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**BOOK REVIEW: *THE POLITICS INDUSTRY*, Rich Winger, *Ballot Access News***

*The Politics Industry: How Political Innovation Can Break Partisan Gridlock and Save Our Democracy*, by Katherine M. Gehl and Michael E. Porter. 246 pages, hardcover. Harvard Business Review Press. \$30.

Katherine Gehl, who lives in Wisconsin, is the former president and CEO of Gehl Foods. Michael E. Porter is the Bishop William Lawrence University Professor at Harvard Business School. He writes in the preface, "American politics was literally the last topic I ever thought I'd tackle...People often assume that I am the parent of these ideas. I am not. Katherine is the originator of both Politics Industry Theory and the strategy for political innovation we prescribe in this book."

The book's chief purpose is to propose that states should implement top-five systems. A top-five system is one in which parties no longer have nominees. Instead, all candidates run on a single primary ballot, and then the five candidates with the most votes are the only ones who compete in the general election. The general election uses Ranked Choice Voting, but the primary does not. The authors prefer the term "final-five", but they seem to acknowledge that "top-five" is now the dominant term. Gehl has persuaded some Wisconsin state legislators to introduce a bill for top-five. SB 250 was introduced on March 25, and so far has made no headway.

The authors also use the book to argue for reform of congressional and legislative internal rules, and in favor of ranked choice voting.

The authors are right that the United States' election system is flawed. The authors want more competition and seem friendly to independent candidates and minor parties. But, unfortunately, their solution would only make the duopoly even stronger than it is now.

In November 2020, there were 35 U.S. Senate elections and 11 gubernatorial elections. In 83% of those elections, there was at least one minor party or independent candidate on the general election ballot. But if top-five had been in existence in every state, chances are there would have been no minor party or independent candidates for either of those offices.

This is clear from the experience of the top-two systems in California and Washington. During the years in which top-two was in place in those states, there is no example of any minor party candidate for Governor or U.S. Senator ever placing in the top five. This chart shows the leading minor party candidate vote-getter, and his or her rank, for all such elections:

Wa Gov 2008	Green	6th
Wa Sen 2010	Reform	12 <sup>th</sup>
Ca Sen 2012	Libertarian	9 <sup>th</sup>
Wa Sen 2012	Reform	8 <sup>th</sup>
Wa Gov 2012	no attempt	--
Ca Gov 2014	Green	6 <sup>th</sup>
Ca Sen 2016	Libertarian	10 <sup>th</sup>
Wa Sen 2016	Libertarian	6 <sup>th</sup>
Wa Gov 2016	Soc. Wkrs.	9 <sup>th</sup>
Cal Gov 2018	Peace & Fr	12 <sup>th</sup>
Cal Sen 2018	Libertarian	15 <sup>th</sup>
Wa Sen 2018	Libertarian	12 <sup>th</sup>
Wa Gov 2020	Green	7 <sup>th</sup>

The reason minor party candidates for Governor and U.S. Senator do so poorly in top-two primaries is that there are always many Democrats and Republicans running, and voters in primary season are paying more attention to them. The press won't cover minor party candidates because they assume they won't place in the top two.

The authors also praise Nebraska's nonpartisan elections for legislature, and praise the Washington blanket primary that was in use 1935-2002.

They write, "Party primaries are the centerpiece of elections machinery. They ensure that the public interest and a person's electability do not intersect...Party primaries are a huge problem for the country."

"In party primaries a small group of more-ideological voters become guardians at the gate...the more ideologically extreme of a voter you are, the more likely you are to think that you're able to influence government, according to recent research. Party primaries can have the effect of screening out problem-solving candidates, while rewarding more extreme candidates."

The book's introduction puts it most graphically: "Imagine you are a member of the U.S. House of Representatives...You decide to put country over party. You take the risk and publicly endorse the bill's artful compromise solution...You are in trouble...You're about to be primaried. In the next party primary, you can expect an uberleft challenger if you're a Democrat and a hard-right opponent if you're a Republican."

This argument sounds persuasive, although the bulk of political science research does not agree with it. For a list of scholarly papers that say the type of primary does not determine who gets elected or how they behave in office, see the September 1, 2013 *B.A.N.*, front page story, which has reference to five papers. Also see the extensive research on polarization in state legislatures by Boris Shor and others, which continues to find, year after year, that California and Washington have legislatures that are far more polarized than the legislatures of other states.

Also see the books *The Myth of the Independent Voter* (by six political scientists, lead author Bruce E. Keith) and *Independent Politics*, by political scientists Samara Klar and Yanna Krupnikov. They debunk the idea that independents are moderates.

But even assuming that Gehl and Porter are correct, and that partisan primaries are the problem, one wonders why the book assumes that the only substitute for partisan primaries is a top-five system? The book doesn't cover other ideas:

Nomination by party meetings: the entire democratic world, outside the United States, uses party meetings to choose nominees. The United States used that system in the 19<sup>th</sup> century. Even Gehl and Porter acknowledge that major party leaders are motivated to help their incumbents get re-elected, so increasing the power of the party organization, by giving them the power to nominate, ought to help those legislators who have decided to support compromise bills.

Louisiana system: Louisiana is the pioneer state for abolishing party nominees; it has 45 years of experience. In Louisiana, there are no primaries (except presidential primaries). There are merely general elections, in which no party or candidate is excluded. If no one gets 50%, there is a general election run-off shortly after the general election itself. Astounding, the book does not even mention Louisiana. There is no "Louisiana" reference in the index.

Blanket primaries: the book praises the blanket primary, which is a system in which all candidates run on a single primary ballot, and then the top vote-getter from each party qualifies for the general election. In some blanket primaries, independent candidates petition separately to get on the November ballot and do not participate in the primary. Yet the book does not advocate for blanket primaries. Perhaps the authors felt that blanket primaries are unconstitutional, but they are only unconstitutional if they are mandatory. They are constitutional if the law lets each party decide for itself whether to participate in the blanket primary. Parties that opt out of the blanket primary can nominate by party meeting.

Multi-member proportional representation: bills for multi-member proportional representation have repeatedly been introduced in the last few decades, and most serious scholars of election law favor this idea. But the book doesn't mention it. Congressman Don Beyer (D-Virginia) will soon introduce this.