

**Reaching Collective Judgment about the  
Electoral College and Its Alternatives**

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## Reaching Collective Judgment about the Electoral College and Its Alternatives

Should the Electoral College be reformed? Should it be abolished? And is the discipline of political science capable of rendering an informed and fairly consensual collective judgment on these matters? This paper summarizes the results of an effort by 37 political scientists to evaluate the Electoral College and six alternatives to it as methods for aggregating the votes of individual citizens into a collective choice determining the winner of Presidential elections.

### Defining the Electoral College and Alternatives to It

The Electoral College system, of course, has many aspects and has evolved in ways that make its contemporary practice quite different from that envisioned by the founding fathers (Longley and Peirce, 2000). To focus attention on its most controversial aspects, the current Electoral College can be described as a method of choosing the American president that involves aggregating votes in two stages. The first stage comprises popular elections in each of the 50 states and Washington, D.C. Except for Maine and Nebraska (whose formal provisions are those of the district plan discussed below), the candidate getting a popular plurality in each state wins all of the electoral votes of the state. (Each state receives the same number of electors that it has Senators and members of the House of Representatives, resulting in a total of 538 electoral votes.) The second stage consists of a national count of the electoral votes won by candidates in each state. If one candidate gets 270 (or a majority) of the electors in the College, that individual becomes President. Complications arise if some electors become "rogue electors" and cast their electoral votes for someone other than the popular winner of

their state or if no candidate gets a majority of electoral votes, in which case a "House Contingency" election is constitutionally required. Such complications have not affected the outcomes of presidential elections since 1824. Consequently, evaluations of the Electoral College usually focus on two problems. First, supporters of candidates other than the winning candidate within states are denied representation due to the winner-take-all feature of the first phase of the Electoral College system. Second, the aggregation of votes in the second stage can give a majority of electoral votes to a candidate who failed to get the most popular votes nationally. These problems have led to proposals that the Electoral College be reformed or abandoned in any of six main ways.

The District Plan. One reform would have other states adopt the district plan employed in Maine since 1972 and in Nebraska since 1992. If this plan were adopted nationally, each state would have popular elections resolved by plurality rule in each congressional district, as well as a statewide popular election decided by plurality rule. The winner of the popular vote in each district would get one electoral vote, and the winner of the state-wide popular vote would receive two such votes (corresponding to the electoral votes provided each state because of its Senatorial representation). By abolishing the unit rule, or winner-take-all aspect of the current system, this reform is thought to make the Electoral College more representative. Under the district plan, those voters in the minority throughout a state could be given representation in the Electoral College by winning a plurality within a district. It is estimated that the district plan would have led to a Bush victory over Gore, 288 to 250, in the 2000 election.<sup>1</sup>

Proportional Allocation. A related reform would also eliminate the unit rule for states and enhance representation of voters in a minority throughout the state, but it would ignore congressional districts and allocate electors proportionately to the votes a candidate received in each state. There are many proportional allocation schemes that provide alternative methods of dealing with "the rounding problem" and fractions. Rather than evaluate all proportional allocation schemes, it is sufficient to consider a system in which electors would be allocated in proportion to popular votes received

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<sup>1</sup> See Clark Bensen, "Presidential Election 2000 Congressional District Preliminary Study," at [www.polidata.org](http://www.polidata.org).

throughout the state with rounding decisions favoring the candidate(s) with the largest number of votes.

This rule would not have been sufficient to clarify the presidential winner in 2000. If we allocated votes by rounding to the whole elector in favor of the candidate with the most votes within each state, Bush would have defeated Gore, 271 to 264, with Nader getting three electoral votes. Rounding to the tenth of an elector, always favoring the candidate with the most votes in a state, the electoral vote tally would have been Bush 260.9, Gore 259.1, and Nader 13.8,<sup>2</sup> and the House would have named the president.<sup>3</sup>

The National Bonus Plan. Unlike the first two reforms, this recasting of the Electoral College would retain the winner-take-all provisions adopted by most states. There would still be 538 electors casting ballots on the basis of popular elections in the 50 states and the District, but there would also be a national popular contest. The winner of the national popular vote on election day would get all 102 bonus electors, which would be almost one-third of the 321 electoral votes needed to get a majority of the 640 electoral votes in the expanded College (Keefe, 1978). Like the district and proportional allocation plans, this scheme seeks to democratize the Electoral College, but its conception of democracy focuses less on representation of diverse interests and more on achieving popular sovereignty. By winning the popular vote, Gore would have accumulated 368 electors, for a decisive victory in the 2000 election.

A more direct approach to achieving popular sovereignty in the election of the President is simply to abolish the Electoral College and adopt a national popular vote. If the fundamental flaw of the Electoral College is the possible mismatch between the popular vote and the electoral vote, then the obvious solution is to abolish the Electoral College in favor of some scheme of counting popular votes. Three popular voting schemes for aggregating votes throughout the nation have been most prominent.

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<sup>2</sup> Other candidates would have 4.2 electoral votes.

<sup>3</sup> The more complicated d'Hondt system of proportional representation -- favored by many students of comparative electoral systems -- would have Gore receiving 268 electoral votes and Bush receiving 267 electoral votes. Here too the issue would have to be resolved in the House.

A National Popular Vote with Plurality Rule. Under the "popular-plurality" system, citizens throughout the country would cast their ballots for one candidate (and a running mate), and the candidate with the most votes wins. Just as county borders are irrelevant when states choose their governors through elections with plurality rule, state borders would be irrelevant to our national presidential election. With a margin of about 540,000 in the popular vote, Gore would have won had this system been in place in 2000. Of course, this assumes that nothing would have changed under the popular plurality system. But, many other changes -- such as more extensive array of candidates on the ballot -- could accompany adoption of this electoral rule, and outcomes cannot be easily predicted.

A National Popular Vote with a Majority Rule. One criticism of conducting popular votes with the plurality rule is that a proliferation of candidates could lead citizens to scatter their votes widely. The highest vote-getter could win despite receiving only a small percentage of the vote. This has led some reformers to suggest that a runoff election be held between the top two vote-getters if neither receives a certain percentage of the vote. Typically, 40 or 45 percent is proposed as the necessary threshold.<sup>4</sup> A national popular vote with a majority rule -- the "popular-majority system" -- is a variant of such a reform proposal. Here voters would again cast a single vote for any candidate in a presidential election, but if no candidate received a majority (50 percent plus one) in the initial balloting, a second election, limited to the top two vote-getters, would be held in about a month. As an alternative to the Electoral College, it is useful to analyze a popular-majoritarian system having a 50 percent threshold for an initial election because of the importance of "majority rule" in democratic theory and because, for analytical purposes, this threshold clearly differentiates this proposal from the plurality proposal.

