REFORMING THE ELECTORAL PROCESS

MOST PROPOSALS FOR ELECTORAL REFORM in America center on the Electoral College, as discussed earlier. Abolition of the Electoral College, the establishment of a congressional district plan, and the elimination of electors are at once the most dramatic and apparently urgent reforms, especially in light of the events of the 2000 election—and the least likely to succeed, given the many entrenched interests they serve and the difficulty of amending the Constitution. Changes to the Electoral College, however, are not the only ways in which the election of public officials in America might be improved.

Another possible electoral reform, one that focuses on the nomination rather than the general election in presidential elections, is the idea of holding a series of regional primaries throughout the United States during the first week of each month, beginning in February of a presidential election year. Under this system, the country would be divided into five regions: the Southeast, Southwest, Far West, Midwest, and Northeast. In December of the year prior to the presidential election, states would hold a lottery to determine the order of the primaries, with all regional contests held on the first of every month from February through June. The goals of this reform would be twofold. First,

it would end the current "permanent campaign" by preventing candidates from "camping out" in Iowa and New Hampshire for one to two years in the hopes of winning or doing better than expected in these small, unrepresentative states. Second, some rational order would be imposed on the electoral process, allowing candidates to focus on each region's concerns and people in turn.

Another area of electoral reform that has gained attention in recent years involves campaign finance. The Bipartisan Campaign Reform Act, sponsored by Senators John McCain (R–AZ) and Russ Feingold (D–WI), was signed into law in March 2002. This legislation bans unregulated "soft-money" donations to political parties, restricts the use of political ads, and increases political contribution limits for private individuals. Supporters heralded its passage as a major victory in lessening the influence of big money on politics. Unfortunately, political consultants have already found ways around the new legislation, leaving many voters to wonder what change the legislation will effect, if any. Campaign finance will be discussed more thoroughly in chapter 14.

These possible reform ideas should convince you that although individual elections may sometimes be predictable, the electoral system in the United States is anything but static. New generations, and party changers in older generations, constantly remake the political landscape. At least every other presidential election brings a change of administration and a focus on new issues. Every other year, at least a few fresh personalities and perspectives infuse the Congress, as newly elected U.S. senators and representatives claim mandates and seek to shake up the established order. Each election year, tumult and transformation take place in the fifty states and in thousands of localities.

The welter of elections may seem like chaos, but from this chaos comes the order and often explosive productivity of a democratic society. Indeed, the source of all change in the United States, just as Hamilton and Madison predicted, is the individual citizen who goes to the polls and casts a ballot.

In the nineteenth century, political parties ran the elections, supplying not only paper ballots but also many of the poll watchers and election judges. This was a formula for fraud, of course—there was not even a truly secret ballot, as people voted on ballots of different colors, depending on their choice of party. The twentieth century saw widespread improvements in election practices and technology. The states now oversee the election process through official state boards of election, and the use of voting machines, nearly universal in America by the 1970s, permits truly secret mechanical voting. These measures helped effect enormous reductions in fraud and electoral ambiguity—though as the problems of the 2000 and 2004 elections proved, there is still a long way to go.

As more and more Americans become computer savvy, and as computer technology continues to evolve, Internet voting has become a likely way to cast votes in the coming years. Rightly or wrongly, Internet voting equates in the minds of many Americans with the ideals of instant democracy and greater citizen input in major decisions. Many states are formally studying the feasibility and impact of Internet voting. In 2000, Arizona pioneered online balloting by allowing citizens to vote via the Internet in the state's Democratic presidential primary. Opponents and proponents alike recognize potential problems, but technical solutions draw ever nearer.

The use of mail-in ballots, whereby registered voters are mailed ballots and given several weeks to mail them back with their votes, increases participation but delays final tabulation of the ballots for several weeks. Oregon, the only state that votes entirely by mail-in ballots, did not have its 2000 presidential results finalized until several weeks after Election Day. The state of Washington, which has

■ New electronic voting systems are being rolled out across the country as an alternative to traditional paper and punch card balloting. Here, the ESlate System is demonstrated in Austin, Texas.

Photo courtesy: Bob Daemmrich/The Image Works

Politics Now

Is California the New Florida?

