

Constitution requires a majority of the States for election in the House—today, 26 States. If a strong third-party candidate were involved, there is a real possibility that the House could not make a decision by Inauguration Day.³⁰

Proposed Reforms

Observers have long recognized the defects in the electoral college system. In fact, constitutional amendments to change the process have been introduced in every term of Congress since 1789. Most of the reforms people have offered fall under three headings: the district plan, the proportional plan, and direct popular election.

The District Plan

Over time, many people have proposed the **district plan**, in which the electors would be chosen in each State in the same way as members of Congress. That is, two electors would be chosen from the State at large, and they would cast their electoral votes in line with the result of the Statewide popular vote. The other electors would be elected, separately, in each of the State's congressional districts. Their votes would be cast in accord with the result of the popular vote in their district.³¹

The district plan would do away with the winner-take-all problem in the present system. Its supporters have argued that it would make the electoral vote a more accurate reflection of the popular returns.

The strongest argument against the plan is that it would not eliminate the possibility that the loser of the popular vote could still win the electoral vote. In fact, had it been in effect in 1960, Richard Nixon would have received 278 electoral votes, and he, not John Kennedy, would have won the presidency. Had the plan

³⁰In such a case, Section 3 of the 20th Amendment states that "the Vice President-elect shall act as President until a President shall have qualified." If no Vice President-elect is available, the Presidential Succession Act would come into play. Note that it is even mathematically possible for the minority party in the House to have control of a majority of the individual State delegations. That party could then elect its candidate, even though he or she may have run second or even third in both the popular and the electoral vote contests.

³¹Maine and Nebraska now use the district plan, as noted earlier. Any other State could do so, but it would take a constitutional amendment to make its use mandatory in all States.

been in place in 2000, George W. Bush would have won 288 electoral votes.

Further, the results under the district plan would depend very much on how the congressional districts were drawn in each State. Its use would be yet another motive for gerrymandering.

The Proportional Plan

Under the **proportional plan**, each presidential candidate would receive the same share of a State's electoral vote as he or she received in the State's popular vote. Thus, if a candidate won 40 percent of the votes cast in a State with 20 electoral votes, he or she would get 8 of that State's electoral votes.

This plan would cure the winner-take-all problem and eliminate faithless electors. It also would yield an electoral vote more in line with the popular vote, at least for each State.

The proportional plan would not necessarily produce the same result nationally. Because each of the smaller States is overweighted by its two Senate-based electors, the proportional plan would still make it possible for the loser of the popular vote to win the presidency in the electoral vote. In fact, this would have happened in 1896. William Jennings Bryan would have defeated William McKinley, although McKinley had a comfortable popular vote margin of 596,985 (4.3 percent).³²

Many critics of the proportional plan worry about its effect on the two-party system. Certainly, its adoption would bring an increase in the number and vigor of minor parties. They would no longer need to win entire States in order to get electoral votes. In addition, their candidates would regularly win at least some share of the electoral vote. Then the odds that a presidential election would have to go to the House would be increased.

Most of the plan's backers agree that an increase in minor party clout would mean that the winner of the popular vote would often fail to gain a clear majority of the electoral vote. Hence, advocates of this plan would lower the

³²In the closest of all the presidential elections, Winfield S. Hancock would have defeated James A. Garfield in 1880, even though Garfield had a popular plurality of only 1,898 votes, 0.0213 percent. On the other hand, there would have been no "Stolen Election" in 1876, and Cleveland would have defeated Harrison in 1888.

present requirement of a majority of the electoral votes to a plurality of at least 40 percent. If no candidate won 40 percent of the electoral votes, the two frontrunners would face one another in a runoff election.

Direct Popular Election

The most common and widely supported proposal is the most obvious one: Do away with the electoral college system altogether and allow **direct popular election** of the President. The arguments for direct election seem overpowering. The strongest one is that it would support the democratic ideal: Each vote would count equally in the national result. The winner would always be the majority or plurality choice. The dangers and confusions of the present system would be eliminated, replaced by a simple and easily understood process.