On seventeen occasions in American history, no candidate won a majority of the popular vote, so run-off elections would probably be common under this procedure. Since neither Gore nor Bush had a majority of the popular vote in 2000, they would have competed directly against each other in a runoff. Nader voters might have switched to

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<sup>4</sup> For example, in 1969 the House approved a Constitutional amendment for a direct popular vote that called for a run-off between the top two vote-getters if no one secured 40 percent of the vote.

Gore in the runoff, leading to his ultimate victory, but such a prediction is highly problematic. We cannot know which candidates and parties that would have emerged if this system were in place, or what deals would have been cut between the leading and defeated candidates under this system.

A National Popular Vote with Majority Rule in an Instant Runoff. This variant on the above popular majoritarian proposal -- known as the "single-transferable vote" or "alternative vote" method in the comparative electoral systems literature -- may have sufficiently distinct implications to merit consideration as a separate proposal.<sup>5</sup> Under this method, voters would be asked during a single election to rank-order their presidential preferences, rather than simply to indicate their first choice. Most instant run-off proposals allow voters to indicate their first, second, and third choices. The top choices of all voters are initially counted, and if one candidate gets a majority, he or she wins. But if no one gets a majority, computer technology "instantly" recalculates the results in the following manner. The candidate getting the fewest first-place votes would be dropped from consideration, and that candidate's votes would go to the second-ranked candidate. If this reassignment of votes did not result in one candidate receiving a majority, the process would be repeated. The candidate with the next lowest first-place votes would be eliminated, and the votes for that candidate would be transferred to the second (or third) ranked candidate on ballots cast for the eliminated candidate(s). This process would be repeated until one candidate achieved a majority.

Proponents of this method claim that it enables voters to express their genuine preferences for candidates who emphasize causes and issues that they strongly support but who have little chance of winning. Enabling voters to indicate their second choice, which is counted if their first choice is eliminated, allows citizens to avoid the dilemma of being a "sincere" voter (who casts her ballot for her top choice) or a "sophisticated" voter (who decides not to "waste her vote" on a losing cause and rather votes for the "lesser of two evils" among the main candidates). Since voters did not cast rank-order

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<sup>5</sup> The Center for Voting and Democracy has been the most vocal proponent of this method. Their proposal -- which includes a number of electoral reforms as a "Voters Bill of Rights" -- is discussed at [www.fairvote.org](http://www.fairvote.org). They note that the method is used to elect members of the House of Representatives in Australia, the mayor of London, and the President of the American Political Science Association.

ballots in the 2000 election, we don't know which candidate would have prevailed had this system been in place.

### **Evaluating Presidential Electoral System**

According to Walter Berns (1997: 37-38) there are two basic ways of evaluating alternative electoral systems: a deductive approach and an inductive approach. In a deductive approach, analysts begin with *a priori* principles (e.g., achieving an outcome consistent with "the will of the people," having votes count equally, having counting systems that meet logical criteria for fairness, etc.) and then use deduction to determine which alternative best satisfies the agreed upon criteria. Public choice theorists have evaluated electoral systems in this way and have reached two important conclusions. First, they have demonstrated that "the will of the people" – the criteria most cited by opponents of the Electoral College – is vacuous, because the outcome preferred by most citizens can only be determined by counting up votes. Since different methods of counting votes can lead to different outcomes, at least when voters are fairly evenly divided, there is no independent measure of the will of the people against which one can assess alternative methods of aggregating votes (Riker, 1981: 249). Second, public choice theorists have concluded that "no one method satisfies all the conditions of fairness that have been proposed as reasonable and just. Every method satisfies some and violates others" (Riker, 1981: 65). This suggests the need to evaluate the Electoral College using a second approach.

An inductive approach involves inquiring into broader political outcomes and likely implications of different systems. How does the Electoral College affect the working of the American political system? And how would various reforms and alternatives to the Electoral College alter the operation of our political system? From this analytical perspective, an alternative to the Electoral College may offer significant improvements to political life, even though these systems cannot base their desirability on consistency with an *a priori* principle like ensuring the election of presidents who reflect "the will of the people."

Because electoral reforms may have some consequences that seem desirable, other consequences that seem undesirable, and still other consequences that provoke different

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judgments among people holding different values, such analysis is not likely to produce a consensual evaluation. Nevertheless, analysis about the consequences or implications of the Electoral College and its alternatives can allow for better judgments about these questions because it can establish that some feared consequences either have little basis in fact or theory or that they would be relatively inconsequential. Conversely, substantial consequences can be identified. Judgments based on such deliberations about consequences may be the best sort of understanding that can be provided when assessing the Electoral College.

To be adequate, an inductive analysis of the Electoral College and its alternatives must not omit consideration of potentially important consequences, so it is important to adopt a broad analytical framework. Many arguments for retaining the Electoral College are narrow, in that they stress the importance of a particular beneficial consequence that the system is thought to produce. For example, the Electoral College is defended because it requires candidates to "win states in more than one region of the country," thus forcing them to "build cross-national political coalitions" that enhance their ability to govern because of their broad cross-national support (Best, 1997: 24-29). Many arguments for reform are also narrow, stressing a particular change that might result from a given reform. For instance, the Center for Voting and Democracy claims that electing the president by a popular national vote with an instant run-off would encourage third parties to prosper without given them the role of spoilers. Such single-implication arguments are important, but not decisive, because they must be assessed along with other potentially important consequences of these electoral schemes. Thus, an inductive evaluation of the Electoral College must give due consideration to broad categories of potential consequences.

### **The Electoral College Evaluation Project**

These considerations led to the creation of an "Electoral College Evaluation Project" comprised of political scientists whose expertise facilitates assessing the most important consequences and implications of our using the Electoral College and each of the six alternatives listed above. Nine groups were formed comprised of three to five (normally four) persons having expertise in the following areas:



- political theory, in order to consider the intentions of the founding fathers, the historical evolution of the Electoral College, and the democratic principles at stake in various electoral systems;
- intergovernmental relations, in order to consider how the Electoral College and its alternatives (would) affect American federalism;
- national governmental institutions, in order to consider how the Electoral College and its alternatives affect the legitimacy of the President and the ability of the President to work with Congress in providing effective governance;
- parties and interest groups, in order to consider how the Electoral College and its reform affect our two-party system, and the role of parties and interest groups in Presidential elections;
- campaign strategy and organizations, in order to consider how the Electoral College influences how campaigns allocate their resources and how reforms might alter their organization and behavior;
- the media, in order to consider how the Electoral College system influences how campaigns and elections are communicated to the public and whether electoral reform would alter how newspapers and television cover campaigns;
- citizen participation, in order to consider whether voting turnout is affected by the Electoral College and whether alternative electoral methods might increase citizen involvement in politics in a manner leading to more effective and democratic government;
- political and social stability, in order to consider whether the Electoral College heightens or curtails various threats to the stability of the American political system, or whether alternative electoral systems might reduce such destabilizing factors as the accession of extremist candidates to office and attaining office through electoral fraud;
- social cleavages, in order to consider whether the Electoral College enhances or reduces the influence of minority groups and lower-income voters and whether some alternative electoral system would better ensure an important role for relatively disadvantaged citizens in the selection of the president.

