

Presidential Elections in Russia and the United States: Is Majority Popular Vote Desirable?

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On June 12, 1991, Russia held its first democratic election for president. Some 106.5 million Russian citizens were eligible to vote directly for president in that election with a choice of six candidates. The election rules specified that a candidate needed to win an absolute majority of the popular vote cast to be elected president. Some 79.5 million citizens voted for president, a turnout rate of almost 75%. Boris Yeltsin won the presidency by taking 57.3% of the vote, so no second election was required. Lost in the news that Yeltsin was elected president, was the fact that Russia had successfully conducted one of the largest competitive elections for president anywhere in the world, and it did so on its first try.

The Russian experience with the 1991 presidential election is significant for many reasons, but I want to focus on the fact that no other country, except the United States, has held democratic elections for president with such a large electorate. Although the eligible electorate in India is about 300 voters (about half of whom vote in elections), India has a parliamentary form of government and counts votes separately in hundreds of parliamentary constituencies. France has held democratic elections for president, but only 31 million citizens voted in France's 1988 presidential election. Moreover, France is far smaller geographically, more ethnically homogeneous, and more politically centralized. Only the United States, which cast 91.5 million votes in its 1988 presidential election, can be compared with Russia in terms of population, geographical area, ethnic diversity, and federal form of government--the analog to Russia's autonomous republics and regions. Studying the American experience with presidential elections may be helpful in rethinking the election system currently used in Russia.

Despite the great democratic success of Russia's 1991 election, I am concerned that future elections held under the same rules will threaten democratic processes in such a large, heterogeneous country. In this essay, I offer my thoughts for formulating an electoral system that is more sensitive to problems confronting Russia in its attempt to institutionalize democratic government. My comments would apply with even greater force if an election were ever held for President of a Union of Sovereign States.

Institutional Challenges to Democracy

Russia faces many challenges to its young democracy. I will address only two key problems: (1) achieving democracy within the framework of a presidential form of government, and (2) avoiding the development of a fractionalized multiparty system. Both problems have been discussed recently in the literature on comparative politics. One historical analysis found that presidentialism is less conducive to stable democratic government than parliamentarism. As Juan Linz observed, "Aside from the United States, only Chile has managed a century and a half of relatively undisturbed constitutional continuity under presidential government--but Chilean

democracy broke down in the 1970s.¹ Another study concluded that the combination of presidentialism with a multiparty system is especially inimical to stable democracy.²

Despite the historical evidence against the establishment of democracy within a framework of presidential government, I assume that Russia will not adopt a parliamentary form of government and will retain its presidential form. If so, that makes the U.S. experience with presidentialism and democracy even more relevant for Russia. Central to the American experience, most scholars would agree, is its reliance on a two-party system of politics. Most scholars would also agree that the American two-party system is linked to its method of electing the U.S. president, which is far different from that used to elect the Russian president. Because the nature of a country's electoral system has a strong impact on the nature of its politics, we can benefit from examining some fundamental ideas in elections and democratic government. I will do so under three broad headings: basic principles of a democratic election system, essential objectives of any election system, and politically desirable features of a functioning election system.

Principles of a democratic system of voting for political leaders

It is helpful to begin a discussion of electoral systems by reconsidering basic principles of democratic theory. In doing so, we are reminded that abstract principles must be interpreted before applying them in practice. That is, we allow some departures from normative ideals to produce desirable government.³ The following three principles prescribe how government leaders should be elected according to a procedural view of democratic decision making.

1. *All citizens must be allowed to vote.*

The democratic principle of universal participation states that *everyone* should be allowed to vote. Nevertheless, all democratic governments establish qualifications for voting. Most commonly, voting is restricted to people over a certain age, and many countries deny voting to classes of criminals. The point is that considerations of desirable government sometimes limit the application of democratic principles. If the principle is generally honored, the practice is still considered democratic.

2. *Each citizen's vote must count equally with any other citizen's vote.*

Note that this principle of political equality is logically distinct from that of universal participation. Even if everyone votes, it is logically possible for some votes to count more than others. Until 1948 in Britain, for example, a university professor cast two votes compared with one vote awarded to another citizen. This practice was rightly regarded as undemocratic. But some people also contend that a citizen in a small region possesses

¹Juan J. Linz, "The Perils of Presidentialism," *Journal of Democracy*, 1 (Winter, 1990), 51-69, at p. 52.

