

IMPORTING MMP TO THE U.S.: POSSIBILITIES AND CHOICES

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MMP in the US?

- The New Zealand success
- Adopted for Scotland, Wales, and London
- Rated highest in surveys of experts
- The preferred reform option in Canada, except British Columbia (STV)
- “Best of both worlds” (SMDs + proportionality) for US too?

Avoiding the Law of the Hammer

- No electoral system is universally “best” for purposes and contexts
- In some settings, an otherwise desirable system may be constitutionally or politically infeasible
- MMP has innumerable variants—not all will perform like the German and NZ models
- Reformers must avoid divisions—so it will help to decide in advance which system most suited for various settings

Plan of the Paper

- I. Basic requirements of any MMP system
- II. Design choices and their effects
 - on representational fairness
 - on polarization, deadlock, extreme outcomes
- III. Applicability of MMP cf. alternative reforms in the US
 - Congress
 - state legislatures
 - local councils

Basic Requirements

- partisan ballot
- multi-member districts for assigning compensatory (list) seats
- expansion of the legislature and/or the size of SMDs—the dilemma of size

A Novel Exception—Michel Balinski's Fair Majority Voting (FMV)

- Intended for US House of Representatives, where 1967 statute requires SMDs
- Vote for individual candidates in existing SMDs
- Those votes are also aggregated to give statewide party votes
- A PR formula is applied to determine number of seats each party should win
- If that differs from result in districts, parties seat candidates as if from a list, ranked by percent of vote they received in their districts
- One or more district winners may be replaced by a loser from another party to establish proportional result
- Seating “losers” probably makes FMV a non-starter politically

Design Decisions--1

- District magnitude for compensatory seats
 - Determined by size of legislature if system-wide allocation
 - Or by size of local clusters if regional allocation
- Percentage of compensatory seats
 - 50% for Bundestag, 42% for NZ parliament
 - If low, limits proportionality attainable
 - That effect can be partly offset by provisions for overhang, more fully by adjustment seats
- These decisions affect fineness of proportionality attainable for all parties, but their effects are most severe on small parties

Design Decisions--2

- One vote or two votes
 - No mechanical difference in principle
 - But psychological effect favors large parties
 - As does the advantage gained by fielding candidates in all SMDs
- Explicit thresholds
- PR formula

“Big-party MMP”

- Electors have just one vote
- Low M (because legislature small or because compensatory seats allocated in small regions)
- Low percent of compensatory seats relative to M
- High explicit threshold
- No provision for overhang or adjustment seats
- D’Hondt formula

Example: Quebec Draft Bill of 2004 had all these elements except explicit threshold (redundant)

Effects of Big-party MMP

- Usually will preserve dominance of two major parties—especially likely in US
- Exceptions if a third party already strong (UK or Canada)—may help stabilize 3-party competition
- Will screen out most small parties, except those with local strength—able to win an SMD or gain regional adjustment seats

Representational Fairness

- Big-party MMP offers greater fairness (cf SMP) between/among large parties
- But it offers slight (if any) gains for small parties, minorities, and women
- Low proportion of list seats hurts minorities and women
- As does the reduced threat of losing their votes to a minor party that appeals to them

A Dilemma for Reformers

- Big-party MMP may seem more politically feasible-- definitely through legislative enactment but also through referendums that major parties influence
- Especially so when a disadvantaged major party helps initiate the reform process
- But reform efforts are unlikely to succeed without vigorous, persistent grassroots advocacy
- High proportion of pro-PR activists likely to be supporters of small parties, minorities, women
- Big-party MMP may therefore lack enthusiastic base of support
- Quebec and Jenkins plans offer cautionary examples

Effects of MMP on Polarization, Deadlock, and Extreme Outcomes--1

Unless accompanied by complementary reforms, MMP would *not* address three causes that pull Republicans to the right and Democrats to the left:

- Primary elections
- Ideological activists
- Money in politics—from oligarchs, special interests, and issue-oriented small donors

Effects on Polarization, Deadlock, and Extreme Outcomes--2

MMP (including big-party MMP) *would help greatly* with two other causes that undergird the unholy trinity:

- Partisan gerrymandering would no longer pay off (though incentives would continue for gerrymandering to protect incumbents or minorities)
- MMP should reduce or eliminate “natural gerrymandering” resulting from political geography (Chen and Rodden 2013)

Effects on Polarization, Deadlock, and Extreme Outcomes--3

Standard MMP—but probably not big-party MMP—could also help pull politics back toward the center by a third mechanism:

- The entry (or threat of entry) by centrist third parties
- Even parties on the right and left could promote moderate outcomes—imagine if the Tea Party were really a separate party
- NZ experience suggests these processes work best if there are numerous small parties—to avoid a third party (even one in the center) abusing disproportionate bargaining power

Congress-1

- Senate almost surely remains SMD—IRV?
- For House of Representatives: MMP, STV, or any proportional system (except FMV?) requires repeal of 1967 statute requiring SMDS
- $M = 1, 2$ (twelve states): retain SMDs—IRV?
- $M = 3, 4, 5$ (twelve states): cognitive sweet spot for STV

Congress-2

- M 6 to 10 (fourteen states): STV with 2 districts, but big-party MMP also conceivable
- M 11-18 (eight big states): MMP plausible, or else STV with 3 or 4 districts—we need analyses comparing MMP and STV for these situations
- Four mega-states (NY and FL, 27; TX 36; CA 53): suitable candidates for a reasonably unbiased MMP system
- How much impact? The mega-states and big states together have 60% of the House, and they include most of the states where outcomes are distorted by intentional and unintentional gerrymandering

State Legislatures

- Highly suitable for standard MMP (except non-partisan Nebraska)
- One answer to the dilemma of size: abolish upper chambers; use some of the “proceeds” to expand size of remaining chamber, and some to appease public desire for fewer pols
- An answer to concern about directly-elected governors and multi-party PR legislatures (cf Latin America: IRV for executive elections could be complementary (though its natural RCV affinity is with STV))

Local Councils

- A great many are elected on a non-partisan basis
- And many are too small for MMP (or would produce big-party MMP)
- So STV is normally the reform of choice if existing system is not functioning well—possibly other alternatives as well
- But there may be some cases where MMP would fit well—Philadelphia!

