

# On Introducing Proportionality in American Presidential Elections: An Historical Analysis, 1828–2008

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## Introduction

EXCEPT for a few democracies, presidents and prime ministers in almost all Western countries are elected through indirect procedures. The people in charge of nominating presidents are usually the party representatives chosen by the population. The old saying referring to democracy as *'one person, one vote'* is an illusion in almost all electoral processes in the world due to the fact that, after applying the corresponding electoral system, not all popular votes are awarded the same value. Electoral systems are, therefore, strategic elements in representative democracies and represent key instruments to reduce asymmetries in the process of translating votes into representatives.

Undoubtedly, the most important elections in the world are the presidential elections held in the United States. However, in spite of being a reference, the American presidential electoral system could be considered unique in the current international electoral panorama. The winner-take-all rule used in almost all American states, combined with the large number of Electors in dispute in each state, frequently yields highly disproportionate outcomes. For instance, in 1980, Ronald Reagan obtained 90.9 per cent of representatives of the Electoral College with 50.7 per cent of popular votes, and in 1992 Bill Clinton reached 68.8 per cent of Electors with a mere 43 per cent of the popular vote. Nevertheless, the debate

regarding the electoral system peaks every time a candidate that does not obtain the most popular votes is elected President (as, for instance, happened in the 2000 elections when George W. Bush was proclaimed President with 47.9 per cent of popular votes versus Albert Gore Jr who obtained 48.4 per cent). In these circumstances, the supporters and critics of the current electoral system intensify their debate in order to maintain or modify some key aspects of the system.

Every electoral system can be defined by a large list of features, such as the number of constituencies, the electoral formula used to convert votes into representatives, constituency size (number of representatives elected per constituency), size of the representative body, electoral threshold (the minimum amount of support required to obtain representation), ballot structure, the political system, or the degree of relationship between constituency size and voting population. However, according to electoral system analysts,<sup>1</sup> the electoral formula and the size of the districts are the two elements that most influence election outcome proportionality. In spite of this, suggestions to modify the American presidential electoral system have almost exclusively focused on a single issue<sup>2</sup>: the number of constituencies. More specifically, it has been proposed that the winner-take-all method should be replaced by the so-called 'district system' or that the Electoral College system should be abolished.

The first option—the only proposed Electoral College reform that has actually been used<sup>3</sup>—implies an increase in the number of constituencies and was the initial change suggested by many state legislatures in response to the outcome of the 2000 presidential elections. During 2001 and 2002, a total of 27 states proposed switching to the district system. Fortunately, none were passed. Had this strategy been adopted across the entire country, even more biased results would have been produced,<sup>4</sup> further magnifying the shortcomings of the current system. The second option, regularly proposed by detractors of the Electoral College, implies considering the whole nation as a sole district and electing the President by popular vote. While this seems a reasonable option, the arguments in favour of maintaining the Electoral College system are also powerful. Between both extremes, nevertheless, there are intermediate solutions that, while continuing to respect the spirit of a federal nation like the United States, enable proportionality to be incorporated into the process. This was, for example, the idea behind Amendment 36 to the Colorado Constitution, which was rejected in 2004.

Thus, after analysing the current American presidential electoral system and reviewing its advantages and drawbacks in the next section, a proposal based on international tendencies that incorporates proportionality is then proposed (once some of the shortfalls of the winner-take-all system unfairly attributed to the Electoral College are outlined and the claims against the district system as a solution are stated) and the outcomes of the American presidential elections from 1828 to 2008 are recalculated under this approach.<sup>5</sup>

## The American presidential election system: pros and cons

The President of the United States of America is elected by the Electoral College, which was established in Article II of the Constitution and amended by the 12th Amendment in 1804. It currently comprises 538 Electors. Each state elects a number of Electors equal to the number of its Senators (always two) plus its number of Representatives in the Congress. This system favours small states in terms of population and reflects the will of guaranteeing every state a voice in the election process.

The winner-take-all rule is not in the American Constitution. Instead, each state has exclusive and plenary control over the manner of awarding their Electoral votes. However, the winner-take-all system is currently used in 48 states and the District of Columbia, where all Electoral votes are awarded to the candidate of the party that receives the most popular votes in the state. The district system is used in the other two states: Maine (since 1969) and Nebraska (since 1992). In these states, one Electoral vote is awarded to the presidential candidate who receives the most votes in each congressional district and the remaining two Electoral votes are awarded to the candidate who receives the most votes statewide. Thus, the Electoral College has been observed as a hybrid of popular voting and indirect systems to elect a president through a mechanism by which the results of separate elections in each state and the District of Columbia are aggregated to produce a nationwide outcome.

