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

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**Abstract:** *This article builds off work by Devine and Kopko (2021) and Lacy and Burden (1999) who estimate a probit model of candidate choice from nationally representative survey data to determine the second choice of third-party voters. Using this model on 2020 election data, we show that the Libertarian candidate Jo Jorgenson probably cost Donald Trump victory in at least two state – AZ and GA. Additionally, the popular vote margin enjoyed by Joe Biden could have been between 260,000 and 525,000 votes less, using conservative estimates. The motivation of this paper is to give contrary evidence for two main misconceptions. First, that third-party candidates are “spoiling” elections for the Democrats. Our evidence clearly shows that third-parties have the potential to hurt either of the two main parties, but in 2020, it was Donald Trump who was hurt most; though not consequentially. Second, some reformers believe that Rank Choice Voting benefits the Democrats; again, we show that, all else being equal, it is the Republicans that would have benefited by the change in rules, since the majority of third-party votes are going to the Libertarian candidate, and whose voters prefer Republicans over Democrats 60% to 32%.*

Keywords: Rank Choice Voting; Third Parties; Elections; Social Choice

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Reforms to address perceived deficiencies in American elections have included changes to primary rules **(McGhee 2014; Grose 2020),** redistricting reform **(Grofman and Cervas 2018; Saxon 2020; Nagle 2019)**, and revisions to electionregistration and balloting rules (**Burden et al. 2014)**, among others **(Wang et al. 2021)**. One particular voting reform that has generated a large amount of recent interest is the *instant run-off election*, commonly referred to as *rank choice voting* (RCV).[[1]](#footnote-1) This electoral reform was recently implemented in Maine, and adopted in Alaska for federal elections beginning in 2022**.** It is also being used in various cities**,** including city council elections in San Francisco and the New York City mayoral race. RCV is purported to have a number of positive characteristics, including reduction in negativecampaigning, and a greater likelihood of electing moderate candidates. It almost certainly leads to the encouragement of more candidates**,** includingwomen and racial minorities (**John, Smith, and Zack 2018)**, and one indisputable advantage of RCV is the abilityit gives a voter to support a candidate with a lesser chance of winning while still providing support for a candidate with a higher probability of victoryby including both in the voter’s ranking**.**

In the U.S., RCV’s most ardent supporters tend to be liberal reformers, who call to mind examples of situations in which RCV would have benefited Democrats. Because this reform is being pushed by the political left, it is seen -- incorrectly -- as being biased against Republicans. And RCV’s opponents tend to be Republicans. For example, an unsuccessful lawsuit in Maine brought by members of the Republican party asked the court to find RCV unconstitutional (*Baber v. Dunlap*, 376 F. Supp. 3d 125, 143 (D. Me. 2018)).

Here, we provide evidence of why, in contemporary presidential politics, RCV should be attractive to Republicans. But our bottom line is very simple: *a priori*, there is no reason to think that RCV has any partisan or ideological bias even if it might be shown to favor (relative to simple plurality) one party or the other in particular circumstances**.**[[2]](#footnote-2)

The role of minor party candidates as potential spoilers has long been a topic of concern. That concern became more salient after Ralph Nader’s role in denying Al Gore the victory in Florida, and thus denying him the presidency. As a consequence of Nader’s taking votes from the Democratic candidate, much of the subsequent hullaballoo has been about Green candidates costing Democrats votes. In 2016 there were assertions that Jill Stein, the 2016 Green Party candidate, was a ``spoiler’’ for Hillary Clinton (see e.g.**, Herron and Lewis 2007; Magee 2003**, and discussion below).[[3]](#footnote-3) But, even if minor party candidates did not change the presidential election outcome in 2016 (**Devine and Kopko 2021)**, can we say the same for 2020? Unlike the election in 2016, the 2020 election did not exhibit an Electoral College inversion of the popular vote (**Cervas and Grofman 2019)**. Nonetheless, despite Joe Biden having won the national popular vote by more than seven million votes, the outcome was very close in many states, as in 2016, including the pivotal states of Michigan, Pennsylvania, and Wisconsin. Indeed, with only a few thousand changes in votes, Trump would have been re-elected in 2020. Moreover, as we show below, 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 reviewing work on the effects of minor party candidates in 2016, and then 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* (RCV). While, on the one hand, this reform is generally touted in terms of its impact in promoting minor parties by allowing voters to cast votes for the candidates of minor parties without harming the chances of major party candidates who would be the voter’s second choice; on the other hand, rank choice voting can also be thought of as an ``anti-spoiler’’ reform that reduces the likely impact of minor party candidates on election outcomes. Thus, we have a pro-RCV coalition in which minor party supporters tend to favor this reform since it presents a way to make a dent in the two-party cartel that has dominated American politics for the past 150+ years, together with major party supporters who believe that RCV will, in general, help moderates -- especially Democrats worrying about ``spoiler votes’’ from the left.[[4]](#footnote-4)

