2008 and Beyond: The Future of Election Reform in the States—Editor's Introduction

by
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This forum is a unique opportunity to bring social science research to bear on public policy and the practical effects of election reforms in the American states. It is also an opportunity to study America's election system, building on the research of some of the leading scholars working in this area. The American states offer a natural laboratory (a "laboratory of democracy"), with significant variation in the rules, institutions, and procedures governing elections. This forum empirically evaluates what we have learned about the effects of various election reforms in the 50 states. The papers included in this forum were originally presented at a conference hosted by Kent State University's department of political science and which had a title similar to that of this symposium.[1] The theme is now shared by the conference and this symposium: that the 2008 presidential election will be crucial for American democracy, especially in light of the apparently related phenomena of decreasing (or flattening) voter participation rates, low trust in government and political efficacy, alleged procedural irregularities in recent elections, uncompetitive congressional elections or uncontested state legislative elections, and lapses in ethical judgment by politicians in the past decade.

Bruce Cain's overview of this symposium focuses on the importance of election administration and reforms protecting voting integrity; Todd Donovan's conclusion emphasizes the need for more competitive elections as a means to improve representation. Cain's call for reform to improve election administration within the existing system is supported by Paul Gronke, Eva Galanes-Rosenbaum, and Peter A. Miller's study of the effects of convenience voting reforms on voter turnout; by Thad Hall, Quin Monson, and Kelly Patterson's study of the impact of poll-worker training on citizen political efficacy and voter confidence; and by Lonna Atkeson and Kyle Saunders' analysis of how state election administration and voting technology impact voter confidence. Donovan's call for improving representation via competitive elections, enacted through structural reforms of state election systems, garners support from Timothy Werner and Kenneth Mayer's study of the impact of gender on candidates' decision to accept public campaign financing; from Barry Burden's study of how ballot access restrictions impact third-party candidates; and from Michael McDonald's (2007a) typology of state redistricting reforms. These authors consider reforms that might open the election system to improve representation. Other papers presented at the conference, but not included in this symposium because of space constraints include: 1) Beth Rosenson, state conflict of interest laws; 2) Chris Mooney, legislative term limits; 3) Christopher Cooper, multi-member districts; 4) Daniel Smith, ballot initiatives and referenda; and 5) Rob Richie, National Popular Vote Plan.

American elections have been plagued by problems in recent years. By many accounts, the 2000 and 2004 presidential elections were considered the most closely contested of the past century, and yet turnout of the voting-age population was just 55% (60% of the voter-eligible population) (McDonald 2007b). Almost one in every two eligible Americans sits elections out. What are the reasons Americans give for not voting? An October, 2006 Pew survey[2] found that 58% reported a lack of knowledge or interest in politics as a reason for not voting ("I sometimes feel I don't know enough about the candidates to vote"). In answering an open-ended question asking, "What was it that kept you from voting?" in 2004, over 20% (or one in five) reported they "didn't like the candidates" or were "not interested in politics." Consistent with some literature (Bowler and Donovan forthcoming), it may be uncompetitive elections that pose barriers to voting.

The same survey offers evidence of problems with the integrity of the voting system. The 2006 Pew survey found 68% of non-voters were "very" or "somewhat confident" that "If you were to vote this November," your vote "would be accurately counted?" But a rather high 32% reported little or no confidence that their vote would be accurately counted. That is almost one in three Americans who choose not to vote. Confidence in the integrity of the election system may pose barriers to voting.

Although most advanced industrialized nations have universal voter registration, and Europe has progressed rapidly with remote

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Internet voting, less than a dozen states allow Election-Day voter registration, with many requiring registration a month before the election. There are no plans for remote Internet voting in the U.S. at this time. One trend on the horizon is the slow, quiet but steady rise in early voting discussed in this issue by Paul Gronke, Eva Galanes-Rosenbaum, and Peter A. Miller. Up to one-third of residents in Western states now cast votes before the election, either at polling stations or by mail (absentee ballots). These reforms hint at ways to reduce the costs of voting for those interested in elections.