The Electoral College system has a history of more than 200 years, during which time a number of critics have proposed abolishing it. But there are also staunch defenders of the system who have offered very powerful arguments in its favour. Most of the criticism of the Electoral College revolves around the possibility that a candidate who gets

the most popular votes nationwide can lose the elections. Thus, the main alternative proposed by the system's detractors is for the President to be elected directly by popular vote. More specifically, according to Kimberling and Edwards,<sup>6</sup> those who complain about the Electoral College focus their objections on four points: the possibility of electing a minority President (a candidate that does not win in terms of popular votes); the risk of so-called 'faithless' Electors—that is, those pledging to vote for a candidate, but voting for a different one; the possible role of the Electoral College in depressing voter turnout; and its failure to accurately reflect national popular will, since it disproportionately amplifies the voting power of rural populations, reduces electorate choices discouraging independent candidates and does not reproduce minority wishes. Further drawbacks, nevertheless, could be added to those described above, including: the exclusion in the popular discourse of the 'non-in-play' state populations—that is, those states where one political party conceded victory to its opponent because the estimated margin between them is considered to be too large to be recovered during the election campaign; its reinforcing of a two-party system; its production of votes with unequal value; and its dependence on Electoral College size and on the formula used to distribute College Electors among states.

On the other hand, supporters<sup>7</sup> of the Electoral College have pointed out that the current system: contributes to the cohesiveness of the country by requiring a distribution of popular support to be elected President; maintains the federal character of the nation and the separation of powers; contributes to the political stability of the country by encouraging a two-party system; enhances the status of minority groups and encourages their integration into the two-party system; isolates election problems (as, for instance, suspicion of fraud in one state);

neutralises turnout disparities among states; and prevents excessively heavy concentrations of power in larger states.

Although supporters of the Electoral College have tried to provide arguments against the critics and have even portrayed the common belief that the College pays more heed to smaller states than larger states as being incorrect, it must be admitted that, according to polls, the establishment of a national popular vote system to elect the President has remarkable popular support but with very unbalanced partisan support. In addition, it would undoubtedly respond to the main arguments against the current system that it raises the possibility of electing a candidate that does not achieve the most popular votes and perpetuates the unequal value of citizens' votes. Direct election by popular vote will not be a panacea, however. On the one hand, many of the positive effects of the Electoral College would disappear and, on the other hand, vote plurality (which could be reached in a much disputed race among three candidates with a third of the votes) does not necessarily assure a good representation of popular will and could be reached without sufficiently balanced territorial support.

### **Introducing proportionality in the Electoral College system**

As stated in the previous section, the Electoral College system to elect the President has been said to have so many drawbacks that many analysts have suggested it should be abolished. However, the system has also been attributed with highly valuable strengths that must be preserved. Hence, bearing in mind that today it is almost impossible to reach a broad enough consensus to modify the American Constitution and that abolishing the Electoral College system would result in an undesirable and maybe inevitable loss of its undisputable merits, focus

should be placed on finding a reform that maintains the current system's advantages and could reduce its weaknesses.

Before making any suggestions, however, it seems essential to be aware that some of the shortcomings attributed to the Electoral College in fact should not be since they are more a consequence of the winner-take-all rule used to assign Electors than a result of the Electoral College itself. It could be accepted, at least theoretically, that the formula used to convert votes into representatives has more of an impact on voter turnout, campaign strategies, reflecting popular will, the asymmetry of vote value and the party-system than the Electoral College. In fact, under the winner-take-all rule, what is the value of the ballot a person casts in favour of a candidate that loses the state? How is the will of the state's population reflected when only the state plurality opinion is taken into account? Or, in a state where opinion polls point to a clear victory on behalf of one candidate, why would a supporter of an alternative candidate vote? And, what incentive would candidates have to visit and spend money and energy on that state?

As an alternative solution to the challenges that the winner-take-all rule induces in the current American electoral system without eliminating the Electoral College, the district system has been proposed. This solution, however, would not necessarily resolve the issue. It would only change the scale of the problem. Although it could entail positive consequences (for instance, presidential candidates would have to campaign in more states, it would significantly diminish the incentives and opportunities for voter fraud, and it would increase public scrutiny of the redistricting process), it would simply imply a spatial-size translation of many of the winner-take-all drawbacks. The 'non-in-play' states would be now replaced by a much larger number of 'non-in-play' districts with more population involved. About seven-

eighths of the population of the country lives in non-competitive congressional districts, compared to two-thirds who live in non-competitive states. The electoral strategy of presidential campaigns would change from battleground states to battleground districts. The possibility of more biased outcomes occurring would increase. A major number of ballots would have had no value after the scrutiny. And, the risk of electing a minority president would also rise.