The 37 political scientists selected as members of these groups are not a random sample of the profession. We began by discussing the project with colleagues at the University of Kansas and some of our acquaintances at other universities who we

considered knowledgeable about these issues. They, in turn, recommended others whose work seemed relevant to the topic. In making selections, we sought to avoid those who had participated in previous debates about the Electoral College and whose position on the issue seemed clearly entrenched.<sup>6</sup> Like most Americans, our contributors began the project with opinions about the Electoral College and various alternatives to it. In a preliminary expression of these opinions, retaining the Electoral College, reforming it in some manner, and abolishing it each received substantial numbers of "approval votes" from the participants in the project.<sup>7</sup> Each of the reforms that we shall consider was the first choice of at least one of the 37 participants, and at least a quarter of the participants thought they could support each alternative. In short, our analysis did not begin with people united in their commitment to a particular position.

Each group was charged with engaging in email conversations in which they would identify the issues relevant to their topical area that are affected by the Electoral College system and that might be at stake in electoral reform. Each group was asked to consider some of the possible implications of reform, bring theories and research from their field to bear on making inferences about the consequences of reform, and write a chapter summarizing their conclusions. These chapters are central to our forthcoming book, *Choosing a President: The Electoral College and Beyond* (Chatham House, 2001).

To reach a collective judgment about the Electoral College, we circulated executive summaries of these chapters, and voted. Our votes were thus informed by extensive deliberations about the implications of electoral reform, as provided by our disciplinary expertise. As a result of our final votes and the deliberations that preceded these votes,

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<sup>6</sup> It turned out that eight of our participants have previously written on the Electoral College. For the most part, their writings can be described as descriptive and explanatory, rather than prescriptive and evaluative. Those who previously had written on the College were evenly divided in their attitudes about it.

<sup>7</sup> Approval voting allows people to support more than one alternative. Thus, many participants said through their ballots that they could support either the existing system, some modification of it, or replacing it with some form of national popular vote. Maintaining the current system was initially approved by 63 percent of the participants, but an equal number approved at least one method of significantly modifying that system. And almost half the participants indicated that they could approve an electoral system that abolished the Electoral College.

we can indicate the degree to which we support or oppose alternative electoral systems and explain the basis for our views.

### Counting Our Votes

One method for reaching a collective decision that is prominent in the discipline of political science, though seldom used elsewhere, is the approval ballot (Brams and Fishburn, 1983). Rather than forcing voters to choose among various alternatives, approval balloting allows participants to vote for each option that they approve of it, while rejecting all others. When our participants cast such approval ballots, the results were as follows:

Electoral College	24
Popular-Plurality	16
Proportional Allocation	14
Instant Runoff	13
District Plan	12
Bonus Plan	11
Popular-Majority	8

Approval balloting shows that the Electoral College is our most widely-supported electoral system. As the only system supported by the majority of us, it appears to be the best system available for electing our president, in our collective judgement.

Nevertheless, 13 of us disapprove of the Electoral College, and there is considerable support for the various alternatives as well.

While approval voting has many virtues, it is not a definitive method for achieving a collective decision. One difficulty with approval voting is that it does not take into consideration *the degree* to which participants approve or disapprove of particular options.<sup>8</sup> Thus, it is important to consider electoral methods that take into account each voter's rank-ordering of options. Table 1 summarizes our rank-orderings among the

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<sup>8</sup> A related problem with approval voting is that some voters may adopt a generous conception of approval (i.e., "I guess I can live with this alternative") while others may adopt a more narrow conception (i.e., "I disapprove of this alternative in the sense that while I can accept it -- I much prefer higher ranked alternatives"). Thus, the results of approval voting can under-estimate support for those alternatives that have received "disapproval ballots" for strategic reasons.

**Table 1**

**Ranking the Electoral College and Alternatives to It:**

**The Votes of 37 Project Participants\***

Assigned Rank	Electoral College	District Plan	Proportional Allocation	Bonus Plan	Popular-Plurality	Popular-Majority	Instant Runoff
First	15	5	2	2	8	3	2
Second	6	7	4	7	6	3	4
Third	6	3	13	5	3	2	5
Fourth	2	5	5	9	3	6	6
Fifth	3	2	7	2	7	8	6
Sixth	1	8	2	8	6	11	6
Last	4	7	4	4	4	4	8
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Borda Count	102	155	144	153	140	173	171

\* This tables shows how many participants ranked each system as best (first), second best, and so forth. A few participants ranked their three (or, in one case, four ) least preferred alternatives as tied for last. Such ties in rankings were assigned the score of "sixth" in this table and the score of "6" in calculating the Borda Count.

seven systems considered here. The first row reports the number of first-choice votes for each system. The second row reports the number of second-choice votes for each system, and so forth. These data can be used to reach a collective decision using "the Borda Count" method (Saari, 1994).

-- Table 1 goes here --

The Borda Count, reported in the last row of Table 1, takes fully into account the rank-ordered preferences of each participant, summing up these rank-ordered preferences to reach the collective judgment. So the smaller an option's Borda Count, the more highly is its rank in a collective judgment. Again, the Electoral College is indicated as our collective choice, with the popular-plurality and the proportional allocation systems again emerging as the highest regarded alternatives.

The rank ordering of our preferences enables us to calculate our collective choice in other ways as well. In *Choosing a President*, we report being unable to find any method that results in some alternative defeating the Electoral College as our collective choice among electoral systems. For example, simply counting first-place votes, as is done in a popular-plurality system, shows our winner to be the Electoral College, as it got 15 first-place votes among project participants compared to eight first place votes for the popular-plurality system, which came in second. It also turns out that the Electoral College is "our Condorcet winner" as it beats each of the alternatives in head-to-head competition, by margins exceeding 2-1. Such results point to a basic truth: when one alternative has much more support than any other option, it really doesn't matter what electoral system is adopted. Only when communities are strongly divided does the method of counting votes make a difference (Levin and Nalebuff, 1995).

Project participants were much more divided about what is the best alternative to the Electoral College. As in the public at large, most political scientists prefer another system to the Electoral College, but the multiplicity of alternatives create divisions among those who would challenge the existing system and prevent focusing enough energy to mount a successful challenge to the Electoral College.<sup>9</sup>

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<sup>9</sup> National public opinion polls often produce a contrived consensus behind an alternative by simply asking respondents if they prefer a national popular election rather than the Electoral College, ignoring both the variations within popular voting schemes and the reforms of the Electoral College that are possible alternatives to it.

