Electoral College? Our Ballots Should Matter More

By TOM CONDON
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Well, we're down to the wire in a presidential campaign. Have you seen a major party candidate in person?

Probably not, because other than a couple of quick fundraising drive-bys, Sens. Obama and McCain have been elsewhere. Thank the Electoral College.

Every four years, we drag this anachronism out of the basement, blow the dust off it and use it to elect the president. Reformers pull muscles pointing out its flaws. It can make a loser a winner! It may be the only American political institution that's never been copied. It isn't what the Founders had in mind.

Efforts to change the system have passed both houses of Congress, but not in the same year, hence to no avail. So, as a rule, we hold our nose, wait for the results and hope for no hanging chads.

Should the system be changed, and is there a realistic way of changing it?

I went to a recent one-day conference at MIT in Cambridge on the Electoral College. The gathering featured a dozen leading constitutional lawyers, statisticians and political scientists who've studied the electoral system.

The system has ardent and articulate defenders, such as Dr. Judith Best of SUNY-Cortland. She said the system, whatever its imperfections, works. It is the devil we got. It is supposed to produce a president who can govern, and does.

Being based in the states, the system retains the federal principles that mitigate against tyranny of the majority. To abandon it for a national popular vote system could lead to recounts in every state, Florida times 50, and could lead to the formation of so many splinter parties that effective government would be lost, supporters say.

And implementing a national vote would be daunting, when some states allow voting by mail, some allow 17-year-olds to vote, some don't allow ex-felons to vote, etc.

On the other hand, the 2000 election was the fourth time in our history that the winner of the popular vote was denied victory by the Electoral College. There have been plenty of near-misses, as well. A shift of 60,000 votes in Ohio in 2004 would have given the election to John Kerry, who lost the popular vote to George W. Bush by 3.5 million votes. Elections are supposed to express the will of the majority, not the minority.

Perhaps the greater problem with the current system is the winner-take-all rule used in 48 states and the District of Columbia. In all states except Maine and Nebraska, the candidate who wins the state's popular vote gets all of the state's electoral votes. So if a candidate is assured of winning, say, 60 percent of the popular vote in a particular state, the campaign is effectively over. He or she will get all of the state's electoral votes. There's no point in trying to get more popular votes, because winning by 61 percent or more makes no difference. Nor is there any benefit to the losing candidate in shrinking the margin of defeat. It's all or nothing.

What almost always happens is that both candidates put their money and time into 16 or 17 battleground states. According to the FairVote organization, 99 percent of the campaign...
advertising money in the 2004 presidential election was spent in 17 states, and 92 percent of the campaign visits were in only 16 states.

Since there is no incentive to campaign in states such as Connecticut, we are, if not actually disenfranchised, made secondary voters, the wallflower electorate. The incentive to vote is diminished. Face it, we don't have as much fun.

The more serious problem is that political promises are made in battleground states that aren't made elsewhere. Problems of corn farmers in Iowa or sugar producers in Florida get more attention than whatever people in New York, California, Texas or Illinois — four states that are home to 31 percent of the nation's population — are worried about. This distorts public policy.

There are plenty of ways to change the system, one of which is underway. The "National Popular Vote" plan creates a compact. All of the states that join agree to give their electoral votes to the candidate who receives the most popular votes in all 50 states and the District of Columbia. The compact only kicks in when enacted by states possessing a majority of the electoral votes — 270 of 538, enough to elect a president. The bill has passed in four states, and will be proposed in more than 40 others next year, including Connecticut.

Critics don't see it being approved in enough states, but it could be the spur that triggers reform. The trick would be to keep the putative strengths of the present system while eliminating its worst points. Two management professors, Arnold Barnett of MIT and Edward H. Kaplan of Yale, propose an intriguing solution called "Weighted Vote Share," essentially a weighted average of the popular vote.

Stay with me, it involves a little bit of math.

Each state now gets one electoral vote for each member of Congress, with Washington, D.C. getting three electoral votes, for a total of 538. Barnett and Kaplan use each state's number of electoral votes as the numerator in a fraction with 538 as the denominator. Connecticut, with seven electoral votes, would be 7/538, or 1.13 percent. They then multiply that percentage times the percentage of votes each candidate receives in the state. If, say, Sen. Obama receives 55 percent of the vote, multiply .013 times .55, and the state would be contributing .715 percent, or slightly less than 1 percent, to his total. Do the same thing with Sen. McCain's hypothetical 45 percent, and that contributes to his total.

Add up the totals from each state, and you have a winner.

There are benefits aplenty. There would be an incentive to campaign in large states, because gaining a few points in, say, California would mean something. Small states could actually increase the advantage they have under the current system, because they tend to vote more lopsidedly than the country as a whole.

The Barnett/Kaplan approach comes very close to replicating the national popular vote, yet retains a federal structure. Instead of having the election hanging in the balance for 34 days in 2000 because of the Florida fiasco, this system would have treated the Sunshine State as a virtual tie and looked at the national weighted percentages for a winner.

Are there downsides? Sure. Inertia is a powerful force in public policy. Swing states might not like sharing the wealth, so to speak. The system might seem confusing (though weighted averages are used regularly by teachers). But as Barnett told the conference, with American kids falling behind their counterparts across the world in math, it might not be a bad idea to introduce a slightly higher level of quantitative analysis to a national issue.

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