Elections

**Guiding Question**
How are elections conducted in the United States? Use the chart to record information about how elections are administered and conducted.

<table>
<thead>
<tr>
<th>Elections</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

**Political Dictionary**
- ballot
- absentee voting
- coattail effect
- precinct
- polling place

**Objectives**
1. Analyze how the administration of elections in the United States helps make democracy work.
2. Define the role of local precincts and polling places in the election process.
3. Describe the various ways in which voters can cast their ballots.
4. Outline the role that voting devices play in the election process.

Most high school students are not old enough to vote. In some parts of the country, though, high school students can serve on local election boards. First in Hawaii and Oregon and now in several States, 16- and 17-year-olds can become full-fledged members of the panels that administer local elections.

We hold more elections in this country and we vote more often than most people realize. Indeed, Sundays and holidays are about the only days of the year on which people do not go to the polls somewhere in the United States. We also elect far more officeholders than most people realize—in fact, more than 500,000 of them, more than in any other country in the world.

**The Administration of Elections**
Democratic government cannot possibly hope to succeed unless its elections are free, honest, and accurately reported. Many people see the details of the election process as much too complicated, too legalistic, too dry and boring to worry about. Those who do really miss the vital part that those details play in making democracy work. How something can be done very often shapes what is in fact done—and that fact is as true in politics as it is in all other areas of human concern.

**Extent of Federal Control**
Nearly all elections in the United States are held to choose the more than 500,000 persons who hold elective office in the more than 89,000 units of government at the State and local levels. It is quite understandable, then, that most election law in the United States is State—not federal—law.

Even so, a body of federal election law does exist. The Constitution gives Congress the power to fix “the Times, Places, and Manner of holding Elections” of members of Congress.\(^{11}\) Congress also has the power to set the time for choosing presidential electors, to set the date for casting the electoral votes, and to regulate other aspects of the presidential election process.\(^{12}\)

\(^{11}\) Article I, Section 4, Clause 1; 17th Amendment

\(^{12}\) Article II, Section 1, Clause 4; 12th Amendment
Congress has set the date for holding congressional elections as the first Tuesday following the first Monday in November of every even-numbered year. It has set the same date every fourth year for the presidential election. Thus, the next presidential election will be held on November 6, 2012, and the next (off-year) congressional contests will be decided on November 4, 2014.

Congress has required the use of secret ballots and allowed the use of voting machines and similar devices in federal elections. It has also acted to protect the right to vote, as you saw in Chapter 6. Congress has also prohibited various corrupt practices and regulates the financing of campaigns for federal office, as you will see in the pages ahead.

Congress expanded the body of federal election law with the passage of the Help America Vote Act of 2002. That law came in response to the many ballot and voter registration problems that plagued several States in the presidential election in 2000. A ballot is the medium by which a voter registers a choice in an election.

In its major provisions, the law requires the States to:

1. replace all their lever-operated and punch-card voting devices by 2006—a deadline that, in fact, most States failed to meet;
2. upgrade their administration of elections, especially through the better training of local election officials and of those more than 2 million (mostly low-paid workers and volunteers) who work in precinct polling places on election day;
3. centralize and computerize their voter registration systems, to facilitate the identification of qualified voters on election day and so minimize fraudulent voting;
4. provide for provisional voting, so a person whose eligibility to vote has been challenged

---

13 Congress has made an exception for Alaska. Because of the possibility of severe weather in much of Alaska in early November, that State may, if it chooses, elect its congressional delegation and cast its presidential vote in October. To this point, however, Alaska has chosen to use the November date.

14 The word comes from the Italian ballotta, “little ball,” and reflects the practice of dropping black or white balls into a box to indicate a choice. The term blackball also comes from that practice. The ancient Romans used paper ballots as early as 139 B.C.

---

**How Government Works**

**What Happens to a Ballot?**

The several States offer voters different ways to cast their votes, in both paper formats and electronically, and on election day or earlier. **Why is it important for local officials to guard and track ballots after they are cast?**

**Paper Ballot**
- Usually collected at polling place, taken to counting facility

**Absentee Ballot**
- Mailed to the counting facility
- OR
- Brought to the polling place and combined with other ballots

**Electronic Ballot**
- Data transported manually on disks or drives
- OR
- Votes transmitted electronically to counting facility

**Counting Facility**

Ballots usually are counted in a central location and stored in case a recount is required.
can nonetheless cast a ballot that will be counted if it is later found that he or she is, in fact, qualified to vote.

State law deals with all other matters relating to national elections—and with all of the details of State and local elections as well.

**Election Day** Most States hold their elections to fill State offices on the same date Congress has set for national elections: in November of every even-numbered year. The “Tuesday-after-the-first-Monday” formula prevents election day from falling on (1) Sundays (to maintain the principle of separation of church and state) and (2) the first day of the month, which is often payday and therefore peculiarly subject to campaign pressures.

