Trapped in a Two-Party System

How to give Americans more choices at the polls.

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Introduction:
Americans Want More Parties,
But Only Get Two

In 1942, the political scientist E.E. Schattschneider noted that in the United States, "there are 1,000 interests and only two parties."[1] Nearly a century later, that basic description remains, and the public is not especially happy. While the United States has had an unusually stable two-party system throughout its history,[2] American citizens, when asked, say they want more options.

No one argues that 1,000 interests means there should be 1,000 parties, but having only two parties does a disservice to the country's political diversity. Polling in the United States consistently demonstrates dissatisfaction with our two-party system. Over the last two decades, Gallup has asked U.S. adults, "In your view, do the Republican and Democratic parties do an adequate job of representing the American people, or do they do such a poor job that a third major party is needed?" Since the question was first asked in October 2003, only once (in 2003) did the majority (56 percent) assert that the two mainline parties were doing an adequate job. Indeed, those who said they would prefer a third party averaged 55.6 percent in this time span, and those saying the Republicans and Democrats are doing an adequate job was 38.4 percent, as shown in Figure 1.[3]

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[1] E.E. Schattschneider, Party Government (New York: Rinehart & Company, 1942), 86.

[2] The mean, median, and mode of the effective number of parliamentary parties (to be discussed below) in the U.S. House from the First Congress to the 118th is 1.97. And as most Americans know, The U.S. has had the same two major parties, the Democrats and the Republicans, since the middle of the 19th century. It is exceedingly rare for even independents to win seats in the House (it has been almost two decades since the last one), and the last actual third-party candidate to do so was elected in 1948. For a full list over time, see "Party Divisions of the House of Representatives, 1789 to Present," https://history.house.gov/Institution/Party-Divisions/Party-Divisions/.

[3] Jeffrey M. Jones, "Support for Third U.S. Political Party Up to 63%," *Gallup*, 2023, https://news.gallup.com/poll/512135/support-third-political-party.aspx#:~:text=Americans (accessed July 22, 2024).

**Figure 1: Most Americans want a third major party**
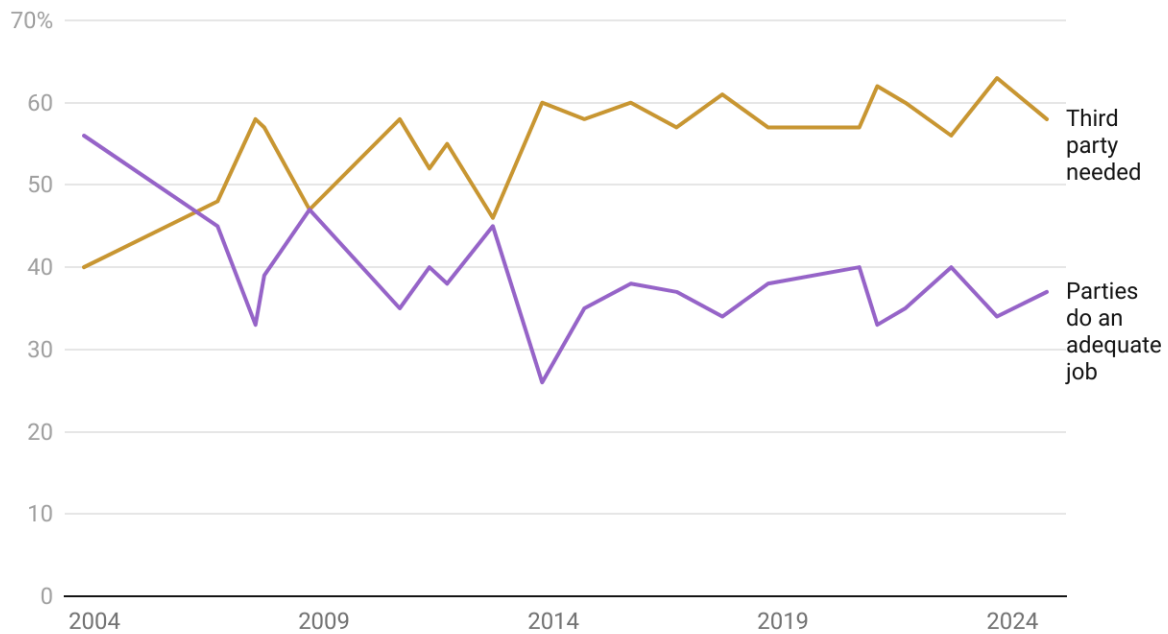
Using a different metric, Gallup asked for party self-identification: The average result was 28.7 percent identifying as Republican, 31.65 percent identifying as Democrats, and 37.83 percent as independents over a similar span. Indeed, the most recent numbers from June 2024 put the breakdown at 25 percent Republicans, 23 percent Democrats, and 51 percent independents.[4] As Figure 2 strikingly shows, the gap has been widening for over a decade. Recent Pew Research Center and YouGov[5] polling yield similar results. The American public does not feel adequately represented by the two mainline parties. The public wants more choices.

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[4] Gallup, "Party Affiliation," 2024, https://news.gallup.com/poll/15370/party-affiliation.aspx (accessed July 24, 2024).

[5] Taylor Orth, "How Americans Feel about the Prospect of a Third Major Political Party in the U.S.," YouGov, 2022, https://today.yougov.com/politics/articles/43336-how-americans-feel-about-a-third-major-party; Pew Research Center, "Americans' Dismal Views of the Nation's Politics," 2023, https://www.pewresearch.org/politics/2023/09/19/americans-dismal-views-of-the-nations-politics/.

