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The Promise of Election Reform

The quest to improve the processes of election and representation within the decentralized structure of American government has produced many reform experiments across the states. Some of these experiments have been intentional; others have not. Intentional experiments—particularly those promoted by citizen initiative—have tried to make elections less corrupt, more responsive, and fairer. State and federal courts have contributed to this intentional experimentation by forcing legislatures to change electoral practices that conflicted with constitutional principles and congressional mandates. The results have included experiments with term limits, redistricting practices, ballot access laws, campaign finance rules, and other aspects of election systems.

Unintentional experiments have also been conducted, notably in election administration. The decentralized structure of American elections produces tremendous variation in the ways registration records are kept, polling places are operated, and ballots are designed and counted. We can learn a lot from these natural experiments, even if they were not designed with this goal in mind.

Together these intentional and unintentional experiments have produced significant variation in the rules, institutions, and procedures governing elections across the United States. In this book we take advantage of this variation to evaluate the effects of different election reforms. Rather than focus on a single issue area such as campaign finance or legislative redistricting, we evaluate an array of election rules and practices.[1] The topics covered range from the mechanics of electoral administration to structural reforms such as term limits and redistricting. In each case the authors evaluate what does and does not work and summarize the results of their analysis in nonstatistical language, making them accessible to readers without experience in quantitative methods.

The American states offer a laboratory for experimenting with electoral reform. Too often scholarly discussion focuses on the need to set up new experiments. Too infrequently attention turns to evaluating the results of past efforts. In this book we do the latter. By leveraging subnational experiments—intentional and otherwise—we hope to learn important lessons about how to reform America's election system.

Why Election Reform? Why Now?

The forces of mass opinion motivating efforts to reform American elections are numerous, but a few stand out. These include the perception among the public that votes are counted improperly, that money dominates politics, and that elections have little effect on who governs and how. The proportion of Americans who believe that elections make the government pay "a good deal" of attention to what people think declined from 65 percent in 1964 to 37 percent in 1988.[2] Reflecting the same skepticism, in 1990 most respondents to the American National Election Study (ANES) said they did not care much about who won congressional elections.[3] Since then these numbers have improved. In 2004 the proportion of respondents who said they did not care much about the outcomes of congressional races was closer to one-third. Similarly, surveys conducted in the wake of the 2000 elections reveal increased belief in the importance of elections, with about one-half of respondents saying that elections made the government pay attention. Yet these figures still indicate considerable disillusionment within the electorate.

This disillusionment is often fueled by the uncompetitiveness of most congressional elections. Frustration with the slow pace of turnover in Congress played a major role in building enthusiasm for term limits in the early 1990s.[4] Roughly half the states passed ballot initiatives to restrict state legislative terms. Voters in some states also passed limits on congressional terms, but those measures were ruled unconstitutional. Partly as a result, many reformers have refocused their attention on campaign finance rules and redistricting practices. Both currently work largely in the favor of incumbents, who typically enjoy substantial fundraising advantages over challengers and tend to hail from safe, one-party districts.

Today reelection rates in the U.S. House of Representatives remain high—often more than 96 percent of incumbents are reelected—and significant cynicism about the utility of elections remains. Many incumbent legislators, at both state and federal levels, run for reelection without a challenge from a major party opponent. Most win in landslides.

The 2006 midterm elections that swung control of Congress from Republicans to Democrats demonstrate how few seats are competitive by traditional standards: only 28 of 435 seats were won by margins of 10 percent or less. But 2006 also proved that congressional elections could produce a change in party control of Congress. Some seats that switched party in 2006 had been held by incumbents previously elected by margins of greater than 10 percent. Although the alteration of party control of Congress produced by the 2006 election may have boosted the proportion of Americans who think elections "make government pay attention" (as it did after the change in party control after the 1994 election), public concern about the electoral insulation of incumbents will likely endure. Polls show that public support for congressional term limits remains high and that approval of Congress remains tepid.

A second major force driving contemporary election reform is public distrust of the role of money in politics. Although the "battleground" (that is, competitive states and districts) has been shrinking in recent decades, the amount of money spent on elections continues to increase. The 1971 and 1974 Federal Election Campaign Acts, which prohibit large political contributions, have gradually been weakened by court and administrative decisions, particularly those contributing to the rise of "soft money." Unregulated soft money, with no limits on individual contributions, became the dominant source of funding for the 1996 presidential election. Campaigning for reelection, President Bill Clinton pushed the 1974 law to its limits by encouraging affluent donors to fund Democratic Party "issue advocacy" efforts. The Republicans followed suit, and the Federal Election Commission allowed the practice.[5]

