**Why** Donald Trump Should be a Fervent Advocate of Using Rank-Choice Voting in **2024**

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**Joe Biden won the presidency in 2020 after a very contentious election, and despite his having won the national popular vote by more than seven million votes. Also, despite having a clear victory in the Electoral College of the same magnitude of Donald Trump’s 2016 victory,**[[1]](#footnote-2) **the post-election period was just as contentious**. Unlike the election in 2016, the 2020 election did not exhibit an Electoral College inversion of the popular vote outcome (Cervas and Grofman 2019). However, as in 2016, the outcome was very close in many states, including the pivotal states of Michigan, Pennsylvania, and Wisconsin. Thus, it is important to remember that with only a few thousand changes in votes Trump would have been re-elected in 2020. In particular, while subsequent work has pretty clearly rejected the claim that Jill Stein was a spoiler for Hillary Clinton, unlike the 2000 presidential election when Ralph Nader was indeed a spoiler for Al Gore (see e.g., Devine and Kopko, 2021; Herron and Lewis 2007; Magee 2003, and discussion below)[[2]](#footnote-3), a look at the 2020 data suggests that there was an even greater scope for minor party candidates to have affected the election outcome in 2020 than was the case for 2016. Here, after first examining the probable effects of minority party candidacies in 2020 under the present election rules, we consider what might have happened in 2020 had presidential voting taken place under rank-choice voting, an electoral reform recently implemented in Maine, and adopted in **Alaska beginning for federal elections in 2022**.

In 2016 there were two minor party candidates who received [at least a million votes](https://uselectionatlas.org/RESULTS/national.php?f=1&off=0&year=2016): Gary Johnson, running as a Libertarian, won million votes and Jill Stein running as the Green candidate, with million votes.[[3]](#footnote-4) **It is common to think of Libertarians as being ideologically closer to Republicans and Greens as being ideologically closer to Democrats, perhaps because some high profile Libertarians are former Republicans (e.g. Gary Johnson was the Republican governor of New Mexico before being the Libertarian presidential candidate in 2012 and 2016; see Devine and Kopko 2021), while the Greens tend to have platforms that are uniformly to the political left of the Democrats**.[[4]](#footnote-5) Had Johnson’s voters all instead chosen Trump and Stein’s all chosen Clinton, Trump would have now lost the popular vote by only votes, rather than themillion by which he actually lost the popular vote. Moreover, the outcomes would have changed in four states. Trump would have won additional electors in Maine, and won Minnesota, Nevada, and New Hampshire for an additional 22 EC votes. In contrast, under the above assumptions there are no additional Clinton victories. Thus, under the assumptions most favorable to minority party impact, the absence of minority party candidates would have significantly benefited Trump in terms of both popular vote and Electoral College seat share, and thus would not have changed the outcome. **Of course, if only Jill Stein were to have not been on the ballot, but Johnson remained, Clinton would have likely picked up electors in at least one state, Michigan (Devine and Kopko 2021).**

In 2020 there was again a Green Party candidate for president, Howie Hawkins, and again a Libertarian candidate, Jo Jorgensen. But the vote share of the Green candidate was much less than it had been in 2016 ( versus ) since Democrats were anxious to defeat Trump and reluctant to allow a repeat of the Nader spoiler effect. However, Jorgensen did almostas well as Johnson in terms of raw votes, with votes, so the gap between Libertarian Support and Green Party support was much larger in 2020 than it was in 2016. This difference between 2016 and 2020 meant that the Libertarian presence on the ballot had a greater chance to affect election outcomes by denying votes to Trump.