Thus, in light of the shortcomings that both the winner-take-all and district formulas have in terms of converting votes into Electors, it seems reasonable to investigate how a proportional rule might work. Although adopting a proportional method to distribute Electors within each state would not be free of difficulties and might have drawbacks of its own, it would undoubtedly reduce, at least theoretically, many of the weaknesses of the current system. First, by allocating state Electoral votes according to proportional representation, voter turnout more likely would be higher. Second, outcomes would better represent the will of the national population since every state's will would be reflected more accurately. Third, no candidate would have reason to concede a state to an opponent as she or he will almost always have options to get some Electors. More advertising and campaigning would occur nationwide and therefore more Americans would be included in the national election-year dialogue. Fourth, the asymmetries among the value of the vote of citizens from different states and from the same state would be reduced. Fifth, it would diminish the possibilities for electing a minority president. And, sixth, it would make it impossible to reach a majority in the Electoral College without a significant proportion of total national ballots.<sup>8</sup>

Hence, adopting a proportional rule to distribute Electors could be a good alternative to reducing some of the above-

mentioned winner-take-all shortcomings while maintaining many of the strong points of the Electoral College. More specifically, it would maintain the territorial cohesiveness of the country by requiring a geographical distribution of popular support to be elected President, together with the federal character of the nation. In addition, it would reduce the problems derived from possible suspicion of fraud in one state and from concentration of power in larger states. It is not, however, a magic potion. It could open the door to minority party candidates and generate situations where an Elector or a small group of independent Electors might get the keys to the White House. The possibilities of this potential drawback occurring, nevertheless, would be easily amended simply by fixing a minimum percentage of votes required nationwide to obtain Electors.

This reasonable adjustment, used in several democracies like Germany and Sweden, however, does not automatically solve another related drawback of proportional assignment: the asymmetries among constituencies to reach representation. For example, if California's 55 Electoral votes were distributed proportionally to the popular vote counts, a party minority candidate would need less than 2 per cent of California's vote to gain at least one Electoral vote. In contrast, a minority candidate would need a quarter of Vermont's votes (in an election with three candidates) to claim one of its three Electoral votes. Fortunately, as in the case of the previous drawback, this issue could once again be easily solved by fixing an additional barrier at constituency level, as, for example, do Spain and Sweden.

Thresholds, however, would pose a new question: what would be the limits? How many votes would a party or candidate need nationwide and/or statewide in order to opt for representation? As an alternative to setting thresholds, a system could be proposed whereby Electoral

votes were distributed only between the top two candidates in the nationwide popular vote. This option looks simpler and would ensure that the only way the President is not elected by the Electoral College is if two candidates receive exactly half of the Electoral votes each. Thus, in the *what-if* analyses performed, together with alternatives with both national and state thresholds, with only one of the two or without thresholds, this latter option also has been tested.

The drawbacks described above, unfortunately, are not the only difficulties that adopting a proportional rule could encounter. On the one hand, the maintenance of the Electoral College that this option advocates for would not completely eradicate the risk of electing a minority President.<sup>9</sup> On the other hand, in addition to the above-mentioned potential drawbacks in the technical sphere, there is a widespread historical belief that has been deeply internalised by the American people which could be a real obstacle in the way of adopting a proportional formula. In fact, since Thomas Jefferson argued that Virginia should switch from its then-existing district system to a statewide winner-take-all system and said that it was a political disadvantage for a state to divide its Electoral votes, it has been widely assumed that splitting state Electors implies a decrease in a state's relative influence in the Electoral College as if its total number of Electors has been reduced. Thus, under this general conviction, it would be really very difficult for states to begin adopting a proportional approach unilaterally on a piecemeal basis. Any method that involves a division of votes would probably only be accepted if all states adopted it simultaneously. Thus, while partisan considerations are prime over a proper translation of state population will, it will be difficult to evolve from the winner-take-all rule to other systems more minority- and individual-friendly.

