

FIXING **elections**

The Failure of America's Winner Take All Politics



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PROLOGUE

The Landscape of Post-Democracy

It has been said that democracy is the worst form of government—except all those other forms that have been tried from time to time.

—WINSTON CHURCHILL

The numbers would be comical if they weren't so alarming: only 5 percent voter turnout in a recent Dallas mayoral election. Six percent in Charlotte, 7.5 percent in San Antonio. Seven percent in Austin.¹ Seven percent in Tennessee's congressional primaries, 6 percent for a statewide gubernatorial primary in Kentucky,² 3 percent for a U.S. Senate primary in Texas, and 3 percent for a statewide runoff in North Carolina.³ Several cities and towns in southeastern Massachusetts reported single-digit turnouts, with Rochester at 7 percent;⁴ their 2000 state primary election drew less than 10 percent, a modern record low according to the Massachusetts Secretary of State.⁵ Outside Detroit, turnout for several school board elections was in single digits, one as low as 1.1 percent of registered voters; in Ann Arbor, an area that has a reputation for emphasizing education, turnout for school board elections has been well under 6 percent for the past several years, with one election sinking as low as 4.4 percent of eligible voters.⁶ In Virginia, the 1997 primary for attorney general, the state's top law enforcement official overseeing criminal as well as civil matters for the entire state, turned out 5 percent of registered voters, the lowest figure since 1949.⁷ For the first time, we have been seeing an increase in *single-digit* voter turnout levels all across the nation.

In numerous other cities and states, turnout for local, state, and even congressional elections has fallen into the teens and twenties. In politically charged San Francisco, which some liken to a kind of Athens of American democracy, turnout for the 2001 runoff for city attorney plummeted to about 13 percent of eligible voters. In seven cities in Los Angeles County, California, elections for city council were *canceled* when no challengers emerged to contest against the safe-seat incumbents.⁸ The 1996 presidential election produced the lowest voter turnout in America's premier election in the last seventy years, less than half of eligible voters; the 2000 election was barely an improvement.⁹ For all the pyrotechnics surrounding the 2000 presidential election, it is easy to lose sight of the fact that nearly half of eligible voters once again sat it out. More people watched the Super Bowl or TV fad *Survivor* than cast ballots for either Gore or Bush.¹⁰

The 1998 midterm congressional elections dipped even further, to just over

one-third of eligible voters, despite the first midterm use of motor voter laws, which greatly boosted voter registration rolls. The 2000 congressional elections clawed to a marginally higher level.¹¹ A week of *Who Wants to Be a Millionaire?* or O.J.'s freeway ride in his white Bronco drew a comparable audience.¹² Voter turnout in the world's lone remaining superpower has lurched to 138th in the world—sandwiched between Botswana and Chad.¹³ Perhaps most disturbing, only 12 percent of eighteen- to twenty-four-year-olds and 8.5 percent of eighteen- to nineteen-year-olds voted in the 1998 congressional elections.¹⁴ The future adults of America have tuned out and dropped out, electorally speaking, even more than their 1960s hippie counterparts.¹⁵

Rational choice theorists should instantly recognize the sanity of their reasons: for most people, voting doesn't matter anymore. The act of voting on the first Tuesday in November seems increasingly pointless and—particularly in the middle of a busy workday—a waste of precious time.¹⁶ The “voting incentive” in recent years has seriously eroded, producing what Anthony Downs once called a “rationality crisis.”¹⁷ Washington, DC, has emerged as a kind of House of Horrors theme park, with much of what passes for politics today having degenerated into an obnoxiously partisan brew of bickering, spin, hype, petty scandal, name-calling, blaming, money-chasing, and pandering. Politics today certainly puts to the test that famous Churchill witticism, that democracy is the worst form of government—except for all the rest.

Americans, now the least exuberant participants in the established democratic world, have become used to diminished expectations. But in addition to our severe underparticipation—which amounts to nothing less than a political depression—recent national episodes have pulled back the curtain to reveal that, besides being a politically *depressed* nation, we appear to be a *raucously divided* nation as well. The impeachment debacle, the resignation of two House Speakers, piled on top of Elian, O.J., Monica, and various other deracinations now too numerous to list—and all of *that* capped by the astonishing UnElection 2000—have each in their national moment exposed critical fault lines and fissures simmering beneath the surface.