Figure 2: More Americans are self identifying as Independents
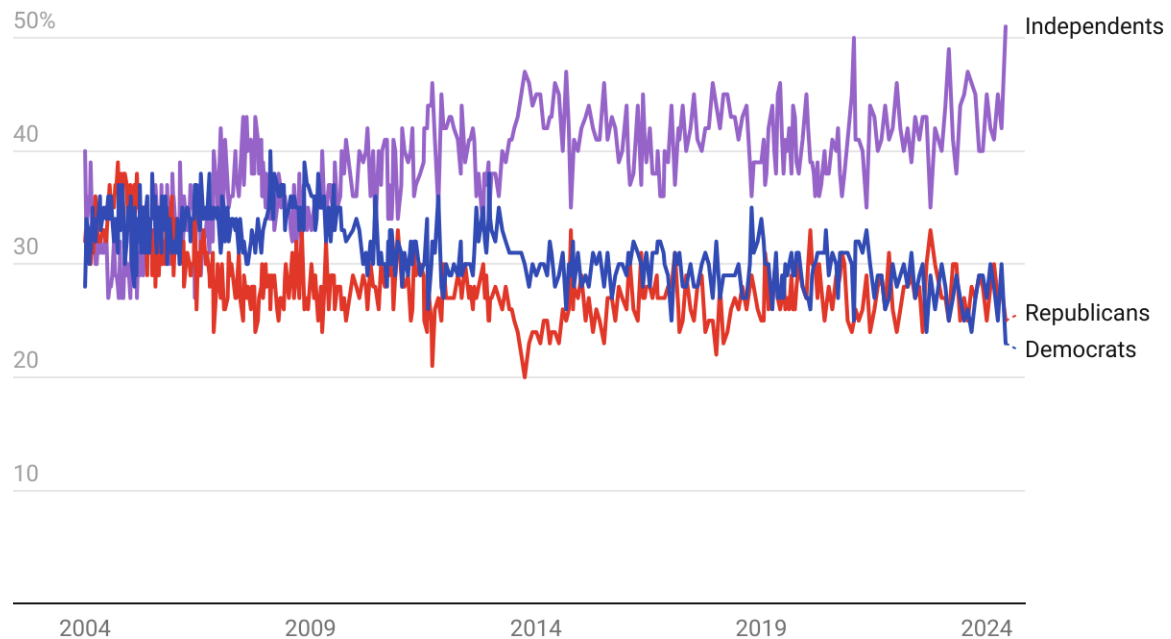
Indeed, representative government requires taking the views of a mass of voters and governing with them in mind. As John Adams wrote in 1776, the legislature "should be in miniature, an exact portrait of the people at large. It should think, feel, reason, and act like them" and "it should be an equal representation, or in other words, equal interest among the people should have an equal interest in it."[6] But what if the public is displeased with its options, despite the stability of the system?

Voters want more than two parties, yet they rarely are willing to vote for more than two parties. Over the same basic timeframe as the surveys noted above, the average two-party vote share[7] for the president was 96.48 percent and 96.09 percent for the U.S. House of Representatives.[8]

At a minimum, the public's preferences and their voting behavior are at odds. Why? How much does our political system drive the gap between longstanding preferences and behavior, and would proportional representation for the U.S. House better align them?

This paper examines the degree to which the U.S. electoral system, that of winner-take-all (WTA) elections conducted in single-seat districts that use primary elections as nominating mechanisms, shapes the choices of voters and candidates. It further explores how incentives

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[6] See The National Constitution Center's web page (https://constitutioncenter.org/the-constitution/historic-document-library/detail/john-adams-thoughts-on-government-1776) for the relevant excerpt of Adams's *Thoughts on Government*.

[7] That is, the combined votes won by the Democrats and Republicans combined, but not including third-party votes.

[8] U.S. Federal Election Commission, "Election Results and Voting Information," https://www.fec.gov/introduction-campaign-finance/election-results-and-voting-information/; U.S. House of Representatives, "Election Statistics," https://history.house.gov/Institution/Election-Statistics/Election-Statistics/.

would change under proportional representation, and concludes by looking at why more parties would address some of the political pathologies in contemporary America.

Basic Assumptions: Structures and Incentives

Human beings have goals, and the world around them shapes how to achieve those goals (or even determine if they are achievable). This applies to those who seek political office and those who vote for them in hopes of getting good government that reflects their interests.

As Mayhew articulated in 1974: "The discussion to come will hinge on the assumption that United States congressmen are interested in getting reelected — indeed, in their role here as abstractions, interested in nothing else." Office-seekers adapt to the system's choices, and per its pathways and limits.

The electoral system of a given country produces what Duverger called mechanical and psychological effects. The mechanical effect is how the system's rules transform votes into elected office. The psychological effect is the way voters decide which parties are worthy of their vote. Multiple factors within a system shape both effects.

Both the mechanical and psychological effects create incentives for political behavior for those who seek office, as they are trying to figure out how to win under their country's rules of the game. Likewise, voters are trying to determine how their vote meaningfully affects who governs. These collective behaviors influence how many parties a country has.

What obstacles and pathways exist for candidates seeking office in the United States? On balance, legislative elections shape a party system. Therefore, the House of Representatives is central to this question. That said, the dynamic described here also pertains to state-level legislative elections and most elections that use party labels in the United States.

This analysis also draws on global and historical evidence to understand political behavior. The United States is only one of many representative democracies, and comparisons to other countries and systems can reveal how human beings react to different rules and structures.

Many Americans might ask if it isn't normal to have only two parties. Comparatively, the United States' party system is abnormal. Table 1 looks at the U.S. in comparison to 26 other democratic countries. The two metrics are the effective number of electoral parties (N_V) and the effective number of parliamentary parties (N_S). Both are mathematical representations of fragmentation, not of the literal number of parties. N_S is calculated from seat share, and N_V is based on vote share. The U.S. is a clear outlier.

Table 1: The United States' two-party system is an outlier

Country	Electoral system	Effective number of parliamentary parties	Effective number of electoral parties
United States	First-past-the-post	1.98	2.16
South Africa	Proportional	2.21	2.23
United Kingdom	First-past-the-post	2.53	4.89
Japan	Mixed system	2.71	4.02
Portugal	Proportional	2.72	3.39
Australia	Two rounds, single-seat	2.73	3.75
Korea	Proportional	2.73	3.62
Canada	First-past-the-post	2.77	3.76
Mexico	Mixed system	2.79	4.84
Greece	Proportional	2.84	3.88
France	Two rounds, single-seat	2.95	5.75
Spain	Proportional	3.36	4.19
Argentina	Proportional	3.44	4.49
Austria	Proportional	3.63	3.94
Germany	Mixed system	4.09	4.74
Poland	Proportional	4.10	5.89
Czech Republic	Proportional	4.17	5.67
Italy	Proportional	4.51	5.48
Sweden	Proportional	4.52	4.81
India	First-past-the-post	4.77	6.27
Colombia	Proportional	5.32	6.00
Switzerland	Proportional	5.47	6.22
Chile	Proportional	6.03	7.47
Netherlands	Proportional	6.16	6.49
Israel	Proportional	6.50	7.32
Belgium	Proportional	8.30	9.73
Brazil	Proportional	10.23	11.55

Why Only Two?

