

Editorial: Instant runoff failure

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North Carolina's first try at statewide Instant Runoff Voting didn't work out very well, except for Doug McCullough.

The second-place finisher in last month's special election for a Court of Appeals seat apparently ended up winning. Although McCullough trailed Judge Cressie Thigpen by 100,000 votes Nov. 2, he gained enough second- and third-ballot votes to overtake Thigpen's lead, pending a recount.

The outcome should convince legislators that this experiment failed and should be abandoned.

The goal, ironically, was to produce a more credible result in this sort of situation. The special election was called because a vacancy occurred on the Court of Appeals in August, far too late to schedule a primary. The last time a similar situation came up was in 2004 when a seat opened on the Supreme Court. Eight candidates filed to run, and Paul Newby won with only 23 percent of the vote. The legislature drafted a new law seeking to produce a larger mandate.

This time, the special election drew 13 candidates. Voters were asked to indicate a first, second and third choice — an exercise that surely taxed their familiarity with the relatively little-known contenders.

Only the first-choice votes were tallied Nov. 2: Thigpen received 20 percent and McCullough 15 percent. They advanced to a second round of counting.

Election officials added the second- and third-choice votes county by county. A mere five weeks after the election, a tentative result was reached. To help promote transparency, the State Board of Elections should release all vote totals so the public can see exactly how it came about.

Proponents of this experimental system say that 20 percent should not elect someone for such an important office. The additional second- and third-choice votes also indicate public support, they say. As things stand now, however, a candidate with just 15 percent of the vote has won. Only by giving second- and third-choice votes as much weight as first-choice votes can McCullough claim more public support than Thigpen. It's simply not a democratic principle that a second or third preference counts as much as a first.

Fortunately, McCullough and Thigpen both are well-qualified for the position. Both have experience on the court. And Gov. Bev Perdue, who gave Thigpen a temporary appointment in August, can appoint him to fill another vacancy on the court — and should.

The best way to handle such vacancies would be for the governor to appoint a replacement who would serve until the next regular election two years later.

Short of that option, a special election ought to be decided more directly: Voters should cast a single vote for the candidate of their choice, and the candidate with the most votes wins. Having a candidate win with only 20 percent of the vote is a more acceptable outcome than having him lose to a candidate with 15 percent.