²This paper, "Presidentialism, Multiparty Systems, and Democracy: The Difficult Combination," was submitted in manuscript to *Comparative Political Studies*, for which I serve as a reviewer. The author, who is unknown to me, was invited to revise and resubmit the manuscript. The complete citation should be available soon.

³These points are discussed at greater length in Kenneth Janda, Jeffrey Berry, and Jerry Goldman, *The Challenge of Democracy: 2nd Edition* (Boston: Houghton Mifflin Company, 1989), pp. 36-38, 43-48, and 53-54.

"more" votes than a citizen in a larger region if both regions elect the same number of legislators in a federal form of government. For example, the 500,000 people of Wyoming elect two U.S. Senators--the same as the 29,000,000 people of California. Nevertheless, this political inequality does not trouble most Americans. Sometimes the advantages of a federal government outweigh the literal application of democratic principles.

3. *Candidates should be chosen according to the principle of majority rule.*

As a democratic principle, strict "majority rule" means that the winner must be chosen by 50 percent plus one. The Russian Republic employed this principle in voting for president. As explained below, I think that this requirement is dangerous for Russia. In practice across the world, most functioning democracies operate according to the less demanding principle of *plurality* rule, which means that the winner is simply the candidate who gets the most votes. This practice produces more definitive election results and also discourages the existence of minor parties that try to spoil the election by winning enough votes to deny a majority to the leading candidate, thus gaining power by controlling the election outcome.

This brief review of democratic principles in voting systems deals only with the formal aspect of voting and counting votes. Other facets of an election campaign--such as freedom to campaign, honest judges, and no intimidation of voters--are critical for a democratic result but are not treated here. My point is to show that the abstract democratic principles are sometimes modified in light of other accepted principles of desirable government, such as a responsible electorate, federalism, and effectively determining a winner.

The essential objective of a method for electing the national leader.

The essential objective of a system that chooses the leader of a national government is to *declare the winner quickly and without ambiguity*. Any election, no matter how free or fair, that does not definitively decide who shall lead the country only prolongs and intensifies the conflict between candidates, divides the country, and threatens political stability.

Few citizens realize how difficult it is to conduct an election in a country with many millions of voters. In large countries like the U.S. and Russia, it is an enormous task--which makes Russia's presidential election that much more remarkable. It is difficult to insure that the votes are fairly counted at the local level, that they are reliably reported to higher levels, and that they are accurately tallied to declare the winner. Due to mistakes--whether accidental or intentional--all national elections produce results that are more properly *estimates* of the winner than true counts of the exact vote distribution. That is to say, if all the millions of votes were recounted several times, there would be as many different outcomes as the number of times that the votes were counted.

Knowing this, a defeated candidate who loses a close election in a nationwide vote by a small margin is likely to demand a recount. If it is not granted, he may claim that he really won the election, but that it was stolen from him. Recounting the votes in a national election will *always* produce a different result, and a recount may actually support the challenger. However, no one will ever know what the "true" count is, for that will always hinge on disputed ballots as well as

clerical and arithmetic errors.⁴ If a recount produces a result favoring the challenger, there is the problem of replacing the "winner" of the election. Such a situation may be unlikely, but it is potentially disastrous for a nation and should be guarded against.

The U.S. experience with recounting votes in very close elections in relatively small areas demonstrates that the outcome is often in doubt for months. This happened, for example, in the November 1962 election for governor of the State of Minnesota. The Republican governor, Elmer Anderson, ran for reelection against the Democrat candidate, Karl Rolvaag. Anderson appeared to win but outcome of the election was so close that Rolvaag demanded a recount. Although only 1,239,593 votes were cast in the election, so many votes were disputed that the recount lasted for over four months. Rolvaag was finally declared the winner by a panel of three judges in late March, 1963. Such delays in deciding the winner of a close election has occurred often in our history.⁵

Fortunately, the 1962 race in Minnesota was only an election for governor of a single state and did not threaten the stability of the nation. But the threat of an inconclusive result in electing the national leader is much more serious. Although direct election of the president by popular vote has the virtue of being the most democratic means of election, it is also the most likely method to produce the need for a nationwide recount after a close election. One way to guard against this undesirable outcome is to employ some form of popular election of the president separately within the autonomous republics and regions. This method of election may be criticized by some populistic elements as being less democratic, but as we have seen, abstract democratic principles sometimes must be modified in light of their potential consequences for government. The method of electing the president of the United States deviates from abstract democratic principles in several respects, and it is far from perfect. Even in very close elections, nevertheless, it has yielded winners who have been generally accepted by the public while incorporating the principles of federal government.