Opponents of the Electoral College may look at the results thus far and say that the best alternative to rally around – at least in the collective judgment of political scientists – is the popular-plurality system. It did come in second to the Electoral College in both our approval votes and in the Borda count, and thus seems preferred by us to the other five alternatives. But the popular-plurality method was not a clear Condorcet winner when we made pairwise comparisons between it and the other alternatives. In head-to-head competition, it did defeat the district plan, the popular-majority system, the bonus plan, and the instant-runoff, but it lost to the proportional allocation plan (18-19).<sup>10</sup> The important point is that the popular-plurality system, which seemed to be the leading alternative, is not thought the better choice by most of us when we make head-to-head comparisons between it and the proportional allocation plan.

In short, we cannot provide a collective choice among alternatives to the Electoral College. We suspect that our deadlock on this issue reflects the broader division and uncertainty that exists among political activists concerning the challengers to the Electoral College. As in the country as a whole, most of us do not regard the Electoral College as the best system of selecting a president, but we are far from agreeing on a replacement. Failing such agreement, the Electoral College remains an acceptable status quo.

### Qualitative Assessments

Voting provides the sort of quantitative assessment about our collective judgments that cannot be ignored. But the primary purpose of our project was to make qualitative assessments that are the real basis for making both individual and collective judgments about political matters. In the next section, we summarize our assessments of the Electoral College. Because proportional allocation is our most supported reform of the Electoral College, and because the popular-plurality system is the most supported system if the Electoral College were to be abolished, we also provide our qualitative assessments of those systems here. Our assessments of the other alternatives can be found in *Choosing a President*.

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The Electoral College. The case for the Electoral College begins with the recognition that it was part and parcel of the U.S. Constitution, our most basic social contract for governing. More than any other constitutional feature, it has survived numerous challenges and has provided the basic rules for selecting presidents for more than two centuries. Successful candidates under its rules have won the authority of the office and sufficient legitimacy, from both the public and from political elites, to govern. Only the 1860 presidential election arrived at an outcome that seriously threatened the stability of our social and political systems, but we doubt that any electoral system could have prevented the civil war that followed Lincoln's victory.

The Electoral College meshes with the underlying principles of the constitution: federalism and the separation of powers. Its most basic federal feature is its allocation of electors. By distributing 436 electors to the states (and the District) on the basis of their populations, it gives great weight to the idea that we are a nation of individual citizens, who should all count equally in holding our presidents accountable through their votes. By allocating 102 electors to the states (and the District) simply because they are states, it also recognizes that we are a nation of states, each of which should also count equally in the presidential election process. Arguments that the Electoral College is unfair in giving more value to the votes of citizens of small states are therefore problematic because they assume that we are simply a nation of individual citizens. We are also a nation of states, each of which has a role to play in the process of electing the most powerful national authority. By giving states qua states this role, presidents and presidential candidates have incentives to be attentive to the interests and rights of states. Given the federal component to the Electoral College, it is entirely appropriate that the states determine how they select their electors. Thus, if some states want to adopt the district plan or the proportional allocation of electors, that is their right.

Developed as an alternative to the congressional selection of the executive, the Electoral College is also consistent with the principle of the separation of powers. Having the legislature select the executive is a key feature of an alternative form of government, the parliamentary system, which integrates the workings of the executive and legislature.

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<sup>10</sup> The proportional allocation plan is not the Condorcet winner among the alternatives, however, as it only ties the district plan (18-18, with one participant abstaining because he ranked the two systems equally).

But the American preference has been for a government that divides power so that interests dominant in one institution can be checked if they pursue policies harmful to those interests better represented in other institutions. The Electoral College system provides a way of electing the president that has developed as independent of the legislature, and the dormancy of the House contingency procedure has enhanced the separation-of-power principle in our government.

But the separation of powers can make governance difficult. Effective governance occurs when there is considerable consensus on policy goals and when opposing interests lack the capacity to cause stalemate. The chief barrier to effective governance is a proliferation of parties, each representing distinct interests and having considerable influence within governmental institutions. Governance is most effective when one party controls both the presidency and Congress and can claim widespread support for its policies. Governance is more difficult when different parties control the presidency and the Congress, but if both parties are relatively pragmatic and centrist, they can still govern effectively. Governance is most difficult when control over institutions is fragmented among multiple parties, each representing narrow interests and/or uncompromising ideologies. The Electoral College helps prevent this situation because it promotes a two-party system in which both Democrats and Republicans have strong incentives to be centrist and pragmatic. Although the Electoral College was created before the development of political parties, our two-party system has been nurtured by the Twelfth Amendment and the practice of allocating electoral votes on a winner-take-all basis to the candidate with the most popular votes within each state. The Electoral College limits the role of third parties that would fragment government and diminish effective governance.

Two major criticisms have been leveled against the Electoral College, but both are problematic. The first is that the Electoral College thwarts representation of the country's extensive diversity. By enhancing the role of the two centrist parties, it diminishes the opportunities for citizens who support the goals of third parties to effectively express their preferences at the ballot box. Because of the unit rule, supporters of the weaker party within noncompetitive states go completely unrepresented in the second stage of the current Electoral College. This may be problematic, but such representation is not very germane to presidential elections. Under the American system, the executive is not a



institution for the representation of diversity. The President should govern by pursuing policies that reflect the concerns of "the median voter." The president creates and oversees an administration occupied by those who generally share the president's policy goals. Congress is better suited to represent diverse interests, and we might want an electoral system that produces a more representative Congress. But having third parties (and minority parties in one-party dominant states) play a greater role in the selection of the president will not overcome the fact the president is one person, and our best hope is that he or she will represent most Americans by pursuing a mainstream policy agenda that addresses as many of their concerns as possible. The rules of the Electoral College help elect such mainstream candidates and make unlikely the election of extremist presidents having both intense minority support and widespread opposition.

The second, more frequent criticism of the Electoral College is that it is undemocratic as it can distort the public will. The 2000 election reminds us that the winner of the popular vote may not triumph in the Electoral College. Still, this criticism is problematic because it misunderstands democracy and has an oversimplified conception of "the public will."

The "undemocratic" criticism fails in part because the founders did not intend the Electoral College as a device to thwart democratic majorities. They made no provisions preventing states from using popular elections to determine electors, and for almost 150 years all states have employed this procedure. The Electoral College was designed to encourage widespread or supra-majoritarian support for presidents. Today, however, the Electoral College permits popular pluralities to determine the winners of statewide contests and requires candidates to gain the votes of a majority of democratically-elected electors to win the presidency.