Beyond low turnout, there are obvious examples of election administration failure, including the continued use of lever or punch-card voting machines in an era of widespread computer and Internet use for commerce, business, and even e-government (Mossberger, Tolbert, and McNeal 2007). With the adoption of HAVA (Help Americans Vote Act) the states have witnessed a massive shift toward computerized voting machines, but many hurdles remain. New electronic voting machines that are thrust into an election without adequate administration and poll-worker training are bound to fail. A little-known feature of election administration is the role of the poll worker, the critical link between voters and the technology they must use to cast a valid vote. Poll workers exert power, including whether to request government photo identification and whether a provisional ballot will be provided, besides providing other means of voter support on Election Day. Thad Hall, Quin Monson, and Kelly Patterson analysis of unique state-survey data of poll workers shows how the training poll workers receive influences the number of polling place administration problems on Election Day. Election administration, the process of ensuring that people have access to vote and that their votes are counted fairly, is of growing importance to the integrity of our system. Lonna Atkeson and Kyle Saunder's analysis of new survey data from the 2006 elections finds that it is at this individual level that voters interface with government, and that interaction, positive or negative, affects their faith in the system. Bruce Cain places a premium on the ability of reforms to improve the integrity of the election system. He also warns of the increasing role of the courts in deciding institutional disputes (dangers of judicialization) and the need for finding "second-best solutions."

Beyond voting integrity, structural problems with America's electoral system remain. The failure to elect a president who won both the popular vote and the Electoral College vote in the 2000 elections was widely derided and has lead to repeated calls for direct election of that office.[3] The 2000 election was decided by the courts, the least democratic branch of government. Just one president has been elected since 1988 with the support of a majority of those who voted (Donovan and Bowler 2004, 9). With more independent voters and third parties, increasingly a majority of voters in presidential elections are electoral losers. In 1996, when Bill Clinton was reelected with just 43% of the popular vote, Reform Party (Ross Perot) and Republican voters (Bob Dole) alike were losers, even though they constituted 57% of the electorate. In the 2000 presidential elections, Democratic voters (Al Gore) and Ralph Nader voters were electoral losers, and combined they outnumbered George W. Bush voters; Bush was elected to the White House with a minority of the popular vote.

Our two-party system is based on single-member districts that make it virtually impossible for third- or fourth-party candidates to win election to Congress or even state legislatures. And yet more than one-third of Americans identify as independents. How is our election system representing the moderates and this vast sea of independent voters, when Congress is increasingly polarized by representatives from the extreme Right and Left? Some believe the failure to represent the ideological middle signals more fundamental structural problems with our election system. Todd Donovan's contribution in this forum focuses on problems of representation and offers some possible solutions.

A lack of competition signals another malaise of our political system. In the 2004 elections, just 14 U.S. House seats were considered really competitive (vote margin of 5% or less). That is a mere 3% of U.S. House races. Reelection rates to Congress hover at 98%, while over one-third of state legislative elections are uncontested. Gerrymandered districts or incumbent protection maps dominate the states. If elections are not-competitive, or worse uncontested, fewer active campaigns will produce less political information. Voters will have fewer choices and less incentive to learn the game of politics, to become informed and knowledgeable, or to vote. In this symposium Michael McDonald analyzes state-level redistricting plans and alternatives to partisan gerrymandering, while Timothy Werner and Kenneth Mayer show the effects of public financing laws on the number and gender diversity of candidates running for state legislative seats. Barry Burden explains why some states have more third parties running for office than others, and why third parties may be beneficial. These papers look at reforms to make elections more competitive and increase the number of candidates/parties running for office.

Cain's introduction and Donovan's conclusion provide two different broad perspectives for how these pieces of the reform puzzle fit into a comprehensive framework of election system reform in the U.S. This unique integration is missing in the current literature, which tends to focus on individual reforms in isolation. This symposium provides organization for a growing subfield, but also offers empirical evidence of what does and does not work.

A century ago, progressive reformers adopted institutional reforms of state election systems which resulted in women's suffrage, the direct election of U.S. senators, direct democracy, and much more. Concerned with big business in the first Gilded Age, progressive reformers lobbied state legislatures for sweeping changes in government rules and institutions. By many measures they succeeded in adopting laws to update and modernize government for an industrial twentieth century. At the beginning of the twenty-first century, we are again in a period of repeated calls for a new progressivism to reevaluate America's electoral institutions (Tolbert 2003). We may take varying paths to achieve modernization, but they are all part of one reform agenda.

Notes

1. "2008 and Beyond: The Future of Election and Ethics Reform in the States." Columbus, OH, January 16–18, 2007. Hosted by Kent State University's Department of Political Science and Professor Vernon Sykes. Available at: http://dept.kent.edu/columbus/symposium/.

2. Pew Research Center for the People and the Press and the Associated Press, Early October 2006 Turnout Survey. Random digit dialed telephone survey of adults age 18 and older from the continental United States. Conducted by the Princeton Research Associates. N = 1,773.

3. One such plan is the National Popular Vote Plan (see Fairvote.org)

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