A complex interplay of variables explains American outcomes. This section argues that single-winner elections and open primaries sustain bipartyism — and that reforming them could bring forth a rapid shift to a multiparty system. Following this discussion, the paper will demonstrate the shortcomings of some common alternative answers.

The Role of Winner-Take-All Elections

To be elected to most offices in the U.S. and specifically to the House of Representatives, one competes in a single-seat district and typically needs only to win a plurality (i.e., a simple majority or the most votes). In such an election, a candidate needs to maximize their vote share so as to win, and the winner takes all. This means candidates from parties with smaller voter bases are unlikely to do well, let alone win. This dynamic, that a single-seat plurality system "favors a two-party system" is often referred to as Duverger's Law. Indeed, as noted above, Duverger talked about the mechanical and psychological effects of electoral systems. In this case, the mechanical effect of awarding the seat to the candidate with the most votes tends to limit the number of competitors. And the psychological effect on voters is to fear wasting their votes on smaller parties they might actually prefer — but fear they will lose.

Duverger's Law is often used to explain the party system in the U.S. Clarke in 2020 asserted that "American representation is thus constrained by Duverger's Law." But Duverger's Law isn't really a law but more of a "tendency," as Duverger initially describes in his book. Other countries that use single-seat districts with plurality winners do not have the same rigid two-party systems as the United States, as detailed in Table 2.

Table 2: Other countries with single-seat, plurality winner elections have multiple parties

Country	Effective number of parliamentary parties	Effective number of electoral parties
Canada (1945-2021)	2.51	3.28
India (1991-2024)	4.47	5.86
New Zealand (1946-1993)	1.96	2.53
U.K. (1945-2024)	2.21	3.04
U.S. (1945-2022)	1.95	2.07

In all but the U.S., there is multiparty competition (N_V) and seat-winners (N_S), although in most cases large parties end up dominating the legislature. While India's higher number of parties is driven by ethno-religious divisions and localized parties, Canada and the UK see district-level multiparty competition across districts. It is not a regional phenomenon.

Table 2 shows, with some variation from India, a narrowing of competition and winning as compared to proportional representation systems (most of the systems seen in Table 1). Still, the exceptionally narrow competition the N_V captures for the United States suggests that additional factors are constraining electoral competition — and, therefore, the number of parties.

Two basic structural parameters constrain the likely number of parties, as Shugart and Taagepera demonstrate via their Seat Product Model (SPM). The SPM demonstrates a clear relationship between the number of parties in the system and the average number of seats elected per district, and the size of the legislative assembly (i.e., how many seats are available to contest in elections). As such, the use of single-seat districts substantially constrains the empirical likelihood of additional parties forming. Likewise, the relatively small size of the U.S. House relative to the population also constrains competition: Logically, more seats would mean more opportunities for politicians, and perhaps new parties, to compete. Interestingly, the SPM would predict an effective number of parties of 2.75. Yet, the U.S. has consistently underperformed that number. Of course, there are additional factors that influence political outcomes; Shugart and Taagepera estimate that the SPM accounts for about 60 percent of outcomes. A variable of consequence in the U.S. is the ubiquity of primaries as nomination mechanisms.

The Role of Party Primaries

A major reason for our rigid bipartyism often overlooked in general discussions of American politics is the presence of party primaries as nomination vehicles. In most countries, political parties nominate candidates, but most partisan elections in the United States start with a primary to choose one Republican and one Democrat, plus whatever collection of third-party and independent candidates run.

A primary election is, in its proper manifestation, an intra-party election to determine a party's nominee for the general election. The most high-profile primary elections in the United States select presidential nominees every four years. However, for partisan offices across the country, the mechanism to nominate candidates is almost exclusively the party primary. Primaries are thus a fundamental aspect of the American electoral system. Indeed, while examples of primaries and primary-like elections exist across the world, they are nowhere as systematically used, let alone for as long as they have been in the United States. While presidential candidates have been selected by primaries (and caucuses) since 1972, the first usage of primaries as nominating mechanisms dates to 1846 in Pennsylvania . It would become the dominant mode for candidate selection in the U.S. by the early 20th century.

The systematic usage of primary elections in the United States disincentivizes the formation of new parties, as factional disputes play out within party primaries, rather than in a general election. In other countries, a candidate misaligned with a party would be denied that party's nomination; such a candidate would have no other option aside from seeking the nomination of a different party or starting a new party. In the United States, it is simply easier and less expensive (in time and treasure) to run in an established party's primary if one's goal is to win office. Building a brand-new party takes time and effort, and often faces legal and bureaucratic boundaries, while running in the Democratic or Republican primary usually requires simple paperwork and a modest fee. Doing so also affords some level of free legitimacy in our system, since voters accept mainline labels and often associate third parties with the political fringe. Anticipation of such candidates in primaries may pressure major parties to adopt their messaging, leading to broad, inconsistent platforms and multiple factions "trapped" within a two-party system.

More importantly, because U.S. districts are not competitive, winning the primary usually means winning the general election, thus there is little incentive for forming a new party. For example, the Cook Political Report classifies only 22 of 435 House seats (5.1 percent) in 2024 as competitive (as of July 2024) due to demographic patterns and gerrymandering — both of which are issues for any single-seat system, but are largely, if not totally, removed by multi-seat districts. Once a politician wins, the incumbency advantage tends to mean re-election is likely. The average House re-election rate from 1964–2022 is 93.16 percent.

Two recent case studies illustrate how this path can be effective for office-seekers and how politicians who might prefer their own party may still pursue a mainline party nomination.

New York, District 14

New York's 14th congressional district is a reliably Democratic urban district that covers portions of the Bronx and Queens. The average vote share for the Democratic candidate for the House in the general election from 2000–2022 was 74.97 percent. If you win the Democratic primary in NY14, you are going to Congress.

In 2018, the incumbent was Joseph Crowley, who had been a member of Congress since 1998. Not only was Crowley a longstanding member who had won re-election in 2016 with 82.9 percent of the vote (and 88 percent in 2018!), but he was also vice chair of the Democratic Caucus, making him a member of party leadership in the chamber.