Whatever the criteria for a democratic process, producing "outcomes consistent with the public will" is not among them (Dahl, 1989: 106-118). Democracy does require popular sovereignty, which means that, because citizens have control over government, they consent to be governed by it. Popular elections are the means by which citizens control government, but there are many kinds of elections, including our electoral college approach. Most electoral systems are probably capable of controlling office-holders, letting citizens oust those who are corrupt, incompetent, or out of synch with predominant aspirations of citizens. Because no one set of election rules is clearly best,

the critical issue for democracy is that agreement exists on electoral rules, which are then consistently followed.

Popular elections under both plurality and majoritarian rules are often viewed as the preferred electoral format because they are said to lead to outcomes consistent with the public will. But public choice theorists have demonstrated that the concept of a "public will" is often vacuous, a mere abstraction intended to signify what most members of the public want, but is impossible to operationalize precisely. As demonstrated in our discussion of the leading alternatives to the Electoral College above, if voter preferences are fairly closely split among several options, the method of aggregating individual choices will influence which alternative appears to be the top collective choice, or so-called "public will." In short, we can reach different understandings of "the public will" depending on the method used to count votes. If the popular-plurality method yields a different outcome than the popular-majoritarian method, which outcome is consistent with the public will? The answer is that there is simply no "true public will," at least in close elections.

Moreover, in close elections, three practical matters prevent knowing "the public will" by just counting the ballots. First, nonvoters may have different preferences than voters. If the extent of voter turnout influences who wins -- a basic notion accepted by most candidates -- then election results can at best tell us the will of the voters, not of the public. Second, counting errors approaching one percent or more can and do occur through both mechanical and human processes. Thus, our conception of "the public will" in close elections can be distorted by the sort of problems that occurred in Florida. Third, electoral fraud does exist, and such fraud can yield results that distort the public will. In short, in any close election we cannot know the public will and should not fool ourselves that a popular vote will inform us what it is.

Nevertheless, accurate vote totals are important. In a democracy, electoral rules must be followed, and all fair electoral systems have rules that outlaw fraud and procedures that minimize counting errors. Given its decentralized nature, the Electoral College effectively minimizes incentives for fraud and helps discover instances of fraud and counting error. Under the Electoral College system, most states produce sufficiently decisive outcomes to render irrelevant questions of fraudulent or miscounted ballots.

Efforts to correct fraud or miscounted ballots can be concentrated on areas where it matters, like Florida in 2000.

The Electoral College system is scarcely perfect. Its most obvious shortcoming is that it focuses attention on large states where large blocks of electoral votes are "in play." The rules of the Electoral College game are to get 270 electoral votes, so the attention and resources of candidates, parties, interest groups, and the media are concentrated on those large states where the outcome is in doubt. In noncompetitive and small states, citizens may feel far removed from the election and parties may be inactive, resulting in lower voter turnout. Certain groups of citizens, considered pivotal to the outcome in the large competitive states, receive extraordinary attention from the candidates, thus increasing their participation and influence on the outcome. Presidents may even shower such groups with policy benefits to ensure their continuing support in subsequent elections.

One contention in political science argues that minorities and the urban poor may be such especially influential groups (Polsby and Wildavsky, 2000: 245-53). Because these groups are otherwise relatively powerless in our political life, this could count as another merit of the Electoral College system. But questions remain about the validity of this thesis. For example, blacks may be such committed Democrats that they are either taken for granted or ignored by candidates, even when they comprise a crucial voting block in large competitive states. And the stereotype of blacks as residents of large urban centers within competitive states misses the reality that many blacks may be ignored because they live in middle-sized and noncompetitive southern states. While Hispanics are becoming increasingly dispersed throughout the states, they are least likely to reside in smaller states where the value of the vote is greatest.

The Electoral College was designed to generate widespread support for presidents from most states in our infant nation. But the current system may not reinforce the kind of supra-majoritarianism that was initially envisioned. Now candidates may ignore those groups that they see as unnecessary blocks of voters under our electoral rules. The Electoral College's major weakness is perhaps its growing inability to structure presidential elections so that the major-party candidates build electoral and governing coalitions broad enough for minorities and other relatively disadvantaged citizens to feel included. One question is whether this weakness is great enough to overcome the many

virtues of the Electoral College. A second question is whether any alternative system could overcome this limitation.

The popular-plurality system. Abolishing the Electoral College and having a national popular election determined by the plurality rule is the most obvious alternative to the Electoral College. We use popular-plurality elections to select our governors and representatives, and they are a familiar, acceptable, and perhaps laudatory part of American politics.

The case for a popular-plurality system does not depend on the faulty argument that it ensures outcomes consistent with "the public will." It is a mistake to believe that the winner of a popular election has authority because his election embodies the public will. It is also a mistake to believe that such a winner necessarily has a public mandate to impose his policy agenda. But in a democracy, who has a more legitimate claim to the presidency than the candidate who receives the most citizen votes? Thus, the legitimacy of a president seems as assured under the popular-plurality system as under the Electoral College. And having a legitimate president encourages effective governance in our separation-of-powers system.

The popular-plurality system also ensures voter equality, which is perhaps its most important democratic justification. Voters are not equal under the Electoral College, as citizens of small states and large competitive states have more voting power than citizens in middle-sized states and noncompetitive large states. Every vote has equal value in the popular-plurality system, and voters are not made irrelevant because their states are not "in play." Thus, by pursuing all voters, presidential campaigns could spread their resources more widely throughout the country. Parties and interest groups might be more active in getting out their supporters across the nation. And the media may pay more attention to how voters react to campaigns in all regions. In the popular-plurality system, citizens would not feel that their vote is worthless because they live in a state where the outcome is pre-ordained, even as a heated battle rages in the nation as a whole. While individual decisions to vote surely depend on many factors, citizens should be more likely to vote if they think that there is some chance (no matter how small) that their vote will make a difference.

The popular-plurality system has the practical justification of being reasonably compatible with the two-party system. The popular-plurality presidential scheme

resembles the first-past-the-post (or single winner) legislative electoral system, which clearly promotes a two-party system. Other proposed reforms, like proportional allocation or runoffs, would encourage the more active participation of third parties in presidential elections, if only to increase their bargaining power with a majority party in need of their support to win a close election. These alternative reforms would also provide supporters of third parties with greater incentives and opportunities to cast sincere votes for the candidates of their own parties, rather than casting sophisticated votes for their favored major party candidate. But under a popular-plurality system, the electoral outcome could hinge on small vote differences between the two leading candidates, who would most likely be from the Democratic and Republican parties. Both major parties would thus retain their incentives to create broad electoral coalitions to edge out their rival. And the supporters of third parties would still have incentives to become sophisticated voters and not "waste their vote." Thus, third parties may not fare much better under the popular-plurality system than under the Electoral College system. In fact, regional parties that can win a few states would almost certainly do better under current electoral rules.