Elections for U.S. president are not decided by winning the popular vote across the nation but winning a majority of the *electoral vote*. As established in the Constitution, the electoral vote equals the total representation of all states in Congress. The representation in the House is fixed at 435 and the number of Senators is 100. In addition, Washington, D.C. has three electoral votes.

⁴According to an AP and TASS newspaper report from Moscow on June 20, 1991, 2.16% of the 79.5 million ballots cast in the presidential election were "spoiled." This amounts to 1.7 million votes which could be potentially disputed in a close election.

⁵I could cite many other examples of long delays during vote recounts before the winner was known. In the 1982 election for Governor of Illinois, Governor James Thompson (Republican) defeated the Democratic challenger Adlai E. Stevenson III by what appeared to be 5,452 votes out of more than 3.6 million votes cast. The loser conducted a partial recount in districts that went strongly for Thompson and found enough invalid ballots to cut Thompson's margin of victory to only 325 votes. Meanwhile, Thompson conducted a partial recount in districts that went strongly for his opponent and found many invalid votes for Stevenson. Together, these partial recounts reduced Thompson's margin to 5,074 votes, and Stevenson demanded a full recount of all 3.6 million votes. Nearly two months later, the State Supreme Court decided 4 to 3 to refuse his demand, and Stevenson finally conceded the election. (Source: *Chicago Tribune*, 5 November 1986, p. 7.)

In November, 1984, an even closer election between candidates for the Eighth Congressional District in Indiana produced conflicting counts of a total of only 233,000 votes. This election was not resolved until April, 1985 and required an Act of Congress to verify the winner, who won by only four votes. (Source: Michael Barone and Grant Ujifusa, *The Almanac of American Politics, 1988* (Washington: National Journal, 1987; p.413.)

So the electoral college today numbers 538, and a majority vote of 270 is needed to elect the president. The number of electoral votes possessed by any state depends on its size. Every state has two Senators and even the smallest state has at least one Representative. Therefore, all states and Washington D.C. have at least three electoral votes, but larger states have more depending on their population in the latest census. For example, California (the largest state) will have two Senators and 52 Representatives for a total of 54 electoral votes in the 1992 election. The candidate who wins the popular vote in each state wins that state's electoral vote.⁶

The most serious criticism of this method of electing the president is reflected in the title of a recent book, *Wrong Winner*.⁷ The authors are mainly concerned that a person can be "wrongly" elected president without having won a plurality of the popular vote. That actually happened twice in U.S. history since the rise of a mass electorate. In 1876, Democrat Samuel Tilden won 51% of the popular vote but lost the election to Republican Rutherford Hayes by only one electoral vote. Again in 1888, Benjamin Harrison was elected to the presidency although he received 95,000 votes fewer than Grover Cleveland.⁸ Interestingly, there were no riots across the nation on the election of these "wrong" candidates. Recognizing that both candidates won about the same number of votes, the people accepted the fact that one of them won the presidency according to the well-understood rules of election.

Wrong Winner puts the highest value on the moral issue of selecting the "right" winner.⁹ In so doing, the book implicitly assumes that the true winner can be determined in a close election involving 100,000,000 votes, many thousands of which would surely be disputed. In my view, an attempt to determine the right winner in a close election by popular vote would inevitably involve questionable recounting of ballots in candidates strongholds across the country. In districts sympathetic to one candidate, election officials will produce additional votes for their favorite candidate and chip away at the opponent's vote. This is likely to occur at local levels across the country, hidden from national scrutiny. In this nightmare scenario, the outcome is apt to be in doubt for weeks if not months, for every local vote count would be open to challenge.

⁶Technically speaking, voters do not vote directly for president in the U.S.; they vote for anonymous "electors" who comprise the "electoral college" that actually chooses the president. This method was established in our Constitution in 1787 because its authors feared entrusting the election directly to the people. Instead, the voters in each state would choose a number of respected "electors" who would vote intelligently for them. The candidate that won a state would win all the electors in that state. The president would be chosen by a majority of the electoral vote in the electoral college. For more than 100 years, the actual practice has been that voters vote directly for the president without even knowing the electors, who are chosen by the parties. After the election, the winning electors faithfully vote for the candidate of their party. There are a few isolated exceptions in which electors vote otherwise, but they are completely unimportant. In practice, the election operates as if the electors did not exist. While the electoral college is undemocratic and outmoded and should be abolished, it is also essentially irrelevant to the idea of the electoral vote.

