a certain number of signatures. If any candidate takes more than 50 percent in the first round, that person is declared the victor. Often, though, the vote is splintered among several candidates. In Chile in both 2006 and 2010, four candidates won more than five percent of the vote, with three taking over 20 percent.⁶ By contrast, no American presidential election has produced this much diversity since before the Civil War.

Two-stage run-off systems can, however, pose some problems. In 2006 in Guatemala, nearly half of the voters in Round 1 found that their preferred candidate was no longer on the ballot in Round 2, leading to a 20 percent drop-off in voter turnout. Thus, the ultimate winner in the second round, who then became president, was a candidate against whom some 72 percent had voted in the first round.⁷

Fortunately, there is a simple, proven mechanism available to alleviate this problem: instant run-off voting (also called the single-transferable vote) in which voters are asked to rank their choices in order of preference. This system, successfully used to elect Australian parliamentarians and Irish presidents, allows each voter's second choice to be counted if their first choice does not have enough votes to be elected. Instant run-off voting thus eliminates the classic problem of the "wasted vote" whereby a voter might wish to support the candidate of, say, the Greens or the Libertarian Party, but does not do so for fear that her or his vote would have no impact. Rather, people could be sure that their vote would be counted by being re-allocated on behalf of their next highest preference. Instant run-off voting would also avert such voters' worst case scenario in which they effectively contribute to the election of the candidate they dislike the most. Such was the case for Ralph Nader supporters in 2000 when George W. Bush landed in the White House.

The widespread use of run-off voting would represent a significant change in U.S. election law, and is not something to be lightly undertaken. At earlier points in American history, run-off elections were used in the South, for instance, to ensure the election of white candidates. More recently, however, there have some promising precedents at the congressional and some lower levels in the states of Louisiana, Washington, and California in the form of non-partisan blanket primaries. Closer scrutiny of the results in those states could provide potential models for nationwide reform.

Modernize the Electoral College

In virtually all countries with strong executive presidencies, the leader is chosen by direct election. From Panama to Peru, Indonesia to Uruguay, presidencies are filled by a flat-out simple vote of the electorate—as are the governorships of all 50 U.S. states. Most countries which once had electoral colleges have abolished them, though a few persisted until the 1980s and 1990s. When Argentina abolished its electoral college in 1994, it was regarded as a significant move away from military rule and towards democracy. In 1987, when Finland discarded its electoral college, it was seen as taking a step out from under the shadow of its intrusive Russian neighbor.

Calls for the abolition of the Electoral College have become a perennial feature of American politics, particularly since the 2000 election. Short of outright abolition, however, it would be beneficial to modernize the anachronistic practice of using actual people as “electors.” It is easy to forget that electoral votes are not directly allocated based upon the outcome of the popular vote, but rather are literally cast on paper by actual citizens who have been appointed by the political parties to act as electors. In a close race, just a few electors could switch their votes and change the outcome of an election; in fact one such “faithless elector” withheld a ballot in 2000 as a protest.

The so-called “Automatic Plan” for Electoral College reform would bypass this cumbersome process and directly translate the state-level popular vote into electoral votes.⁸ Further, the individual electors do not meet in their respective state capitals for more than a month after the people have cast their ballots, which adds further unnecessary time before a new president is in a position to actually assume power.

Hasten the Inauguration of the New President

In other countries, the transfer of power to a new executive can be almost instantaneous. When the British Labour Party ended 18 years of Conservative rule in the U.K. on May 1, 1997, Tony Blair became prime minister the very next day. Blair’s prior role as Leader of the Opposition certainly eased this transition. Francois Hollande, a socialist, was elected president of France on May 6, 2012 and sworn into office on May 15, despite a switch in party control from the conservative government of Nicholas Sarkozy.

In the 21st century, why should the United States still have an awkward ten-week window between the president’s election and assumption of power? The people have chosen a new leader, but in the interregnum the outgoing president still retains *all* the powers of the office. Yet the results of the presidential election process would be most fully actualized if the choice of the American people were to take effect by transferring full authority to the new leader as quickly as possible. Similarly, Congress has lame-duck status for nearly as long, not convening until January 3 after Election Day. The long wait between election and inauguration

was recognized as a problem in 1933, when the Twentieth Amendment halved the time by advancing Inauguration Day from March 4 to January 20, while also moving up the first convening of the incoming Congress. Further compression of the transition period could be achieved either by moving up Inauguration Day, or by moving back Election Day.

Conclusion

Many Americans seem resigned to the notion they must endure presidential elections that begin eighteen months or longer before Election Day, that they must traverse an archipelago of smaller primaries scattered across the various states, and that in the end there can only be a real choice between two candidates. Americans also seem to begrudgingly accept that the entire spectacle must consume billions of dollars and untold hours of ever-more trivializing news coverage and harshly negative advertising. Of course, none of this is true; these are all just symptoms of the dysfunction in how Americans choose their chief executives.

It may well be time for Americans to look beyond their own shores for new proposals for reforming and reinvigorating their electoral system. Some of the reforms noted above would require Constitutional amendment and some could be enacted by simple statute, but all would take fresh ideas and the political will to pursue them.

Endnotes

¹ Cordelia Hebblethwaite (2012) “US election: How can it cost \$6bn?” BBC: accessed at: <http://www.bbc.co.uk/news/magazine-19052054> on January 23, 2013.

² Robert A. Pastor (2004) “Improving the U.S. Electoral System: Lessons from Canada and Mexico.” *Election Law Journal*. Vol 3(3).

³ Frank Emmert, Christopher Page, and Anthony Page. (2008) "Trouble Counting Votes - Comparing Voting Mechanisms in the United States and Selected Other Countries." *Creighton Law Review*. 41(1).

⁴ Ibid.

⁵ Robert A. Pastor (2012) “8 things the U.S. election system could learn from Mexico's.” CNN.com; accessed at <http://globalpublicsquare.blogs.cnn.com/2012/07/02/8-things-the-u-s-election-system-could-learn-from-mexicos/> on December 16, 2012.

⁶ Rosanna Michelle Heath (2007) “Presidential and Congressional elections in Chile, December 2005 and January 2006.” *Electoral Studies* 26(2): 516-520.

⁷ Dinorah Azpuru (2008) “The 2007 presidential and Legislative elections in Guatemala” *Electoral Studies*. 27(3): 562-566.

⁸ Judith Best (2002) "Weighing the Alternatives: Reform or Deform?" *The Longest Night: Polemics and Perspectives on Election 2000*. Arthur J. Jacobson and Michel Rosenfeld (Eds). Berkeley: University of California. 355-57.

About the Author

Raymond A. Smith, Ph.D., a PPI senior fellow, is an adjunct assistant professor of political science at Columbia University and New York University and is author of *Importing Democracy: Ideas from Around the World to Reform and Revitalize American Politics and Government* (Praeger, 2010) and *The American Anomaly: US Politics and Government in Comparative Perspective, 2nd Edition* (Routledge 2010).

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