

VIEWPOINT

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U.S. relives dissatisfaction of voting system

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What is really going on with the electoral scene in the UNITED STATES? Is the system the United States uses to elect a president as archaic as it appears? The answer is . . . yes . . . and . . . no . . . read on . . .

In the 12th century, when Roman rule still influenced a large part of Europe, Holy Roman emperors — in reality German Kings — were selected by the princesses of the various kingdoms, who became known as electors. When Henry V died in 1125 with no heirs, these electors came into their own by tossing out the principle of hereditary monarchy, and in so doing, strengthening their power into what they called a "college." Push and pull went on until the late 1790s when the Holy Roman Empire caved, thanks to a hefty shove by Napoleon, with the Electoral College concept left dead on the vine since most movers and shakers in Europe agreed the system was flawed.

The Electoral College seedlings promptly caught the prevailing winds of change to land in Philadelphia just in time to catch root as Article 2, Section 1 of the Constitution of the newly formed United States of America, which affirms (in part):

Each state shall appoint, in such manner as the legislature thereof may direct a number of electors equal to the whole number of senators and representatives to which the state may be entitled in the Congress. The person having the greatest number of (electoral) votes shall be the president.

Only at the very outset of the republic did the Electoral College work as planned with electors then most often chosen by the state legislatures. Around 1840, with the growth of democratic sentiment, popular election of electors became the rule, except for South Carolina, which didn't shift over until after the Civil War. As political parties grew in strength and popularity, popular vote through the general ticket system (what the United States now uses) took hold, whereby a party needs but a plurality to carry the state. Thus in every state, a voter casts his ballot for as many electors his

state is entitled to, and the winner takes all. But, and here's the fly in the ointment:

There is nothing in the Constitution that requires the electors be chosen by popular vote and as a matter of fact, nor does it specify that the general ticket system be employed.

States have passed their own laws governing elections which cause each to fall into two general classes of electoral categories.

A) Those whose electors are "not bound" to cast their votes for a specific candidate and,
B) Those that are so "bound." Those that are "bound" fall into three slightly different classifications:

- 1) "bound" by state law to vote for a specific candidate under penalty (fines and imprisonment in some cases),
- 2) "bound" by party pledge or,
- 3) "bound" by state pledge.

In Florida; now key to the 2000 electoral outcome, the electors are "bound" to vote for the candidate with the most popular votes both by state law and party pledge.

As of Nov. 17, Gore had 255 and Bush 246 electoral votes locked, with Florida's 25 electoral votes (popular vote Bush 2,911,872, Gore 2,910,942) set to decide the outcome of the presidential election no matter how New Mexico's five and Oregon's seven electoral votes fall. As of Nov. 17 the national tally of popular votes totaled 49,872,710 for Gore and 49,654,788 for Bush, a situation that could make Bush the ninth president elected without a majority of the popular vote, joining such well known folks as Abraham Lincoln (1860), Harry S Truman (1948), John F. Kennedy (1960) and Richard Nixon (1968). After each of these elections, attempts to abolish the Electoral College concept and to change the method of presidential election have met with failure. No doubt, the fire will be lit again in 2001, this time ignited by consummate voter dissatisfaction and honest embarrassment with the workings of the overall electoral system.

As a result of the disputed election of 1876, Congress deliberated during ten years to pass, in 1887, The Electoral Count Act which placed the responsibility of deciding electoral disputes

This brings the country to focus on the job the Supreme Court must face when they try to sort out the Florida Electile Dysfunction Drama, for they will be judging Florida law and only Florida law and acts by Florida officials.

Florida is surely not alone in the nation in the use of ancient, inherited technology in their balloting procedures. The most common Florida ballot is based on the old IBM type punch card system, deemed obsolete by most businesses 40 years ago. The card supplied to voters in 2000 required a small perforated piece above the number assigned to the candidate of your choice to be pushed out with a wire clip. Here's the problem. Simply pushing the tab out does not free it from the card. One corner of the small tab invariably remains stuck, which requires the card to be turned over and the tab pulled loose because if not, when it's shoved through the scanning machine, the loose tab could end up covering its original hole. Not as that tricky, but people in a rush, the aged, or careless could easily find their vote invalidated. And the solution is so easy!

Why doesn't government learn from commerce? Most of us use bank teller machines all the time. In my seafaring travels, I have received money from a machine at a bank in a small town in Bulgaria out of my account in Miami. It even said "Hello Mr. Butler" in Cyrillic! Why not embrace this amazing everyday concept, issue plastic voter registration cards containing our Social Security number and precinct data on a magnetic stripe all to be verified against a personal secret PIN number? It shouldn't take rocket science (and if it does, hey, U.S. taxpayers have already paid through the nose for it) to conceive a simple system that uses technology available today at many street corners all around the United States to help citizens vote remotely, comfortably, accurately, securely and in a timely fashion.

And as far as the Electoral College is concerned, that subject will keep Congress busy for at least 10 years. Based on precedent established over the past 200 years, chances are high that the system will remain as it is.