Democrat support for RCV was reinforced when the Democratic candidate, Jared Golden, defeated Republican incumbent Bruce Poliquin, after multiple rounds when all candidates failed to reach 50% of the vote in the first round for the 2018 Maine second congressional district. Poliquin received more first place votes than Golden, and his failure to secure the seat infuriated Poliquin, who called the outcome the “biggest voter rip-off in Maine history.’‘[[5]](#footnote-5) Polquin then unsuccessfully sued the secretary of state claiming he won the ``constitutional `one-person, one-vote’ first choice election’’.[[6]](#footnote-6) But, while weagree with Ray Wolfinger’s famous observation (quoted in **Wuffle 1986**) that ``data is the plural of anecdote,’’ it is also important to remember another aphorism, namely, ``not all swans are white.’’ Concluding that RCV necessarily (or even usually) can be expected to benefit Democrats is simply wrong.Here, building on Devine and Kopko (**2021**), we show that at the presidential level, based on the two most recent presidential elections, RCV is actually likely to benefit the Republican nominee.

## The presidential election of 2016

In 2016 there were two minor party candidates who received at least a million votes: Gary Johnson, running as a Libertarian, won 4.5 million votes and Jill Stein running as the Green candidate, won 1.5 million votes.[[7]](#footnote-7) It is common to think of Libertarians as being ideologically closer to Republicans (in part 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), while Greens are seen as being ideologically closer to Democrats since Green candidates tend to have platforms that are uniformly to the political left of the Democrats.[[8]](#footnote-8)

Had Johnson’s voters all instead chosen Trump and Stein’s all chosen Clinton, Trump would have now lost the popular vote by only 220,461votes, rather than the 2,868,686 million by which he actually lost the popular vote. Moreover, under this strong assumption, 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, but still would not have changed the outcome. On the other hand, if only Jill Stein did not run, but Johnson remained, Clinton would have likely picked up electors in at least one state, Michigan **(Devine and Kopko 2021)**.

But it is unrealistic to assume that all minor party supporters would have shifted their support to a major party candidate if their preferred choice were not in the contest. Supporters of minor parties can exhibit negative affect toward both major parties (cf. **Abramowitz and Webster 2018)**, leading to abstention. Building upon Lacy and Burden’s **(1999)** analysis of the 1992 presidential election, Devine and Kopko (**2021**) estimate, using a multinomial probit model, that about half of the minority party supporters would not have voted had their own candidate not been in the race. They also estimate that, among non-abstainers, 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. Doing the arithmetic, we find that, on balance, at least vis-à-vis the popular vote, minor party candidates in 2016 hurt Trump more than they hurt Clinton.

## The presidential election of 2020

In 2020 there was again a Green Party candidate for president, Howie Hawkins, and again a Libertarian candidate, Jo Jorgensen. However, in 2020, Green supporters were more anxious to defeat Trump. They now recognized Trump’s victory in 2020 as a real possibility and thus were more likely to choose to vote strategically.Hawkins also failed to make the ballot in 22 states, while Stein was on the ballot in all but three states in 2016. Thus, the votes for the Green Party candidate were significantly fewer in 2020 than in 2016 (405,035 versus 1,457,288).[[9]](#footnote-9) In contrast, Jorgensen performed substantially better terms of raw votes, with 1,865,724 votes in 2020, though still far from the 4.5 million votes for Johnson in 2016; thus, the gap between Libertarian Support and Green Party support was much larger in 2020 than it was in 2016.[[10]](#footnote-10) This difference between 2016 and 2020 meant that the Libertarian presence on the ballot had a greater chance in the latter year 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 | 7,060,519 | 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. In these states, 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.[[11]](#footnote-11) The 37 Electoral College votes in these three states would have been enough to change the EC outcome to a tie had all three states gone for Trump. 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-based bloc voting rule, the party that holds the majority in the House could still fail to elect its preferred presidential candidate **(Foley 2020)**. It is also worth noting the potential importance of minor party votes in Pennsylvania. If every Jorgensen voter in that state had switched to Trump, the state outcome would have been very close, with a gap of only 1,175 votes. During the certification of votes, Pennsylvania was one of the states asserted by Republicans to have irregularities, and its outcome continues to be challenged by former President Trump (*June 2021*). In the light of the events of January 6, 2021, one can only imagine the furor had the outcome of the election in Pennsylvania been this close.

