



Make Government Work!

**A Non-Partisan Initiative of Harvard Business School
Alumni and Other Concerned Americans**

Nov 2019

Broken Politics: National Harm

While our economy is the largest in the world, the U.S. ranks low among countries of the world in many important measures of success.

World Ranking for U.S.

Infrastructure	10
Healthcare	37
Secondary School Enrollment	67
Homicide Rate	118
Child Mortality	55
Life Expectancy	31

Why are our political leaders not fixing these problems?

We are Lagging Behind because Our Political System is Broken

Instead of improving our healthcare, education, infrastructure, and tax system, politicians of the two parties and their big money backers spend their time fighting with each other.

Why has this happened?

With Party and Big Money Control

- **Bipartisanship has disappeared.**
- **Moderates have disappeared.**
- **Competitive swing districts have been reduced**
- **Most elections are non-competitive**
- **Parties have become polarized**
- **Big Money dominates elections**
- **Turnout is extremely low**
- **Voters have lost faith in government.**

Bi-Partisanship Has Disappeared

Year	Legislation Passed	Democratic YES Vote %	Republican YES Vote %
1935	Social Security	90%	75%
1956	Natl Defense Highway Act	86%	93%
1964	Civil Rights Act	60%	75%
1965	Medicare	81%	98%
2010	Affordable Care Act	87%	0%
2010	Dodd-Frank Act	92%	2%
2017	Repeal/Replace Obamacare	0%	98%