During the Florida vote recount of the 2000 presidential election, average Americans learned an unsettling truth: the technology they use to vote affects the likelihood that their vote will be counted. One technology in particular, the punch-card ballot, contributed to the confusion over who would be our president, George W. Bush or Al Gore. Politicians, pundits, and voters called for improving voting technology, but which technology a county should pick became a difficult question. The two leading electronic choices were optical scanning technology, the same kind employed on standardized tests, and Digital Recording Electronic devices (DREs), computers that use a touch-screen or keypad interface and record ballots on a hard drive.

Many counties chose DREs. Not only did they fit in with the American love of the "new" and the digital technology boom, but DREs, it was argued, would avoid the perils of punch-card ballots: overvoting and undervoting. DRE software would reject any mistaken attempt to vote for two candidates for the same office, thus preventing overvoting. And, since the machines do not use paper, they would have no risk of "hanging chads" (the bits that adhere to ballot cards when voters don't completely punch out their selections), thus eliminating undervoting. Advocates also argued that the arrangement of candidate names in a big font on a bright screen would make the ballot easier to read than on a punch-card ballot. They also noted that counting votes would take less time than in many other voting systems, since the DRE operator merely dials into a central server and transfers ballots digitally in a matter of seconds. Once all the votes are in, the server instantly has the error-free results.

However, during the 2004 California primaries, DREs were put to the test throughout the state and failed. San Diego County was the most extreme case. One-third of the machines failed when the batteries powering the DREs ran out of juice the night before the election. When the DREs would not turn on the morning of the primaries, officials were a loss since they had no backup plan. It also turned out that many of the DRE manufacturers were "rejigging and patching their software without heed to the lengthy certification process prescribed by law."[a]

Optical scanning technology, the road not taken in voting technology reform, may actually be preferable to DREs. Researchers from Caltech and MIT tested all existing voting technology and discovered that optical scanning technology recorded votes correctly all but 1.6 percent of the time. Astonishingly, punch-card ballots and DREs both scored a 3 percent error-rate, meaning that counties that exchanged punch-cards for touch-screen systems spent a bunch of taxpayer money to miscount the same number of votes. However, optical scanning is not perfect; the researchers found "in Hawaii in 1998, 7 out of the 361 optical scanners failed to operate properly."[b]

As with any technology, however, it may simply take time for DREs to be perfected and for Americans to get used to them. In the meantime, if you use a punch-card ballot, check the back for hanging chads, and if you're an election official in charge of DREs, please check the batteries the night before the election!

[a]Andrew Gumbel, "Out of Touch," *Los Angeles City Beat* (April 29, 2004), http://www.lacitybeat.com/article.php?id=863&IssueNum=47.
[b]Caltech/MIT Voting Technology Project, "Residual Votes Attributable to Technology: An Assessment of the Reliability of Existing Voting Equipment," Version 2, March 30, 2001.

extremely liberal laws regarding mail-in votes, was also much later than the rest of the country in announcing its presidential and congressional winners.

The nation also lacks a standardized method by which votes should be recounted in close elections. Many reformers favor a national uniform ballot system for the entire country—every voting locale would use the same kind of ballot. A national ballot is highly unlikely, however. If the federal government mandates a ballot form, it would almost certainly have to pay for it, at a price tag of up to several billion dollars. In addition, there are over 41,000 voting localities in states and jurisdictions across the United States, electing hundreds of thousands of officials, making it extremely difficult to create a uniform type of ballot.

Another change likely to result from the chaos of the 2000 election addresses the technology of the ballot itself. America can look forward to the elimination of the "butterfly ballot," which featured prominently in the heavily contested county of Palm Beach, Florida. Although the ballot was approved for use, it gained national attention because of its confusing layout. After the debacle of ambiguously punched ballots, Americans can also expect to see fewer stylus punch-card ballots, a technologically

Participation
Democracy and the Internet

obsolete method of voting whereby voters use increasingly antiquated and faulty voting machines to stamp out a small bit of paper, or chad, to indicate their vote.

Many Americans believe that the federal government should assist states in updating outdated and faulty voting equipment. Some localities across the country use computerized touch-screen machines, which are expensive but much more secure and accurate than the older mechanical devices still in widespread use. An analysis of Florida's voting machines found that older, punch-card machines failed to indicate a vote for president on 1.5 percent of the ballots, while newer, optical-scanning machines failed on only 0.3 percent of the ballots. Additionally, older, error-ridden machines are commonly assigned to low-income and African American precincts, a practice that reintroduces a troublesome discriminatory dimension into the voting process. Indeed, prior to the 2002 midterm elections the Florida legislature undertook massive voting reforms, including banning punch-card ballots and investing $30 million in new touch-screen voting systems, with the individual counties spending tens of millions more. Unfortunately, the tragic scene of election 2000 was replayed in south Florida on September 12, 2002, as problems plagued the Democratic gubernatorial primary. Confusion abounded as voters and poll workers misused the expensive new machines. Election administrators had difficulty tabulating the electronic votes, leading to a week-long delay in naming an official winner. Florida was once again the electoral laughingstock of the nation, and everyone learned an important lesson: technology is not a panacea that will cure all election problems.