How deep these divisions go has been the subject of conflicting opinion and keen debate in venues ranging from the *New York Times* to Internet chat rooms, from the conservative *National Journal* to the liberal *Atlantic Monthly*.¹⁸ Immediately following the November 2000 election, *USA Today* published a much-discussed red and blue map showing the counties all across the nation won by either George W. Bush or Al Gore. At the very least, what the map revealed in its huge swaths of fiery red (Bush counties) and royal blue (Gore counties), was that the national divide has a certain shape to it: it is partisan, of course, but that partisanship has a strong regional element, as well as a cultural and racial component. If nothing else, it was this potent combination of national divisions—partisan, cultural, racial, and regional—that raised the hairs on more than a few

necks, for whenever that combination explodes. Think of the Civil War in 1861, which produced Jim Crow and the “solid South” out of the freed slaves and their descendants. Or the civil rights movement of the 1950s and 1960s, which produced the rights one hundred years later, and numerous other examples.

Our national division has emerged in the middle of a Mexican cornfield, its origins unexpected, growing larger and its shape rounding landscape. Moreover, Census Bureau data on our nation's rapidly shifting diversity suggests that we are not ready for this? The 1990s began with the election of South Central and other parts of Los Angeles. The 20th century began with a series of police shootings in New York City; Washington, DC; Seattle; and Los Angeles. The shooting resulted in four days of the worst rioting since Martin Luther King. The 2000 presidential election was a racially polarized voting, as did a state election in 2001 that retained the use of Confederate battle flags. These are ongoing and disturbing signs of national division. They seem loaded and capable of erupting at any time with some of the precipitating factors.

But what are these precipitating factors? They are an interwoven social, political, historical, and cultural fabric. I will tackle one element that I believe is fundamental to the problem. I looked in the past and will be overlooking some things, and fully, carefully, examine it.

The central thesis of my examination is that the current All voting system—Winner Take All for all—has broken down. *machines*, like the antiquated punch card system, that burst upon the national scene during the 19th century. I'm not talking about chads, paper, or even campaign finance laws enacted in the 1970s, which are undeniably important, and part of the “new technology” that operate to allow our current system to function in periodic elections, I am talking about the system itself, even more basic than those.

Rather, I'm talking about the rule of the majority, the votes of millions of American voters going to the polls in elections, resulting in who gets to sit in the White House. I am talking about the voting system itself. What the system is to a democracy what the “op-

necks, for whenever that combination has emerged in our history it has been explosive. Think of the Civil War in 1865; the aftermath of Reconstruction that produced Jim Crow and the "solid South"; the disenfranchisement and terrorizing of the freed slaves and their descendants; the violent struggles for civil rights one hundred years later, and numerous conflicts in between and since.

Our national division has emerged like that volcano that suddenly arose in the middle of a Mexican cornfield, its orogenesis completely unannounced and unexpected, growing larger and its shadow looming ominously over the surrounding landscape. Moreover, Census 2000 has revealed the galloping pace of our nation's rapidly shifting diversity. Are our political institutions and practices ready for this? The 1990s began with the Rodney King riots that combusted South Central and other parts of Los Angeles; the decade ended and the new century began with a series of police shootings of unarmed black men in New York City; Washington, DC; Seattle; and elsewhere. In Cincinnati, a police shooting resulted in four days of the worst street fighting since the death of Martin Luther King. The 2000 presidential election displayed eye-opening levels of racially polarized voting, as did a statewide referendum in Mississippi in April 2001 that retained the use of Confederate symbols on their state flag.¹⁹ There are ongoing and disturbing signs of national *frisson* on various horizons, and they seem loaded and capable of erupting without much notice if we don't deal with some of the precipitating factors.

But what are these precipitating factors? Obviously there are many complex interwoven social, political, historical, and economic elements. In this book, I tackle one element that I believe is fundamental to the rest, yet it has been overlooked in the past and will be overlooked again unless we pull it to center stage, and fully, carefully, examine it.

The central thesis of my examination is what is known as the Winner Take All voting system—Winner Take All for short. No, I'm not talking about voting *machines*, like the antiquated punch card voting machines known as Votomatics that burst upon the national scene during the botched 2000 presidential election. I'm not talking about chads, paper ballots or Internet voting, nor am I talking about the byzantine hodgepodge of voter registration or ballot access laws or even campaign finance laws enacted in the fifty states. While those are all undeniably important, and part of the many components of our "democracy technology" that operate to allow our republic to express and renew itself via periodic elections, I am talking about a type of "democracy technology" that is even more basic than those.