The fact that the loser of the popular vote nevertheless won the presidency in the most recent election has given added weight to the case of direct election. Several obstacles stand in the way of the reform, however.³³

The constitutional amendment process itself is a major stumbling block. It is time-consuming, difficult, and cumbersome. Second, the smaller States are greatly overrepresented in the electoral college. They would lose that advantage in a direct election. It is likely that enough senators or representatives of small States would oppose a direct election amendment to kill it.

Some opponents argue that direct election would weaken the federal system because the States, as States, would lose their role in the choice of a President. Others believe that direct election would put too great a load on the election process. They say that because every vote cast in each State would count in the national result, the candidates would have to campaign strenuously in every State. The impact that



Interpreting Political Cartoons What details in the cartoon suggest that the electoral college is one of the most complex parts of the political process?

would have on campaign time, effort, and finances would be huge and, opponents argue, probably unmanageable.³⁴

Some say that direct election would spur ballot-box stuffing and other forms of voting fraud. That, they predict, would lead to lengthy, bitter, highly explosive post-election challenges.

In many States, a State-wide election often hangs on the behavior of a specific group in the **electorate**—the mass of people who can cast votes in an election. The result depends on how those voters cast their ballots or, even more importantly, on how heavily they do or do not turn out to vote. Thus, for example, the African American vote in Chicago is often decisive in the presidential election in Illinois. In a direct election, these groups would not hold the balance of power they now have, so many of them oppose the direct election plan.

Given all this and despite the current efforts on behalf of direct election, there seems little real chance that that reform will become fact any time soon.

³³The House of Representatives did approve a direct election amendment by the necessary two-thirds vote in 1969. A Senate filibuster killed the measure in 1970. President Carter championed a similar proposal, but it was rejected by a Senate floor vote in 1979.

³⁴In fact, it is possible for a candidate to win the presidency by carrying only the 11 largest States, because they now have a total of 271 electoral votes, one more than the minimum number needed to win the presidency.

The National Bonus Plan

Another and very different plan, called the **national bonus plan**, has recently surfaced. At first glance, the plan seems quite complicated and "off the wall." In fact, it is neither.

The national bonus plan would keep much of the electoral college system intact, especially its winner-take-all feature. It would weight that feature in favor of the winner of the popular vote, however.

Under this plan, a national pool of 102 electoral votes would be awarded, automatically, to the winner of the popular vote. This bloc of electoral votes would be added to the electoral votes that the candidate won in the election. If all those votes added up to a majority of the electoral college—at least 321—the candidate would win the presidency. In the unlikely event that they did not add up to a majority, a runoff election between the two front runners in the popular vote would then be held.

The advocates of this plan see the electors themselves as unnecessary, and so would do away with them. They say that their plan meets all of the major objections to the present system and all of those raised against the other proposals for its reform. They also claim that their plan would almost guarantee that the winner of the popular vote would always be the winner of the electoral vote.

To date, the national bonus plan has not attracted much public attention. Nor has it attracted much understanding, interest, or support.

Electoral College Supporters

Their case is not often heard, but the present electoral college system does have its defenders. They react to the several proposed reforms by raising the various objections you have just read. Beyond that they argue that critics exaggerate the "dangers" in the present system. Only two elections have ever gone to the House of Representatives and none in more than 175 years. They grant the point that the loser of the popular vote has in fact won the presidency four times. But, they note, that has happened *only* four times over the course of now 54 presidential elections; and they add, it has happened only once in the last 120 years.

Supporters also say that the present arrangement, whatever its warts, has two major strengths:

1. It is a known process. Each of the proposed, but untried, reforms may very well have defects that could not be known until they appeared in practice.

2. In most cases, it identifies the winner quickly and certainly. With the exception of the 2000 election, the nation does not have to wait for very long to know the outcome.