

Lessons from the 2000 Election Fiasco in Florida

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December 13, 2000 with revisions in 2001

Now that the fighting is over for the 2000 presidential election it is time to reflect on what took place and understand what went wrong in Florida.

The first thing that went wrong was that the recount process was changed to attempt to include improperly cast ballots that are not supposed to be counted. The purpose of a recount is to find tabulation mistakes that cause properly cast ballots to be missing from the original total. If a ballot is not properly cast then it is not counted. It is the responsibility of the voter to make sure the ballot meets the standards required in order for it to be counted. The "intent of the voter" only has meaning if the ballot becomes damaged in some way that prevents normal counting. Intent does not and should not apply to ballots cast in such a way that fails to meet the established specification. It is odd that the Supreme Court of the United States confused the issue between counting properly cast votes with trying to count voter intent. Contrary to the appearance that Florida did not have a standard for doing a recount, the standard Florida actually had was in force on the day of the election. The charge that the Bush lawyers made about the rules being changed after the election was correct. Unfortunately the focus was on how to count ballots that should not be counted. Why did the Florida Supreme Court not see this?

The error that the Democrats made was in trying to count the uncountable. Had their strategy been to verify tabulations (i.e. a normal recount) it is conceivable that they could have achieved a victory that all would have accepted. It is normal for tabulation errors to occur in any election. The errors are meaningless if the margin of victory is large. The difference here is that perhaps Gore would have won by only a handful of votes instead of many thousands if grandiose assumptions are made about the "intent of the voter." In short, perhaps Gore lost by being greedy. The Democrats focused on magnitude of victory rather than just victory. In the grand scheme of things, magnitude does not count. It would have made no difference whether Gore had one more vote than Bush or 50,000 more votes - Gore would have won.

A second and much more serious thing that went wrong was for certain nationally known demagogues to go to Florida and spew forth vicious and irresponsible rhetoric designed to divide the population into factions. Contrary to all the propaganda, there was absolutely nothing racist about how the election was handled and how votes were accepted or rejected. It is very easy to make false charges. Demagogues tend to hide when pressed for facts.

One thing we all learned was that in any election, thousands of ballots are rejected for being improperly cast. What happened this time in Florida was the normal rather than exceptional case. It is amazing to me how so many people could mess up something that seems so simple. The problem was not with the technology used in voting - it was voter error. Based on my observation of people over many years it would make no difference

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what technology is used for voting - there will be a surprising number of voters who can not get it right. It is easier to blame technology rather than the true error source.

The fact is that Bush won the election in Florida by the established rules at the time of the election. I have no doubt that there were more than enough intended votes for Gore to result in a victory for Gore. Intentions do not count. Only quantifiable actions count. If we are going to count intent, why not count the intent of people who meant to go vote but did not? If I pick all the correct numbers in a lottery and intend to buy a ticket but actually do not then should I still win? If a student intends to solve a problem on a test but actually does not then should the student still be given credit? (Bizarre as it seems, I have had a student ask for credit for a problem he intended to work - I did not give in.) The problem with counting intent is that it is open ended and very subjective. The issue grows and grows and is never settled. There is no way to argue with a properly cast ballot. With anything else the arguments never cease.

One "solution" proposed to the mess is to amend our Constitution and eliminate the Electoral College and elect the president by popular vote only. Changing for this reason is pointless since the problem was voter error, not the Electoral College. I suggest that anyone who wants to make this change look at the history of why the Electoral College exists. Whether one is for it or against it there is one fact that everyone agrees on - the Electoral College system gives a slightly stronger voice to regions of the country that have relatively small populations. Highly dense regions have slightly less voice. This concept is consistent with how each state is represented in the Senate and the House (for reference, the electoral votes for each state is equal to the sum of the number of senators and congress persons. Since each state has two senators and at least one congress person, the minimum number of electoral votes is three). The purpose of the Electoral College was to achieve a balance between sparse and dense populations not possible with a simple majority vote - just like balance between the Senate and the House. It can not be forgotten that one key principal in the founding of this country is that the majority should not be able to ramrod the minority.

The system for national elections has worked for over 200 years and I see no reason to change. There is also a practical issue with attempting to amend the Constitution. There are more than enough sparsely populated states that would never vote to reduce their influence on government to prevent such an amendment from ever being passed (a two-thirds majority of the states is required to ratify an amendment). The topic is conversation fodder for those who do not know how the system works but is otherwise a moot point.

The Republicans did not steal the election contrary to the propaganda of demagogues. Many major liberal news organizations in the country went to Florida and performed their own count of the votes in hopes of showing that Gore really won. None of them determined that Gore actually had more votes. Bush really won the election, period. Yet the demagogues keep referring to the stolen election, the Supreme Court selection, etc. Do not listen to them for all them are idiots.