Of course, positing that all the Hawkins vote would go to Biden and that all of Jorgensen’s vote would go to Trump is highly unrealistic. Still, while only voters know for sure how they would vote had certain candidates not been on the ballot, plausible inferences are possible. What is likely to have happened if Jorgensen (or perhaps both Jorgensen and Hawkins) had not been on the ballot in 2020 and there was no other Libertarian candidate to replace Jorgensen?

Let us imagine that Hawkins 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.[[12]](#footnote-12) 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 these two states would still not be enough to change the EC outcome.[[13]](#footnote-13)

We might think that these results tell us that minority party candidates did not have any real impact in 2020. But that is far too strong a conclusion. Assuming a 50% abstention rate if there were no Libertarian option on the ballot, Trump would have gained nearly 260,000 net votes. Moreover, had there been no Libertarian candidates on the ballot, but all the actual Libertarian voters stillparticipated, with Trump receiving 60% of their votes, Arizona and Georgia would have flipped in 2020. Trump’s popular vote loss also would have shrunk by 522,403 votes.

## Rank Choice Voting

Let us ask a different but related question about the 2020 presidential election. What might have happened in 2020 had Rank Choice Voting (RCV) been used instead of plurality? RCV asks voters to rank the candidates. Under the Maine rules for RCV for federal elections (**Akula, Cervas, and Goren 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 the voter’s second choice on the ballot. And the process continues in this way until one candidate has a majority of the then valid first place 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. RCV 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, so we might think that RCV would encourage turnout by minority party voters. Of course, the counterfactual evaluation of any rule-change effect requires a note of caution. It would not just be changes in turnout levels affected by a shift to RCV; the consequences of a change in electoral rules include different incentives for candidate entry, strategic voting in the mass electorate, and different campaign strategies. For instance, a Donald Trump candidacy might have been less (more) likely in 2016 had RCV been in place for the Republican primary. The set of competitors might have been different, and the outcome very well may have been affected. Under a different voting rule, calculations about whether to enter the race would have changed. Some of Trump’s rivals in 2016 might have defeated him in head-to-head competition at the end of an RCV process, or there might have been more incentives for candidates to seek support from their rivals that would have changed who got eliminated when.[[14]](#footnote-14) In 2020, since the two major parties received the vast majority of the votes cast, it would be the voters who had selected a minor party as their first choice 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 estimates of Libertarian voting behavior from Devine and Kopko (**2021**) as our guide.

Let us assume that the same set of voters vote in our hypothetical 2020 RCV election, i.e., there are no abstentions, since their preferred candidates are on the ballot. Let us further assume that minor party supporters vote in the fashion posited by Devine and Kopko (**2021)**,with those who do vote providing a ranking to at least their top two candidates**.** Of course, these are strong assumptions, but two states would flip to Trump under RCV even if as many as50% of the minor party candidate voters “undervote’’.[[15]](#footnote-15) Even though the use of RCV rather than plurality could be expected to have changed the nature of the campaigning and thus the ultimate vote distribution, it is still 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 a lot 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. And the same is potentially true for any Republican presidential candidate in 2024.

Opposition to rank choice voting from the political right is rooted in the idea that liberals would benefit from such a reform, especially in general elections. But whether any given minor party candidate will take votes from major party candidates in a way that benefits the Democrats as opposed to the Republicans depends upon the nature of the candidate and the particular circumstances of the time. The attractiveness of RCV should not depend upon expectation of partisan gain since, in the long run, RCV is neutral.[[16]](#footnote-16)As noted earlier, RCV largely eliminates the problem of spoilers, while still encouraging participation by minority party voters.

But it is useful to remember that no reform comes without unintended consequences. We have shown in this short essay that it was Donald Trump who was more likely to have been harmed by third party candidates in 2016, and especially in 2020, than his Democratic opponent. It would be ironic, indeed, if a reform supported by liberals and adopted in cities such as San Francisco and New York for local elections, ended up in a Trump restoration if it were used to elect a president in 2024.