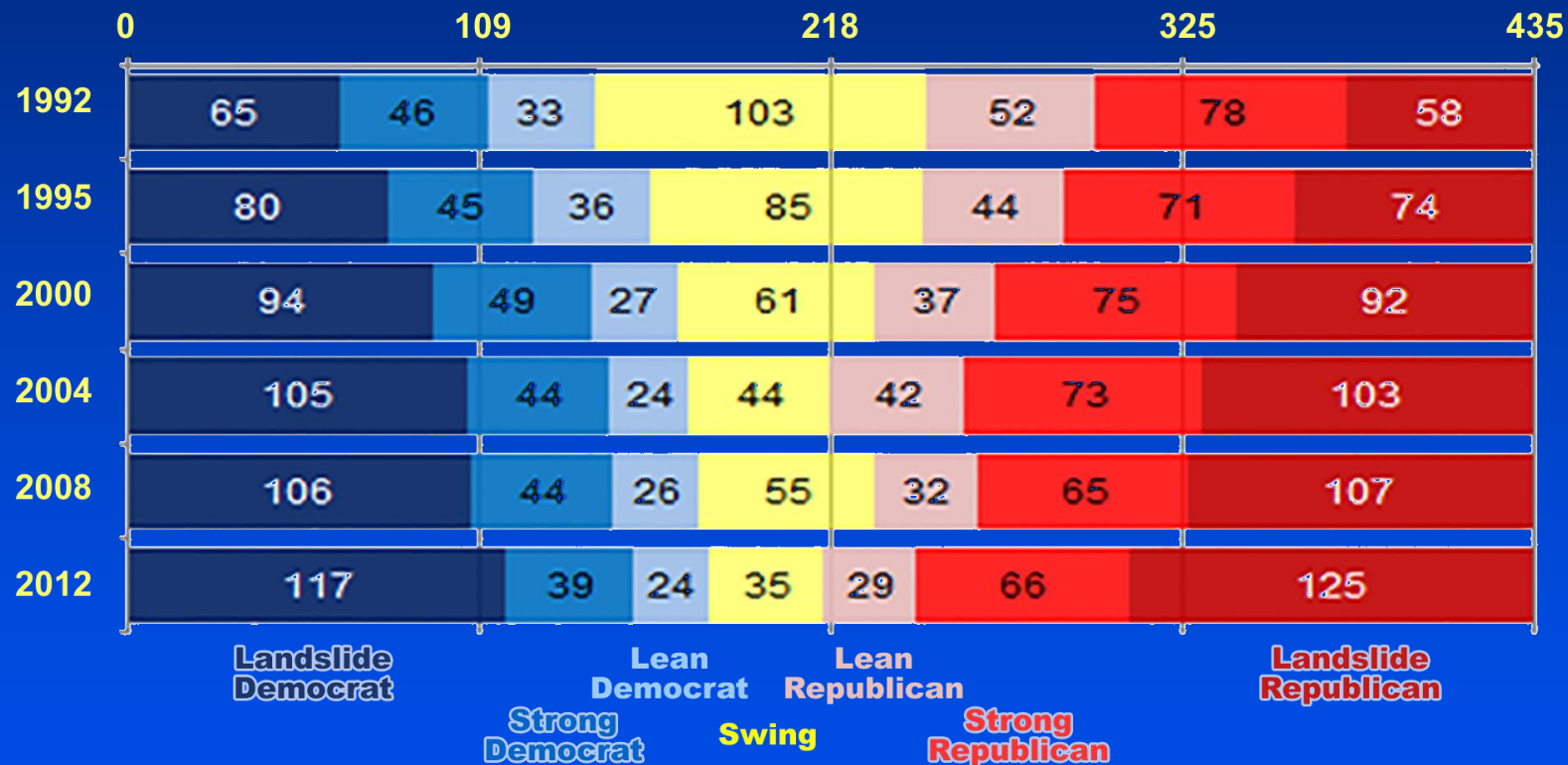
Moderates Have Disappeared

Legislators considered “Moderate”

	1951	1979	1991	2015	2018
House Democrats	62%	38%	38%	1%	1%
House Republicans	58%	72%	39%	1%	1%
Senate Democrats	80%	34%	28%	14%	6%
Senate Republicans	47%	53%	36%	4%	2%

Most Elections are Non-Competitive

Since 1992, for the House of Representatives:
SWING districts have dropped from 103 to 35
COMPETITIVE districts have dropped from 188 to 84

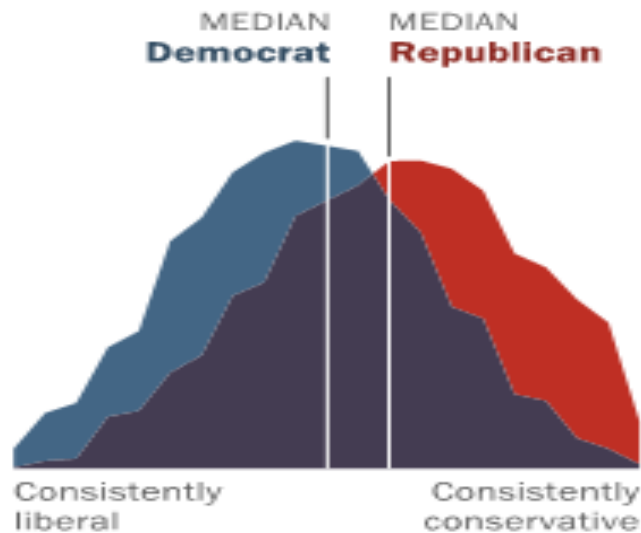


Parties Have Become Polarized

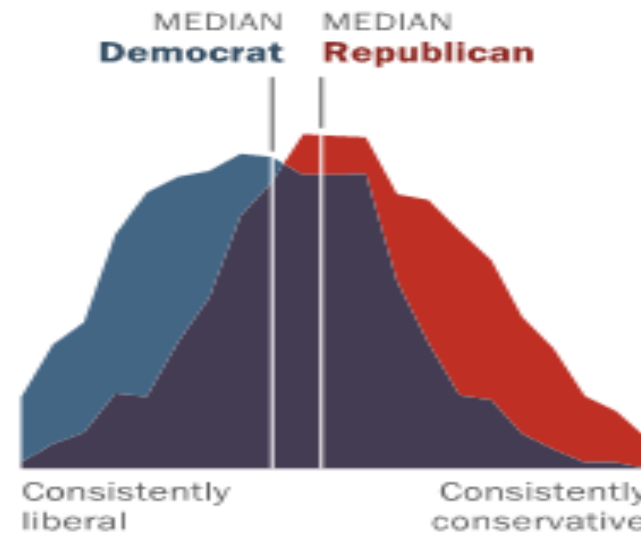
Democrats and Republicans more ideologically divided than in the past

Distribution of Democrats and Republicans on a 10-item scale of political values

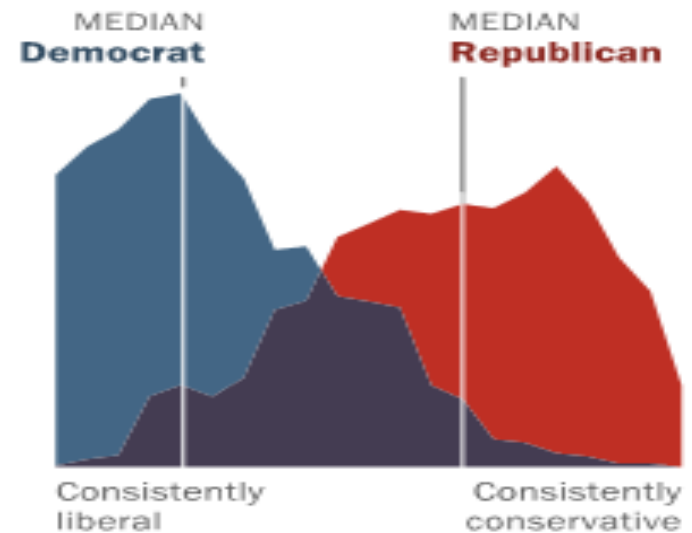
1994



2004



2017



Notes: Ideological consistency based on a scale of 10 political values questions (see methodology). The blue area in this chart represents the ideological distribution of Democrats and Democratic-leaning independents; the red area of Republicans and Republican-leaning independents. The overlap of these two distributions is shaded purple.

