

Vote May Sway Future of Electoral College

By MARK SHERMAN

WASHINGTON (AP) - It could happen again: One candidate captures the popular vote, but his opponent wins the presidency in the Electoral College.

Such a replay of the 2000 election is an outcome of Tuesday's balloting that many Americans dread. It also could be the one that finally would drive the nation to a serious debate about the future of the Electoral College.

Proponents of changing the way the United States elects its presidents say another mixed result would help build support, particularly if the parties' roles were reversed.

There was no groundswell to abolish the Electoral College in 2000, perhaps because of the partisan standoff that continued more than a month after Election Day.

Several Democrats eagerly proposed scrapping the Electoral College in favor of direct election of the president, but Republican-controlled congressional committees wouldn't schedule hearings.

When a national commission led by former Presidents Carter and Ford explored voting changes in 2001, they focused on balloting and voting machines and omitted any discussion of the Electoral College.

Vice President Al Gore won a half-million more votes nationwide than President Bush, who nevertheless became president by virtue of getting a majority of electoral votes.

This year, the possibility exists that Bush could be denied a second term despite winning the popular vote if Democrat John Kerry were to come up with enough narrow wins in battleground states, proponents of change in both parties said.

"That might cause Republican reconsideration just as there was Democratic angst in the last election," said GOP Rep. Jim Leach of Iowa, a longtime supporter of an overhaul of the Electoral College system.

Or, as Rep. Gene Green, D-Texas, said: "That would be like having the shoe on the other foot."

Called outdated and antiquated by its critics, the Electoral College has endured despite four elections in which candidates have become president despite finishing second in the popular vote.

Most polls find majorities favor getting rid of it. "People think of it as somewhere between bad and stupid," said Harvard University history professor Alexander Keyssar. "But that's been true for 50 years."

Because it is enshrined in the Constitution, the Electoral College could be abolished only through a constitutional amendment, and more than 700 attempts have failed. Amending the nation's basic law requires a two-thirds vote in both houses of Congress and ratification by 38 states - no easy feat, especially because the Electoral College gives small states disproportionate influence. States have a minimum of three electoral votes, no matter their size, as does the District of Columbia.

Defenders of the college say the protection of small states is a good reason to keep it. Do away with the Electoral College, they say, and candidates would campaign exclusively in states with large populations, where vote totals would swamp those of small states.

“The Electoral College embodies two kinds of principles in electing a president: proportionality based on population and equality of states,” said John Samples, director of the libertarian Cato Institute's Center for Representative Government.

But the small states' argument runs headlong into the 2004 election campaign, said Leach. Polling techniques are so advanced that candidates ignore states large and small in the current system. “They are only going to states where the margins are razor-thin, whether that's New Hampshire, Iowa or Ohio,” Leach said.

The latest effort to abolish the college - purely symbolic as it came in Congress' final weeks - was introduction of a constitutional amendment from Green and Rep. Brian Baird, D-Wash., to elect the president directly through popular vote.

Proposals generally fall into these categories:

Abolish the Electoral College and institute direct election of the president, perhaps requiring the winner to gain 40 percent of the vote to avoid a runoff.

Keep the college, but have states abandon the winner-take-all formula and allot electoral votes proportionally, as is under consideration in Colorado this year.

Give the statewide winner two electoral votes and award one vote to the winner of each congressional district, the system used in Maine and Nebraska.

Give an electoral vote bonus to the winner of the nationwide popular vote, which would eliminate most split decisions.

The closest the nation came to abolishing the Electoral College came after the 1968 election, when George Wallace's third-party candidacy raised fears that no one would win an electoral vote majority, said Keyssar, the Harvard professor.

In the end, Richard Nixon won the election, despite Alabama Gov. Wallace's 46 electoral votes. The next year, the House of Representatives overwhelmingly approved a constitutional amendment to replace the Electoral College with direct election. President Nixon endorsed it, but Sen. Sam Ervin, D-N.C., led Southern senators in a filibuster that doomed the amendment.

Despite the difficulty of changing it, Leach said the argument against the Electoral College is plain.

“We're advocating democracy around the world,” he said. “Are we suggesting to anyone they have an electoral college?”

On the Net:

Electoral College information: <http://www.fec.gov/pages/ecmenu2.htm>

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