Rather, I'm talking about the rules and practices that determine how the votes of millions of American voters get translated into who wins and who loses elections, resulting in who gets to sit at the legislative table and make policy. I am talking about the voting system itself, the engine of a democracy. Voting systems are to a democracy what the "operating system" is to a computer—voting

systems are the software that makes everything else possible. Like a computer's operating system, a voting system functions silently and largely invisibly in the background, and yet it has an enormous impact on the five defining dimensions of a democratic republic: representation, participation, political discourse and campaigns, legislative policy, and national unity.

What is a "voting system?" Popular reality TV shows like *Survivor* and *The Weakest Link* have been conspicuous in recent years in their use of elections. Remember when the Tribal Council voted for the final winner on *Survivor II: The Australian Outback*? The seven voters had to choose between the last two players, Tina and Colby; everyone had one vote, and the highest vote-getter won. Well, that was a type of voting system, and it even has a name—Winner Take All—because only one person, Tina or Colby, could win. The winner was going to get the million dollars, and the loser was going to get nothing (well, actually, the loser, Colby, got the consolation prize, \$100,000). In fact, *Survivor* used the same selection method, that is, voting system, in each episode. For six weeks the highest vote-getter was voted off the show, whether that person had a majority of the votes or not.

The Winner Take All voting system—highest vote-getter wins—and variations of it, as well as other voting systems that are quite different, are used in thousands of elections all over the United States. Yet most people take for granted the voting system used by their town, state, or nation. It is invisible; just like a computer's operating system, we only notice it when it breaks down, when something goes awry like it did in Florida. But in fact there are different voting systems employed all over the United States, indeed, all over the world. For instance, we use one kind of voting system to elect the president that gives a state's Electoral College votes to whichever candidate wins the most votes, even if that candidate has less than a popular majority—that's Winner Take All again, just like on *Survivor*, but with a lot more voters. And the Machiavellian tactics used in our public elections aren't much different than on *Survivor*, either.

We noticed the voting system during UnElection 2000 because it broke down badly in various and unfortunate ways, well beyond malfunctioning voting machines, as we will see. Remember, Winner Take All is so named because the highest vote-getter wins everything, and all the other candidates win nothing. There was a lot at stake in the final official Florida vote for president, when George W. Bush won *all* of Florida's electoral votes even though he beat Al Gore—amid great controversy—by only a few hundred votes in the official count.

Many Americans think that this "highest vote-getter wins" method is the only way to hold an election because that method is so prevalent in the United States, but it isn't. *Survivor II*, for instance, could have required that the person "elected" for rejection in each round have a majority of the vote, instead of simply the "highest number of votes." The fact that they didn't created problems

on Episode 7, when two players tied, one ist. They resolved the tie by using votes in a very elegant solution from a democratic rounds may have selected differently had

Similarly, each state could require, for state's Electoral College votes must have a runoff (which is used in many South "instant" runoff²⁰ to arrive at that majority voting systems, both of which get rid of fields of multiple candidates to compete, options to voters, without fear of strange with less than a popular majority. Had a runoff in the 2000 presidential election, five-week Florida fiasco, and probably besides. That's because voting systems produce different results, and some prime results.

As this book demonstrates, our antiquated at the root of much of what is perplexing today, not only in presidential elections but also the brief display of "rally 'round the flag" after the September 11 attacks, numerous pundits and a general level of national division and proportions not seen by our nation for more than a stimulus of foreign aggression, by December headlines like "Lawmakers Back at Capitol" should be surprising, given how the "voting contests exacerbates the stakes, and hence

Worse than antiquated, Winner Take All national policy, robs voters of representation for racial, ethnic, and religious minorities and political representation. Americans are aware of the gerrymandering occurring in places like India, Italy, and elsewhere, where a candidate for parliamentary government can topple a sitting candidate can win with less than a majority of the vote, raising eyebrows when one man, one Senator, Jim Jeffords, switched from Republican to independent and fomented a new U.S. Senate to the opposition party;²¹ or when a candidate representing a tiny fraction of the U.S. population can win less than a majority of congressional

on Episode 7, when two players tied, one of them being Colby, an eventual finalist. They resolved the tie by using votes in previous rounds as the tiebreaker, not a very elegant solution from a democratic point of view, since voters in previous rounds may have selected differently had they known the eventual stakes.