**Table 1: D'Hondt rule presidential election estimates and real results**

Election	D'Hondt method <sup>f</sup>	Actual results
1828 <sup>a</sup>	Jackson 141 (+11) Adams 106 (+3)	Jackson 178 Adams 83
1832 <sup>b</sup>	Jackson 173 Clay 85 Floyd (+11) Wirt 19	Jackson 219 Clay 49 Floyd 11 Wirt 7
1836 <sup>b</sup>	Van Buren 146 Harrison 87 White 42 Webster 8 Mangum (11)	Van Buren 170 Harrison 73 White 26 Webster 14 Mangum 11
1840 <sup>b</sup>	Harrison 151 Van Buren 132 (+11)	Harrison 234 Van Buren 60
1844 <sup>b</sup>	Polk 132 (+9) Clay 134	Polk 170 Clay 105
1848 <sup>b</sup>	Taylor 139 Cass 127 (+9) Van Buren 15	Taylor 163 Cass 127
1852 <sup>b</sup>	Pierce 155 (+8) Scott 130 Hale 3	Pierce 254 Scott 42
1856 <sup>b</sup>	Buchanan 142 (+8) Frémont 88 Fillmore 58	Buchanan 174 Frémont 114 Fillmore 8
1860 <sup>b</sup>	Lincoln 111 Breckenridge 68 (+8) Douglas 64 Bell 52	Lincoln 180 Breckenridge 72 Bell 39 Douglas 12
1864 <sup>c</sup>	Lincoln 133 McClellan 101	Lincoln 212 McClellan 21
1868 <sup>d</sup>	Grant 157 (+3) Seymour 134	Grant 214 Seymour 80
1872	Grant 211 Greeley 155	Grant 286 Greeley 66
1876 <sup>e</sup>	Tilden 190 (+3) Hayes 176	Hayes 185 Tilden 184
1880	Hancock 186 Garfield 183	Garfield 214 Hancock 155
1884	Cleveland 203 Blaine 198	Cleveland 219 Blaine 184
1888	Cleveland 210 Harrison 191	Harrison 233 Cleveland 168
1892	Cleveland 224 Harrison 189 Weaver 31	Cleveland 277 Harrison 145 Weaver 22
1896	Bryan 227 McKinley 220	McKinley 271 Bryan 176
1900	Bryan 226 McKinley 221	McKinley 292 Bryan 155
1904	Roosevelt 260 Parker 216	Roosevelt 336 Parker 140
1908	Taft 244 Bryan 239	Taft 321 Bryan 162
1912	Wilson 395 Roosevelt 125 Taft 111	Wilson 435 Roosevelt 88 Taft 8
1916	Wilson 307 Hughes 224	Wilson 277 Hughes 254
1920	Harding 322 Cox 208 Christiansen 1	Harding 404 Cox 127
1924	Coolidge 298 Davis 192 LaFollete 41	Coolidge 382 Davis 136
1928	Hoover 299 Smith 232	Hoover 444 Smith 87
1932	Roosevelt 346 Hoover 185	Roosevelt 472 Hoover 59
1936	Roosevelt 363 Landon 168	Roosevelt 523 Landon 8
1940	Roosevelt 326 Willkie 205	Roosevelt 449 Willkie 82
1944	Roosevelt 318 Dewey 213	Roosevelt 432 Dewey 99
1948	Truman 273 Dewey 223 Thurmond 35	Truman 303 Dewey 189 Thurmond 39
1952	Eisenhower 292 Stevenson 239	Eisenhower 442 Stevenson 89
1956	Eisenhower 303 Stevenson 226 Nominated by petition 2	Eisenhower 457 Stevenson 73
1960	Kennedy 270 Nixon 262 Unpledged Democratic 5	Kennedy 303 Nixon 219 Bird 15
1964	Johnson 327 Goldwater 211	Johnson 482 Goldwater 56
1968	Nixon 247 Humphrey 245 Wallace 46	Nixon 301 Humphrey 191 Wallace 46
1972	Nixon 343 McGovern 195	Nixon 520 McGovern 17 Hoppers 1
1976	Carter 274 Ford 264	Carter 297 Ford 240
1980	Reagan 303 Carter 235	Reagan 489 Carter 49
1984	Reagan 325 Mondale 213	Reagan 525 Carter 13
1988	Bush 294 Dukakis 244	Bush 426 Dukakis 111
1992	Clinton 262 Bush 219 Perot 57	Clinton 370 Bush 168
1996	Clinton 293 Dole 245	Clinton 379 Dole 159
2000	Gore 270 Bush 268	Bush 271 Gore 266
2004	Bush 280 Kerry 258	Bush 286 Kerry 251
2008	Obama 288 McCain 250	Obama 365 McCain 173

Notes: *see opposite page.*

After exposing the benefits and drawbacks of adopting a proportional approach, the issue of selecting a particular rule to be implemented must be addressed. Proportional representation systems are the most common type of electoral systems in the world, thereby a large variety of procedures have been proposed throughout history. According to Lijphart,<sup>10</sup> the d'Hondt formula is currently the method most frequently used. Thus, taking into account international trends and the d'Hondt rule's tendency to produce majorities,<sup>11</sup> in the *what-if* exercise implemented in this article the d'Hondt algorithm has been the formula selected.