By the late 1990s the volume and sources of money in politics had become major issues. A 1997 survey by the Pew Research Center for the People and the Press found that 66 percent of Americans felt that "political contributions have too much influence on elections and government policy." A similar proportion agreed that campaign finance reform should be a top priority.[6] Nonetheless, nearly $500 million in unregulated soft money found its way into the 2000 presidential election—nearly double the amount in 1996. There was also an explosion of party-controlled soft money in the 2000 congressional races, which increased the spending advantages that incumbents enjoyed over challengers.[7] Public discontent associated with unregulated money in politics was met with passage of the Bipartisan Campaign Reform Act (BCRA, or "McCain-Feingold") of 2002 at the federal level, while efforts in several states led to experiments with new campaign finance regulations and, in a handful of states, with publicly financed elections. Yet concern about the influence of money on politics remained strong. In 2004 most Americans agreed that "government is pretty much run by a few big interests looking out for themselves."[8] Two years later a poll conducted by a group advocating election finance reforms showed that 75 percent of voters supported voluntary public financing of congressional elections.[9]

A third force behind contemporary reform efforts stems from the crisis of the 2000 presidential election in Florida and problems with election administration in subsequent contests. Events associated with the last two presidential elections shattered many voters' confidence in the integrity of the election system. The 2000 presidential contest was one of the closest in history, with a dispute over a narrow, 500-vote margin in Florida determining the winner. It was also an election in which the national popular vote winner, Vice President Al Gore, lost the election—yet that peculiar aspect of American elections generated less controversy than Florida's contentious recount methods, a confusing ballot design in one county, long lines at polling places, police roadblocks near polling places, and, before election day, illegal purges of eligible voters from registration records. The U.S. Civil Rights Commission estimates that thousands of voters were wrongly removed from the Florida voter rolls in November 2000.[10]

The events in Florida reveal that county-level decisions and local events at 190,000 polling places can have a tremendous effect on who wins the presidency. They also taught voters more than most had ever wanted to know about the mechanics of voting. Americans learned that among different voting machines—punch-card readers, lever machines, handwritten ballots, optical scanners, electronic voting machines—some had much higher error rates than others.[11] The problems associated with the punch-card voting machines used in some Florida counties stimulated a national debate about "hanging chads" and "pregnant chads."

Two weeks before the Supreme Court's five-to-four *Bush* v. *Gore* decision, most Americans disagreed that or did not know whether either presidential candidate had "legitimately won."[12] In the end, the vast majority of Americans (80 percent) accepted George W. Bush as the "legitimate president," but this sentiment reflected respect for the court and a desire to move forward much more than it reflected confidence in election administration.[13] A substantial number of voters, particularly among African Americans, remained unconvinced that their votes would be counted accurately in subsequent elections.[14]

The election administration crisis of 2000 prompted Congress to pass the Help America Vote Act (HAVA) in 2002. This law required local election administration officials to begin replacing older equipment with electronic voting machines and to provide provisional ballots to any voters whose names did not appear on polling place voter rolls. HAVA funneled billions of dollars to states for improving election administration and fueled innovation as states moved to meet new federal guidelines. It also generated controversy by promoting the use of electronic voting machines, which many citizens, particularly Democrats and African Americans, distrusted.[15]

Despite the implementation of HAVA, controversy over election administration continued through the 2004 election. Once again the outcome of the presidential contest depended on a close vote in a single state (Ohio), and media attention again focused on controversy over election administration. Election night produced long lines at polling places in heavily Democratic and urban areas, an undersupply of new electronic voting machines, new allegations of improper purging of voter rolls, and lockdown conditions for recounting votes in some precincts. Ohio also highlighted the prominent role that partisan officials play in elections. Ohio's Republican secretary of state, R. Kenneth Blackwell, presided over the administration of the election while running President Bush's reelection campaign in that state. Even before election night Blackwell generated controversy with rulings on issues such as whether provisional ballots could be counted if cast outside one's precinct and whether voter registration forms could be accepted if printed on paper of less than a certain weight. Confidence in the election was also damaged by controversy over the vendors selected to provide electronic voting machines. A private company, Diebold, designed many of Ohio's electronic voting machines. Before the 2004 election an e-mail from Diebold's chief executive officer that was leaked to the media promised to "help Ohio deliver its electoral votes to the President," undermining public confidence in the new computerized voting machines and prompting calls for a verified "paper trail."[16] The conclusion reached by most scholars—that for the most part computerized voting machines worked well in 2004—did little to allay these fears.[17]

Outside Ohio, another close election highlighted additional administrative problems. The final outcome of a three-round recount in Washington's 2004 gubernatorial race that placed Democrat Christine Gregoire in office depended in part on counting "misplaced" ballots found days after the election and on counting votes cast by ineligible voters. Disgruntled Republicans could be seen driving cars with bumper stickers reading She's Not My Governor on the same roads with cars sporting Re-Defeat Bush stickers.