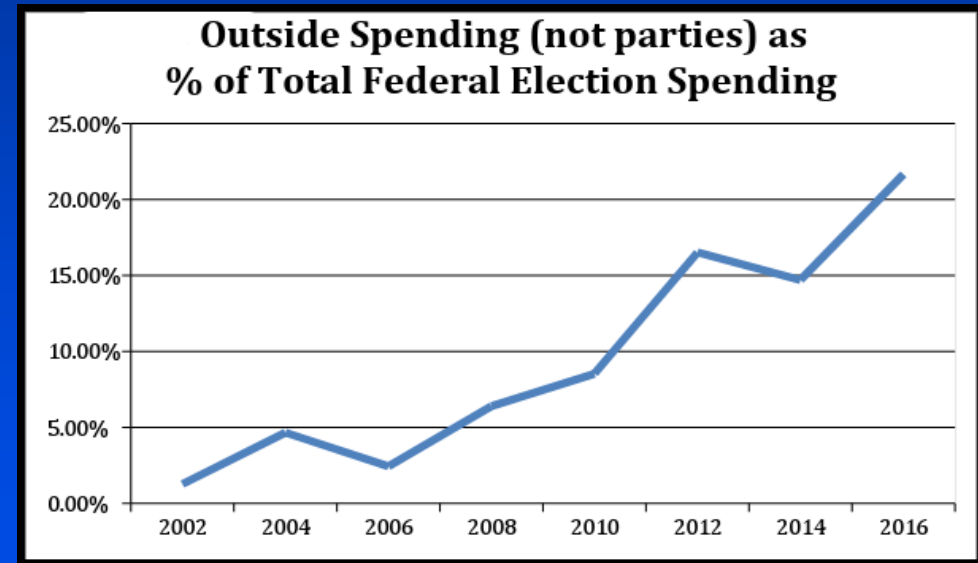
Source: Survey conducted June 8-18, 2017.

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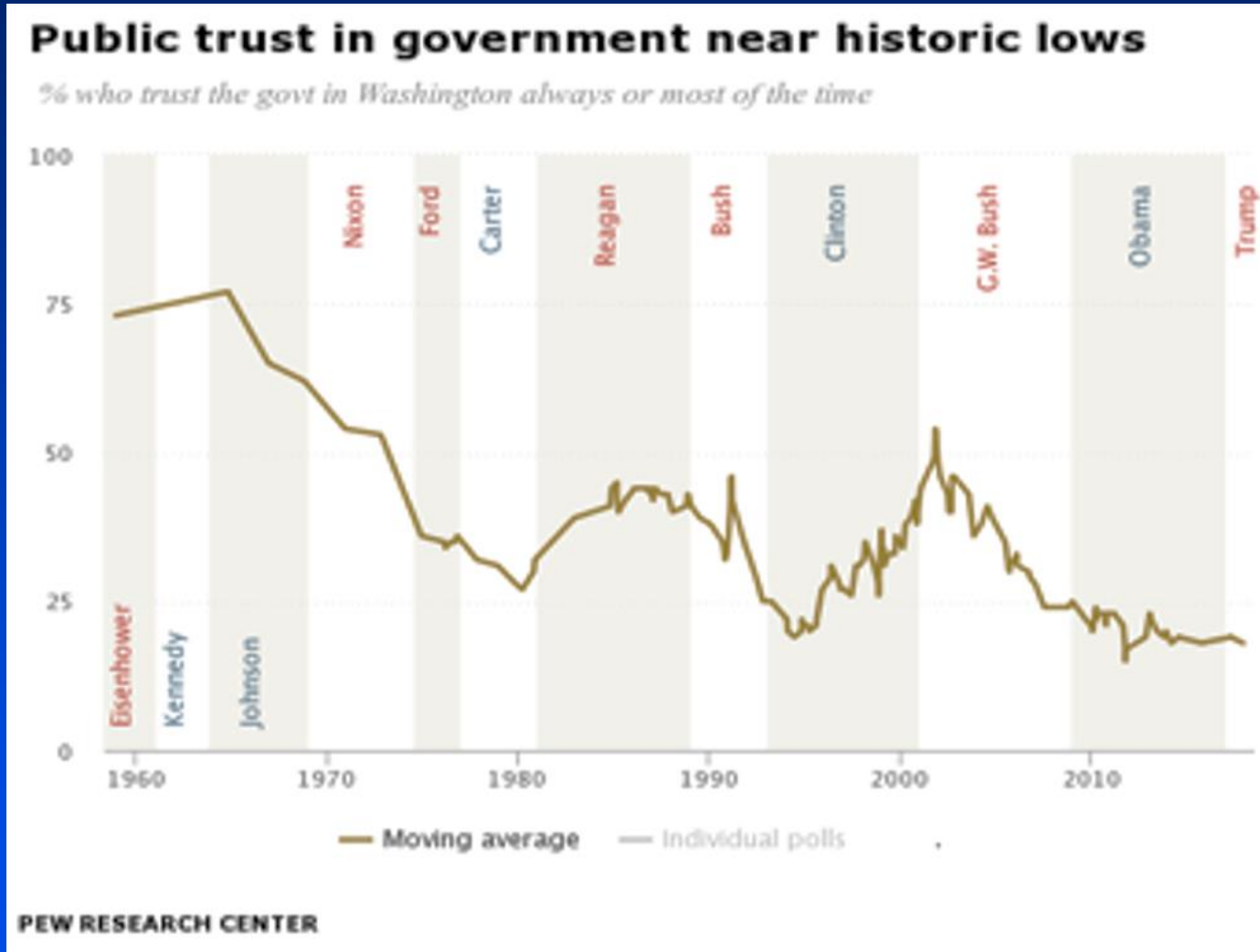
BIG MONEY DOMINATES ELECTIONS