The popular-plurality scheme also retains the advantages of two-party politics for achieving effective governance within our separation-of-powers system. Because the entire nation, not just a few competitive states, would be "in play," the relationships between a party's candidate for the presidency and its congressional candidates would be strengthened. The President's electoral "coattails" might well help elect more members of Congress from the same party. As a result, we might end up with less divided government, and thus more effective governance, under the popular-plurality system.

Still, fewer barriers to third parties would seem to exist under the popular-plurality system than under the Electoral College. The existing system creates disincentives for third parties to compete nationally, as they have little to gain by coming in second or third in states where the unit rule assures that all electoral votes will go to either Democrats or Republicans. Under the popular-plurality system, all popular votes gained in such states contribute to the national total, so third parties would be encouraged to conduct nationwide campaigns. Such increased competition could encourage the two dominant parties to campaign more inclusively by appealing to

voters who could be attracted to the third parties. It could even lead to a third party becoming strong enough to replace one of the major parties as a real contender for presidential power. In short, a popular plurality scheme may make the existing party system more adaptive to the changing aspirations of voters and the emerging needs of the country.

But there are dangers in this scenario. The popular-plurality system may create incentives for many new parties to form and compete for the Presidency. If more parties compete nationally and peel off voters from the major parties, the realistic threshold of votes needed to win might become dangerously low. A highly fragmented party system could emerge, in which many parties run on fairly narrow platforms (e.g., an environmental party, a right-to-life party, a flat-tax party, etc.). If so, the two dominant parties could no longer provide the glue that makes governance possible under our separation-of-powers system. Worse, the chances increase that we might elect an extremist president -- someone successful at rallying a small but sufficient plurality from one segment of the population, despite being disliked by most of the electorate. Such an outcome could bring about the sort of social instability that the Electoral College system has avoided.

Another popular-plurality danger comes with the instability that could result if we replicated the Florida events of 2000 on a national scale. In other words, an extremely close popular vote would lead to challenges of the initial results throughout the nation, not just in a single pivotal state. We could be searching for evidence of fraud or fouled ballots in every county in the country. In short, we might plunge into a futile attempt to get a "true measurement" of voter preferences, even though repeated counts would only yield different estimates of who "really won." Because of our inability to detect every instance of fraud or to avoid each mistake in counting the ballots, the "true winner" of close elections would remain obscure. Indeed, candidates' supporters would have incentives to engage in fraudulent and discriminatory activities throughout the country. Savvy operatives would know that these activities could decide the national outcome and that they would be difficult to detect, because -- unlike in the Electoral College -- investigations into fraud would not be focused on particular states. All this could lead to challenges to the legitimacy of whomever is declared the winner of a close popular-plurality election, resulting in social and political instability.

In addition, the popular-plurality procedure could produce other problematic outcomes. Presidential candidates might be less concerned with the particular needs of states and pursue a national agenda that undermined the autonomy of state governments and their capacity to serve as laboratories of policy experimentation. The popular-plurality system would likely enhance the role of national advertising in campaigns, which would make electoral outcomes more dependent on the fund-raising capacities of parties and candidates. It could also destabilize voter choices, making them a function of last-minute demagogic attacks on opponents rather than on thoughtful considerations of which candidate best satisfies the aspirations, interests, and political principles of the voter.

Proportional Allocation. Absent any Constitutional amendment, specific states could abolish their unit rule and allocate their electors in proportion to the number of popular votes that a candidate received within their state. Like the district plan, this reform would be consistent with federalism, though the focus of Presidential elections would remain at the state level. But in other respects, the differences between the district plan and proportional allocation could be quite profound.

Under the district plan, only competitive districts would be in play. With proportional allocation, every state (and district) would be a factor, as dominant parties could not assume the capacity to win all electors; some electors could and would be peeled off by minority and third parties in the state. Such parties and independent candidates would gain fresh incentives to compete aggressively for each and every elector to be proportionately distributed. Thus, states adopting proportional allocation might expect an overall increase in activity by political parties and other political organizations and an increase in citizen participation, as voters in noncompetitive states (or districts) would no longer see their vote as irrelevant to the outcome. The whole country - rather than specific localities, states, or regions - would be up for grabs; this would encourage presidential campaigns to spread their resources more equally across the nation. In this respect, proportional allocation would resemble the popular-plurality system.

Widespread adoption of proportional allocation would threaten the existing two-party system. Freed from winner-take-all rules, third parties and independent candidates would seek electors in proportion to their popular success in each state. Supporters of

such parties and candidates would be encouraged to cast sincere ballots for them, adding to their success. Party fragmentation would likely occur, making effective governance more difficult. To reduce such fragmentation and to limit the role of narrow or special-interest candidates and fringe parties, proportional allocation plans might require candidates to attain some minimal percentage of popular votes -- typically five or ten percent -- to qualify for any electors. Of course, such requirements would only be important in larger states, as candidates winning ten (or so) percent of the popular vote would not qualify for any electors unless the state had ten or more electors to allocate -- at least if there was no fractional allocation of electors.

This points to the importance of allocation rules. If states seek an allocation of electoral votes that more precisely mirrors the distribution of popular votes, fractional allocation of electors would be necessary. Such distributions would provide some representation in the College for candidates getting only a small number of votes. If states seek an allocation formula that avoided a fragmentation of electoral votes, they could adopt the d'Hondt formula, which keeps electors whole and allocates seats in the College in a manner that reduces representation of minor parties and favors the major parties. In short, the d'Hondt system appears to be the preferred method of proportional allocation if the goal is to obtain a better balance between governance and representation.

In our discussion of the Electoral College above, we argued that representation within the executive branch of government was a problematic goal. As noted, presidents are not required to include members of the opposing or third parties in their administration; rather, they seek to govern effectively by developing cabinets and staff that emphasize cohesion more than representation. Proportional allocation focuses on representation in the Electoral College, rather than the executive. Such reform seeks to select a delegation of state electors that represents the entire range of citizens within a state, as opposed to the unit rule, which excludes those citizens who voted the losing candidate.

Four purposes or values may be served by such representation. First, it may enhance the incentives of campaigns to build supra-majorities within states. Under the Electoral College, dominant parties in noncompetitive states can ignore those minority interests and groupings that are too small to threaten their continued dominance.



Proportional allocation would encourage parties and campaigns to attract such interests so as to maximize their number of electors.

Second, in contrast to the perceived exclusion produced by current rules, proportional allocation may enhance the sense of inclusion that citizens have about the political process, increasing both their participation in politics and their compliance with governmental authority.