Similarly, each state could require, for instance, that the winner of their state's Electoral College votes must have majority support, and use a two-round runoff (which is used in many Southern states for state elections) or an "instant" runoff²⁰ to arrive at that majority. Those would be two other types of voting systems, both of which get rid of the problem of "spoilers" and allow fields of multiple candidates to compete, raising issues and presenting electoral options to voters, without fear of strange results like "split votes" and winners with less than a popular majority. Had we used a two-round runoff or instant runoff in the 2000 presidential election, we certainly would have avoided the five-week Florida fiasco, and probably ended up with a different winner besides. That's because voting systems *matter*; different voting systems can produce different results, and some primitive voting systems produce distorted results.

As this book demonstrates, our antiquated Winner Take All voting system is at the root of much of what is perplexing and polarizing about our politics today, not only in presidential elections but in legislative elections as well. Outside the brief display of "rally 'round the flag" domestic unity following the September 11 attacks, numerous pundits and commentators have observed that the general level of national division and partisan warfare has reached unsettling proportions not seen by our nation for many years. And even with the unifying stimulus of foreign aggression, by December 28, 2001 *USA Today* was running headlines like "Lawmakers Back at Each Other's Throats." But this hardly should be surprising, given how the "winner take all" nature of our electoral contests exacerbates the stakes, and hence the division and conflict.

Worse than antiquated, Winner Take All is downright *dangerous*. It distorts national policy, robs voters of representation, and pits partisan voters as well as racial, ethnic, and religious minorities against each other for a scarce commodity—political representation. Americans are used to thinking of unstable democracy occurring in places like India, Italy, and Israel, where collapsing coalitions for parliamentary government can topple the government. But when a presidential candidate can win with less than a majority of votes, and with fewer votes than his main opponent, raising eyebrows as well as shouts of illegitimacy; or when one man, one Senator, Jim Jeffords from Vermont, can switch from Republican to independent and foment "a coup of one," throwing control of the U.S. Senate to the opposition party;²¹ or when a small number of Senators representing a tiny fraction of the U.S. population consistently can torpedo legislation supported by the majority; or when one political party, the Republicans, can win less than a majority of congressional votes nationwide yet still end up

with a majority of seats, as happened in 2000, those are clues that something is woefully amiss with our own democratic structures and practices.

This book analyzes the extent that the eighteenth-century “democracy technology” known as the Winner Take All voting system is affecting the five key dimensions of our democratic republic: representation, voter participation, campaigns and political discourse, legislative policy, and national unity. These five dimensions are like the sturdy poles of the great tent of the republic, of representative democracy,²² holding it aloft. Winner Take All relies near exclusively on (1) geographic-based representation and/or (2) a two-choice/two-party political duopoly. From those two defining characteristics of Winner Take All other dynamics and tensions are unleashed that impact the five dimensions, often with unintended and damaging results.

This analysis finds that the impacts of Winner Take All are considerable; that the impacts are sweeping and, as we will see, decidedly troubling. Winner Take All is robbing voters of viable choices in the voting booth and is contributing to an entrenched decline in voter participation and engagement. As we will see, most voters have become bunkered down into “safe” one-party districts gerrymandered during a secretive redistricting process that guarantees reelection of incumbents. Winner Take All also is distorting representation of the majority as well as the minority, including millions of “orphaned” Democratic and Republican voters living in opposition legislative districts, as well as racial minorities, women, independents, and third-party supporters.

Moreover, Winner Take All’s geographic-based paradigm is exacerbating national tensions that are turning entire geographic regions of the country into virtual wastelands for one political party or the other. It is producing “phantom representation” and “artificial majorities” where a minority of voters sometimes wins a majority of legislative seats and a disproportionate, exaggerated amount of political power. In short, as we will see, Winner Take All has produced a national legislature that does not look like “the people” it purports to represent, nor does it think like us or act as we wish it would. No, under the distortions of Winner Take All, the majority in the United States does *not* necessarily rule.