- Since 1998, the cost of Congressional Elections has increased 254%. Big money now spends an average of \$10.7 million on each Congressional election.
- The biggest increase has come from PACs and Super PACs.
- In 2016, \$1 billion in campaign contributions came from only 40 donors.

Year	Cost of Congressional Elections	% change	Cost Per Election
2018	\$5,725,183,133	254%	\$10,701,277
2016	\$4,124,304,874		\$7,708,981
2014	\$3,845,393,700		\$7,187,652
2012	\$3,664,141,430		\$6,848,862
2010	\$3,631,712,836		\$6,788,248
2008	\$2,485,952,737		\$4,646,641
2006	\$2,852,658,140		\$5,332,071
2004	\$2,237,073,141		\$4,181,445
2002	\$2,181,682,066		\$4,077,910
2000	\$1,669,224,553		\$3,120,046
1998	\$1,618,936,265		\$3,026,049



Electorate Turned Off



VOTER TURNOUT

Belgium	87.2%
Sweden	82.6%
Denmark	80.3%
South Korea	77.9%
Netherlands	77.3%
Israel	76.1%
France	67.9%
Germany	66.1%
Mexico	66.0%
United Kingdom	65.4%
Canada	62.1%

United States 55.7%

The Two Parties Are An Entrenched Duopoly

Our democratic capitalist system works because new competitors enter industries and promote change.

- Ford disrupted the horse & buggy.
- IBM disrupted the adding machine.
- Oil, then natural gas, then solar and wind are constantly disrupting the energy industry.
- Amazon disrupted the book seller and internet shopping industries

Every industry has had new entrants except one— the Politics Industry.

- **The last successful new entrant in the Politics Industry was the Republican Party in 1854.**
- **For 165 years, there have been no successful challenges to either of the two political parties.**

In the words of Katherine Gehl and Michael Porter,

- **“The politics industry is different from virtually all other industries in the economy because the participants, themselves, control the rules of competition.”**

The Duopoly Controls The Rules of the Game to benefit each other and block challengers

The Duopoly

- Controls funding infrastructure, talent, media, advertising, and voter databases.
- Creates ideologies with an us-them religious-style hostility to all but “core believers.”
- Draws electoral boundaries that in a manner that maximizes party control.
- Enacts Sore Loser Laws to maintain control.
- Passes laws and regulations that make it difficult for independents or third parties to receive funding or placement on ballots.
 - Citizens can donate \$1,694,000 every two years to political parties but only \$5,400 to independent candidates.
- Blocks independents from participating in primaries.
- Uses party power and the threat of “primarying” a legislator to insure discipline.
- Creates rules, like the “Hastert Rule,” that prevents bills supported by a majority in Congress from coming up for a vote.

The Duopoly Represses Turnout in The Tri-State Region

N.Y. has by far the worst election turnout of any State.

- In 2014 and 2018, turnout in the primary was 1.4% and 2.8%, by far the worst of any state.
- In 2018, turnout in the general election ranked 44th.
- Improvements have been enacted, so the participation should increase in the future.