The 2020 data for four key states are shown in the table below.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| State | Electors | Biden (D) | Trump (R) | Biden minus Trump | Jorgensen (L) | Hawkins (G) |
| Arizona | 11 | 1,672,143 | 1,661,686 | 10,457 | 51,465 | 1,557 |
| Georgia | 16 | 2,473,633 | 2,461,854 | 11,779 | 62,229 | 1,013 |
| Pennsylvania | 20 | 3,458,229 | 3,377,674 | 80,555 | 79,380 |  |
| Wisconsin | 10 | 1,630,866 | 1,610,184 | 20,682 | 38,491 | 1,089 |
| NATIONAL EC | 538 | 306 | 232 | - | 0 | 0 |

We see from this table that Jorgensen’s votes could, in principle, have affected the outcome in three states (Arizona, Georgia, and Wisconsin), with a combined total of 37 electors, where the margin of Biden’s victory was not only less than the Jorgensen vote share, but less than the Jorgensen vote share minus the vote share of Howie Hawkins --sometimes markedly so. These are the only three states won by Biden where the Jorgensen vote relative to Biden’s vote margin is large enough to plausibly affect the outcome. These 37 Electoral College votes in these three states would have been enough to change the EC outcome to a tie had all three gone for Trump.However, in the fourth state, Pennsylvania, even had every Jorgensen voter been switched to Trump, there were not enough of them to change the outcome; though if all had switched, *ceteris paribus*, it would have very close, with a gap of only 1,175 votes. Still, if there had been a tie in the Electoral College, voting would have gone to Congress and there, with each state’s delegation in the House voting as a bloc, with votes in tied state delegations not counted, Trump would have won, since Republicans control more *delegations* in more states. Note that, because of this state-basedbloc voting rule, the party that holds the majority in the House could still fail to elect its preferred presidential candidate (Foley 2020).

But, of course, positing that all the Hawkins vote would go to Biden and that all of Jorgensen’s vote would go to Trump is unrealistic because only voters know how they would vote had certain candidates not been on the ballot. **Indeed, as correctly noted by Devine and Kopko (2021) and Lacy and Burden (1999) before them, some percentage of third-party voters would abstain from voter rather than cast a ballot for either Trump or Biden. This reflects a rise in negative polarization observed by Abramowitz and Webster (2016).** So, it is not at all clear that if Jorgensen had not been on the ballot and there was no other Libertarian candidate, Trump would have won three additional states and created an Electoral College tie in 2020 that would have allowed his reelection. Some supporters of Jorgensen/the Libertarian Party would have abstained if their candidate had not been available. And some of the Jorgensen supporters might have voted for Biden over Trump (especially if their Libertarian vote was an anti-Trump protest vote).

How can we assess what is likely to have happened if Jorgensen (or perhaps both Jorgensen and Hawkins) had not been on the ballot and there was no other Libertarian candidate to replace Jorgensen? Well, we can draw insights from the work of Devine and Kopko (2021).

Building upon Lacy and Burden’s (1999) analysis of the 1992 presidential election, using a multinomial probit model of voter choice, Devine and Kopko (2021) estimate that in 2016 about 60% of the voters who ranked the Libertarian candidate, Gary Johnson, first would have ranked Trump second, and about 32-33% would have ranked Clinton second. Similarly in 2016, they estimate that about 75-80% of the voters who ranked the Green candidate Jill Stein first would have ranked Clinton second, and about 20% would have ranked Trump second. But they also estimate that about half of the minority party supporters would NOT have voted had their own candidate not been in the race.

Let us imagine that Stein remains in the race in 2020 but there is no Libertarian candidate. If we posit the same second preference rankings found by Devine and Kopko (2021) for 2016 apply to Libertarian voters in 2020, and posit that half the Libertarian voters would have abstained if their candidate had not been in the race in 2020, we would now find that NO states shift in 2020.[[5]](#footnote-6) On the other hand, if we posit a zero rate of abstention for former Jorgensen voters then there are two states that shift to Trump: Arizona and Georgia. And these two states would still shift to Trump even if all of the Hawkins voters in them shifted to Biden. But they are not enough to change the EC outcome.[[6]](#footnote-7)

