**PRESS RELEASE**

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**U.S. SUPREME COURT**

**U.S. PRESIDENTIAL ELECTION, 2020.**

When taking majority opinions in relation to today’s election, the Supreme Court should whenever possible use a multi-option procedure.\*

Not every problem is binary. Extending deadlines for postal vote counts, for example, need not be based on a choice of only two options. And if the problem isn’t binary, it should not be subjected to a binary vote. Accordingly, especially on contentious problems, the judges should best:

+ accept and list all relevant options;

+ debate them all, adjusting the list as required;

+ cast their preferences, and thus…

+ …identify the option with the highest average preference.

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| \* Multi-option procedures which can guarantee a majority opinion include:  + two-round voting, (as used in some New Zealand referendums, e.g., in 1992);  + the alternative vote AV, (also called instant run-off voting IRV and ranked choice voting RCV; it is used in elections in both Australia and, in its PR format as PR-STV, in Ireland, North and South);  + the modified Borda count MBC, is a preferential points system which can identify the option with the highest average preference and, if this average is above a certain threshold, it represents a majority opinion;  + the Condorcet; this methodology compares the preferences cast for every pair of options – with four options, ***A, B, C*** and ***D***, there are six pairs, ***A:B, A:C, A:D, B:C, B:D*** and ***C:D*** – and the option which wins the most pairings is the overall winner.  The MBC, but not a Condorcet count, is vulnerable to an irrelevant alternative; a Condorcet count, but not an MBC, is vulnerable to a paradox; if a combined MBC/Condorcet count identifies the same social choice, all concerned may rest assured, it accurately reflects the opinion of the Court. |

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