N.J. also ranked near the bottom.

- In 2014 and 2018, turnout in the primary was 6.5% and 11.1%, ranking 48th and 49th.

Connecticut's primary turnout was ranked 44th and 49th.

These state with high income and education levels have such low turnout because the two parties have created rules that have made it difficult for citizens to vote.

Despite the problems, our system can be fixed if we can:

1. **Create Fairer Election Districts by Minimizing Gerrymandering.**
2. **Increase turnout by eliminating voting restrictions in primaries.**
3. **Support Emerging Voting Systems that will lead to less polarization and mudslinging, and more bipartisanship.**
4. **Remove Restrictions for Popular Candidates to Run.**
5. **Create Secure Voting Systems that make it easy for registered voters to participate and minimize the risk of hacking.**
6. **Control money from dark pools and special interest groups, that seek to influence elections for their own ends.**

Gerrymandering: Unequal Representation and Polarized Districts

In Gerrymandering, the party in control of each state maximizes its power by cramming voters of the other party into a small number of imbalanced districts.

With Gerrymandering.

- The party in power gains unequal representation.

Year	State	Party	% of State Vote	% of Elected Representatives
2012	Pennsylvania	Democrat	51%	28%
2014	N Carolina	Democrat	47%	23%
2016	Maryland	Republican	37%	12%

- By cramming opponents into imbalanced districts, the number of polarized districts is increased, while the number of competitive elections is decreased.
- This is not a partisan issue, as both parties gerrymander to their advantage.

Gerrymandering: The Beginning of Change

The U.S. Supreme Court (2019) ruled Federal Courts could not touch gerrymandering.

- **Many thought this was the end of reform- but it was not.**
- **State Courts, State Legislatures, and Citizens' Initiatives are doing what the Supreme Court would not do and proving that the Federal system does work.**

Gerrymandering: Court Action

In several highly Gerrymandered states the state Supreme Court has overturned Gerrymandering.

Pennsylvania Supreme Court: 2018

- Overturned the state's gerrymandered Congressional districts
- Representation reflected the split in the popular vote.

Year	Dem	Rep
2016	5	13
2018	9	9

North Carolina Supreme Court: 2019

- Overturned the state's gerrymandered state legislature districts
- Better balanced state legislature expected to redraw better balanced Congressional districts after the 2020 census

Gerrymandering: Legislative and Ballot Initiatives

- Arizona, California, Hawaii, Idaho, Montana, New Jersey, and Washington have independent commissions for Congressional and Legislative redistricting.
- Alaska, Arkansas, Colorado, Missouri, Ohio, and Pennsylvania have independent commissions for legislative redistricting. Iowa also has a non-partisan system.
- Michigan, Colorado, Missouri, and Utah, through grassroots movements in 2018, passed ballot initiatives creating independent redistricting commissions:
 - Strong, bipartisan margin of victory for initiatives: 61-75%.

By overturning Gerrymandering laws and establishing independent commissions to draw legislative boundaries, we can allow representation to approximate the popular vote and create more competitive election districts.

Sore Loser Laws Extend Party Control

Another tool used by the parties to maintain their duopoly control are the Sore Loser Laws. These laws state—

- A candidate who runs in a primary and loses *can not run* in the general election either as an independent or as a nominee of another party.

Losing a primary ends a candidate's chance for election

To avoid a loss in a primary with low, “true believer” turnout, candidates avoid moderate positions

- Campaigns are forced to satisfy “true believers”
- Moderate candidates are discouraged from running

47 States have Sore Loser Laws!

Sore Loser Laws: Examples of Impact

Delaware 2010 Senate Election, with a Sore Loser Law

- Seat once been held by Joe Biden
- Mike Castle, a former Governor, defeated in Republican Primary by Christine O'Donnell, a Tea Party candidate
- Polls showed that Castle could have easily beaten Chris Coons, the Democratic candidate, and won a three-way race. Sore Loser Law prevented his election.

Connecticut 2006 Senate Election, without a Sore Lower Law

- Ned Lamont defeated Joe Lieberman, a very popular Senator, in the primary
- Joe Lieberman ran as an independent and won the general election

The Parties Control Primaries by Restricting Participation and Appealing to their Bases.

The Two Party Duopoly controls participation by independents in primaries.

- 9 states including N.Y., Florida, and Pennsylvania have **Closed Primaries**.
 - 7 states including Connecticut have **Partially Closed Primaries**.
 - 6 states including Illinois and Ohio have **Partially Open Primaries**.
 - 9 states including N.J. have **Primaries Open to Unaffiliated Voters**.
-
- **By restricting independents, parties insure that the nominees are those who appeal to their bases.**
 - **Since most districts are non-competitive, the general election winner is determined in the primary.**
 - **This means that independents are essentially disenfranchised.**

Closed Primaries: Taxation Without Representation

In a closed primary, only registered party members can vote.