Some States do fix other dates for some offices, however. Louisiana, Mississippi, New Jersey, and Virginia elect the governor, other executive officers, and State legislators in November of odd-numbered years. In Kentucky, the governor and other executive officers are chosen in odd-numbered years, but legislators are elected in even-numbered years. City, county, and other local election dates vary from State to State. When those elections are not held in November, they generally take place in the spring.

**Early Voting** Millions of Americans cast their ballots before election day. Indeed, some 32 million did so in 2008. Many of them did so by absentee voting—a process by which they could vote without going to their polling places on election day. Congress was responsible for the first instance of absentee voting. In the midst of the Civil War, it provided for the casting of absentee ballots by federal troops in the elections of 1864. Over the years, every State has made at least some provision for the process.

Now, almost everywhere, voters can apply for an absentee ballot some weeks before an election. They mark those ballots and return them to the local election office, usually by mail, in a sealed envelope, and before election day.

State absentee voting was originally intended to serve a relatively small group of voters, especially the ill or disabled and those who expected to be away from home on election day. Most States have broadened their laws over recent years, however—to the point where, in most of them, any qualified voter can cast an absentee ballot simply because he or she wants to vote that way.

Two thirds of the States have now formalized early voting. They allow any voters who choose to do so to cast their ballots at any time over a period of several days before an election—not as an absentee ballot but as though they were voting on election day itself. Indeed, in many places, election day is now just the final day on which votes can be cast.

**The Coattail Effect** The coattail effect occurs when a strong candidate running for an office at the top of the ballot helps attract voters to other candidates on the party’s ticket. In effect, the lesser-known office seeker “rides the coattails” of the more prestigious personality—for example, a Franklin Roosevelt, a Ronald Reagan, or a Barack Obama. The coattail effect is usually most apparent in presidential elections. However, a popular candidate for senator or governor can have the same kind of pulling power in State and local elections.

A reverse coattail effect can occur, too. This happens when a candidate for some major office is less popular with many voters—for example, Barry Goldwater as the Republican presidential nominee in 1964, and George McGovern for the Democrats in 1972. President Jimmy Carter’s coattails were also of the reverse variety in 1980.

Some have long argued that all State and local elections should be held on dates other than those set for federal elections. This, they say, would help voters pay more attention to State and local candidates and issues and lessen the coattail effect a presidential candidate can have.

**Precincts and Polling Places**

A precinct is a voting district. Precincts are the smallest geographic units for the conduct of elections. State law regularly restricts their size, generally to an area with no more than 500 to 1,000 or so qualified voters. A polling place—the place where the voters who live in a precinct actually vote—is located somewhere in or near each precinct.
A precinct election board supervises the polling place and the voting process in each precinct. Typically, the county clerk or county board of elections draws precinct lines, fixes the location of each polling place, and picks the members of the precinct boards.

The precinct board opens and closes the polls at the times set by State law. In most States, the polls are open from 7:00 or 8:00 a.m. to 7:00 or 8:00 p.m. The precinct election board must also see that the ballots and the ballot boxes or voting devices are available. It must make certain that only qualified voters cast ballots in the precinct. Often the board also counts the votes cast in the precinct and then sends the results to the proper place, usually to the county clerk or county board of elections.

Poll watchers, one from each party, are allowed at each polling place. They may challenge any person they believe is not qualified to vote, check to be sure that their own party’s supporters do vote, and monitor the whole process, including the counting of the ballots.

**Casting the Ballot**

A ballot can take a number of different forms, ranging from a piece of paper to optical scanners and touch screens. Whatever its form, however, it is clearly an important and sensitive part of the election process.

Each State now provides for a secret ballot. That is, State law requires that ballots be cast in such a manner that others cannot know how a person has voted.

Voting was a quite public process through much of the nation’s earlier history, however. Paper ballots were used in some colonial elections, but voting was more commonly *viva voce*—by voice. Voters simply stated their choices, in public, to an election board. With suffrage limited to the privileged few, many people defended oral voting as the only “manly” way in which to participate. Whatever the merits of that view, the expansion of the electorate brought with it a marked increase in intimidation, vote buying, and other corruptions of the voting process.

Paper ballots were in general use by the mid-1800s. The first ones were unofficial—slips of paper that voters prepared themselves and dropped in the ballot box. Soon candidates and parties began to prepare ballots and hand them to voters to cast, sometimes paying them to do so. Those party ballots were often printed on distinctively colored paper, and anyone watching could tell for whom voters were voting.

Political machines—local party organizations capable of mobilizing or “manufacturing” large numbers of votes on behalf of candidates for political office—flourished in many places in the latter 1800s. They fought all attempts to make voting a more dependably fair and honest process. The political corruption of the post-Civil War years brought widespread demand for ballot reforms.