The cumulative effect of these events on public confidence in the integrity of American elections cannot be understated. A 2006 Pew Research Center survey found 32 percent of unregistered voters reporting little or no confidence that their votes would be accurately counted if they were to vote in the November 2006 election.[18]

Table 1-1 puts Americans' perceptions of election administration in international perspective. In 2004 citizens in thirty-seven nations were asked, "Thinking of the last national election, how honest was it regarding counting and reporting the vote?" The United States was the only established democracy in which most people failed to believe that their recent national election was "very honest" or at least "somewhat honest." Only 39 percent of Americans replied that their election was at least "somewhat honest," in comparison with 96 percent of Danes and Finns, 80 percent of Canadians and New Zealanders, and 75 percent of Spanish and Japanese citizens. In the United States, Democrats, independent voters, African Americans, citizens with high levels of general political distrust, and the less educated were particularly suspicious of elections.[19] Only Russians were (slightly) more cynical than Americans about the honesty of their most recent election, which was a one-sided contest in 2004 that saw Vladimir Putin reelected with 71 percent of the vote. Even so, Americans were more likely than citizens of any other nation to reply that their election was "very dishonest."

The only nations with levels of cynicism about vote counting approaching that of the United States were the Philippines, Mexico, Taiwan, and Venezuela—all countries with weak democratic traditions. To take just one of these examples, the 2004 Venezuelan recall vote on Hugo Chavez was administered by a national election commission dominated by members of Chavez's ruling party, and the election was plagued by allegations of vote buying, voter-roll purges, flawed voter lists, unannounced closings of polling places in opposition neighborhoods, and the use of electronic voting machines provided by a Florida company with links to Chavez.[20] Yet only 18 percent of Venezuelans found that election to be "very dishonest," whereas 23 percent of Americans reached the same judgment about the 2000 presidential election.

The United States also performs poorly in voter turnout. According to the International Institute for Democracy and Electoral Assistance, when countries are ranked by their average turnout in all elections since 1945, the United States comes in 139th among 172 countries.[21] The 2004 presidential election was one of the most closely contested races of the past century, yet turnout of the voting-age population was just 55 percent, or 60 percent of all eligible voters.[22] In the 2006 midterm election, average nationwide turnout among the population of eligible voters was just 43 percent, with turnout varying considerably from state to state. In Minnesota 61 percent of eligible citizens voted in the 2006 election, in comparison with only 29 percent of Mississippi citizens (table 1-2).

Table 1-1. *Citizen Evaluations of Honesty of Elections, Thirty-Seven Nations, 2004*[a]

Percent

"Very honest or somewhat honest"		*"Very honest"*		*"Very dishonest"*	
Cyprus	99.0	Cyprus	95.4	United States	22.9
Denmark	96.3	Denmark	73.6	Venezuela	17.7
Finland	95.5	Finland	70.5	Taiwan	16.3
Netherlands	93.9	Netherlands	59.3	Mexico	12.8
Norway	92.5	Norway	59.2	Philippines	11.5
Austria	89.9	Switzerland	53.9	South Africa	8.1
Sweden	89.3	Sweden	51.3	Bulgaria	7.7
Switzerland	88.0	New Zealand	49.7	Uruguay	7.6
Belgium	86.4	France	49.5	Slovakia	6.7
Germany	82.9	Ireland	48.7	Chile	6.2
Ireland	81.8	South Africa	47.8	Russia	5.5
Portugal	81.1	Austria	47.0	Spain	3.6
New Zealand	80.2	Australia	45.9	Hungary	3.2
Canada	80.0	Spain	45.1	France	3.1
France	77.1	Canada	43.8	Israel	3.1
Australia	76.1	Germany	42.2	Slovenia	2.5
Poland	76.0	Belgium	41.1	Latvia	2.4
Spain	75.2	Uruguay	40.6	Ireland	2.3
Japan	75.0	Great Britain	39.5	Czech Republic	2.1
South Korea	74.3	Hungary	36.7	Belgium	1.5
Hungary	74.2	Chile	34.9	Australia	1.5
South Africa	73.8	Venezuela	33.5	Germany	1.3
Israel	73.4	Israel	32.6	Great Britain	1.3
Great Britain	71.8	South Korea	25.4	Portugal	0.9
Slovenia	69.3	Mexico	23.3	Poland	0.9
Chile	63.6	Taiwan	21.3	Japan	0.8
Uruguay	63.5	Slovakia	20.1	Sweden	0.8
Czech Republic	62.7	Slovenia	16.6	South Korea	0.7
Slovakia	62.1	Japan	16.3	Netherlands	0.6
Mexico	61.6	Czech Republic	15.1	Canada	0.6
Venezuela	60.6	United States	13.6	Finland	0.5
Latvia	54.2	Philippines	13.5	New Zealand	0.5
Taiwan	49.1	Portugal	13.3	Norway	0.4
Bulgaria	46.8	Poland	9.7	Austria	0.2
Philippines	44.5	Bulgaria	8.0	Denmark	0.2
United States	39.0	Latvia	7.6	Cyprus	0.0
Russia	38.5	Russia	2.5	Switzerland	0.0