Winner Take All also underlies an alarming debasement of campaigns and political discourse, which have grown increasingly harsh, negative, and uninformative; it affects how political campaigns are conducted, as candidates and political consultants chase the infamous “swing voters,” that small slice of fuzzy-headed and disengaged voters who determine the outcome of elections in a Winner Take All system. New campaigning technologies like polling and focus groups, it turns out, are *malignantly* suited to the Winner Take All system and its typical two-choice/two-party field, allowing the precise targeting of political spin and hack-attack sound bites to ever smaller slices of swing voters, while everybody else and the issues they care about are relegated to the political sidelines. The dynamics unleashed by Winner Take All also are affecting how much

money is needed to run a viable campaign, and how political ideas are debated

Finally, Winner Take All is draining the reforms like campaign finance reform, the redistricting reform. Indeed, as we will see, pandemic and indiscriminate, reaching into our psyches and attitudes toward ourselves, into our very self-identity as a nation. Genocide of Winner Take All on participation, representation, legislative policy, and national unity is hurling us toward political depression.

In short, Winner Take All is making losers lose when our representative democracy is a combination of nagging national division and particularly perilous because each are mutually reinforcing: as players (i.e., voters) abandon the field in favor of increasingly partisan careerists and professional activists who seize center stage, further polarization of politics becomes more polarized, negative, and people turn off and tune out.

One cannot help but wonder: what is the result? That, on the one hand, has fewer and fewer voters engaged, but, on the other hand, is so much social division and acrimony, cleaved along regionalism, and racial and cultural polarization, creating a paradox. Much like stagflation has been scourges of inflation and recession—things that once informed us—our national politics has become a Charybdis of a passionless political fervor of partisan obsession and divide-and-conquer. Winner Take All system is at the root of the problem.

Despite the enormity of its impact, it has been mostly overlooked or ignored by voters and reformers, much to the detriment of the reform. Yet the gravity of the moment is happening to the national consciousness: a splintered nation, nominally democratic, where many of our civil institutions are still well-protected, but where elections fail to inspire, important in our lives, or to bind us as a nation. regional balkanization—exacerbated by, as we have seen, alarmingly suggestive of the geographic-b-

money is needed to run a viable campaign, how the media covers those campaigns, and how political ideas are debated and decided.

Finally, Winner Take All is draining the vitality out of well-meaning political reforms like campaign finance reform, the Voting Rights Act, term limits, and redistricting reform. Indeed, as we will see, the impact of Winner Take All is pandemic and indiscriminate, reaching into our communities and neighborhoods, into our psyches and attitudes toward government and elections, indeed into our very self-identity as a nation. Generally speaking, the pervasive impact of Winner Take All on participation, representation, campaigns and discourse, policy, and national unity is hurling us toward chronic national division and political depression.

In short, Winner Take All is making *losers* of us all. Even the apparent winners lose when our representative democracy is so sickly. This escalating combination of nagging national division and dispirited political depression is particularly perilous because each are mutually reinforcing of the other. As most players (i.e., voters) abandon the field in frustration, the game is left to be played by increasingly partisan careerists and professionals, and by the most zealous activists who seize center stage, further polarizing politics and policy. And as politics becomes more polarized, negative, and downright nasty, more and more people turn off and tune out.

One cannot help but wonder: what will be the political destiny of a nation that, on the one hand, has fewer and fewer voters and diminishing electoral engagement, but, on the other hand, is so rife with the heated passions of political division and acrimony, cleaved along the volatile lines of partisanship, regionalism, and racial and cultural polarization? It's a confounding and alarming paradox. Much like stagflation has bedeviled economists with the twin scourges of inflation and recession—theoretically impossible, the textbooks once informed us—our national politics is being squeezed between the Scylla and Charybdis of a passionless political depression intertwined with the torrid fervor of partisan obsession and divide. And our eighteenth-century Winner Take All system is at the root of the problem.

Despite the enormity of its impact, the Winner Take All voting system has been mostly overlooked or ignored by various political commentators, scholars, and reformers, much to the detriment of our national discussion and efforts at reform. Yet the gravity of the moment requires a new term to describe what is happening to the national consciousness: post-democracy—that is, a polarized, splintered nation, nominally democratic, but with fewer and fewer voters. A nation where many of our civil institutions are still vital and our individual rights reasonably well-protected, but where elections fail to inspire or mobilize, or to touch the issues most important in our lives, or to bind us as a nation. A nation where an emerging trend of regional balkanization—exacerbated by, as we will see, our Winner Take All practices—is alarmingly suggestive of the geographic-based polarization faced by other large

Winner Take All democracies like India and Canada. What are we to make of this fractured, voterless, post-democracy? Its onset is an alarming development in our nation's political history.

