

ELECTORAL COLLEGE REFORM OR ABOLITION**I. “Problems” with the Existing Electoral College System**

Noted throughout the semester in class, as well as in readings.

1. *Disparity* between popular and electoral vote proportions – typically *exaggerating* the winner’s margin.
2. “*Disenfranchisement*” of voters in non-battleground states.
3. “*Wrong Winner* — popular vote loser may be elected on the basis of electoral votes.
4. The *Small State Advantage* resulting from the apportionment of electoral votes (3 vote minimum).
5. Apparent *Large State Advantage* resulting from the general ticket system (winner-take-all).
6. *Gerrymandering* of electoral districts (if used).
7. Effects of a “Florida 2000” type of problem.
8. The *Incentive for Disputes or Fraud* concerning vote counting in pivotal states.
9. The *Discretion given to State Legislatures* concerning the mode of appointing electors.
10. *Unpledged or Faithless Electors* possibly determining the outcome of the election.
11. The “*Spoiler*” *Effect* — the presence of a third candidate who cannot win may tip the outcome of the election.
12. The *Contingent Procedure* in the event no candidate has an electoral vote majority.
13. *Timeliness* in determining the winner (in event of Electoral College deadlock)
14. The Absence of *National Standards* for ballot access, voter registration, voting mechanisms, etc.

II. Alternatives to the Existing Electoral College System

All but #7 require a constitutional amendment. Most have been noted in class; also see Edwards, concluding chapter, and Ross, Chapter 11.

1. ***The Automatic Plan.*** Regularize the Electoral College a vote counting mechanism by abolishing the position of elector while retaining electoral votes to be automatically awarded as a block to the plurality winner in each state. (Probably revise the contingent procedure as well.)
2. ***The District Plan.*** Select electors (or award electoral votes) by plurality in single-member districts within states (perhaps Congressional Districts with the two remaining electors/votes awarded to the state-wide plurality winner, as Maine and Nebraska now do). (Probably revise the contingent procedure as well.)
3. ***The Proportional Plan.*** Award electoral votes of each states in proportion to the popular vote within each state. If “exact” proportions were used, fractional electoral votes would result, so the office of elector would have to be abolished. Alternatively, a PR apportionment formula could be used, so that only whole numbers of electors/votes would be awarded to candidates (e.g., in the manner of Colorado Proposition #36). (Probably revise the contingent procedure as well.)
4. ***The Bonus Plan.*** Retain the existing system (or use the Automatic Plan) but add 100 (or so) electoral votes to be awarded to the nation-wide popular vote plurality winner.
5. ***The Popular Vote Plan.*** Abolish the Electoral college in its entirety and hold a national direct popular election for President (and Vice President), with or without an (instant or other) runoff (or possibly approval voting), perhaps (if with) using a 40% (rather than 50%) quota for election in the first round.
6. ***Revision of Contingent Procedure.*** Many options exist, but two have received the most attention: (i) abolish majority electoral vote requirement for election (and devise some tie-breaking rule) or (ii) election by a *joint* session of Congress, voting one-member, one-vote.
7. ***National Popular Vote Plan.*** Use interstate compact to bypass constitutional amendment process.

III. Problem/Plan Matrix

"Problems" with Electoral College	Alternative Plans			
	<i>Automatic</i>	<i>District</i>	<i>Proportional</i>	<i>Popular</i>
<i>"Exaggeration/Disparity"</i>	No Change	Reduced	Eliminated	Eliminated
<i>"Disenfranchisement"</i>	No Change	Unclear	Eliminated	Eliminated
<i>"Wrong Winner"</i>	No Change	No Change	No change	Eliminated
<i>Small State Advantage</i>	No change	No change	No Change	Eliminated
<i>Large State Advantage</i>	No Change	Eliminated	Eliminated	Enhanced ??
<i>Gerrymandering</i>	No Changed	Worsened	No Change	No change
<i>"Florida" Problems</i>	No Change	Localized	Nationalized	Nationalized
<i>Incentive for Disputes or Fraud</i>	No Change	Localized	Nationalized	Nationalized
<i>State Legislative Discretion</i>	Eliminated	Eliminated	Eliminated	Eliminated
<i>Faithless/Unpledged Electors</i>	Eliminated	???	Prob. Elim.	Eliminated
<i>"Spoiler" Effect</i>	No change	No change	No change	No change
<i>Contingent Procedure</i>	???	???	???	(IRV??)
<i>Timeliness</i>	No change	???	???	Mitigated
<i>National Standards</i>	No change	No Change	No Changed	Must be addressed