### Applying the d'Hondt rule to historical American presidential elections

This section shows the outcomes that would have been reached in the American Presidential elections held from 1828 to 2008 if the d'Hondt rule had been used to distribute Electors in each state. It is obvious that under this electoral system voters (and also candidates) may have behaved differently, but it is impossible to know and quantify such possible differences. Consequently, the results effectively collected at state level in these elections were used. For the 21 of the most modern elections (1924–2004), the data comes from several documents of the Clerk of the House of Representatives

(1924–2005), whereas for the other 24 elections (from 1828–1920 and 2008), the data available online at <http://uselectionatlas.org> were used.

Outcomes have been calculated using the d'Hondt algorithm with five different specifications attending to whether they impose or not national and/or state thresholds. More specifically, the d'Hondt rule was applied with (a) both national and state thresholds of 10 per cent, (b) only a 10 per cent national threshold, (c) a two-candidate threshold (only the two top candidates nationwide would be able to obtain Electoral votes), (d) only a 20 per cent state threshold, and (e) no thresholds. For example, under (a)-thresholds, only candidates that obtain a minimum of 10 per cent of votes nationwide are assigned Electors and, in each state, only the candidates (among those initially considered) that win more than 10 per cent of state ballots are taken into account to distribute the Electors of that state.

Table 1 compares the actual results with the outcomes that would have been achieved if the d'Hondt rule with a 20 per cent state threshold had been used in the 1828–2008 elections. As can be observed, as a rule, candidate differences are narrower. This is no surprise since the winner-take-all method (usually) exaggerates the margin of victory, sometimes converting plurality in popular voting into even a landslide electoral victory. This was, for example, the case in 1860 when Lincoln gained (in a Union with 32 states) 180

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Notes to Table 1: <sup>a</sup>In Delaware and South Carolina, electors were appointed by the state legislature and not elected by popular vote. <sup>b</sup>South Carolina electors were appointed by the state legislature and not elected by popular vote. <sup>c</sup>Alabama, Arizona, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas and Virginia did not vote due to the Civil War. <sup>d</sup>Mississippi, Texas and Virginia did not vote due to Reconstruction. Electors from Florida were appointed by the state legislature. <sup>e</sup>Electors from Colorado were appointed by the state legislature. <sup>f</sup>The electors directly appointed by the state legislature are shown in brackets. Electors have been calculated under the hypothesis that within each state, electors are appointed using the d'Hondt rule with a 20% state threshold. It is assumed that electors assigned by a party will support, in the Electoral College, the candidate of that party.

Source: Own elaboration using data from Clerk of the House of Representatives and <http://uselectionatlas.org/>.

Electoral votes (59.41 per cent) with a mere 39.65 per cent of popular votes, with no votes in ten states and only around 1 per cent of votes in Kentucky and Virginia. Anyway, although all five variations of the d'Hondt rule tested would have generated tighter victories, in the majority of the elections the alternatives analysed would have yielded the Presidents actually elected.

In a small group of elections, however, the White House could have had a different resident. In as many as in ten elections, the outcomes suggest that candidates other than those actually chosen could have been proclaimed President. In the 1876, 1888 and 2000 elections, the candidates that received the most votes would have become President. In 1876, Tilden won in terms of popular votes with 50.92 per cent and would have beaten Hayes in the Electoral College after obtaining a minimum of 187(+3) Electoral votes under the (e)-scenario and a maximum of 190(+3) representatives under the remaining four alternatives. In 1888, Cleveland (48.63 per cent of popular votes versus Harrison's 47.80 per cent) would have been President with either 203 Electoral votes—under the (d) and (e) alternatives—or 209 votes—in the other scenarios. In 2000, the most recent controversial election, Gore (48.38 per cent of popular votes) would have also triumphed over Bush (47.87 per cent), gaining the majority of the Electoral College by the minimum margin (270 Electors versus 268) in four of the five scenarios and reaching plurality (with 268 Electors versus Bush's 267) under the (e)-alternative. In this last case, Nader, the third candidate, would have been the judge of the election with three Electors, after collecting 2,883,105 popular votes.

In the 1880, 1896 and 1900 elections, either the contested races or the elected President's unbalanced state distributions of popular votes would have generated different results for the Electoral

College and the Presidency to those actually obtained. In 1880, Garfield beat Hancock with the smallest margin of popular votes ever: 0.1 per cent. Thus, although the winner-take-all formula made it look like Garfield had won a comfortable victory (see Table 1), the truth is that the story could have been different had another electoral system been used.<sup>12</sup> In 1896, the winner was McKinley (51.02 per cent of popular votes and 271 Electoral votes). However, due to his territorially unbalanced victory (in Idaho, Utah, and mainly in Colorado, Mississippi and South Carolina, his support was almost symbolic), if the d'Hondt algorithm had been used, Bryan would have won with at least 226 Electoral votes. In 1900, history repeated itself: the same candidates, similar results and again an unbalanced territorial distribution of votes in favour of McKinley. The scarce support that McKinley received this time in Florida and essentially again in Mississippi and South Carolina combined again with Bryan's well-distributed state votes would have taken Bryan to the White House, although this time with a minimal margin under the (e)-scenario.