**The Australian Ballot**

A new voting arrangement was devised in Australia, where it was first used in an election in Victoria in 1856. Its successes there led to its use in other countries. By 1900 nearly all of the States were using it, and it remains the basic form of the ballot in this country today.

The Australian Ballot has four essential features: It (1) is provided at public expense; (2) lists the names of all candidates in an election; (3) is given out only at the polls, one to each qualified voter; and (4) can be marked in secret.

Two basic forms of the Australian ballot, shown on p. 197, have been used in this country over the past century. Most States now use the office-group ballot; only a handful of them rely on the party-column ballot.

**Sample Ballots**

Sample ballots, clearly marked as such, are available in most States before an election. In some States they are mailed to all voters, and they appear in most newspapers and on the Internet. They cannot be cast, but they can help voters prepare for an election.

First in Oregon (1907), and now in several States, an official voter’s pamphlet is mailed to voters before every election. It lists all candidates and measures that will appear on the ballot. In Oregon, each candidate is allowed space to present his
or her qualifications and position on the issues. Supporters and opponents of ballot measures are allowed space to present their arguments as well.

**Bed-sheet Ballots** The ballot in a typical American election is lengthy, often and aptly called a "bed-sheet" ballot. It frequently lists so many offices, candidates, and ballot measures that even the most well-informed voters have a difficult time marking it intelligently.

The long ballot came to American politics in the era of Jacksonian Democracy in the 1830s. Many held the view at the time that the greater the number of elective offices, the more democratic the governmental system. That idea remains widely accepted today.

Generally, the longest ballots are found at the local level, especially among the nation's 3,000-odd counties. The list of elected offices is likely to include several commissioners, a clerk, a sheriff, one or more judges, a prosecutor, coroner, treasurer, assessor, surveyor, school superintendent, engineer, sanitary, and even the proverbial dogcatcher.

Critics of the bed-sheet ballot reject the notion that the more people you elect, the more democratic the system. Instead, they say, the fewer the offices voters have to fill, the better they can know the candidates and their qualifications. Those critics often point to the factor of "ballot fatigue"—that is, to the drop-off in voting that can run as high as 20 to 30 percent at or near the bottom of the typical (lengthy) ballot.

There seems little, if any, good reason to elect such local officials as clerks, coroners, surveyors, and engineers. Their jobs do not carry basic policy-making responsibilities. Rather, they carry out policies made by others. Many believe that to shorten the ballot and promote good government, the rule should be: Elect those who make public policies; appoint those whose basic job it is to administer those policies.

**Automated Voting**

Well over half the votes now cast in national elections are cast on some type of voting machine—and, increasingly, on some type of electronic voting device.

---

**Ballot Types**

Also called the Massachusetts ballot, from its early use (1888) in that state, the office-group ballot is the most common form of the ballot in use in the United States today. **How does a party-column ballot encourage voters to vote along party lines?**

**OFFICE-GROUP BALLOT**

All candidates for an office are grouped together under the title of that office. It is sometimes called the "office block" ballot because the names appear as a block. Names may be listed in random order to avoid giving any candidate an unfair advantage.

Favored by many authorities because voters consider each choice, office by office.

**PARTY-COLUMN BALLOT**

Also known as the Indiana ballot, from its early use (1889) in that state, the party-column ballot lists all candidates under their party's name.

---

**OFFICIAL BALLOT**

<table>
<thead>
<tr>
<th>OFFICE TITLE</th>
<th>LIBERTARIAN</th>
<th>DEMOCRAT</th>
<th>REPUBLICAN</th>
<th>GREEN</th>
</tr>
</thead>
<tbody>
<tr>
<td>President and Vice President of the United States Vote for One</td>
<td>Bob BARR Wayne ROBERT</td>
<td>Barack OBAMA Joseph BIDEN</td>
<td>John S. MCCAIN III Sarah PALIN</td>
<td>Cynthia MCKINNEY Rosa CLEMENTE</td>
</tr>
<tr>
<td>United States Senator Vote for One</td>
<td>Paula ROBINSON</td>
<td>Brett LOCKER</td>
<td>Phoebe J. BOWNE</td>
<td></td>
</tr>
</tbody>
</table>

Favored by politicians because it encourages straight-ticket voting and the coattail effect.
Thomas Edison patented the first voting machine—the first mechanical device for the casting and counting of votes—in 1868, and the Myers Automatic Booth was first used in a public election in Lockport, New York, in 1892. The use of similar but much-improved devices soon spread to polling places across the country.

For the better part of a century, most voting machines were lever-operated, and quite cumbersome. Voters had to pull various levers in order to cast their ballots—one lever to open (unlock) the machine, others to indicate their choices of candidates, and yet another to close (lock) the machine and record their votes.