His opponent in the 2018 primary was a bartender and political activist who had worked as an organizer for the Bernie Sanders campaign in 2016: Alexandria Ocasio-Cortez. Ocasio-Cortez was a 28-year-old political neophyte when on June 26, 2018, she won 56.75 percent of the
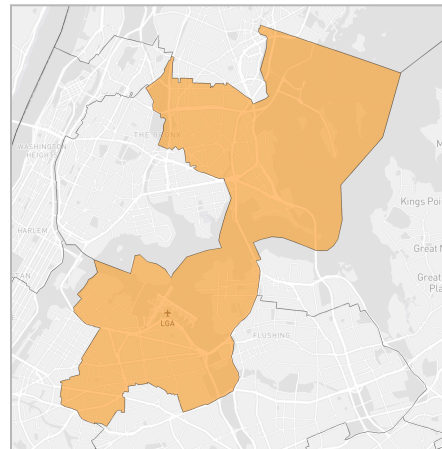
Democratic primary vote. Of course, by winning the Democratic nomination in a heavily Democratic district, she easily won election later that year with 78.17 percent of the general election vote.

Notably, the vote total for the primary was 29,778, with 16,898 voting for Ocasio-Cortez. There were 114,112 votes cast in the general, with Ocasio-Cortez winning 110,318 votes. The district itself would have had over 747,000 residents at the time. This illustrates rather clearly how the primary electorate is smaller than the general electorate. It is also likely more activist and ideological.

Also, because New York allows fusion voting (more than one party nominating the same candidate), Crowley remained on the general election ballot as the Working Families/Women's Equality nominee, coming third with 6.62 percent of the vote. Even acknowledging that he did not campaign, it is a remarkable shift from winning 82.85 percent to 6.62 percent because of a primary loss.

Not only does the 2018 cycle demonstrate how small numbers of voters can affect a party, but it also shows a low-cost, potentially high-reward gateway for an office-seeker who might not identify with a party's positions or goals. First, Crowley was part of the Democratic Party's mainstream leadership. If the Democratic Party, as an organization, had been choosing between the longstanding Crowley and the newbie Ocasio-Cortez, can there be any doubt who they would have chosen? Moreover, Ocasio-Cortez came from the progressive Sanders wing of the party and openly associated with the Democratic Socialists of America. Even in deeply blue NY14, Ocasio-Cortez would have lost as a DSA nominee — but cruised to victory as a Democrat.

Georgia, District 14

In 2020, Georgia's 14th district, a rural/Atlanta exurban district in the northwestern corner of the state, had an open seat available to be contested because the incumbent, Tom Graves, had decided to retire. GA14 is a heavily Republican district created in 2012 out of parts of GA9 and GA11, once Georgia gained a seat in the House after the 2010 census.

In GA14, the Republican House candidate averaged 81.68 percent of the vote in the general election. In fact, in 2014 and 2016, the Republican was the sole candidate on the ballot. So, just like winning the Democratic primary in NY14 meant winning the seat in the general, winning the Republican primary in GA14 was a golden ticket to Washington.

Because the seat was open, the Republican primary attracted nine competitors. Marjorie Taylor Greene, the eventual winner and current member of Congress, won the first round of the primary with 40.34 percent of the vote and then won the runoff (as required in Georgia) with 57.05 percent.
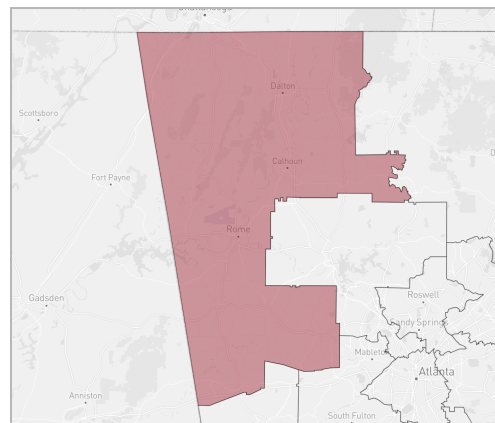
Like Ocasio-Cortez, Greene was not part of the mainstream of her party, insofar as she was a devotee of the QAnon conspiracy theories. Had Greene formed a QAnon Party, she would have done a lot of work to win few votes, but by winning the GOP primary she has become a fixture in Washington.

Other examples

The phenomenon outlined in these two case studies happened numerous times in 2010, at least at the nomination stage, when a faction of the GOP that called itself the Tea Party emerged. Instead of forming its own party, the Tea Party candidate simply competed in Republican primaries, and often won nominations and sometimes seats. The Freedom Caucus, which has been a challenge for the Republican leadership in the House, is directly descended from the Tea Party.

In the last couple of decades of the 20th century, Evangelical politicians have entered Republican politics via winning primaries. Christopher Baylor's 2018 book discusses how groups can influence the direction of party development via the nomination process. Chapter 9 is evocatively entitled "Eating the Elephant, One Bite at a Time" and discusses the way the Christian Coalition took over the local Republican parties in Iowa and South Carolina to influence key states in the presidential nomination process. This is an example of the porous nature of our parties when primaries are their widespread nominating mechanism.

All of these groups (nationalists, evangelicals, social democrats, etc.) could have been comfortable in their own parties. But why form a new party when it is cheaper and easier to take over an existing party (or at least try to) via primaries? Since party leaders in Congress do not control who uses their labels or which candidates are their nominees given the usage of primaries, there is lessened party discipline than in most other countries. In the UK, bucking party leadership in the House of Commons means you can be kicked out of the party, and therefore your chances for re-election are squashed. But in the U.S., a candidate can get renominated via the primary — and therefore leadership has little leverage.

Alternative reasons

The combination of winner-take-all elections and direct primary elections provide a compelling explanation for the two-party system. However, there is a different list of frequently cited reasons for why office-seekers stick to the two mainline parties.

Culture and history

Perhaps the two-party system has become so ingrained in America that its voters now want to keep it, even if just out of habit. There is little doubt that people often continue to do what they have always done. And given that most people first acquire their partisan identities from their families, there should be a great deal of continuity from election to election. However, in most

other countries, new parties come and go — more so in some systems than others. As described earlier, the public says they want more parties.

Campaign finance laws

In 1998, Lowi argued that "the two-party system [has been] kept alive by support systems like state electoral laws that protect the established parties from rivals and by public subsidies and so-called campaign finance reform. The two-party system would collapse in an instant if the tubes were pulled and the IVs were cut".