We might think that these latter results tell us that, as in 2016, minority party candidates did not have any real impact in 2020. But that is far too strong a conclusion. Even under the Devine and Kopko (2021) assumptions about 50% abstention if the most preferred candidate were not on the ballot, that implies nearly net votes would have shifted to Trump if there were no Libertarian option in 2020. **Moreover, in flipping those two states, there is now a situation where a single state could prove to be decisive. Since some Republican members of Congress were already willing to challenge the certification of electors knowing that they’d have to undo a minimum of three states, with only one state needed to overturn the results of the election, it is possible that an attempt might have garnered additional support; particularly among Senators. This situation is foreshadowed in Rick Hasen’s (2020) prescient book *Election Meltdown*.**

## Rank Choice Voting

Let us ask a different but related question. What might have happened in 2020 had Rank Choice Voting (RCV) been used instead of plurality? **RCV is a generic voting system that asks voters to rank the candidates.** **Using the rules that are established in Maine for federal elections (Akula et al 2020)**, if no candidate receives a majority of first choice votes, then the candidate with fewest first choice votes have the votes on the ballots which ranked that candidate first reallocated to their second choice on the ballot. And the process continues in this way until one candidate has a majority of the then valid votes. If it has not already been decided by one candidate receiving a majority of the votes at an earlier stage, this process must eventually lead to a two-candidate contest and thus a clear winner. **In 2020, since the two major parties received the vast majority of the votes casted, it would be all the voters who had selected a minor party as their first rank that would have their second (or third) choice counted in the final round.**

Is it plausible to assume that the Jorgensen vote would have gone disproportionately to Trump under RCV? Well, the answer to that is yes – at least again using the 2016 estimate from Devine and Kopko (2021) as our guide. Assume that the same set of voters vote in our hypothetical 2020 RCV election as voted in the actual election under plurality rather than abstaining.[[7]](#footnote-8) Of course, these are strong assumptions based on a regression model with substantial standard error, and also the use of RCV rather than plurality could be expected to have changed the nature of the campaigning and thus the ultimate vote distribution. Still, it is not unreasonable to believe that had the election in 2020 been held under RCV, Trump would have captured two states that he in fact lost, and come within eleven votes of an Electoral College victory.So, based on this analysis, in looking forward to a potential 2024 third Trump presidential campaign, Trump should worry about a Libertarian spoiler. Given this distinct possibility, he should be a strong supporter of Rank Choice Voting being used in 2024, since that will mitigate the spoiler effect.[[8]](#footnote-9)

Rank Choice voting has been supported by liberal reformers because it makes it easier for voters to express their true preferences without worrying whether their vote will be wasted on a candidate who has no real chance of winning. **This perception is largely a product of Al Gore’s 2000 loss, where Ralph Nader’s votes in Florida costing Gore it’s pivotal 25 electors (Herron and Lewis 2007). But no doubt just as important is the (false) perception that Jill Stein cost Hillary Clinton the 2016 election. But, while minor party candidacies have benefited Republicans in the past,**[[9]](#footnote-10)it presents a way to make a dent in the two-party cartel that has dominated American politics for the past 150+ years. Reformers also see RCV as a way to foster more moderate politics (**﻿Fraenkel and Grofman 2006, 2007**). But it is useful to remember that no reform comes without unintended consequences. It would be ironic, indeed, if a reform supported by liberals and adopted in cities such as San Francisco for local elections, ended up in a Trump restoration if it were used to elect a president in 2024.

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**JONATHAN THE MATERIAL IN BLUE BELOW USED TO BE THE OPENING OF THIS OP-ED. I THINK WE CAN NOW PROBABLY OMIT IT. BUT YOU SHOULD KEEP IT FILED SOMEWHERE TO STICK IN OUR EVENTUAL BOOK ON THE ELECTORAL COLLEGE**.