Those lever-operated machines did speed up the voting process; and they reduced both fraud and counting errors. The machines were quite expensive, however, and they also posed major storage and transport problems from one election to the next.

**Electronic Vote Counting** Electronic data processing (EDP) techniques were first applied to the voting process in the 1960s. California and Oregon led the way and EDP is now a vital part of that process in most States.

For some years, the most widely used adaptations of EDP involved punch-card ballots, counted by computers. But punch-card ballots often produced problems—most frequently because voters failed to make clean punches. Their incomplete perforations left “hanging chads” that made the cards difficult or impossible for computers to read.

Punch-card ballots played a major role in the disputed presidential election vote count in Florida in 2000; and that fiasco led to the passage of the Help America Vote Act of 2002. As we noted on page 194, that law required the elimination of all punch-card voting devices (and all lever-operated voting machines, as well).

Most States have turned to two other EDP-based voting systems. One of them involves the same optical-scanning technology used to grade the standardized tests students take in school. Voters mark their ballots by filling in circles, ovals, or rectangles or by completing arrows. A computer scans the marked ballots, counting and recording the votes cast.

The other system utilizes direct response electronic voting machines (DREs). Those machines are much like ATMs or cash machines. Voters make their choices on most models by touching a screen or, on some, by pushing buttons. Their votes are recorded electronically.

DREs have proved troublesome in many places. Some models have malfunctioned and some do not provide a paper record of voters’ choices. Many computer scientists insist that DREs can be easily compromised by hackers. Several States abandoned them for 2008. They turned, instead, to optical-scanning systems or went back to hand-counted paper ballots.

**Vote-by-Mail Elections** A number of States now conduct at least some of their elections by mail. Voters receive a ballot in the mail, mark them, and mail the ballots back to election officials. The first such election was held in Monterey County, California, in 1977; and the first large-scale use of mail-in ballots took place in San Diego in 1981.
To this point, most vote-by-mail elections have been confined to the local level and to voting on city or county measures, not on candidates for local offices. But, recall, as we noted a few pages ago, vote-by-mail is an integral part of the absentee voting process, and voting by absentee ballot is becoming an increasingly common practice in many places.

In fact, one State, Oregon, now holds all of its elections by mail, and it has done so since 1998. That State held the first-ever all-mail primary election and then the first all-mail general election (including the presidential election) in 2000.

Voting by mail has stirred controversy, of course. Critics fear that the process threatens the secret ballot principle. They worry about fraud, especially the possibility that some voters may be subjected to undue pressures when they mark their ballots at home or any place other than a secure voting booth.

Supporters, on the other hand, say that more than ten years of voting by mail in Oregon indicates that that process can be as fraud-proof as any other method of voting. They also make this point: The mail-in process increases voter participation in elections and, at the same time, reduces the costs of conducting them.

**Online Voting** Online voting—casting ballots via the Internet—has attracted considerable attention and some support in recent years. Will e-voting become widespread, even commonplace, as some predict? Obviously, only time will tell.

Online voting is not an entirely new phenomenon. The first e-vote was cast in November 1997. Election officials in Harris County, Texas, allowed astronaut David Wolf to vote in Houston’s city election by e-mail from the space station *Mir*.

The first public election in which some votes were cast by computer was held in 2000, in Arizona’s Democratic presidential primary. The Defense Department enabled 84 members of the military stationed abroad to vote electronically in the general election that year, but chose not to repeat the program because of worries about ballot security. In 2010, a minor party, the Independent Party of Oregon, became the first political party to nominate its candidates in a primary election that was held entirely online.

A number of public officials and private companies promote online voting. They claim that it will make participation much more convenient, increase voter turnout, and reduce election costs.

Many skeptics believe that the electronic infrastructure is not ready for e-voting. Some fear digital disaster: jammed phone lines, blocked access, hackers, viruses, denial-of-service attacks, fraudulent vote counts, and violations of voter secrecy. Critics also point out that because not everyone can afford home computers, online voting could undermine the basic American principle of equality.

---

**SECTION 2 ASSESSMENT**

**1. Guiding Question** Use your completed chart to answer the question: How are elections conducted in the United States?

**Key Terms and Comprehension**

2. What is the Federal Government’s role in the administration of elections?

3. What is the role of the *precinct* in elections?

4. How have ballots changed over time?

5. What factors have complicated the move to automated voting?

---

**Critical Thinking**

**6. Predict Consequences** What might happen if people lost confidence that their ballots were being counted and recorded properly?

**7. Synthesize Information** Present an argument for or against a proposal to use only hand-counted ballots in all elections.

---

**Essential Questions Journal**

To continue to build a response to the chapter Essential Question, go to your Essential Questions Journal.

---

**Quick Write**

**Explanatory Essay: Research the Topic** Use the Internet or other resources to collect information about the election you chose in Section 1. Gather as much information as you can about the candidates and the balloting. Record your information carefully.