Election Reform: The Failed Experiment
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by Dr. G. Terry Madonna and Dr. Michael Young

There is a lot of evidence that government doesn't respond to problems fully until there has been a crisis of some sort--something has to go badly wrong and then government gets mobilized, steps up to the plate, and takes decisive action to solve the problem. The slumbering giant is awakened. The challenge is met. Yes, maybe sometimes it takes a village, but mostly it takes a crisis.

But there are times when even a crisis doesn't do it. A case in point: the ongoing national disgrace in the various voting systems--revealed painfully by last fall's presidential election and its aftermath. A year ago, the nation witnessed a crisis in Florida that required the U.S. Supreme Court to resolve. When the court finally stopped the statewide recount in the Florida presidential election, a national furor erupted, and a national consensus emerged. Reform voting systems, and reform them now.

The problem clearly was not confined to Florida. More than one-half of the nation's voting jurisdictions had problems. Whether equipment, procedure, or worker-related, they had problems. Quickly, many federal officials promised action, especially money for new voting devices and for the training of election officials. America would solve this problem.

Well, not quite. It's amusing to recall it now, but at the time a few skeptics actually cautioned against moving too fast--even of a possible overreaction, of doing to much too soon. Hey, we didn't need to worry. More than a year after the Election 2000 disaster, the Feds have provided no money, in fact any help of any kind.

Nor have the individual states--supposedly the custodians of our electoral systems--done much better. Virtually every state has studied their election systems--more than 1,800 election reform bills have been introduced into the state legislatures, and very little has changed.

Our own state of Pennsylvania has hardly been a model of decisive action. Not that the alarm was not sounded here. As in other states after the Florida experience, Pennsylvania's political leaders tripped all over themselves establishing commissions to study the problem. Three study groups were created. And they were needed. Probably no state should have been more concerned than Pennsylvania of repeating the Florida voting debacle. In fact, the potential for an electoral meltdown in Pennsylvania is probably worse not better than in Florida.

But now, more than a year after the Florida election dispute, nothing has changed. One study group, the Voting Modernization Task Force, established by former Gov. Tom Ridge, is scheduled to release its report shortly. An advance copy leaked to a state newspaper spells out the problem for those seeking election reform. The Task Force's recommendations dealing with the type of voting systems used in the counties say any change should be voluntary not mandatory. Translation--the state won't fork up the money to pay for new voting devices or for training.

The picture from the county level is no brighter. Pennsylvania counties currently employ six different types of voting systems, including the now infamous punch cards used in Florida. Even more dubious are the
mechanical lever machines still used in 25 counties. These machines are relics of the past. Not only are they old; they're not even made any longer. They are a nightmare to use. The names of candidates are difficult to read, the levers stick, the ballot is often presented in a confusing manner, and they are capable of undercounting votes actually cast.

You would think these machines would be relegated to the Smithsonian. But you would be wrong. They are alive and well in 40 percent of Pennsylvania's counties.

Nothing illustrates the unevenness of the situation in Pennsylvania better than how adjacent Montgomery and Bucks Counties have done things. Montgomery County spent $5.5 million to replace lever machine dinosaurs. But guess what? Neighboring Bucks County bought some of them. In Bucks, repairing the old machines and having the dinosaur replacement machines available are preferable to asking its citizens to undertake a large financial commitment to replace the fossils in use.

Nor is antique equipment the end of the problems. Elected officials at the precinct level--judges of elections and precinct inspectors--conduct elections in voting precincts. Most try to do a good job, but often some can't answer basic voting questions. Worse, voters are sometimes treated like an annoyance, especially when they appear confused about voting procedures. In some places, these election officials are very partisan and the voting places resemble a party headquarters.

County officials have tried for years to get funding for both training and needed equipment. But in the end, county governments remain trapped in a dilemma. They are responsible for the integrity of a broken electoral process they can't afford to fix.

So, with respect to the voting mess--the Feds have lost interest in doing anything about it, the state apparently won't do anything about it, and the counties can't afford to do anything about it. Yes it's a mess, but there is an even better word to describe it. Fraud!

In fact, our existing electoral system in Pennsylvania and across much of the country amounts to voter fraud. Indeed, it resembles nothing so much as "ballot box stuffing" probably the oldest form of vote stealing. Ballot box stuffing usually depended on the assistance and abidance of election officials. And contemporary voting fraud very much has something in common with the old. It could not continue without the support of public officials who have done nothing to prevent it.

We think it deserves to be called the "new voter fraud," because like traditional voter fraud, voters are being deprived of their right to have an honest election--to cast a vote and have it counted. But whatever it is called, it is not in its consequences significantly different from traditional voter fraud. In fact, one can make an argument that traditional voter fraud--bad as it was--would be preferable to the largely invisible potentially massive fraud perpetrated upon voters today by the use of outdated and outmoded electoral mechanisms.

That this situation exists is bad enough. That government is ignoring it is almost beyond belief. Imagine if our government had announced it would respond to the anthrax scare by appointing multiple commissions to study the problem. Then, after a year of endless meeting and countless reports, the government concludes that the whole thing is just too confusing. And besides, it will be expensive to solve. So, we should just do voluntarily what we think is best. It will all work out.
But it won't all just work out—unless government makes it work out. And that includes providing the funds and the leadership necessary to get the job done. There's a lot of room for legitimate political debate in a democracy about what government should and shouldn't do. But there's no debate about this one. If there is any job beyond national defense itself that is clearly the government's responsibility, it is to ensure the integrity of the electoral process. That is not voluntary.

Politically Uncorrected™ is published twice monthly. Dr. G. Terry Madonna is a Professor of Public Affairs at Franklin & Marshall College, and Dr. Michael Young is a former Professor of Politics and Public Affairs at Penn State University and Managing Partner at Michael Young Strategic Research. The opinions expressed in this article are solely those of the authors and do not necessarily reflect the opinions of any institution or organization with which they are affiliated. This article may be used in whole or part only with appropriate attribution. Copyright © 2001 Terry Madonna and Michael Young.