When Lowi wrote that, presidential election campaigns were partially publicly funded (via matching funds in the primaries and via grants in the general). While the legal framework for that structure still exists, the major parties can now raise more money independently. Indeed, the preponderance of money in politics could theoretically be funneled in a variety of ways, including to third parties if donors thought they were a good investment. There is no reason specific benefactors or groups couldn't spread their largesse on new parties.

Ballot access laws

Ballot access laws, however, seem to be a major culprit. Most of the states (the entities that govern these issues) privilege the mainline parties. Typical rules grant automatic ballot access to parties based on their showing in previous elections. So, by definition, the two major parties have automatic access; smaller third parties may or may not have access in a given cycle, and new parties have to start from scratch. This usually means gathering signatures on petitions, with varying degrees of difficulty. While this is a hurdle, it is insufficient to block a party with some level of popularity.

In California and Washington — two states with the Top Two primary system — ballot access is not difficult in terms of running for most offices besides president, especially in Washington. And yet, both states are still dominated by the mainline parties.

Despite popular usage, Top Two is not really a primary as it is not a nomination election. Rather, Top Two is a form of two-round election wherein the top two voter-winners in the first round advance to the second, regardless of vote shares in the first round. The winner is the top vote-getter in the second round. While these are not nominating processes, properly understood, they serve the same open gateway into American elections as do nominating primaries. Other examples of a two-round system include Georgia, where members elected to Congress must win an absolute majority of the vote. This requires a second round of voting in the event no candidate receives an absolute majority in the first round (although Georgia also uses primaries as nominating elections).

If ballot access is a major culprit against new party formation, these states should include a lot of new party activity given their rules. For U.S. House elections, Top Two in both states puts no first-round limitations on the number of candidates — and low barriers for third-party entrants.

In California, a candidate states their party preference and can choose from the list of qualified parties. There are six such parties in California: the Democratic Party; the Republican Party; the American Independent Party; the Green Party; the Libertarian Party; and the Peace and Freedom Party. At a minimum, one might expect a large number of third-party candidacies in U.S. House races. And yet, this is not the case, as Figure 3 illustrates.

Figure 3: California elections are two-party dominated

Party	Candidates in 2022	Candidates in 2024
Republican	126	91
Democrat	115	125
Independent	25	22
Green	4	2
Peace & Freedom	1	3
Libertarian	1	2
American Independence	1	0

Washington is similar in that its rules do not limit candidates to a specific list of parties, but "candidates may state any party preference they wish if it is not obscene and is under 18 characters in length." In other words, the barrier to new party-label creation is almost nonexistent in Washington. Yet despite this, only seven out of 62 candidates across 10 districts used a label other than Republican or Democrat in the 2024 House contests. These rules have led to some candidates modifying the mainline party labels: the Calm Rational GOP Party; the Trump Republican Party; the MAGA Republican Party; and even the MAGA Democratic Party.

While it may be that politicians and voters have not fully adapted to what the rules allow, Top Two has been in place in California since 2010 and in Washington since 2004, which seems sufficient time for more adaptation. The evidence suggests that other factors continue to make the mainline party labels desirable.

Presidentialism

Another major consideration is that the U.S. has a presidential system. Our parties are presidentialized, meaning the main focus of the parties is to win the presidency. This increases the appeal of being associated with two mainline parties, given their size. Further, the election of presidents via the Electoral College incentivizes narrowing to two competitors. However, there is no reason presidentialism cannot coexist with a multiparty system. Across Latin America, presidential systems operate with multiparty systems (see Table 1). Indeed, the most

fragmented party system featured in Table 1 is Brazil, with an average effective number of electoral parties of 11.55 and an effective number of parliamentary parties of 10.23. Like the U.S., Brazil is a large, federal country with a bicameral legislature and an elected president, but it does not use primaries and elects the legislature via proportional representation.

Parties compete independently for legislative seats and form coalitions around presidential candidates during those elections. Similar phenomena occur in semi-presidential systems like France with an elected president and a multiparty system. So while the U.S. has presidentialism and it definitely influences the behavior of parties, comparative evidence shows it is not a cause of bipartyism.

The Route to More Parties: Proportional Representation

If the system used to elect the U.S. House of Representatives (and a panoply of other offices at the state level) promotes a strict two-party system that ultimately limits the choices of American voters, what could be done to change that? If the U.S. shifted to a proportional representation system to elect members of legislative bodies, this would alter both the way officer-seekers organize and run for office, and how voters participate in the process.

Proportional representation (PR) is an electoral system in which the percentage of seats a party wins in an election is roughly equal to the percentage of votes a party wins. Under any single-seat district system, the winner wins 100 percent of the seat up for grabs in the given district, regardless of the percentage of votes the candidates win. But in PR elections, candidates run in multi-seat districts; this makes it possible to more or less distribute the seats proportionally to the votes cast. However, a number of variables dictate how proportional the outcome can be. Hence, the mechanical effect of PR is to allocate seats proportionally, leading to more competitors. The psychological effect means voters are far more likely to vote their sincere preferences, since doing so does not waste their vote. PR incentivizes new party formation and therefore better representation of those "1,000 interests" because it creates space for more viable competitors.

There is more than one way to get to proportional representation, however, and some systems are more proportional than others. Most proportional systems require multi-seat districts, although one major variation is what is called mixed-member proportional (MMP), which uses both single-seat districts and a national vote that provides overall proportionality to the outcome. (This is used in Germany and New Zealand.) Most proportional representation systems use lists of candidates, and the party gets the number of seats off that list equal to their share of the vote. Others include the single transferable vote, which is essentially ranked-choice voting in a multi-member district, with a reduced threshold to win a seat. Even within each category, there are variations to include factors such as how many seats are in the districts and the exact allocation formulation used. The rules can be calibrated to promote fewer and larger parties, or many smaller parties — although, in all such cases, there are more than two (again, see Table 1).

To illustrate how our current system measures up, let's consider the deeply red state of Alabama. In the 2020 presidential cycle, the state was overwhelmingly Republican (Figure 4). Alabama has seven House seats, which after that election became six Republicans and one Democrat. This is a disproportional outcome relative to the actual support for the parties in the electorate. Note that the vote share for the Republicans in 2020 was 69.02 percent, but the seat

share was 85.71 percent. The presidential and Senate outcomes are worth noting as well. First, Alabama, like most states, allocates their electoral votes via multi-seat plurality: The candidate with the most votes wins all the electoral votes (in this case, nine). Further, each of the two Senators are elected statewide, so the proportional makeup of the state is irrelevant in terms of seat allocation.

