

Wayne, Chapter 9: Reforming the Electoral System

- I. Introduction:
 - A. Significant changes in the U.S. electoral system since the 1950s
 - B. Criticisms that justify further change or reform
 - C. Defenses that justify sticking with the status quo

- II. Modifying recent changes:
 - A. Party rules (selection of delegates to nominating conventions):
 1. Goals – open up process:
 - a. Grass-roots participation -- more primaries selecting pledged delegates
 - b. Equitable representation -- proportional voting
 2. Unintended consequences – weakened and divided parties:
 - a. Lengthened and made more costly the nomination stage of the election
 - b. Created premature closure of the nomination process by reducing the competitiveness of non-front-runners due to front-loading of the primaries/caucuses
 - c. Increased factionalism within both major parties
 - d. Aggravated polarization between the two major parties
 - e. Weakened both electoral and governing coalitions
 3. Proposed reforms – strengthen the parties:
 - a. Shorten the nomination process by:
 - (1) Limiting the primary/caucus season and moving it closer to the conventions & general election
 - (2) Cluster primaries and caucuses into:
 - (a) Four monthly regional primaries that rotate the calendar order (proposed by the National Association of Secretaries of State)
 - (b) Four monthly primaries based on state population with the smallest group scheduled first and the largest group last (the *Delaware plan*)
 - (c) One national primary with a simple majority or 40% plurality necessary to win; otherwise a national runoff between the top two candidates a week later
 - b. Reduce the number of pledged convention delegates and increase the number of unpledged and/or super-delegates
 - c. Divert federal campaign funding through the parties instead of giving funds directly to the candidates
 - B. Finance laws:
 1. Goals:
 - a. Reduce fat-cat & special-interest influence
 - b. Level playing field between candidates and between parties
 - c. Assure sufficient funds
 - d. Protect freedom of speech
 2. Unintended consequences:
 - a. Increased burdens on candidates -- record keeping & fund raising
 - b. New loopholes for fat-cat & special-interest contributors -- independent spending & soft-money contributions
 3. Proposed/adopted reforms (BCRA of 2002 limits soft money & independent spending):
 - a. Media use – free time and reduced rates
 - b. Individual & PAC contributions and spending
 - C. News media coverage:
 1. Rise of television:
 - a. Emphasis on *infotainment* in mainstream news media
 - b. Rise of fringe news media: *yellow journalism* (*tabloids & trash tv*)
 2. Impact of changes in:
 - a. Party rules
 - b. Finance laws
 3. Proposed/adopted reforms:
 - a. Coverage: information > infotainment
 - b. Watch-dog function
 - c. Limits on election-night projections

- III. Enhancing electoral choice:
 - A. Turnout reforms (who votes):
 1. Factors contributing to decline:

- a. Decline in partisan loyalty
 - b. Shift to candidate-centered campaigns
 - c. Growing cynicism in electorate
 - d. Weakening efficacy
2. Adopted/proposed reforms:
- a. Reducing legal obstacles
 - b. Imposing legally compulsory voting
 - c. Increase incentives to vote:
 - (1) Proportional representation
 - (2) Responsible parties
 - d. Better educated electorate

B. Electoral College reforms (how the votes are aggregated) pp. 320-28 & Tables 9-1 & 9-2 :

1. The automatic plan:
 - a. Definition: keep Electoral College -- but eliminate electors
 - b. Justification: eliminate “faithless” electors
 - c. Problem: too minor a problem (only a handful since 1948) to require a Constitutional amendment
2. The proportional plan:
 - a. Definition: keep Electoral College -- but replace statewide winner-take-all with statewide proportional translation of popular votes into electoral votes
 - b. Justification:
 - (1) Makes all popular votes count – not just those cast for the electoral-vote winner
 - (2) Increases turnout
 - (3) Removes “urban” bias in presidential elections enjoyed by *cohesive & geographically concentrated voting blocs in competitive, large-electoral-vote states* – blacks, Catholics, Hispanics, and Jews
 - (4) Eliminates any chance of the popular vote winner being the electoral vote loser (e.g., 1888 and 2000)
 - c. Problems:
 - (1) *Greatly* decreases likelihood of electoral vote majority (e.g., 1968, 76, 92, & 96)
 - (2) Increases chances of 3rd-party candidate acting as king-maker in Electoral College balloting
 - (3) Increases chances of opposition-party mischief in House voting (e.g., 1824)
 - (4) Doesn’t correct “rural” bias enjoyed by WASPs in Senate apportionment
3. The district plan:
 - a. Definition: keep Electoral College -- but use the Maine and Nebraska system of translating popular votes into electoral votes (2 statewide, the remainder by Congressional district)
 - b. Justification:
 - (1) Makes all popular votes count – not just those cast for the electoral-vote winner
 - (2) Increases turnout
 - (3) Removes “urban” bias in presidential elections enjoyed by *cohesive & geographically concentrated voting blocs in competitive, large-electoral-vote states* – blacks, Catholics, Hispanics, and Jews
 - (4) Greatly reduces the chance of the popular vote winner being the electoral vote loser (e.g., 1888, 2000)
 - c. Problems:
 - (1) *Somewhat* decreases likelihood of electoral vote majority (e.g., 1976 tie)
 - (2) Increases chances of 3rd-party candidate acting as king-maker in Electoral College balloting
 - (3) Increases chances of opposition-party mischief in House voting (e.g., 1824)
 - (4) Doesn’t correct “rural” bias enjoyed by WASPs in Senate apportionment
4. The direct-election plan:
 - a. Definition: eliminate the Electoral College and substitute a nationwide popular vote requirement of 40 or 50% with a runoff between the top two vote-getters, if needed
 - b. Justification:
 - (1) Most popular option with public
 - (2) Makes all popular votes count – not just those cast for the electoral-vote winner
 - (3) Increases turnout
 - (4) Removes “urban” bias in presidential elections enjoyed by *cohesive & geographically concentrated voting blocs in competitive, large-electoral-vote states* – blacks, Catholics, Hispanics, and Jews
 - (5) Eliminates any chance of the popular vote winner being the electoral vote loser (e.g., 1888)
 - (6) Eliminates House selection of president
 - (7) Eliminates “faithless” elector problem
 - c. Problems:
 - (1) Doesn’t eliminate plurality presidents if margin set at 40-50% (e.g., 1960, 68, 92, 96)
 - (2) Encourages “spoiler” candidates to run in the first election in order to cause a runoff that would allow them to broker their support to the highest bidder
 - (3) Runoffs create problems of delay and cost and shorten transition time for winner
 - (4) Doesn’t correct “rural” bias enjoyed by WASPs in Senate apportionment