

Steven Mulroy, *Rethinking US Election Law: Unskewing the System*. Cheltenham, United Kingdom, Northampton, MA, USA. Edward Elgar Publishing, 2018. Vii, 187pp. (103.50 cloth).

This book is a wonderful addition to my psephological collection of scholarly works. It will be extremely helpful to me in a book I am currently writing to advance my campaign for electoral reform in Australia. For Americans, it is a treat.

For academic readers, Mulroy tells them what they already know: American democracy is in a mess – and it is getting worse. Unfortunately, many of the current problems are owed to the US Constitution and it is extremely difficult to amend. Mulroy, therefore, sets out his agenda of reform which avoids the need to change the Constitution wherever possible. All his reforms are well-argued. Critics are put down politely with rational argument. Consequently, I agree with all his reforms, with just one exception.

Briefly, he advances a very convincing case for the Interstate Compact for the National Popular Vote whereby Americans would choose their President. This proposal has been strongly advocated by reformers since 2006. For the House of Representatives, he proposes a sensible combination of Ranked Choice Voting, Instant Runoff Voting, and the Single Transferable Vote.

Before I transfer my attention to Australia (where my main interest lies) I should mention the one exception noted above. On page 160 he discusses the possibility of STV for the American Senate. He ends the section with this: “Ultimately, it seems a long walk for a short beer.” That is an understatement. It is much worse than that. The election of two politicians by STV is a very bad idea. Believe me. We have cases of that in Australia and it produces very bad results. STV voting should always be for the election of three, five or seven places.

Regarding the drawing of boundaries of electoral districts Mulroy correctly makes favorable reference to Australia on pages 7, 75, 76 and 102 concluding on page 102 with this reference: “the national Australian Electoral Commission, pretty much the gold standard when it comes to nonpartisan, professional redistricting”. He is quite right. Writing (as I do) as Australia’s present chief non-politician electoral reformer I can safely assert that we have completed that task, at both federal and state levels, to be as near-perfect as it would be possible to imagine.

Where Mulroy goes wrong is in his description of the operation of STV in Australia. Thus, on pages 131, 132 and 133 he discusses party-list proportional representation systems as used in most of Europe, South America, Turkey, Israel, and New Zealand and he concludes in brackets: “Until 2016, Australia used a hybrid form in which voters could choose either to rank individual candidates within a party’s list or simply vote for the party itself.” That is wrong in that it creates the impression of a party-list system operating until 2016 when it was replaced by STV.

What actually happened in 2016 was that the party in power, the Liberal Party, set out successfully to rig the Australian Senate voting system in its own favor by a thoroughly dishonest re-contriving of the contrivances of the immediate past system. Unfortunately, most analysts were taken in by that pretend “reform” which was, if truth be told, implemented in the most cynical way it would be possible to imagine. I know that the four Australian names given in

Mulroy's acknowledgments were among the many analysts who were taken in by that pretense of Liberal Party virtue.

In Australia, there are 837 politicians, federal, state and territory, in 15 houses of parliament. Of those 571 (68 percent) are elected from single-member districts by what Americans call "Instant Runoff Voting". (We call it "preferential voting.") Then there are 216 (26 percent) who owe their seats to what I call "bastardized STV" and there are 50 (a mere six percent) elected by what I call "proper STV". In Australia, those 50 are elected by what we call the "Hare-Clark" system, which is the gold standard form of STV, in that it is genuinely candidate-based. Most foreign analysts (correctly) think of "bastardized STV" as being party-list in character. I have spent my last five years campaigning, so far unsuccessfully, to persuade our politicians to get rid of the party-machine-driven contrivances of "bastardized STV".

So, if Americans want to know how to implement STV they should go to Ireland, Malta, or to Australia's island state of Tasmania. Don't go to the Australian Electoral Commission. All they would give you is propaganda designed to persuade you that Australia's Senate has a good voting system. In truth, it is awful, a blot on the landscape of our democracy.

Australia's Senate is, however, more democratic than the US Senate – because it chances to be better apportioned. There are 15 New South Wales persons for every Tasmanian, but they have the same number of senators. As Mulroy correctly notes on page 53 there are 66 Californians for every American living in Wyoming – but California and Wyoming have the same number of senators. How can anyone seriously argue that the US Senate is a shining example of democracy in action?

Malcolm Mackerras

Australian Catholic University Canberra campus