Applying the d'Hondt rule in the 1836, 1848, 1860 and 1992 elections, on the other hand, would have yielded more open Electoral Colleges. No candidates would have reached a majority there and the correlation of power among candidates would have forced them to seek a coalition to become President. Table 2 shows the outcomes that would have been obtained in these elections under all the scenarios investigated in more detail. As can be observed, except in the elections held in 1860, in the rest of elections plurality is obtained (under all the scenarios) by the most popular-voted candidate. In the 1860 elections, however, in line with Tullock,<sup>13</sup> who maintains that Douglas would have easily beaten Lincoln if they had met in a two-man fight, the d'Hondt rule with a two-candidate threshold would have given Douglas the



**Table 2: Alternative compositions of electoral colleges using d'Hondt rule with different thresholds in 1836, 1848, 1860 and 1992 elections<sup>a</sup>**

1836 <sup>b</sup>	
Percentages of popular votes	Van Buren 50.79 Harrison 36.59 White 9.72 Webster 2.74
Actual results	Van Buren 170 Harrison 73 White 26 Webster 14 Mangum 11
Two-candidates threshold	Van Buren 196 Harrison 87 Mangum (11)
10% national and statal thresholds	Van Buren 196 Harrison 87 Mangum (11)
10% national threshold	Van Buren 196 Harrison 87 Mangum (11)
20% statal threshold	Van Buren 146 Harrison 87 White 42 Webster 8 Mangum (11)
No thresholds	Van Buren 146 Harrison 87 White 42 Webster 8 Mangum (11)
1848 <sup>b</sup>	
Percentages of popular votes	Taylor 47.28 Cass 42.29 Van Buren 10.13
Actual results	Taylor 163 Cass 127
Two-candidates threshold	Taylor 149 Cass 132 (+9)
10% national and statal thresholds	Taylor 138 Cass 122 (+9) Van Buren 21
10% national threshold	Taylor 138 Cass 122 (+9) Van Buren 21
20% statal threshold	Taylor 139 Cass 127 (+9) Van Buren 15
No thresholds	Taylor 138 Cass 122 (+9) Van Buren 21
1860 <sup>b</sup>	
Percentages of popular votes	Lincoln 39.65 Douglas 29.52 Breckenridge 18.20 Bell 12.62
Actual results	Lincoln 180 Breckenridge 72 Bell 39 Douglas 12
Two-candidates threshold <sup>c</sup>	Douglas 162 Lincoln 129 Breckenridge (8)
10% national and statal thresholds	Lincoln 111 Breckenridge 68 (+8) Douglas 67 Bell 50
10% national threshold	Lincoln 111 Breckenridge 65 (+8) Douglas 71 Bell 49
20% statal threshold	Lincoln 111 Breckenridge 68 (+8) Douglas 64 Bell 52
No thresholds	Lincoln 111 Breckenridge 65 (+8) Douglas 71 Bell 49
1992	
Percentages of popular votes	Cilnton 43.01 Bush 37.45 Perot 18.91
Actual results	Clinton 370 Bush 168
Two-candidates threshold	Clinton 290 Bush 248
10% national and statal thresholds	Clinton 240 Bush 204 Perot 94
10% national threshold	Clinton 240 Bush 204 Perot 94
20% statal threshold	Clinton 262 Bush 219 Perot 57
No thresholds	Clinton 240 Bush 204 Perot 94

Notes: <sup>a</sup>It is assumed that electors assigned by a party will support, in the Electoral College, the candidate of that party. <sup>b</sup>South Carolina electors were appointed directly by the state legislature (in brackets) and not elected by popular vote. It must be noted that South Carolina voters are not taken into account in these elections. <sup>c</sup>Texas electors would not be distributed. Neither Douglas nor Lincoln received support in Texas. Source: Own elaboration using data from Clerk of the House of Representatives and <http://uselectionatlas.org/>.

victory. The absolutely unbalanced territorial distribution of Lincoln's votes—who obtained no support in ten states<sup>14</sup> and only symbolic support in Kentucky (0.93 per cent), Maryland (2.48 per cent) and Virginia (1.13 per cent)—compared with Douglas' regional distribution—who obtained support in all states, except Texas—explains this result.

To end this section, it must be noted that, despite all proportional rules tending to generate very similar results in a two-candidate race, slightly different results could have been achieved if a different proportional procedure had been used—especially in elections with more than two relevant candidates. For instance, if the 2004 Colorado proposal<sup>15</sup> had been used to allocate the Electors of all the states in the 2000 presidential election, Gore and Bush have obtained half of the Electoral votes in a two-candidate race. The d'Hondt algorithm would have yielded Gore a winning 270 Electors.