Updating election equipment and ensuring fair elections across the country should be a legislative priority, but emphasis must be placed on training poll workers, administrators, and voters how to effectively use the new equipment. As Charles M. Vest, the president of the Massachusetts Institute of Technology, said, "A nation that can send a man to the moon, that can put a reliable ATM machine on every corner, has no excuse not to deploy a reliable, affordable, easy-to-use voting system."

SUMMARY

THE EXPLOSION OF ELECTIONS we have experienced in over 200 years of voting has generated much good and some harm. But, all of it has been done, as Hamilton insisted, "on the solid basis of the consent of the people." In our efforts to explain the complex and multilayered U.S. electoral system, we covered these points in this chapter:

1. **The Purposes of Elections**
   Regular elections guarantee mass political action and governmental accountability. They also confer legitimacy on regimes better than any other method of change.

2. **Kinds of Elections**
   When it comes to elections, the United States has an embarrassment of riches. There are various types of primary elections in the country, as well as general elections, initiatives, referenda, and recall elections. In presidential elections, primaries are sometimes replaced by caucuses, in which party members choose a candidate in a closed meeting, but recent years have seen fewer caucuses and more primaries.

3. **Presidential Elections**
   Variety aside, no U.S. election can compare to the presidential contest. This spectacle, held every four years, brings together all the elements of politics and attracts the most ambitious and energetic politicians to the national stage.

4. **Congressional Elections**
   Many similar elements are present in different kinds of elections. Candidates, voters, issues, and television advertisements are constants. But, there are distinctive aspects of each kind of election as well. Compared with presidential elections, congressional elections are a different animal.

5. **Voting Behavior**
   Whether they are casting ballots in congressional or presidential elections, voters behave in certain distinct ways and exhibit unmistakable patterns to political scientists who study them.

6. **Reforming the Electoral Process**
   The American political system uses indirect electoral representation in the form of the Electoral College. Events of the 2000 election have renewed a long-standing debate over the legitimacy and efficacy of this institution and sparked controversial calls for change. Other suggested reforms are regional primaries and campaign finance limits. Some states have promoted new voting technologies to eliminate problems with punch-card ballots and protect against voter fraud.

KEY TERMS

closed primary, p. 463
critical election, p. 479
crossover voting, p. 463
elector, p. 473
Electoral College, p. 473
electorate, p. 461
front-loading, p. 469
general election, p. 464
gerrymandering p. 483
initiative, p. 465
mandate, p. 461
midterm election, p. 486
nonpartisan primary, p. 463
open primary, p. 463
party realignment, p. 479
primary election, p. 463
prospective judgment, p. 461
raiding, p. 463
referendum, p. 465
regional primary, p. 468
retrospective judgment, p. 461
runoff primary, p. 463
secular realignment, p. 481
superdelegate, p. 470
ticket-splitting, p. 502
turnout, p. 490
unit rule, p. 470

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WEB EXPLORATIONS

To select, evaluate, and debate upcoming referenda or initiatives currently under consideration in California, the "Referendum State," see
http://www.calvoter.org/

To see how presidential candidates presented themselves in the technology age of the 2004 race, see the official sites of some of the past, and possibly future, candidates.
http://www.johnkerry.com/
http://www.gop.com/

To learn about the functions of the Federal Election Commission, the government agency that monitors and enforces campaign finance and election laws, see
http://www.fec.gov/

To access the most up-to-date, high-quality data on voting, public opinion, and political participation, go to
http://www.gallup.com/

To learn more about the Electoral College, go to
http://www.fec.gov/pages/ecmenu2.htm

To learn more about candidates you have supported in the past or to familiarize yourself with other political candidates so you can make informed choices, go to
http://www.vote-smart.org/

To look at what voters said before going to the polls and whom they actually voted for, go to
http://www.pollingreport.com/