

# TANGLED SIGNALS OF DEMOCRACY

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“Why should your only choice when you vote be to vote yes—or to stay home and abstain?”

Everyone agrees that our voting system needs an overhaul. But while others in this collection of essays, and elsewhere, are wrestling with what to do about electronic voting machines that can't be trusted, voter registration deadlines that depress participation, unfair ballot access rules that discriminate in favor of the two major parties, the disenfranchisement of millions of ex-felons, and new photo-ID requirements that may disenfranchise many other would-be voters, I want to focus on a different issue: whether our voting system actually helps us signal what we want from our representatives in a meaningful way.

In most of America today, elections are run on the “first-past-the-post” system. That is, whoever gets the most votes in a race wins—no matter how many, or how few, people vote. In a few places, a run-off is required if no one gets a simple majority on the first round, which often produces the odd result of a candidate who wins even though a majority

of voters didn't vote for her on the first round. The only thing that voters are asked to do is vote FOR someone. There's about as much communicative content in their choice as there is in reading an X in a box.

We're using a voting system invented in the 18<sup>th</sup> century—before there were railroads, telegraphs, cars, radio, TV, airplanes, let alone the Internet. Maybe it's time to try some experiments to open up our voting process? Here are five modest proposals:

1. Put "None-of-the-Above" (NOTA) on the ballot.

States would have to require a special election (held according to the existing rules for when an office becomes vacant) any time NOTA got more votes than the candidates on a ballot, with new candidates nominated. When I first wrote about this idea in an article for *The Nation* back in 1990, I was amazed to see it endorsed by voices as diverse as the *Boston Globe* and *Wall Street Journal* editorial pages.

The idea isn't as crazy as it may seem. Why should your only choice when you vote be to vote yes—or to stay home and abstain? And if none of the candidates running for a particular office can get more votes than "none-of-the-above," maybe that will send a useful message. After all, there's a reason so many campaigns use negative advertising against their opponents: it seems to work—and there's no penalty for going negative. But if NOTA were an option and two candidates were savaging each other on the campaign trail, the public would start voicing support for NOTA and pollsters would notice. The next idea follows this same theme.

2. Give voters the ability to vote 'No' to a candidate.

Today, if you want to signal your dissatisfaction with a particular candidate, you can only do so by voting 'Yes' for her opponent. (Staying

home doesn't really have the same effect.) But why force people to choose the lesser of two evils? I may have only one vote, but why not let me cast it against someone, to reduce their total vote—and let the candidate with the most net positive votes gain office?

I'm borrowing here directly from a 2001 article in *Political Science and Politics* called "Let's Take 'No' For An Answer," by Daniel Ferguson, an MIT physicist, and Theodore Lowi, a long-time professor of government at Cornell University and former president of the American Political Science Association. They call this approach "bipolar voting" and argue that it would have the effect of establishing a kind of quorum rule on who could win an election. If two candidates on the ballot both ended up with a net negative vote (i.e., voters choosing to vote 'No' more often than 'Yes' in both cases), the election could be held again with a new slate of candidates. In effect, a more elegant NOTA option.

Ferguson and Lowi argue that a "bipolar voting system elicits a fundamentally new piece of information from the voter as a sort of 'legitimater': It registers the relative measure of preference and also, albeit roughly, the absolute level of confidence in the candidates, the platforms, and the process." (We could use something similar in the blogosphere, so that a link to a post could contain a "positive" or "negative" association, as Kevin Marks, author of the weblog Epeus' Epigone, and others have suggested.)

Bipolar voting also has the virtue of balancing the most extreme blocs of opinion and would, perhaps, lead to more widely supported centrist candidates winning elections. Last year, we used a system of visible bipolar voting to enable viewers to vote for or against the best video questions submitted to the presidential candidates in our "10Questions.com" project. As the voting unfolded over the weeks we could clearly see how heavy votes in favor of one video would be balanced the next day by heavy votes against it. In effect, videos that

had a strong political bias had more trouble gaining a net positive vote total because they stirred up as much opposition as support, while videos that rose to the top had a broader level of consensus across the spectrum. And that idea of making results visible as the process unfolds gets to my next point.