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1. Referring to this method as ‘ranked choice’ voting is actually a misnomer, since there are many methods, e.g., the *Borda Rule* and other scoring rules, that also require voters to rank ballots **(Grofman and Feld 2004**; **Grofman, Feld and Fraenkel 2017)**. RCV is known as the *alternative vote* when used in places such as Australia and Fiji **(Fraenkel and Grofman 2006; 2007)**, and previously labeled as an “instant runoff’’ by U.S. reformers because it allows for an elimination process that otherwise would require multiple elections, [↑](#footnote-ref-1)
2. Similarly, while there are circumstances in which RCV will foster more moderate candidates than plurality voting would, it is not guaranteed **(Grofman and Feld 2004)**, with expectations affected by the nature of the party system, the number of candidates and their ideological distribution and, especially, whether or not RCV is being used in a primary or general. For example, even though there is evidence that Democratic voters would give a slight edge to moderate candidates in a pairwise contest between a Democrat and President Trump **(Broockman and Kalla 2021)**, there remains the issue of whether moderate candidates with lots of later round support might still be eliminated in earlier phases of RCV balloting. [↑](#footnote-ref-2)
3. See e.g., 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)
4. In an op-ed for the *USA Today*, in 2020, former Libertarian vice presidential candidate Bill Weld and 2021 candidate for Mayor of New York City Andrew Yang advocate a switch to RCV in presidential primaries (NYC for the first time used RCV in 2021 for its Democratic mayoral race). Yang, Andrew, and Bill Weld. 2020. “Why Ranked Choice Voting Will Improve America’s Elections.’’ *USA Today*, October 2. https://www.usatoday.com/story/opinion/2020/10/02/why-ranked-choice-voting-improve-american-elections-yang-weld-column/5877731002/ [↑](#footnote-ref-4)
5. Quoted in Maine Examiner, “Poliquin calls ranked-choice voting a “rip off’’ in testimony to the Massachusetts Legislature.’‘ November 12, 2019. Maine Examiner, https://maineexaminer.com/poliquin-calls-ranked-choice-voting-a-rip-off-in-testimony-to-massachusetts-legislature/ [↑](#footnote-ref-5)
6. Simone Pathé, “Maine’s Bruce Poliquin Loses in Ranked-Choice Voting’’. November 15, 2018. Roll Call, https://www.rollcall.com/2018/11/15/maines-bruce-poliquin-loses-in-ranked-choice-voting/. [↑](#footnote-ref-6)
7. Evan McMullin won an additional 731,991 votes, 243,690 of which were cast in Utah. He was considered the alternative to Donald Trump in that state, and while his votes were a very significant 22% of all Utah votes, Trump was able to win Utah by over 200,000 votes anyway. Election results can be found at https://www.fec.gov/resources/cms-content/documents/federalelections2016.pdf [↑](#footnote-ref-7)
8. 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**) show, non-trivial 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 issues or social issues. Libertarians do not fall neatly on a one-dimensional line of ideology. [↑](#footnote-ref-8)
9. Data for the 2016 and 2020 election come from the Federal Elections Commission website (https://www.fec.gov/resources/cms-content/documents/federalelections2016.pdf; https://www.fec.gov/resources/cms-content/documents/2020presgeresults.pdf) [↑](#footnote-ref-9)
10. We would note, though, that overall turnout in 2020 was significantly higher than 2016, so Jorgenson’s vote total represents a smaller share of the overall vote. [↑](#footnote-ref-10)
11. In only four congressional elections in 2020 was the Libertarian vote larger than the margin of victory: Iowa 3, New York 2, Texas 24, and Utah 4. The Green candidate never exceeded the margin of victory in any 2020 House contest. [↑](#footnote-ref-11)
12. Devine and Kopko (**2021**) specifically advise against extrapolating their results to other elections, but we argue that 2020 offers similar circumstances that make such a comparison plausible. 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, at the presidential level, there appear to be fewer split-ticket voters and fewer swing voters **(Gelman et al 2016)**. Moreover, estimates of the level of abstention based on 2016 are probably conservatively biased, since turnout in 2020 was much higher than in 2016. Indeed, we expect continuing high levels of turnout in 2024, especially if former President Trump is on the ballot. [↑](#footnote-ref-12)
13. Under this hypothetical, Trump would now win 259 electors, while Biden wins 279. [↑](#footnote-ref-13)
14. In June 2021, “Kathryn Garcia and Andrew Yang—running second and fourth in the13-candidate field, according to a [then] recent Marist Poll—campaigned together in Flushing, Queens, a heavily Asian-American stronghold for Mr. Yang, and the Lower East Side of Manhattan, favourable territory for Ms. Garcia’’. (“Democrats in New York choose a mayoral candidate in a tight race: Besides the candidates, ranked-choice voting is on trial’’. *The Economist*, June 21, 2021.) [↑](#footnote-ref-14)
15. *Undervoting* occurs whe**n** some later ranks are left blank **(Kilgour, ﻿Grégoire, and Foley 2020)**. [↑](#footnote-ref-15)
16. We also need to be careful about claimed past effects of third-party candidacies at the presidential level. We previously expressed skepticism about the perception that Jill Stein cost Hillary Clinton the 2016 election. 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. But as Lacy and Burden (1999) show, Perot increased overall turnout and reduced Clinton’s vote, contrary to popular perception. Similarly, there is debate about which party benefited most from the Wallace candidacy. **\citep{Wayman1983** show that, even in the Midwest, in Dearborn, Michigan, many Wallace voters eventually became Republicans and were already moving in that direction in 1968. [↑](#footnote-ref-16)