Figure 4: Party vote and seat shares in Alabama (2020)

	Vote share	Seat share
President		
Republican	62%	100%
Democratic	37%	0%
Other Parties	0%	0%
U.S. Senate		
Republican	60%	100%
Democratic	40%	0%
Other Parties	0%	0%
U.S. House		
Republican	69%	86%
Democratic	30%	14%
Other Parties	1%	0%
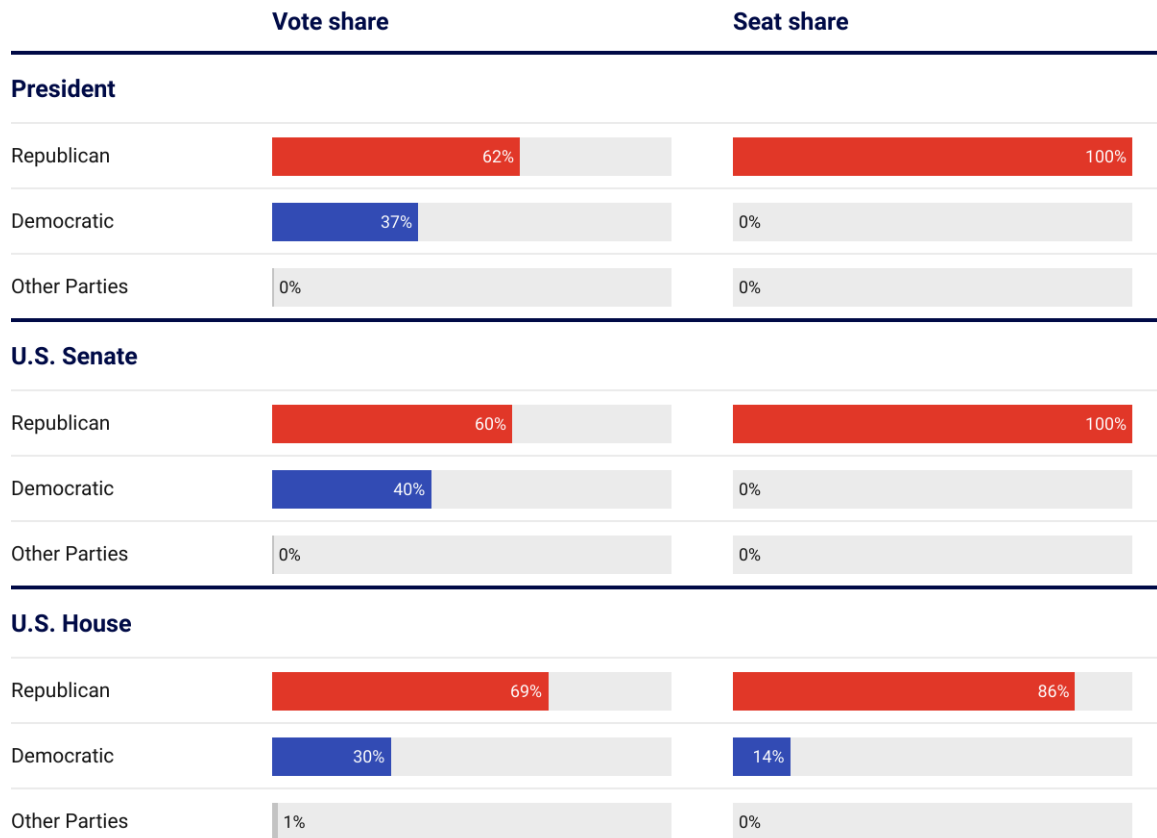
If Alabama elected its House delegation proportionally, it would clearly still be majority Republican — but let's consider what the data tell us about the state as a whole. The vote shares for the president and the Senate suggest that the ratio of Rs to Ds is roughly 60:40, while the House vote shows 70:30. Under a 70:30 division, the delegation would have been five Republicans and two Democrats. With 60:40, it would have been four and three.

The House ratio is different from the other two because the seven single-seat districts used in Alabama in 2020 were so uncompetitive that three of the seven districts had only one major party competitor; no Democrats ran in AL05 or AL06, and no Republican in AL07. This distorts the two-party vote-share metric. Moreover, none of the districts were competitive. The average margin of victory in the four districts that had candidates for both parties was 39.73 percent. While readers may attribute this to gerrymandering (and to a degree, that is the case), overall it

is a function of single-seat districts themselves where what matters the most is not the preference of voters but simply where the lines are drawn. Moreover, the geographic concentrations of voters can distort the outcomes just as much, indeed often more, than gerrymandering. Multi-seat districts solve the problem of district boundaries having more influence over electoral outcomes than voter preferences. Put plainly: If we value representative democracy, we should want a system wherein voters are more important than geographic distributions of residents, or where lines are drawn.

If the state allocated seats proportionally, the competitive choices of office-seekers and the behavior of voters would be different. If there was real competition for seats (unlike in 2020 when the winners of the primaries were guaranteed the seats), officer-seekers would have to compete for votes — and voters would have real choices to make. It could certainly lead to office-seekers better differentiating themselves, potentially via new party labels.

Looking at the proportions of Democrats and Republicans in a given state, the red state/blue state dichotomy is clearly inaccurate. At a minimum, all states are some shade of purple, but our current electoral system limits representation. Alabama is an excellent illustration of this fact because it is a majority Republican state, but it has a lot of Democrats as well. A blue state like Massachusetts would show the hidden diversity of partisanship.

As Drutman effectively argues, the U.S. likely has at least a four-party system stuffed into a two-party configuration. The divisions within the Republican House caucus are plain, and it is not difficult to envision a populist/nationalist party, and a more mainline conservative party, emerging from current Republicans. Likewise, the Democrats have a clear progressive flank married to a more centrist segment. But the forces discussed above keep those possibilities out of play.

Ultimately, with more proportional outcomes, behaviors would change. Alexandria Ocasio-Cortez could run, and win, as a candidate of the Democratic Socialists, and Marjorie Taylor Greene could run as a MAGA Party candidate. The House would then look more like the electorate. It would also make it clearer which parties should be assigned credit and blame — and lead, therefore, to far more effective electoral credibility.