## Summary and concluding remarks

There is always tension in electoral systems between efficiency in choosing a clear winner and accuracy in reflecting public will. The American presidential electoral system is no exception. On the one hand, the winner-take-all rule chosen by almost all states to assign Electors among candidates is clearly designed to reward efficiency in producing a clear winner. On the other hand, the Electoral College is a compromise system between the one-person-one-vote and one-state-one-vote ideals, which ensures regional balance between both large and small states in electing the President of such a large and diverse nation as the United States. These two key elements of the current presidential electoral system, however, frequently act in the same direction, making results biased and

even converting a slight majority in popular votes into a sweeping victory. This becomes a major problem when, as occurred in 2000, a candidate that does not win the most popular votes is elected President. In these cases, the whole system is questioned and thousands of voices call to revise it.

In order to correct the inefficiencies of the system, mainly derived from its faults in translating popular will, two major modifications have been recurrently proposed: the switch from the winner-take-all rule to the district formula and the abolition of the Electoral College. The first option has been shown in the literature to be unsuitable since it would more than likely magnify the shortcomings of the current system. The risk of electing a minority President would rise. A major number of ballots could have no value after counting the votes. And, the possibility of more biased outcomes would increase. On the other hand, abolishing the Electoral College in order to elect the President by popular vote, although theoretically reasonable, would eliminate some of its above-mentioned indubitable merits. Proportional representation on a statewide scale could be a suitable compromise between both extremes: abolishing the Electoral College and fully maintaining the current system. It would reduce the probability of a winner in terms of nationwide popular votes not gaining a majority of Electoral votes and would ensure that every vote in every state counted regardless of how close the contest was, while protecting the federalist features that give a voice to the small states. In this article, I have analysed what would have happened in historical Presidential elections (from 1828 to 2008) if the d'Hondt formula had been used in every state to allocate Electors.

As expected, the results show that the differences between popular vote and electoral vote distributions would diminish and that the same Presidents actually

elected would have been chosen in the majority of the elections. However, in as many as in ten elections (eight of which were, however, held in the nineteenth century) a different President might have been chosen under a statewide d'Hondt rule. These possible changes reveal both the strong points and the shortcomings of adopting proportional representation in the United States. Four of these changes could be explained by the fact that popular vote and Electoral vote shares are more closely related. In the three elections analysed where a candidate who did not win in popular vote was proclaimed President (1876, 1888 and 2000), the d'Hondt rule would have given the Presidency to the candidate who won in popular vote. In contrast, in the 1880 election (when the smallest vote majority in history was recorded), the popular vote winning candidate would not have reached the White House. Additionally, proportional assignment seems to increase one of the main merits appointed to the Electoral College system. It significantly rewards candidates that (having an enough support) record a sufficiently widespread popular vote distribution across the nation. Thus, with the d'Hondt rule, Lincoln—who won in 1860 without contesting a single southern state—and McKinley—who won in 1896 and 1900 with a very unbalanced territorial distribution of votes—would have been clearly penalised, even with the loss of the Presidency.

Finally, in the other three possible configurations of the Electoral College that could have resulted in a different President to the one actually elected, the main drawback of this approach is revealed. The application of the d'Hondt rule in an election with more than two relevant candidates could yield an Electoral College where no candidate reaches a majority, forcing candidates to seek a coalition to obtain the Presidency and introducing some instability in the process of choosing the President. This would have been

the case in some of the scenarios in 1836, 1848, 1960 and 1992 elections. In short, proportional allocation would generate Electoral Colleges that are closer to popular will, it would reduce the risk of electing a minority President (although not eradicating it) and would impose the need of more balanced regional support to be elected. It would, however, increase the possibility of a significant third-party candidate emerging.

To conclude, it must be noted that winner-take-all is the linchpin of the current American political system. As such, any change would have sweeping ramifications for all aspects of the political system: presidential campaigns, political participation, electoral coalitions and the two-party system. So, taking into account the fact that the winner-take-all system reinforces the existing power structure which benefits the two major parties and that it is commonly accepted that it maximises the power of each individual state, it is politically unlikely that the current system will change. The above *what-if* exercise and the arguments wielded, consequently, should be observed as a contribution to informed discussion and reflection, which helps to understand the strengths and weaknesses of the current American system. In this line, although this article focuses on reforming the American electoral system, many of the matters discussed in it could (and should) be introduced and taken into account in the current debate about the reform of the United Kingdom's electoral system.<sup>16</sup> In the end, both systems share the same roots, and the links and resemblances between the American district system and the current Westminster single-winner first-past-the-post system are more than evident.