- More than any other system, these primaries result in low turnout and polarizing winners.
- Alexandra Ocasio-Cortez defeated Joe Crowley by 4,000 votes in a district of 710,000 voters.
 - 77,000 registered independent voters were unable to vote in the primary.
 - If these voters had been able to vote, Crowley would likely have won.
 - Cortez won the final election with almost 80% of the vote.

This system is in essence **Taxation Without Representation.**

- Independents are the largest voting group with 42%, compared to 29% for Democrats and 27% for Republicans.
- While parties run primaries, taxpayers pay the cost.
- Independent voters are thus paying for closed primaries in which they can not vote.

Opening Primaries Leads to Higher Turnout and Less Polarization

When restrictions on primaries are reduced and primaries are open to more voters, the result is:

- Higher Turnout and Less Polarization.
- This is especially critical because the primary decides the ultimate outcome in most districts.

With most districts qualifying as either Republican or Democratic, the primary is the ultimate election.

- Opening primaries to independents has a moderating influence on the candidates, who can not purely appeal to their bases.
- Keeping primaries closed leads to the election of candidates that focus on their bases instead of being willing to govern in a bi-partisan manner.

Independents' Self-disenfranchisement

We would like to see the end of closed primaries, but if parties will not act, there is something independent voters can do to change the system.

- **82% of Independent voters “lean” toward a party**
- 11 million independents are registered in states with closed primaries
- If allowed to vote, they would likely move candidates toward the center
- By not registering with any party, they cannot help select candidates and are giving up their franchise.
- By registering with the party to which they lean, these voters can regain their voting franchise and help to pull their party away from extremism.

Nonpartisan Primaries- An Excellent Solution to the Problems of Partisan Primaries

- 1. In a nonpartisan primary, any qualified candidate can stand for election with or without a party affiliation.**
 - Candidates and voters, not parties, control the election.
- 2. In the current system, the top 2 candidates, regardless of party, move on to the final election.**
- 3. This leads to high turnout, less landslide elections, less partisanship, and higher voter approval.**
- 4. Nonpartisan primaries are currently used in California, Washington, Louisiana, and Nebraska (for state offices only).**

Nonpartisan Primaries: Advantages

- 1. In heavily partisan districts, two members of the same party may run in the final election.**
 - The winner will have to rely on votes from independents and members of the other party.
- 2. As a result, Partisanship and extremism are discouraged**
 - Candidates must appeal to voters across the full spectrum
 - Negative campaigning is discouraged
- 3. Elections are more competitive.**
 - Elections with token opposition are rare. There is always a choice.
- 4. Turnout is much higher.**
 - In 2018, WA and CA had turnouts of 41% and 37% vs 2.8% for N.Y. and 11.1% for N.J.

Nonpartisan Primaries: Advantages

- 1. Partisanship and extremism are discouraged**
 - Candidates must appeal to voters across the full spectrum
 - Negative campaigning is discouraged
- 2. Independents participate fully**
 - Their preferences impact what candidates offer
- 3. Elections are more competitive**
 - Elections with token opposition are rare
- 4. Turnout is higher**
 - In 2018, WA and CA had turnouts of 41% and 37% vs 19% for U.S.
- 5. State government improved after adoption**
 - In CA, voter approval of state government increased 300% in 5 years
 - Nebraska rated #3 in popular approval of state government

Citizens Like Nonpartisan Primaries- Politicians Don't

- **State government improved after adoption**
 - In CA, voter approval of state government increased 300% in 5 years
 - Nebraska rated #3 in popular approval of state government
- Most party leaders oppose dilution of their power. The only subject on which Nancy Pelosi and Kevin McCarthy agree!
 - Nancy Pelosi: “terrible”
 - Kevin McCarthy: “I hate the Top 2”
- Yet Chuck Schumer has endorsed this system.
 - “We need a national movement to adopt the ‘top two’ primary... it seems likely that a top-two primary system would encourage more participation in primaries and undo tendencies toward default extremism”

Ranked Choice Voting: Is A Unique System that Works. RCV

1. Eliminates spoilers
2. Encourages broad-based appeals
3. Discourages extremism
4. Reduces negative campaigning

5. Raises voter turnout:

- Eliminates voters' gripe, "My vote doesn't count" if for a minor candidate

RCV Cities		Non-RCV Cities	
Oakland	53%	New York	22%
San Francisco	53%	Miami	12%
Minneapolis	43%	Dallas	6%

6. Eliminates costly run-offs with lowered turnouts

Ranked Choice Voting (Instant Runoff Voting)

What is RCV?