⁷David W. Abbott and James P. Levine, *Wrong Winner: The Coming Debacle in the Electoral College* (New York: Praeger, 1991). This is an excellent description of the method of election and source of arguments against election by electoral vote.

⁸Abbott and Levine, *Wrong Winner*, p. 25.

⁹Abbott and Levine, p. 153.

The problem of a nationwide recount does not seriously threaten the United States. Because voting for president is done by states, the counting of the ballots is also done separately within each of the fifty states and Washington, D.C. This compartmentalization of the vote for president has eliminated ballot recounts in this century despite some very close elections in recent years. In 1960, John Kennedy defeated Richard Nixon by winning only 49.7% of the vote to Nixon's 49.5%. (Kennedy won by fewer than 120,000 out of 68 million votes cast.) In 1968, Nixon was involved in another close election, when he won 42.7% of the vote to Hubert Humphrey's 43.3%. (Note that in neither case did the winning candidate receive a majority of the popular vote.) Still, neither losing candidate demanded a recount. This was because the votes were counted separately by states, and the candidate who carried the state got all its electoral votes. Even if the election had been very close in a state, the loser would not have demanded a recount unless the state's votes were critical to the outcome of the electoral vote. In 1960, Nixon's best chance for winning the electoral vote through a recount after the election required him to shift a total of only 13,000 votes, but *in five different states*. In 1968, Humphrey would have had to have shifted 154,000 votes in four states to win.¹⁰

Politically desirable objectives of an electoral system:

There is a sizable body of theory and data on political effects of election systems, including effects on the nature of its political parties. My research on twenty-eight countries with competitive party systems demonstrates that each nation's physical, social, economic, electoral, and constitutional factors affected the nature of its political parties.¹¹ Of these factors, only a nation's electoral system and, to a lesser extent, its constitutional features can be readily manipulated. Social engineering is a uncertain science that does not guarantee results, but we know enough through cross-national studies to predict broad results of alternative voting systems.¹² I will suggest how alternative systems might be structured to promote the positive values of government legitimacy and national integration while hindering the negative value of political fragmentation.

1. *To promote government legitimacy, the system should enhance the margin of victory for the winning candidate or party.*

Once a candidate wins an election, there are benefits to emphasizing the winner's legitimacy, for government suffers when it does not have the citizens' confidence in the rightfulness of its leadership. Virtually all electoral systems tend to promote legitimacy by enhancing the political margin of victory over that reflected in the raw vote totals. They do this in various ways. The British model of parliamentary elections, in which voters select among candidates by plurality vote in single-member districts, favors the winning party by typically awarding it a higher percentage of seats in parliament than the party's percentage of votes won across the nation. This phenomenon occurs regularly in nations that use the British model to elect its legislatures, which includes virtually all of the British

¹⁰ Abbott and Levine, *Wrong Winner*, p. 29.

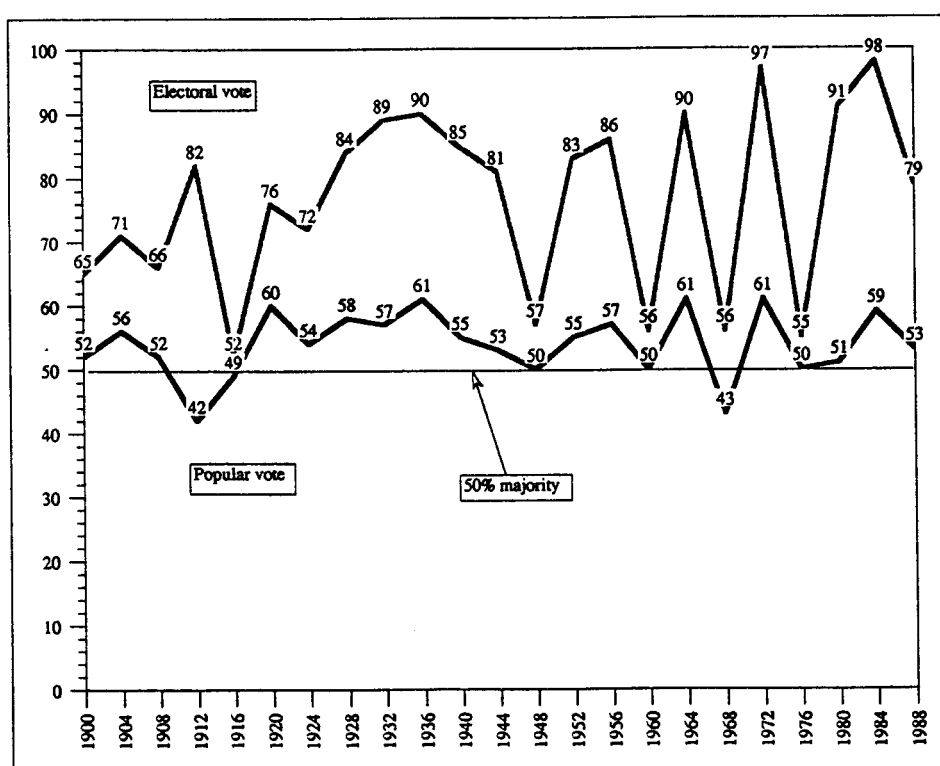
¹¹ These findings are reported in Robert Harmel and Kenneth Janda, *Parties and Their Environments: Limits to Reform?* (New York: Longman, 1982).