Source: International Social Survey Program (www.issp.org). The U.S. survey was administered by NORC (www.norc.org/projects/general+social+survey.htm).

a. Respondents were asked: "Thinking of the last national election in [country], how honest was it regarding counting and reporting the vote? Very honest, somewhat honest, neither honest or dishonest, somewhat dishonest, very dishonest."

Table 1-2. *Indicators of Democratic Elections, American States, 2006–08*

Percent except where indicated

State	*Turnout VEP*[a,c]	*Turnout VAP*[a,c]	*Competitive Senate race (winning margin)*[b,d]	*Competitive governor race (winning margin)*[b,d]	*Days before election to register*[b,e]	*Voting early (mail or in person)*[a,f,g]	*Reporting they had to show a photo ID to vote*[f,h]	*Reporting problems with their voter registration*[f,i]	*Waiting 30 minutes or more in line to vote*[f,j]
Alabama	37.4	35.8	. . .	16	10	7.4	90.7	2.3	0.8
Alaska	50.8	48.1	. . .	8	30	13.4	66.7	1.4	0.4
Arizona	38.8	33.2	9	28	29	53.8	94.2	3.4	1.7
Arkansas	37.3	35.3	. . .	14	20	36.7	83.8	2.3	5.9
California	40.1	32.0	24	17	29	41.8	21.9	3.7	4.4
Colorado	47.1	43.1	. . .	15	29	57.1	93.8	2.8	24.0
Connecticut	45.7	42.2	10	28	14	6.0	96.8	3.5	1.0
Delaware	43.0	39.0	41	. . .	20	3.0	89.3	4.7	6.0
Florida[k]	39.9	34.0	22	7	29	38.5	97.3[l]	4.0	2.0
Georgia	34.5	30.4	. . .	20	29	19.7	84.4	3.6	5.8
Hawaii[k]	37.8	34.7	24	28	30	41.8	92.3[l]	4.6	2.4
Idaho	45.5	41.8	. . .	9	0	14.9	26.6	1.8	6.2
Illinois	40.6	36.1	. . .	10	29	12.6	33.5	4.0	1.1
Indiana[k]	36.2	35.0	74	. . .	29	13.0	99.3	4.5	2.2
Iowa	48.7	46.3	. . .	10	0	24.7	18.1	1.8	1.0
Kansas	43.5	41.1	. . .	17	14	21.9	17.6	1.0	2.8
Kentucky	40.7	39.0	. . .	. . .	28	6.3	72.7	2.9	4.2
Louisiana[k]	30.1	28.8	. . .	. . .	24	5.6	96.3	5.2	0.5
Maine	53.5	53.0	54	8	0	19.9	8.4	1.3	0.0
Maryland	46.7	41.8	10	7	29	14.5	21.3	3.3	12.2

Massachusetts	49.1	44.4	38	21	20	7.6	12.6	2.3	0.0
Michigan	52.2	49.9	16	14	30	13.8	19.2	2.1	4.0
Minnesota	60.8	56.3	20	1	0	9.7	34.8	3.4	2.3
Mississippi	29.3	28.5	29	. . .	30	8.5	22.3	5.1	0.5
Missouri	50.2	48.1	3	. . .	28	9.1	50.4	3.4	7.7
Montana	56.7	56.0	1	. . .	0	28.3	87.4	4.0	2.2
Nebraska	47.7	45.1	28	50	10	27.4	8.9	3.2	1.0
Nevada	35.7	30.9	14	4	30	57.5	30.3	4.7	1.4
New Hampshire	40.8	39.5	. . .	48	0	7.0	12.5	3.7	0.0
New Jersey	40.1	33.8	8	. . .	29	4.4	14.1	4.7	0.4
New Mexico	41.8	38.8	42	38	28	52.5	37.4	2.1	2.8
New York	34.5	30.3	36	40	25	5.3	19.1	3.2	0.8
North Carolina	31.4	28.7	. . .	. . .	0	28.9	23.0	4.0	2.4
North Dakota	45.7	44.7	39	. . .	0	24.3	98.6	2.1	1.5
Ohio	47.5	46.2	12	23	30	18.5	96.8	5.0	6.5
Oklahoma	36.1	34.5	. . .	34	24	12.3	15.6	3.7	0.3
Oregon	50.6	48.2	. . .	8	20	97.9	29.3	2.2	0.0
Pennsylvania	43.6	42.5	18	20	30	4.2	22.1	2.6	1.8
Rhode Island	52.1	46.4	6	2	30	3.8	13.9	4.1	0.8
South Carolina	35.2	33.1	. . .	10	30	11.4	57.8	3.9	6.9
South Dakota[k]	58.3	57.1	. . .	28	15	24.1	99.0	2.6	0.0
Tennessee	41.8	39.8	3	39	30	53.4	64.8	2.8	26.2
Texas	30.2	25.6	26	9	30	51.2	53.6	4.7	9.2
Utah	34.5	32.3	32	. . .	20	20.4	35.2	5.6	2.3
Vermont	54.9	53.6	33	16	10	16.8	11.6	4.7	0.0
Virginia	44.3	40.4	1	12	28	9.3	78.5	3.3	5.3
Washington	46.6	42.6	17	. . .	30	85.4	61.4	2.2	0.8
West Virginia	32.6	32.2	30	. . .	30	14.4	23.5	7.1	0.5