A Reform Proposal: Single-Round Open List Proportional Representation

Two of the most significant contributors to the two-party system in the United States are (1) the use of winner-take-all elections, and (2) the use of a separate primary election. A proposal aimed at opening the party system so it may more closely match the diverse interests in the voting population should address both.

Creating proportional outcomes requires elections to be conducted in multi-seat districts so those seats can be allocated to reflect the makeup of the district, rather than allowing winner-take-all outcomes. Comparatively, there are a number of ways to provide the representational choices voters say they want. One promising avenue would be open list–PR (OLPR) with moderate-size multi-seat districts (even something in the three-to-five range would create a wholly different competitive environment). The SPM noted above would predict an effective number of seat-winning parties at 3.31 if the House were elected in districts that averaged three seats per district. At an average of five seats per district, the number goes to 3.6. The choice of open, rather than closed, list (see below) would allow for the elimination of separate primary elections, while retaining the intraparty competition Americans may prefer to preserve.

For the House of Representatives, this proposal would not require a constitutional amendment but could be deployed via federal law (unlike a reform such as German-style MMP, which would require amending the constitution). Some states could not have multi-seat districts without expanding the size of the House (which could also be done via legislation). The U.S. population has tripled since the House's last expansion in 1912, so there is a good argument that expansion is now warranted. Still, it would be possible for the OLPR reform discussed here to be written to apply to states with three or more representatives.

So, what would a specific change look like? OLPR is a common method used to elect legislative bodies via proportional representation. While there are a number of specific choices that need to be made, the basics are as follows.

List systems can either be closed or open. In closed-list systems, voters choose their preferred party, then votes are tallied to determine how many seats each party receives. In closed-list systems, the party sets the order of the list before the election. So, if the list wins three seats, the top three listed candidates win those seats, with the fourth (or lower) being out of luck. In open-list systems, voters choose their preferred party by voting for a candidate within the list. If

that party wins three seats, the three top vote-getters on the list win the seats, regardless of their order on the list.

For example, here is a mock-up of a closed-list system. Here, a voter simply votes for their preferred party, and seats are allocated in order of the list.

Source: https://protectdemocracy.org/work/proportional-representation-explained/

And here is an open-list example. Here, the voter chooses their candidate within their party of choice. As the mock-up illustrates, voters get to vote for candidates with OLPR, and not just party lists as with a closed list. One of the reasons to recommend OLPR is that it preserves that familiar feature of voting for Americans, who are used to voting for their preferred candidate.
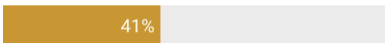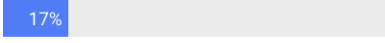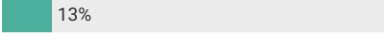
Source: https://protectdemocracy.org/work/proportional-representation-explained/

How would all of this work? Below, several options and outcomes use the same percentage of votes for simple comparative terms. Please note that larger districts (in terms of seats) also means more citizens (and therefore voters) per district. But by keeping the vote distributions constant for this hypothetical discussion, it becomes easier to see how competition in multi-seat districts creates different competitive environments.

Let's start with a single-seat district with WTA rules that has four parties competing. The party with the most votes wins the sole seat. As such, 41 percent of the votes lead to 100 percent of the seats available.

Figure 5: Single seat district, winner-take-all example

Party	Vote share	Seats won
A	41%	1
B	29%	0
C	17%	0
D	13%	0

How would those seats be allocated in a multi-seat district under OLPR? The most common such system is the D'Hondt method, wherein a series of divisors (1, 2, 3, ..., M) are applied (where M=the district magnitude, or the number of seats in the district). Essentially, each party earns a score based on its vote share and how many seats it has won so far, and that score tells us which party is underrepresented and should win the next seat. By earning a seat, the party's score changes, and scores are again recalculated to determine the next seat. This is repeated until all seats are filled.

Such a process using similar percentages would look like this if used in a modest three-seat district.

Figure 6: D'Hondt example, three winners

Party	Vote share	Seats won
A	41%	2
B	29%	1
C	17%	0
D	13%	0
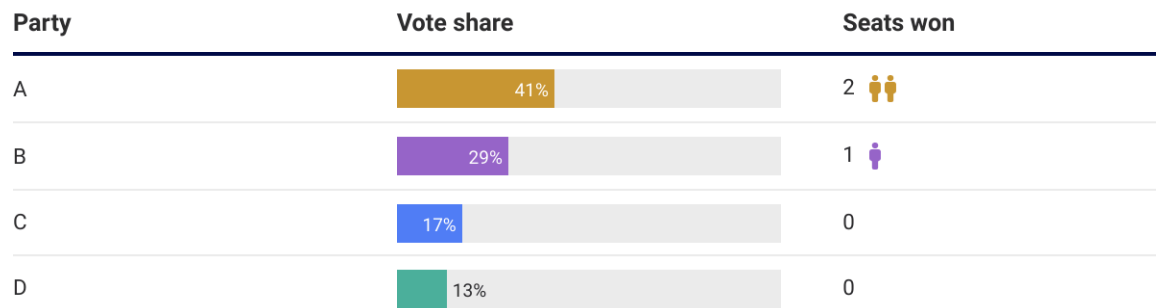
Table 3: Scores by round, three winners

Party	A	B	C	D
Vote share	41%	29%	17%	13%
Score v/1	41% (1)	29% (2)	17%	13%
Score v/2	20.5% (3)	14.5%	8.5%	6.5%
Seats won	2	1	0	0
Seat share	66.7%	33.3%	0%	0%

In this outcome, the largest party won 41 percent of the vote and 67 percent of the seats, while the second-largest party won 29 percent of the vote and 33 percent of the seats. This is clearly more proportional than the ratio under single-seat plurality, but it still contains significant disproportionality (i.e., the deviation from a proportional outcome).

How could this be remedied? By increasing the number of seats contested in the district. For example, even a move to four seats increases the proportionality of the result — even if they still are not fully proportional. This move to four seats also underscores the claims made in this paper that PR systems would incentivize new parties to compete and provide voters with new options that might have the chance to win seats.