### 3. Release early voting results.

As more states allow voting by mail and provide absentee ballots for practically any reason, and some even open polling locations weeks before Election Day, more Americans are availing themselves of the convenience of voting on their personal timetables. In some states, like Tennessee, a majority of votes were cast early in the 2006 elections. But other than reporting generic information like the total number of absentee ballots requested, or early votes cast, states are doing nothing with this information, on the old-fashioned notion that no one should know what anyone else has chosen to do until the end of Election Day.

But imagine if, every night, state registrars posted running totals of ballots that had already been cast, and even which voters had voted (though not their personal votes). Instead of relying on unreliable pollsters, we'd all have a real-time snapshot of each race as it was coming to a close. Campaigns would be able to focus their resources on people who hadn't yet voted, which would help boost turnout. And early results might signal problems for a candidate and cause them to change their positions accordingly. A final benefit of making early voting results public—and on this notion I am indebted to Jonathan Soros—since about two dozen states start mail-in or early voting well before the Iowa and New Hampshire presidential contests, we just might start to dissolve the disproportional power of those unrepresentative states over the nomination process.

#### 4. Embrace instant-runoff voting, or ranked balloting.

Today's system forces most races down to two viable candidates, since most voters don't want to risk "wasting" their votes on lesser contenders. But with an instant runoff, or ranked balloting, system, we can liberate ourselves from that constrained set of options. Instead of only being able to vote for one candidate, under these systems you would be able to list your preferences in order. If your first choice didn't win a majority on the first, multi-candidate ballot, your vote would be instantly transferred to your second choice. If no candidate won a majority in that round, the process of transferring the votes of the weakest candidates to the voter's next choice would be repeated, until a winner emerged. (To use an elegant version of this system for your own group decision-making, go to [ChoiceRanker.com](http://ChoiceRanker.com).)

The benefit of this approach, which has been adopted in a few places in America including San Francisco, opens races up to more contenders and lets voters communicate more about their choices. And that gets me to my last suggestion...

#### 5. Ascribe a reason for votes.

All of the ideas I've mentioned in this article are struggling with the same basic problem: how to tease the true meaning out of a voter's choice. And the answer is staring us in the face (or, at least, my face ever since my friend Andrew Rasiej suggested it to me). Let voters add a comment explaining their vote, and then let's aggregate those comments to build a richer picture of people's voting decisions. In other words, make the box where you put your vote a little bigger, so it can contain a few sentences.

From a technological standpoint, this would be child's play (assuming the other issues with the security and reliability of electronic voting

were solved). But even if this was a matter of reading through written comments on paper ballots, why do we deny ourselves the power to say what our votes actually mean? It might seem like a complicated task to collect, sift and report voters' comments, but the Internal Revenue Service manages to process more than a hundred million individual tax returns, plus countless other forms. Surely we can make our voting system as intelligent as our tax-collecting system.

When this country was founded, the right to vote was restricted to white, male landowners, and even they couldn't vote directly for president or senators. Generations of Americans have struggled and some have given their lives to expand that right to all citizens, and the struggle isn't over. But is the right to vote only about our ability to put an X in a box? Or is it time to make our votes more meaningful, too?

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#### *About the Author*

Micah L. Sifry is co-founder and editor of the Personal Democracy Forum, a website and annual conference that covers the ways technology is changing politics, and TechPresident.com, a new award-winning group blog on how the American presidential candidates are using the Web and how the Web is using them. In addition to organizing the annual Personal Democracy Forum conference with his partner Andrew Rasiej, he consults with political organizations, campaigns, non-profits and media entities on how they can adapt to and thrive in a networked world. He is currently a senior technology advisor to the Sunlight Foundation.