Table 1-2 *(continued)*

State	*Turnout VEP*[a,c]	*Turnout VAP*[a,c]	*Competitive Senate race (winning margin)*[b,d]	*Competitive governor race (winning margin)*[b,d]	*Days before election to register*[b,e]	*Voting early (mail or in person)*[a,f,g]	*Reporting they had to show a photo ID to vote*[f,h]	*Reporting problems with their voter registration*[f,i]	*Waiting 30 minutes or more in line to vote*[f,j]
Wisconsin	53.3	50.9	37	8	0	11.2	27.6	6.0	2.8
Wyoming	50.7	49.4	40	40	0	19.5	14.2	0.7	0.0
National average	43.0	40.4	24	19	21.5	25.9	48.9	3.05	3.5

Source: Multiple sources. See notes.

a. Higher values are better.

b. Lower values are better.

c. VEP = voter-eligible population (all eligible voters); VAP = voting-age population. Turnout rates are for the 2006 congressional elections. From Michael McDonald's website at George Mason University (http://elections.gmu.edu/voter_turnout.htm).

d. Data based on authors' calculations of the competitiveness of the Senate and gubernatorial races in the respondent's state. Values are winning vote margins, as percentages, between the winner of the race and the runner-up. Missing data indicate no election for this office in 2006.

e. Days before an election by which citizens must register to vote. Data current as of October 2008 from the Demos Foundation. States with 0 have either election day registration or no voter registration.

f. Data aggregated to the state level from survey responses in the 2006 Cooperative Comparative Election Study (CCES) of 30,000 respondents from all fifty states (www.polimetrix.com). State estimates calculated using Polimetrix survey weights.

g. Question wording: "Did you vote in person on election day at a precinct, in person before election day, or by mail (that is, absentee or vote by mail)?"

h. Question wording: "Were you asked to show picture identification, such as a driver's license, at the polling place this November?"

i. Question wording: "Was there a problem with your voter registration when you tried to vote?"

j. Question wording: "Approximately how long did you wait in line to vote on election day?"

k. States requiring photo identification to vote in 2006. South Carolina required photo identification in 2004 but in 2006 reverted to government identification or a voter registration card.

l. Anomaly: state without photo identification law and a high proportion of voters in this state showed voter identification to vote.

What are the reasons Americans give for not voting? The Pew Research Center's "Early October 2006 Turnout Survey" found that 40 percent of voters who had not registered or voted in the 2004 elections mentioned logistical issues, such as having just moved or being busy with work.[23] Another 30 percent said they did not care or had no confidence in politics. Most others were ineligible to vote. More than one-third of registered nonvoters mentioned dislike of candidates or disinterest as reasons for not voting in 2004. One-quarter said they were too busy or that voting was somehow too inconvenient. More than half of Americans (57 percent) completely or mostly agreed with the general statement, "I sometimes feel I don't know enough about the candidates to vote," indicating that a lack of knowledge or interest in politics was a widespread reason for disengagement in politics. These responses suggest that low participation in American elections has at least two major dimensions. The choices that elections present may fail to mobilize the interest of a substantial proportion of citizens, and the administration of elections presents another set of barriers.[24] The inconvenience associated with registration and voting and the lack of confidence in the honesty of the election system both undermine voting.

Table 1-2 shows how the fifty states rate on several indicators of election performance as of 2006–08. The table reveals substantial variation across the states in the competitiveness of candidate races in 2006. In Nebraska, for example, the race for governor was decided by a margin of 50 percentage points, whereas in Minnesota the winning margin was 1 percentage point. If voters believe that most elections are likely to be decided by large margins, they may be discouraged from voting by the belief that their votes do not matter.