We tend to remember the minor party candidates who received more than 5% of the popular vote, such as Strom Thurmond in 1948, George Wallace in 1968, John Anderson in 1980, and Ross Perot in 1992 and 1996. Even though the latter two won no electoral votes, all these candidates were important because they signaled substantial popular discontent with one or both of the major parties, Moreover, Ross Perot arguably took more votes away from George H. W. Bush than he did from Bill Clinton, and thus helped Clinton to win the presidency in 1992 even though Clinton only received 38% of the popular vote. JONATHAN, **WHICH STATES cOULD HAVE CHANGED HANDS HAD PEROT NOT BEEN ON THE BALLOT?**

But minor party candidates with only tiny vote shares can also matter when their votes come in states that are narrowly decided. In 2000, Ralph Nader ran for President on the Green Ticket. He got [97,488 votes in Florida](https://uselectionatlas.org/RESULTS/state.php?year=2000&fips=12&f=1&off=0&elect=0) (1.63%). Florida**’**s 25 electors were won by George W. Bush by only537votes. There can be no dispute that almost all Nader voters preferred Al Gore to George Bush. Even if some of his supporters would have abstained without Nader on the ticket, had Nader not been on the ballot in Florida, Al Gore would certainly have won Florida, and then Gore not Bush would have been elected president. Had that happened our nation’s political history would have been very different.























1. Trump wrongly claimed his 2016 election was the greatest mandate in American history, often proudly displaying choropleth maps colored by county to show the breadth of his victory. [↑](#footnote-ref-2)
2. For a contrary opinion, see Tina Nguyen. 2016. “Gary Johnson and Jill Stein Handed the Presidency to Donald Trump.” *Vanity Fair*, November 10. https://www.vanityfair.com/news/2016/11/gary-johnson-jill-stein-election-2016. [↑](#footnote-ref-3)
3. Evan McMullin won an additional 731,991 votes, 243,690 of which were cast in Utah. He was considered the alternative to Donald Trump, and while his votes were a very significant 22% of all Utah votes, Trump was able to win by over 200,000 votes anyway. Election results can be found here: https://www.fec.gov/resources/cms-content/documents/federalelections2016.pdf [↑](#footnote-ref-4)
4. While there is good reason to think that a Libertarian candidate would be the obvious second choice of Republican voters, or vis versa, as Devine and Kopko (2021) and Lacy and Burden (1999) before them show, large percentages of Libertarian voters would vote for the Democrat over the Republican. This is likely determined by whether the voter places more salience on economic issue or social issues. Libertarians do not fall neatly on a one-dimensional line of ideology the way Democrats and Republicans tend to. [↑](#footnote-ref-5)
5. Devine and Kopko (2021) specifically advise against extrapolating their results to other elections, but we argue that 2020 offers similar circumstances which make that comparison particularly useful. For instance, Donald Trump was the Republican nominee in both elections, so concerns about an anti-Trump vote driving the Libertarian ballots applies in both cases. Additionally, voters are relatively stable in their preferences and there are few swing voters (Gelman et al 2016). Thirdly, estimates of abstains would be conservatively biased, since turnout in 2020 was much higher than in 2016. [↑](#footnote-ref-6)
6. Under this hypothetical, Trump would now win 259 electors, while Biden wins 279. [↑](#footnote-ref-7)
7. As the analysis above shows, this assumption is irrelevant, since two states would flip to Trump even if 50% of the minor party candidate voters “undervote”. Undervoting occurs when some rank is left blank (Kilgour et al 2020). So, a voter might have selected the Libertarian candidate first, but ranked no other candidate. Once the Libertarian candidate is eliminated, that voter’s ballot is exhausted and not vote will count in the final round. [↑](#footnote-ref-8)
8. In an op-ed for the USA Today, former presidential candidate and 2021 candidate for Mayor of New York City (which for the first time will use RCV) Andrew Yang, and 2016 Libertarian vice presidential candidate Bill Weld advocate a switch to RCV in presidential primaries. Yang, Andrew, and Bill Weld. 2020. “Why Ranked Choice Voting Will Improve America’s Elections.” *USA Today*. [↑](#footnote-ref-9)
9. Both in perception and in actuality, as shown above. This has not always been the case. In 1992, Ross Perot’s Reform Party candidacy is widely viewed to have taken votes that otherwise would have gone to George H.W. Bush. Though, as Lacy and Burden (1999) show, Perot increased overall turnout and *reduced* Clinton’s vote, contrary to popular perception. [↑](#footnote-ref-10)