¹² For a recent review of literature and findings dealing with election systems, see André Blais, "The Debate over Electoral Systems," *International Political Science Review*, 12 (July, 1991), 239-260.

Commonwealth plus the United States. Even the alternative model, proportional representation (used in much of Europe), favors the more successful parties by requiring smaller parties to win a certain percentage of the vote before winning any parliamentary seats.

The method used in the United States to select the president by electoral vote also favors the winning candidate. As shown in Figure 1, the practical effect of voting by state is to increase the candidate's margin of victory in the electoral vote over what it had been in the popular vote. (This reflects the phenomenon that appears in the British model of majority vote systems.) So although both Kennedy in 1960 and Nixon in 1968 barely won a plurality of the popular vote, they both won a sizable majority (56%) of the electoral vote. This enhanced their election performance and gave their government additional legitimacy that they could not claim from the popular vote alone.

Figure 1: History of Popular Vote and Electoral Vote in the U.S. since 1900



2. *To promote national integration, the method of counting votes to determine a winner should allow each region to make a distinct contribution to the outcome.*

There is a danger in modern mass politics that election campaigns will be dominated by candidates who exploit the mass media to influence voters. This danger is increased when a national election is decided by popular vote. Candidates will conduct their campaigns in a manner that reaches the most voters for the least cost. Television offers the most economical and effective way to influence the masses of voters in cities and in urban areas. When the only objective is to win as many votes as possible, campaigns are driven by the economics of televising to population centers, and there are few incentives to

campaign in rural areas or in distant regions with small populations. Choosing a president by electoral vote in the U.S., however, requires candidates to campaign in rural areas of an important state in order to carry that state. For example, candidates who wish to win electoral votes in California, New York, or Texas cannot rely on broadcasting only to the cities but must take their campaigns to the rural areas to demonstrate a concern for the entire state. Similarly, candidates cannot write off the small states entirely, for these states possess electoral votes out of proportion to their population.

In the case of the former USSR, for example, presidential candidates would have had little incentive to campaign in any of the Baltic republics, which together had less than 3 percent of the total vote. In fact, nine of the old fifteen republics individually had less than 2% of the vote total. These republics were justified in their fears of pooling their votes with the popular vote cast in Russia, with more than 50% of the electorate. But if the vote for president in each republic were counted separately for the purpose of determining which candidate would win its electoral votes, even small republics would have had an incentive to participate. In the case of Russia, if the major parties were active in all major regions (even if the parties were not equally strong), it would help to integrate the autonomous republics and regions into the nation.

The existence of national parties is helped by the system of electoral votes. For many years, a major problem with the American party system was that the Democratic party monopolized politics in the southern states. Although the Democrats are still stronger in state governments in the south, Republican candidates for president have carried most of these states in recent elections. Scholars suggest that the Republican party was kept alive in the south during the period of one-party dominance because of the desirability of participating in presidential elections.

3. *To discourage political fragmentation, the method of counting votes to determine a winner should encourage the formation of broad electoral coalitions.*

I believe that Russia should try to develop a broad two-party system and to avoid the emergence of multiparty politics. Although I will not elaborate now my reasons, they include these observations. Multiparty politics and stable democratic government are associated with small nations (Denmark, the Netherlands, Sweden, Israel, Norway, etc), not large nations like the United States and Canada. In large nations with multiethnic populations, the actions of a multiplicity of parties have a centrifugal effect, pulling the nation apart. In contrast, a multiparty system dominated by two major parties has a centripetal effect, drawing the nation together. If it is desirable for politics in Russia to revolve around two major parties capable of alternating in power, then thought should be given to the method of selecting the president. The system used recently to elect the president of Russia is likely to produce party fragmentation, for it invites the existence of small parties that exert political power by blocking the election of candidates favored by a plurality of voters.