The states' elections rules also vary considerably. For example, registration deadlines differ from state to state. In 2008 Iowa, Montana, and North Carolina began to allow voters to register on the day of the election, joining seven other states. Yet many states still require registration a full month before the election, significantly reducing turnout. Similarly, states vary in their approaches to making voting convenient through absentee voting, mail voting, and early voting, all of which may increase turnout. Nearly 98 percent of voters in Oregon participated in early voting (all-mail elections, no polling places), in comparison with 4 percent in Rhode Island (either in person at a polling place or by absentee voting). Identification requirements for voting vary considerably from state to state, as does the proportion of respondents saying they had to show some form of photo identification to vote. Surprisingly, some share of voters in every state reported that they had to show a picture ID, although not all states have such a requirement.

This last finding suggests that the actual conduct of an election can be as important as the rules. Among the challenges some voters confronted in 2006 were problems with their registration and long waiting lines at polling places. The percentage of citizens reporting problems with their registration at the polling booth ranged from a high of 7 percent in West Virginia to a low of about 1 percent in Wyoming and Kansas. At 4 percent and 5 percent, respectively, Florida and Ohio were not that far from the national average, despite the media attention devoted to their problems. Waiting times to vote varied across a broader range, with close to a quarter of Colorado and Tennessee voters reporting that they waited in line more than thirty minutes, in comparison with none in New Hampshire. Generally, in small and rural states, fewer voters reported waiting more than thirty minutes in line to vote.

The Goals of Election Reform

Since 2000 states have adopted myriad election administration reforms. Many of these sought to make the act of voting easier and the processes of registering voters, running polling places, and counting votes more accurate. Other efforts, including those focusing on campaign finance, term limits, and reform of districting practices, attempted to address issues of electoral competition. A common theme across these reform efforts is that "something" must be done to restore public confidence in elections.

In this book we consider these reforms in terms of their ability to promote three essential, interrelated goals: integrity, participation, and responsiveness. The *integrity* of an election system rests on a fair and impartial application of rules for registering voters, casting votes, and counting ballots. This means that the administration of elections must be efficient: voter rolls and vote counts must be accurate. In addition, the election system must be transparent: voters should understand where to vote, how to use voting machines, how to read the ballot, and whom to ask for help.

Second, the election system should encourage full *participation* so that the electorate is representative of the eligible voter population. Increased turnout is a goal that might be accomplished by making voting and registration easier and more convenient, by including citizens more directly in policy decisions, and by increasing electoral competition. Of course greater participation does not automatically lead to a more representative electorate. Therefore, policymakers must ensure that the rules governing registration and voting do not lead to systematic bias. They should not present different barriers for racial or ethnic minorities, the poor, the uneducated, the elderly, and the young.

Third, the rules governing elections should promote *responsiveness* to changes in citizen preferences. Elections, in other words, should offer voters meaningful choices. This goal can be promoted by making it easier for third-party candidates—or any candidates—to run for office and by drawing legislative district lines to maximize competition. These reforms can increase the likelihood that incumbents will face credible challengers.

Contemplating a counterfactual world with opposite goals can help underscore the importance of these broad ideals. The opposite of an election system with integrity is a corrupt system in which outcomes fail to reflect mass preferences. The opposite of a fully participatory election system is one based on a biased sample of the electorate. The opposite of a responsive election system is one that is excessively stable and unchanging in the face of shifts in public preferences.

An Overview of the Book

In considering recent attempts at election reform with these goals in mind, we organized the chapters in this volume into three parts. In part 1 we examine reforms aimed at improving the integrity of the election process. These reforms generally take the form of administrative and technological innovations within the existing structure of representation. In part 2 we assess some proposals that aim to increase participation and turnout. Such reforms typically focus on making voting and registration more convenient or on stimulating voter interest and participation in elections through the use of direct democracy. In part 3 we consider reforms that aim to improve the responsiveness of electoral outcomes. These include structural changes and rule changes that alter the mix of candidates, issues, and parties facing voters. These structural reforms may open up the process to more voters, create a more equitable division of districts, and ensure that women and minorities are represented in government.

In the concluding chapter, Bruce Cain summarizes the major findings of the book and discusses broader questions about the future of election reform in America. He focuses on the lessons learned from first-generation election reforms in the American states and on the promises that second-generation reforms may hold. His discussion ends with five guidelines for future election reformers.

The two chapters in part 1 are concerned with the integrity of the elections. Since the adoption of HAVA in 2002 the states have witnessed a massive shift toward computerized voting machines. In chapter 2 Lonna Rae Atkeson and

Kyle Saunders draw on survey data from the 2006 elections to explore the effects that election administration, particularly the use of electronic voting machines, has had on voter confidence in the election system. In chapter 3 Thad Hall, Quin Monson, and Kelly Patterson focus on poll workers to study the effects of training on election administration.