- All candidates are listed on the ballot, with columns for first, second... preferences
- Voters mark the first column for their first choice, then – optionally --the second column for their second choice, third for third choice, etc.
- If the plurality winner fails to reach 50%*, the lowest vote-receiving candidate is dropped and his ballots' second preference votes are added to the totals of the remaining candidates
- If after reallocation no candidate reaches the winning threshold, the last step is repeated until one candidate wins
- **RCV ~ run-off on first ballot**

* In practice, fine details vary among jurisdictions

City Council						
Rank up to 6 candidates. Mark no more than 1 oval in each column.	First choice	Second choice	Third choice	Fourth choice	Fifth choice	Sixth choice
	1st	2nd	3rd	4th	5th	6th
Valarie Altman Orange Party	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
George Hovis Yellow Party	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Althea Sharp Purple Party	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Mary Tawa Lime Party	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Joe Li Tan Party	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Phil Wilkie Independent	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

RCV Eliminates Spoilers

Had Ranked Choice Voting Been Used in Presidential Elections, citizens could have voted for Ralph Nader, H. Ross Perot, or other candidates without worrying that their votes would be wasted and help elect a candidate they opposed.

Election	Vote	Candidate	Est w/o Spoilers
1912	42% 27% 23% 6% 2%	Wilson T Roosevelt Taft Debs Others	Wilson T Roosevelt
1992	43% 37% 19% 1%	Clinton HW Bush Perot Others	Clinton HW Bush
2000	48% 48% 3% 1%	W Bush Gore Nader Others	W Bush Gore

Popular Vote Percentages *(Electoral College Disregarded)*

Ranked Choice Voting: Issues

1. Encourages Broad Based Appeal

- To win, a candidate must not just receive the most first place votes, the candidate must also receive votes from eliminated candidates. This means building coalitions and appealing to a broad group of voters.

2. Discourages Extremism

- Polarizing candidates tend to lose.

3. Reduces Negative Campaigning

- Studies show negative campaigning reduced by 75%

4. Huge Voter Turnout

- San Francisco, Oakland, and Minneapolis with RCV averaged 50%
- N.Y., Dallas, and Miami, without RCV, averaged 13%.

Ranked Choice Voting: Current Usage

1. American state and local elections

- Maine*; Berkeley, Cambridge, Minneapolis, Oakland, Portland, St Paul, San Francisco, Santa Fe, and other cities.

2. Military and Overseas Voters

- Alabama, Arkansas, Louisiana, Mississippi, South Carolina

3. Democratic Party Presidential Nomination Early Voters

- Alaska, Hawaii, Kansas, Iowa, Nevada, Wyoming

4. International Countries, Localities, Political Parties

- Australia, Canada, India, Ireland, Malta, Nepal, New Zealand, Northern Ireland, Pakistan, Scotland, Sri Lanka, United Kingdom

5. Corporations, Universities, Academy Awards

Source: [FairVote.org](https://www.fairvote.org)

Ranked Choice Voting: Issues

1. Complexity

- Need for voter education, new tabulation equipment and software
- Aggravated by differences in details across jurisdictions

2. Can frighten less educated voters

3. Can encourage proliferation of candidates

- Can be controlled by on-ballot qualification rules

4. Can yield “exhausted” ballots, no winner over 50%

- Winner rules allow for plurality win after ballot exhaustion
- Even with “exhaustion”, each voter has more input than in “winner-take-all”

NYC Offers RCV for Voter Approval

NYC's 2019 Ballot Question 1:

- Provides for Ranked Choice Voting in primary and special elections for Mayor, Public Advocate, Comptroller, Borough President and City Council Members
- Allows voters to rank, in order of preference, up to 5 candidates, including a write-in candidate

RCV would replace “winner-take-all / top 2 run-off” format

- Prompted by the cost and low turnout of run-off elections

If approved, implementation is set for 2021

Top 5 Nonpartisan Primary- RCV Final Election

Katherine Gehl and Michael Porter are endorsing a system that utilizes the strengths and minimizes the weaknesses of Non-Partisan Primaries and Ranked Choice Voting that could provide an excellent solution to our electoral issues.