Third, such representation under proportional allocation may reduce the mismatch between electoral votes and popular votes. The unit rule stands as the major cause of discrepancies between popular vote totals and electoral vote totals, as the popular votes given to losing candidates within states count for nothing. Proportional allocation ensures that electoral vote totals will more closely reflect the popular vote, but this system is no guarantee against the ultimate mismatch of the 2000 election. Factors like the overrepresentation of small states in the allocation of electors and the imperfect rounding rules of any proportional allocation scheme could result in the election of a president having a majority of proportionally allocated electors but losing the popular vote.

Fourth, the kind of representation achieved by proportional allocation could lead to the greater inclusion of minority interests in the administration, though this is unlikely. Suppose that every state had adopted the d'Hondt system in 2000: Gore would have had 268 electoral votes, Bush would have had 267, and Nader would have the three. Despite his few electoral votes, Nader could have controlled the outcome, and both parties would have had huge incentives to bargain with him. Nader's electors would not be "automatic" and could be induced to switch to (say) Gore if Gore were to promise to include Nader and other Greens in his administration. Continuing conflict between the Greens and the Democrats might have complicated Gore's ability to govern, but the proportional allocation system and the subsequent bargaining would have resulted in wider representation of interests in the administration.

Proportional allocation rules would probably lead to far more electors being allocated to third parties and independents than would have occurred in 2000, increasing the likelihood that neither the Republican nor the Democratic candidate would achieve an Electoral College majority on their own. If no bargain could be struck between a leading party and the array of independents and third-party candidates

holding key electoral votes to produce an Electoral College majority, the selection of the president would be thrown into the House of Representatives. Many of the reservations about proportional allocation expressed by participants in this project emphasized that this reform would enable third parties to become sufficiently strong that they could become spoilers on a regular basis. Few participants welcomed the possibility that the House would even occasionally select the president.

In summary, we find the leading alternatives to the Electoral College to have combinations of strengths and weaknesses. No alternative commends itself as a clear improvement over the existing system. The popular-plurality system may be the best alternative, as it might enhance presidential legitimacy and minimally disrupt our two-party system. Still, it is susceptible to fraud and the possible election of extremist candidates. Our qualitative evaluations suggest that reforming the Electoral College with a proportional allocation of electors is preferable to having electors selected in congressional districts, as this could further various aspects of representation, perhaps including a better representation of minorities. State legislatures could implement proportional allocation plans, and so some experimentation with this system is possible and perhaps desirable. State legislatures in one-party dominant states would almost certainly reject such reforms, as they would have no incentives to have the minority party peel off some electors from their winner-take-all advantage. But legislatures in smaller and more competitive states might see advantages in proportional allocation, as they may prefer a system that would deliver some electoral votes to the candidate of their party rather than incur the risks of the winner-take-all system. As political scientists, we would welcome such reforms which would permit empirical assessments of their effects. However, adoption of proportional allocation would increase the chances that no candidate would receive a majority in the Electoral College, and this raises a couple of important questions. Should proportionally allocated electors be "automatic" electors (or more firmly bound human electors) who could not be used as bargaining chips to achieve an Electoral College majority? Should the House contingency procedure be abandoned or reformed?

## On Eliminating Freedom and Contingency

Even defenders of the Electoral College generally concede that the discretion of electors and the House contingency election are problems, but see them of little contemporary consequence (Polsby and Wildavsky, 2000: 252; Best, 1996: 45-49). But, the 2000 election reminds us of the potential importance of these aspects of the Electoral College system.

Automatic Electors. When the Electoral College was established, electors were expected to be independent, casting their ballots for the persons whom they regarded as most qualified for the Presidency. But today, electors are expected to perform their ceremonial role of voting for the state's popular vote winner. The argument for eliminating the freedom of electors is simple. If an election ever turned on the faithless act of a rogue voter, the legitimacy of the outcome would be severely challenged, as would the legitimacy of the system that permitted such an outcome. After a close election, a candidate who is within an electoral vote of two of victory might approach some of his opponent's electors with inducements to switch. Indeed, a state legislature controlled by the opposite party of the winner of the popular vote may be tempted to substitute electors from its party, which might well have happened in Florida if a recount had favored Gore (Caraley, 2001). Given the possibility of corruption and the presumed role of electors as mere delegates of the electorate, many reformers have proposed a constitutional amendment to make casting of electoral votes automatic, based entirely on the popular vote (See Polsby and Wildavsky, 2000: 252).

But the case for eliminating the elector's discretion is scarcely airtight. Indeed, the political scientists in our project leaned toward "keeping the present system intact, allowing the slight possibility of rogue voters." Why so? First, the issue was thought too inconsequential to deserve a constitutional amendment. Second, our political system has always had a place of honor for the maverick – the freethinking human who refuses to succumb to the party line or popular pressure. For many of us, politics is a human endeavor and humans should exercise their individual judgment. Third, an amendment creating automatic electors would eliminate the possibility that a third party candidate could request that his electors cast their ballots for another candidate to further his party's interests. Had Nader received enough electors to determine the outcome, he might have concluded that it served the interests of the Greens to reach an agreement

with Gore in the Electoral College, rather than have the decision go to the House, which would probably have chosen the less environment-friendly Bush. Again, an amendment creating automatic electors would remove the possibility of a reasonable political decision that might lead to majority-based outcomes.

Fixing the House Contingency Procedure. Having the House of Representatives elect the president if no candidate receives a majority in the Electoral College was a crucial part of the presidential selection process at its inception. Since 1824, however, this procedure has gone unused. But if several states were to create proportional allocation systems that awarded some electors to third party candidates, the House contingency procedure could become an occasional element of the presidential election process. The majority of the participants in this project (60 percent) support constitutional changes to avoid this possibility. There are at least five problems with the House contingency procedure.

First, there is a reasonable chance of stalemate in the House. The Constitution provides for a House vote by state delegations; each delegation receives one vote, and a majority (26 states) is needed to name a winner. Given current partisan divisions and loyalties, this could lead to stalemate (as almost happened in 1824). If several state delegations were equally divided by party loyalists and thus abstained from voting, getting 26 states to support one of the candidates could prove very difficult. Nevertheless, the House must choose the president.

This points to a second, related problem: the results of the popular vote would get short shrift in any House contingency election. While partisan concerns would likely prevail if one party had a majority among the state delegations, an initial deadlock would likely result in bargaining over matters of power and policy, rather than simply deferring to popular wishes.

Third, the contingency procedure provides for Senate selection of the Vice President, which raises to the possibility of the President and Vice President coming from different parties. Although we cannot be sure how this arrangement would affect our political system, most participants and observers perceive it as seriously undermining executive branch cohesion.

A fourth problem is simply that invoking the House contingency would violate our contemporary conception of fairness, which includes the idea of voting equality. Despite

the formal equality in providing each state with one vote, there is a real inequality in a procedure that under-represents the citizens of populous states. The 494,782 citizens of Wyoming would have the same one vote as the nearly 34 million citizens of California.