The chapters in part 2 examine election participation. Although most advanced industrialized nations have universal voter registration if not compulsory voting, and Europe has progressed rapidly with remote Internet voting, only a handful of states allow election day registration (Iowa, Montana, and North Carolina being the most recent adopters), and many states continue to require registration a month before the election. In chapter 4 Eric Gonzales Juenke and Julie Marie Shepard analyze the effects of new voting centers that allow Colorado voters to vote anywhere in their county of residence on election day. Another trend is the steady rise in early voting, discussed in chapter 5 by Paul Gronke, Eva Galanes-Rosenbaum, and Peter Miller. In chapter 6 Caroline Tolbert, Todd Donovan, Bridgett King, and Shaun Bowler compare the effects of convenience voting reforms and electoral competition on voter turnout in the states over time. While the current literature tends to focus on individual reforms in isolation, this chapter shows that convenience voting laws and electoral competition may combine to increase participation in elections. Caroline Tolbert and Daniel Bowen, in the final chapter in part 2, look at the use of direct democracy—ballot initiatives and referenda—to expand democratic participation by allowing voters to make policy choices directly, potentially justifying expansion of the process.

Part 3 focuses on improving the responsiveness and competitiveness of the election system. In the 2004 elections, just fourteen U.S. House seats were considered very competitive (vote margin of 5 percent or less), while in a typical election more than one-third of state legislative races are uncontested.[25] Thad Kousser, Christopher Cooper, Michael McDonald, and Barry Burden examine reforms that seek to reinvigorate the election system by offering voters new or more choices. In chapter 8 Kousser looks at term limits, concluding that although they increase turnover in state legislatures they do not increase electoral competition. In chapter 9 Cooper examines the effects of multimember districts in state legislatures, paying particular attention to their implications for third parties. In chapter 10 McDonald explores alternatives to the practice of legislative redistricting, which typically limits competition by protecting incumbents. And in chapter 11 Burden analyzes the relationship between ballot access regulations and the strength of third parties.

Unfortunately, legislators rarely have strong incentives to support reforms that may put their own seats at risk or otherwise weaken the advantages they enjoy over challengers. Therefore, reformers must often look for other avenues to promote change. In chapter 12 Daniel Smith discusses the role of ballot initiatives in promoting election and ethics reforms in the American states, and in chapter 13 Todd Donovan returns the discussion to the fundamentals by showing why electoral competition is so important and how it affects the representation of voter preferences, election turnout, and polarization within Congress. Increased competition, he concludes, is not just an important means to an end; it is itself a goal of democracy.

A Twenty-First-Century Reform Agenda

A hundred years ago Progressive Era reformers pressed for sweeping changes in government rules and institutions. The Progressives were largely concerned with combating the power of big business and corrupt urban political machines. The reforms they promoted, however, had the much larger effect of updating and modernizing government for the twentieth century. These reforms included measures aimed at improving the integrity of the election system, such as the secret ballot, the long ballot, and the civil service. The last of these placed most federal employees on the merit system and marked the end of the so-called spoils system, in which government jobs were provided in exchange for votes. They also encompassed structural election reforms intended to improve participation and responsiveness, such as women's suffrage, the direct election of U.S. senators, direct democracy (initiative, referendum, and recall), and the shift from ward district to at-large elections.

At the beginning of the twenty-first century we hear repeated calls for a new progressivism to reevaluate America's electoral institutions.[26] Once again, political elites have resisted attempts to change electoral institutions, evidenced by widespread partisan gerrymandering of state legislative and congressional districts.[27] To reduce the corruption of machine politics historical Progressives advocated reforms that changed representation from geographically based wards to at-large (citywide) districts.[28] Today a shift from single-member plurality districts to proportional representation for Congress and state legislatures may be the only way to end partisan gerrymandering.[29] A 2008 national survey finds that 62 percent of Americans support a proposal for proportional representation to elect Congress, which would increase the number of third parties.[30] Historical Progressives adopted the direct election of U.S. senators, and today there are calls to directly elect the president via a national popular vote and instant runoff voting. The 2008 survey finds that 58 percent of Americans support the direct election of the president and elimination of the Electoral College.[31]

While the Progressives advocated direct democracy at the subnational level, today a national referendum is being discussed. Even though the United States is one of the only nations in the world never to give voters a direct say in making laws at the national level, the referendum has popular support. The 2008 survey finds that 66 percent of Americans would support a proposal to create a national referendum whereby laws referred by Congress would be voted on.[32] (This percentage could be high: we know from studies of opinion that responses to such questions inflate positive responses over how voters would respond to a real-world choice.)[33]

Some research suggests that the states likely to update election laws and procedures in the period 2000–01 were those with legislative term limits (where lawmakers were more willing to take risks), swing states in the 2000 presidential election (which had higher voting error rates), and those in which statewide commissions recommended reforms.[34] Thus elections reforms, such as term limits, may beget additional reforms, and multiple factors (from election administration errors to competition) may combine to facilitate updating election rules. A modern version of the Progressive Era's leadership may be critical to the reform of America's election system today, but this is the very piece that may be missing.