The Top 5 Nonpartisan Primary- RCV Final Election functions as follows:

- **Any qualified candidate can run in the primary.**
- **The Top 5 move to the final election.**
- **The final election winner is determined by Ranked Choice Voting**

Advantages of Top 5 Nonpartisan Primary- RCV Final Election

- As in current nonpartisan primaries, any candidate can run. This creates high levels of turnout and the airing of different points of view.
- With 5 candidates instead of 2 moving to the final election, all voters will have more than ample choices.
 - The risk of having two candidates from the same party or one extremist candidate is eliminated.
- **With Ranked Choice Voting in the final election**
 - Candidates with broad appeal should win. Extremist candidates should lose.
 - With 5 candidates, dark money and political parties will find it more difficult to control elections.
 - Mudslinging and negative campaigning should be reduced.
 - Candidates should be able to advocate positions without worrying about being spoilers.
 - Extremist candidates should lose.
 - Turnout in the final election should also be very high.

Issues With Top 5 Nonpartisan Primary- RCV Final Election

There are two issues with the Top 5 Nonpartisan Primary- RCV Final Election.

- It has never been tried.
- It is complicated to explain, because voters will have to understand the advantages and disadvantages of both systems, and why this combined system will work most effectively.
- Nonetheless, there are groups like Wisconsin based, Democracy Found, co-chaired by Katherine Gehl that are working to implement this system.
- If States or major municipalities adopt this system, widespread implementation could be relatively easy.

Voting Reform: Steps to Increase Voter Turnout

Besides changing the voter system, we need to make registration and voting more accessible.

- 11% of all voters had to wait more than 1 hour. 1% had to wait more than 2 hours to vote.
- This discourages people from voting.

We should:

- **Implement Automatic Voter Registration**
 - AVR registers voters in any state interaction (such as obtaining a driver's license) in which they show an ID. AVR is cheaper and more accurate. It also eliminates issues when people move within a state. 17 states will have AVR by 2020.
- **Reverse the trend of closing polling places in poor neighborhoods**
 - Disenfranchising poor voters by closing their polling places is unfair.
- **Increase Early Voting**
 - This relieves pressure to get to a potentially crowded polling place on a single election day.
- **Making Election Day a National Holiday or allowing Weekend Voting, as is practiced in most countries.**
 - There should not be a conflict between work and voting.

Voting Reform: Voting Security

Foreign hacking of US elections is not a partisan issue.

- **Democrats believe Russia hacked our last election, but who will hack our next election? China? Iran? Russia? Cuba? And whom will they favor.**
- **Our outdated technologies have left our system vulnerable to attacks from foreign powers. We cannot allow this to occur. To assure the security of each vote, we must:**
 - Fund the Purchase of Appropriate Machines: Many states are using machines that are more than 10 years old.
 - Produce paper ballot back-ups to prevent hacking.
 - Install controls to prevent hacking of statewide registration systems.
 - Reinvigorate the Elections Assistance Commission (EAC)
 - **Provide states with best practices for poll worker training, ballot design and vote counting processes.**

Dark Money Imperils Our Election System

- **The Supreme Court in Citizens United voted to allow dark money to influence our elections.**
 - Many states were forced to enact legislation conforming to Citizens United.
- Citizens United is Highly Unpopular.
 - 88% of Americans are opposed to it.
- **The current Supreme Court will not reversed it and the passage of a constitutional amendment is highly unlikely.**
- **The best solution for controlling dark money is to offer alternatives on a state and local basis including:**
 - Passing state and local laws
 - Public Financing of Campaigns
 - Funding Candidates that agree to accept funding limits
 - Forcing PACs and other contributors to publicly disclose their donations.

State and Local Governments Can Help Control Dark Money

- Some states and localities are passing laws restricting campaign contributions.
 - As with Gerrymandering, States can take action to reduce the control of dark money.
- Offering Public money to candidates that agree to restrictions can limit the power of dark money. States and localities are passing laws to offer public financing of campaigns to candidates that agree to contribution and spending limits.
 - New York matches small donations⁶⁻¹ for candidates who agree to contribution limits.
 - Maine offers a public grant to candidates who raise a qualifying number of \$5 donations and then agree to abstain from further private fund-raising.
 - Seattle voters approved a ballot initiative that will provide every voter with “democracy vouchers,” to be distributed among candidates who agree to abide by spending limits.
- Forcing all donors to publicly disclose their donations reduces secrecy and works to control their power.

Citizens United will not be easily overturned, but States and localities can take action to minimize the power of dark money.

To Reform Elections Now We Must

1. Minimizing Gerrymandering.
2. Eliminate voting restrictions in primaries.
3. Support Non-Partisan Primaries and Ranked Choice Voting that will lead to less polarization and mudslinging, and more bipartisanship.
4. Repealing Sore Loser Laws.
5. Make it easier for people to register and vote and minimize the risk of hacking.
6. Work to limit money from dark pools and special interest groups.



Make Government Work!

To learn more,
*see details, facts and figures
in white papers presented at*

www.ReformElectionsNow.org

September 18, 2019