## Acknowledgements

This research has been supported by the Spanish MICINN through the project CSO2009-11246/CPOL.

## Notes

- 1 A. Lijphart, *Electoral Systems and Party Systems: A Study of Twenty-seven Democracies, 1945–1990*, New York, Oxford University Press, 1994.
- 2 M. G. Neubauer and J. Zeitlin ('Outcomes of presidential elections and the House size', *PS: Political Science & Politics*, vol. 36, 2003, pp. 721–5), however, investigate how different sizes for the Electoral College could have affected the outcome of the American presidential election in 2000.
- 3 Historically, it was used in Illinois: 1820, 1824; Kentucky: 1792, 1796, 1800, 1804, 1808, 1812, 1816, 1820, 1824; Maryland: 1796, 1800, 1804, 1808, 1812, 1816, 1820, 1824, 1828, 1832; Michigan: 1892; Missouri: 1824; North Carolina: 1796, 1800, 1804, 1808; Tennessee: 1804, 1808, 1812, 1816, 1820, 1824, 1828; and, Virginia: 1789, 1792, 1796. More recently, it has been used in Maine (since 1972) and Nebraska (since 1992).
- 4 R. Johnston, D. Rossiter, and C. Pattie, 'Changing the scale and changing the results: Evaluating the impact of an electoral reform on the 2000 and 2004 US presidential elections', *Political Geography*, vol. 25, 2006, pp. 557–69.
- 5 The elections held between 1789 and 1824 were not included in this study because there are no records of popular votes before 1824 and in 1824 more than a quarter of the Electoral College (the representatives of Delaware, Georgia, Louisiana, New York, South Carolina and Vermont) were appointed directly by state legislatures and not by popular vote.
- 6 W. C. Kimberling, *The Electoral College*, Washington, DC, FEC Office of Election Administration, 1992; G. C. Edwards III, *Why the Electoral College is Bad for America*, New Haven, CT, Yale University Press, 2004.
- 7 Kimberling, *The Electoral College*; F. M. Shelley, 'The Electoral College and the election of 2000', *Political Geography*, vol. 21, 2002, pp. 79–83.
- 8 In fact, according to Belenky (A. S. Belenky, 'Calculating the minimal fraction of popular vote to win the US presidency in the Electoral College', *Computers and Mathematics with Applications*, vol. 50, 2005, pp. 783–802) in a multi-party race with the winner-take-all rule, it would be possible for a candidate with less than a quarter of popular votes—and even with less votes than other candidates—to obtain a majority in the Electoral College.
- 9 The two-vote bonus given to each state as part of the 'Great Compromise' between large and small states, implanted in 1787 in order to assure that all the citizens of the various states have a say in selecting the national leader, makes it impossible to eliminate the chance of this occurring.
- 10 Lijphart, *Electoral Systems*.
- 11 The d'Hondt rule, invented by Thomas Jefferson nearly a century before Victor d'Hondt popularised it, is a corrected proportional system where electors are awarded sequentially to candidates having the highest 'average' numbers of votes per elector until all electors are allocated; each time a candidate receives an elector, their 'average' goes down. The d'Hondt formula uses the integers 1, 2, 3, 4 and so on to calculate the 'average' figures. The formula is characterised by being one of the least proportional methods among the highest-average formulas and tends to systematically favour the larger parties or candidates making it easier to reach a majority.
- 12 Four of the scenarios tested in this article would have awarded Hancock the victory with 186 Electoral votes (against Garfield's 183), whereas the fifth scenario (d'Hondt rule with no thresholds) would have yielded Hancock 184, Garfield 181 and Weaver 4, leaving the solution in Weaver's hands, who received 3.32 per cent of national popular votes.
- 13 G. Tullock, *On Voting: A Public Choice Approach*, Northampton, Edward Elgar, 1998.
- 14 Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee and Texas.
- 15 Summarising, the 2004 Colorado proposal to allocate Electors works as follows. The percentage of votes cast for each ticket is multiplied by the total number of available Electors and rounded to the nearest whole number. If the sum of the total Electors allocated is greater than the number avail-

able to be appointed, then the total Electoral votes for the candidate having received the fewest number of ballots (that received at least one Electoral vote) is reduced by one. If the sum of the total Electors allocated is less than the total number of available Electors, the Presidential Ticket receiving the greatest number of ballots is granted the remaining unallocated Electors.

16 See, for example, I. White, *AV and Electoral Reform*, London, House of Commons Library, 2011 (<http://www.parliament.uk/documents/commons/lib/research/briefings/snpc-05317.pdf>); M. Threlfall, 'The purpose of electoral reform for Westminster', *The Political Quarterly*, vol. 81, pp. 522–36.

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