In response to these calls for reform, we suggest that a successful election reform agenda in the United States requires the threefold strategy outlined above: reforms to improve the integrity of elections, reforms designed to increase political participation, and structural reforms of state election systems to improve responsiveness and electoral competition. These three components of America's reform agenda are represented by the three sections of this book.

Notes

1. Many of the chapters in this volume were presented as papers at a conference hosted by Kent State University's Department of Political Science, "2008 and Beyond: The Future of Election and Ethics Reform in the States," Columbus, Ohio, January 16–18, 2007 (http://dept.kent.edu/columbus/symposium/).

2. Center for Political Studies (2004).

3. Center for Political Studies (2004).

4. Benjamin and Malbin (1992).

5. Mann (2004).

6. See www.opensecrets.org/pubs/survey/s2.htm.

7. Ornstein, Mann, and Malbin (2000).

8. Center for Political Studies (2004).

9. Brennan Center, "Breaking Free with Fair Elections," 2007 (www.brennancenter.org/dynamic/subpages/download_file_48611.pdf).

10. A draft of the executive summary of the report can be found at www.washingtonpost.com/wp-srv/onpolitics/transcripts/ccrdraft060401.htm.

11. Cal Tech–MIT Voting Technology Project, "Residual Votes Attributable to Technology," version 2, March 30, 2001 (www.hss.caltech.edu/~voting/CalTech_MIT_Report_Version2.pdf).

12. Pew Research Center, "Many Question Bush or Gore as Legitimate Winner," survey report, December 1, 2000 (http://people-press.org/reports/display.php3?ReportID=22).

13. CNN poll, December 13, 2000 (http://archives.cnn.com/2000/allpolitics/stories/12/13/cnn.poll/index.html).

14. Kohut (2006).

15. Carl Vinson Institute of Government (2003).

16. Melanie Warner, "Machine Politics in the Digital Age," *New York Times,* November 9, 2003.

17. Alvarez and Hall (2006).

18. See http://people-press.org/dataarchive/.

19. This was found via a multivariate model estimating Americans' responses to the International Social Survey Program question about honesty in elections. The model also included gender, political interest, and age. Results are available from the editors on request.

20. Smartmatic is based in Florida and owned largely by Venezuelan investors. It purchased Sequoia Voting Systems in 2005 (http://news.bbc.co.uk/2/hi/americas/6098256.stm).

21. "Turnout in the world—country by country performance" (www.idea.int/vt/survey/voter_turnout_pop2.cfm). For more on the popular vote, see the National Popular Vote Plan at www.nationalpopularvote.com.

22. Michael McDonald, "United States Election Project," 2007 (http://elections.gmu.edu/voter_turnout.htm).

23. See http://people-press.org/dataarchive.

24. Donovan and Tolbert (2007).

25. Squire (2000).

26. Tolbert (2003).

27. McDonald and Samples (2006); Mann and Cain (2005); Butler and Cain (1992); and Cain (1985).

28. Historical Progressives also used at-large districts to circumvent the constituency of political machines, including ethnic immigrants and political parties more generally. Critics contend at-large elections disenfranchised ethnic immigrants and today hinder representation for racial minorities. Today there is a shift back to wards to improve geographically based minority representation or mixed representation; however, more than 60 percent of U.S. cities use at-large elections.

29. Barber (2000); Barber (1995); Donovan and Bowler (2004); Bowler, Donovan, and Brockington (2003).

30. University of Iowa Hawkeye Poll 2008 (www.uiowa.edu/election/news-events/index.html#hawkeyepoll) questioned a nationwide sample of 856 adult registered voters between February 1 and February 5, 2008, using telephone surveying and random digit dialing. Question wording: "Some people suggest we should use proportional representation to elect Congress. This would probably mean that three or more parties would be represented in Congress. Would you support such a proposal?"

31. Question wording: "When it comes to electing the President, some suggest we get rid of the Electoral College and simply elect the candidate who most people voted for. States with large populations could have more influence over who wins. Would you support or oppose such a proposal?" For more on the popular vote, see the National Popular Vote Plan at www.nationalpopularvote.com.

32. Question wording: "There is a proposal for a national referendum to permit people to vote directly to approve or reject some federal laws. Would you support this proposal to give voters a direct say in making laws?"

33. Bowler and Donovan (2007).

34. Palazzolo and Moscardelli (2006).