Figure 7: D'Hondt example, four winners
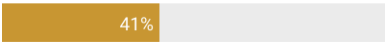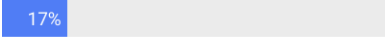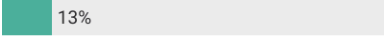
Party	Vote share	Seats won
A	41%	2
B	29%	1
C	17%	1
D	13%	0

Table 4: Scores by round, four winners

Party	A	B	C	D
Vote share	41%	29%	17%	13%
Score v/1	41% (1)	29% (2)	17% (4)	13%
Score v/2	20.5% (3)	14.5%	8.5%	6.5%
Seats won	2	1	1	0
Seat share	50%	25%	25%	0%

With a change to M=10, the results are about as proportional as one could expect from this vote distribution. There is no theoretical upper limit on district magnitude, and even higher district magnitudes would be more perfectly proportional. But large district magnitudes will incur tradeoffs, such as higher degrees of party fracturing. A higher district magnitude will mean smaller parties have a better chance of winning, and voters are more likely to be willing to vote for them, while a high district magnitude (greater than 10, say) may result in a system dominated by multiple small parties. Reformers will want to find balance between the two.

Figure 8: D'Hondt example, ten winners
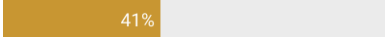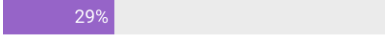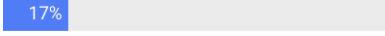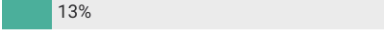
Party	Vote share	Seats won
A	41%	4
B	29%	3
C	17%	2
D	13%	1

Table 5: Scores by round, ten winners

Party	A	B	C	D
Vote share	41%	29%	17%	13%
Score v/1	41% (1)	29% (2)	17% (4)	13% (7)
Score v/2	20.5% (3)	14.5% (5)	8.5% (10)	6.5%
Score v/3	13.67% (6)	9.67% (9)	5.67%	4.33%
Score v/4	10.25% (8)	7.25%	4.25%	3.25%
Seats won	4	3	2	1
Seat share	40%	30%	20%	10%

Table 9 shows the different outcomes using D'Hondt, with the same vote share for four parties across M=3 to M=10.

Figure 9: Adding winners increases proportionality

	Party A	Party B	Party C	Party D
Vote Share	41%	29%	17%	13%
Seats				
M=3	2	1	0	0
M=4	2	1	1	0
M=5	2	2	1	0
M=6	3	2	1	0
M=7	3	2	1	1
M=8	4	2	1	1
M=9	4	3	1	1
M=10	4	3	2	1

A key benefit for OLPR is that it can address both the winner-take-all issue and the primary election issue. Under OLPR, voters would retain the ability to register direct preferences for whom the party will send to Washington (as is currently the case with the primary system) while also incentivizing more parties — because multi-seat districts with proportional seat allocations would increase the chances of multiple parties winning seats. There are multiple ways these lists could be constructed, from rules that allow party vetting to open rules that mirror current ballot access in Top Two states like California and Washington, as discussed above. Since OLPR allows voters to register their candidate preference, this system as proposed could supplant the primary process as currently utilized, effectively transferring the power of voters to register a choice between co-partisans from the separate, low-turnout primary elections into the general election itself. Individual candidates could still campaign, as could parties as institutions, but the overall shape of the party as it pertains to the result of the election would still be in the hands of the electorate rather than party elites. Given that American voters are used to voting for candidates, this would likely be easier to understand and would maintain citizen influence over who becomes members of the party.

And why is it likely more parties would emerge? Since the seat allocation would be proportional and not WTA, there would simultaneously be incentives for politicians who really wanted to highlight themselves to fore out onto their own lists (i.e., to form their own parties). This is all well illustrated by the various D'Hondt examples above, especially Table 9.

Recall that rules structure behavioral incentives. Rather than a libertarian-flavored Republican on a list with possibly a dozen other Republicans, a candidate could be one of a handful of Libertarians on their own list. Under PR, such a strategy may be viable to an extent that it would not be under single-seat WTA.

Conclusions

The public inherently understands they are not getting adequate representation from the current system. Polling herein underscores this fact, as do numerous others that show a growing loss of faith in our institutions of government.

The mechanical structure of our electoral system creates huge costs for new party formation in terms of time and fiscal resources. Further, the system makes winning as a third-party candidate highly unlikely. Moreover, our system via the primary process throws the doors wide open for entry into a competition to win one of the mainline party nominations, and our uncompetitive single-seat elections mean that winning the primary likely means winning the seat. All of this sums to poor electoral competition, insufficient choices for voters, and ultimately poor representation.

Alternatively, proportional outcomes would change how both office-seekers and voters would approach elections. In terms of updating our electoral technology, the world shows us the way.

Having more parties would bring myriad benefits to American democracy — and three things are uniquely relevant to our present political moment.

More parties make it easier to contain extremism. There is a worldwide movement of right-wing nationalism, but it is easier to identify and contain it when there are more than two parties. For example, in Germany, the Alternative for Germany has grown in strength, but it is isolated from the center-right Christian Democrats in a way that makes it difficult for the far-right to take over government. Likewise, the recent elections in France allowed a coalition of parties to strategically block the National Rally from capturing control of the National Assembly. However, in the United States, the primary system opened the door to Donald Trump's dramatic move to nationalist populism. When voters find themselves with only two choices, it is difficult for conservative-leaning voters to defect to the liberal side.

Further, this links directly to polarization. If there are only two parties, voters find it harder to reject their own party if it fails or trends towards extremism — because there is nowhere for unhappy voters to go (save becoming non-voters). Instead, they overfocus on what they like about a party, rationalize away the things they don't like, and begin to excuse actions they previously would not have. A vote for an imperfect copartisan may be psychologically easier than a vote for the opposition.

These issues need not be just right-wing nationalism. The U.S. system is such that it is theoretically possible for political extremists and ideologues of various stripes to acquire major toeholds in both parties, and voters often feel they have nowhere to go, save to either embrace the extremism or to abstain from politics.

More parties also means better representation, improving the chances of more diverse office-holders in terms of race, religion, gender, and the like. To call back to John Adams above, it would help the legislature be a true "portrait of the people."

The American people know they want more parties, even if they don't quite know how to get them. If we make the electoral system more proportional so candidates can better express their visions for governing, voters will have better choices at the ballot box.

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