- a. *The system should not require that victors obtain a majority of the vote.*

The current law in Russia requires a presidential candidate to obtain a majority of the popular vote. Fortunately, Boris Yeltsin obtained 57.3% of the vote against five other candidates in the recent election, so no second election was required. As an outsider reading about Yeltsin's enormous popularity and certain

victory, I was shocked that he received *only* 57.3%.¹³ If future elections are held under this law, I suspect that the vote will be split so badly that second elections will be needed. This is usually the result when the law requires an absolute majority to win election. Such a law encourages minor candidates to run in the hope that they will *prevent* someone from winning a majority of the vote. Ironically, when a majority is not required to win election, the dynamics of competition encourages groups to coalesce into only two competing forces, producing a winner by majority vote.

b. The method of choosing the president by electoral vote promotes the emergence of a two-party system.

A system that awards all the electoral votes in each state to the candidate who wins a simple plurality vote tends to produce both majority votes and two-party politics. By forcing groups in society to work within one of the major parties that has any chance of success, political forces tend to concentrate in two major parties.¹⁴ In U.S. presidential elections, this is true even within individual states. Recall that the presidency can be won only by the single candidate who wins a majority of electoral votes across the entire nation. Given this rule, presidential candidates must win votes under the same label in each state so that they can pool their states' electoral votes.¹⁵ The presidency of nation is a big enough prize to produce uncomfortable coalitions of voters (southern white Protestants allied with northern Catholics, Jews, and blacks in the Democratic party, for example) just to win the electoral vote and the presidential election. I believe that a similar pattern of cooperation among unlikely groups would result in Russia.

Only Russians can decide what election system is best for their country. The quality of their decision, however, may be improved by considering some alternative ways to modify the simple principle of election by a majority of the popular vote cast across the nation. There is value in an electoral system that (1) enhances the winner's margin of victory, (2) allows each region to make a distinct contribution to the election outcome, and (3) encourages the formation of broad electoral coalitions.

¹³The December 1 election in Ukraine, in which Leonid Kravchuk won a majority of the vote for president over several other candidates, also appears to be a special case of the first democratic election and is not likely to be repeated in subsequent elections.

¹⁴Most "two-party systems" have many more than two parties. In the U.S., for example, a dozen parties fielded candidates in the 1988 presidential election, but the two major parties won more than 99% of the total vote.

¹⁵Although a candidate wins all of a state's electoral vote by winning a plurality of the state's popular vote, the U.S. Constitution requires that candidates win a majority of the electoral vote (270 out of 538) to win the presidency. This requirement at the electoral vote stage of presidential elections has encouraged some groups to form "third parties" to contest elections in the hope that they will win the popular vote in at least one state with enough electoral votes deny the presidency to the leading candidate. This would force the election into the House of Representatives and enable the dissident group to hold the balance of power. Therefore, the requirement at the second stage in the U.S. operates much like the requirement at the only stage for electing the president in Russia. Fortunately, the decision has not been thrown into the House for over one hundred years.

The American practice of awarding electoral votes for carrying individual states tends to promote these principles, but outright adoption of the U.S. system is undesirable. In the first place, the American Constitution really provides for an "indirect" method of selecting the president. Voters choose a slate of "electors" in each state who actually cast the state's electoral vote in something called an "electoral college." This practice is undemocratic and undesirable. In the second place, the political situations are quite different between the two countries. The United States has 50 states, the largest of which (California) accounts for about 15% of the population. Russia has 16 autonomous republics, 6 territories, 49 regions, 5 autonomous regions, and 10 autonomous areas--but all of which are dwarfed by the Russian population¹⁶ These facts must be taken into account in devising the method of selecting the president that is best for Russia.

Conclusion

My purpose is not to proclaim the electoral system for Russia to use in electing a president but to warn against some undesirable features of relying on a majority of the popular vote. I also hope to stimulate thinking of alternative electoral systems by proposing two methods based on the concept of the electoral vote. If I have encouraged Russians to rethink the available choices in electoral systems according to *their* objectives, I will have accomplished my objective.

¹⁶USSR '90 Yearbook (Moscow:Novosti Press Agency Publishing House, 1990), p. 90.