A fifth problem is that the House contingency violates the principle of the separation of powers by making the executive a creation of Congress.

There have been numerous proposals for correcting these problems with the House contingency process (see, for example, Best, 1971: 83-123). The participants in this project could not agree on the best alternative to the present House contingency procedure, but they expressed widespread support for giving this issue more attention than it has thus far received.

### **Conclusions**

Most revisions of our presidential election process – ranging from developing an alternative national popular vote to modifying the House contingency procedure – would require constitutional amendments. But such amendments rarely succeed, and there is no indication that any electoral reforms could overcome the formidable obstacles of modifying the Constitution. Perhaps such obstacles would be overcome if the public strongly believed that an electoral reform would greatly improve American democracy, but the participants in this project doubt that such a belief would be warranted. One conclusion that emerges from the assessments by our participants is that the changes wrought by just changing our Electoral College procedure may not be profound. Among other things, our participants conclude that:

- the unequal voting power that the Electoral College provides to citizens of small states is not very substantial;
- our two-party is a product of forces beyond the Electoral College, and would be only slightly modified under several alternative systems;
- campaign organizations allocate resources unequally under the Electoral College system, but they would continue to do so under any electoral system;
- electoral reform is unlikely to increase voter turnout significantly; and
- minorities may not benefit from the current Electoral College system, but alternative systems would not greatly enhance their power.

In short, our participants do not see in electoral reform any quick fixes to problems that occur in our political process.

Because of the extensive institutional and structural barriers to electoral change, reforms need broad and fairly intense public support. Such change probably requires a social movement, but most movements arise to support causes that are thought to transform social, economic, or political life. Our analyses indicate that there is not much here to spark the kind of social movement essential for enacting a constitutional amendment.

This is not to say that the Electoral College is without problems or cannot be improved. Some of us would suggest that the states experiment with district plans and proportional allocation -- reforms that could be implemented by individual states without a constitutional amendment. State experimentation with such reforms could address two sorts of analytical problems that hinder making effective collective judgments.

First, many suspected consequences of reforms could not be adequately investigated because we lack opportunities to collect and analyze the data. As one of the project participants put it:

We know little about how the Electoral College impacts citizen participation.

This paucity of knowledge owes in part to the Electoral College's longevity.

There has been little opportunity to experiment with other methods of electing the president.

Throughout the project, our participants had to speculate about the impacts of various reforms. Although theories and related empirical research could generate expectations about what the consequences of various reforms, direct study to confirm or disconfirm these expectations was usually impossible. Trying out some reforms, especially in the unique American context, could contribute to our understanding of the desirability of proposed changes.

Second, some consequences of reform are simply unforeseen and perhaps unforeseeable. The concept of unintended consequences was one of the major recurring themes throughout our project. This notion is deeply imbedded in the culture and discipline of political science, making scholars leery of reforms that promise more than they deliver and that deliver problems that were unforeseen (see Lupia, 2000). Reforms

always change things, but the changes wrought may be quite different from those sought or expected. Since the implications of the electoral reforms analyzed here cannot always be foreseen, they can become apparent only through state-level experiments that can enable us to discover their unanticipated consequences.

Perhaps adoption of the district plan by some state (other than Maine and Nebraska) with significant minority populations would reveal what many of us fear — that the district plan would undermine minority influence. Better to find that out by an experiment in a few states than after a constitutional amendment imposed the system on the nation.

Proportional allocation may be the more promising method of achieving various forms of improved representation. If some states adopted this reform, such effects could be confirmed or disconfirmed. One virtue of the Electoral College system is that it allows states to engage in such experiments from which the nation as a whole can learn. Absent any compelling reason for changing the system now, we have time to draw lessons from the modest experiments that the states might conduct.

In short, we find the Electoral College a flawed but acceptable method of choosing our president. We do not regard any alternatives as offering such significant gains to be worth the risks that would accompany wholesale changes in our electoral system. Still, the issue of electoral reform should not be forgotten. Progressive reformers should continue to address the relative merits of various popular vote systems in their search for a consensual alternative to the Electoral College. The problems associated with rogue voters and especially the House contingency procedure warrant continued national attention. Experimentation in some states with the district plan and especially with proportional allocation of electors could enable us to better understand if such reforms could lead to modest improvements in American democracy.

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**Table 1**  
Evaluating Presidential Electoral Systems on Nine Criteria

	<b>Electoral College</b>	<b>The District Plan</b>	<b>Proportional Allocation</b>	<b>Bonus Plan</b>	<b>Popular Plurality</b>	<b>Popular Majority</b>	<b>Instant Runoff</b>
<b>Feasibility</b>	Original intentions undermined by democratic norms	<i>Possible in some states</i>	<i>Unlikely but possible in some states</i>	<i>Requires unlikely Constitutional Amendment</i>	<i>Possible by Interstate Compact</i>	<i>Constitutional amendment required</i>	<i>Constitutional amendment required</i>
<b>Simplicity</b>	<i>Complex</i>	More complex	<i>Much more</i>	More complex	<i>Most simple</i>	<i>Relatively simple</i>	<i>Complex &amp; foreign</i>
<b>Equality</b>	<i>Unequal Vote Value</i>	Maintains inequalities	Maintains Inequalities	Reduces inequalities	Equal	<i>Equal</i>	<i>Equal</i>
<b>Neutrality</b>	<i>Biases toward Swing States and Major Parties</i>	Republican bias?	Reduces bias toward swing states	Reduces bias toward swing states	Reduces bias favoring major parties	Reduces bias favoring major parties	reduces both current biases
<b>Participation</b>	<i>May Discourage Some Voters</i>	May Increase Turnout	Should Increase Turnout	<i>May increase turnout</i>	Should increase turnout	May bring about voter fatigue	Should increase turnout
<b>Sincerity</b>	<i>Discourages Sincerity</i>	Reduces insincerity	Reduces insincerity	Reduces insincerity	Reduces insincerity	Reduces insincerity	Encourages sincerity
<b>Legitimacy</b>	Historically Conferred, but Dangers persist	Increases possibility of House Contingency	Increases possibility of deadlock	Could be threatened by fraud and recounts	Could be threatened by weak mandate	Enhanced by majoritarianism	Enhanced by majoritarianism
<b>Governance</b>	Relatively Easy	May Facilitate	Probably would complicate	Relatively easy	Relatively easy	May complicate	May complicate
<b>Inclusiveness</b>	A Historical Virtue, but <i>Contemporary Problems Alleged</i>	Should encourage	Should Encourage	Mixed with danger of <i>extremism</i>	mixed with danger of <i>extremism</i>	unclear	Should encourage