It is important to note that post-democracy will not be merely the latest stage of an old, familiar specimen; post-democracy is not the same as pre-democracy or proto-democracy. In fact, it will have transmogrified into a new and unexpected phyla of political life, a new evolutionary form without precedent in human history. Post-democracy is a type where huge numbers of citizens simply have given up. And they have given up because they don't think politics or elections matter in their lives. They have made a decision, conscious or unconscious, that political/electoral participation is a waste of time and that withdrawing makes more rational sense, despite its obvious perils. They have *chosen* to toss their political fate to the winds, keeping their fingers crossed that whatever emerges, or whatever faction is in control, won't screw them over. The specter of post-democracy unearths from the historical crypt Gaetano Mosca's disquieting theory of an elite ruling class, which asserted at the beginning of the twentieth century that "the history of all societies has been, is, and will be, the history of dominant minorities," contrary to any theories of majority rule.²³

Post-democracy is a political iceberg of staggering proportions, and we are heading straight for it. Yet it is rarely talked about around American dinner tables, there is no presidential-sponsored national dialogue, there are no gavels pounding in Senate committee hearings or in august courtrooms. There are few opinion-page rants or *60 Minutes* documentaries attempting to galvanize public attention and mobilize the national brain trust, seeking a solution. Instead, all there is, is silence. A silence that is occasionally broken by a few well-meaning but misguided missives about the impact of private money in elections, or TV talking heads debating the passions of presidential ejaculatory stains on a dress—and now the vagaries of chad, Votomatics, and butterfly ballots. All the while the iceberg drifts, relentlessly closer, and practically nobody is talking about it. It's downright spooky.

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The Framers and Founders of our nation prided themselves on being on the cutting edge of all manner of things.²⁴ Ben Franklin, besides being a statesman, philosopher, and author, was an inveterate tinkerer and inventor whose numerous scientific and practical innovations included the lightning rod, bifocal spectacles, and a stove. The equally brilliant and eclectic Jefferson, besides authoring the Declaration of Independence and serving as President and Secretary of State, was also an architect, designing his own elegant estate, Monticello, and buildings for the University of Virginia. Washington was a successful farmer who tried to keep abreast of the latest scientific advances, giving assiduous attention to the rotation of crops, fertilization of the soil, and the management of livestock.

Not surprisingly, the Framers also were technologists." They paid close attention to times, and were well versed in the political Greeks as well as the Roman Republic (although their "enlightened" politics was not so inhuman rights, either seeing nothing wrong with slavery and sexual inequality in their moral logic). A logical symbol of their Deist age, John Adams called his *Discourse on the Natural Rights of the Colonies* a "Spring Wheels and Weights."²⁵ Madison, in the *Federalist Papers*, presented a master plan, as well as the burgeoning ideals of the rights of individuals. In *Federalist* No. 10, he warned—prophesied, actually—about the consequences of political factions; Washington, in *Federalist* No. 9, Hamilton wrote that

the science of politics . . . like most of the arts, has improved. The efficacy of various forms of government which were either not known at all, or were imperfectly understood. The regular distribution of power into different departments, the introduction of legislative balances— . . . the discovery of the legislature by deputies of their own electors, and the discovery of the principle of modern times.

When we inherited our Winner Take All system from the British colonizers, it was the cutting edge of the time. As political thought pointed out, the Winner Take All voting system the Framers knew, since other voting systems like limited voting, proportional representation, and so on, had not yet been invented. Nor would they be until the middle of the nineteenth century. So, until the steam boat, we can hardly blame the Framers for the technology that did not yet exist.

But today, just past the launch of the horse and buggy technology. It is akin to the XP or Mac OS X. More than simple, the system is *primitive*. We will see how the system will render it archaic and antiquated for the political discourse, and policy formation.

Not surprisingly, the Framers also were on the cutting edge of “democracy technology.” They paid close attention to the secular political theory of their times, and were well versed in the political practices and theories of the ancient Greeks as well as the Roman Republic (although, it must be said over and over, their “enlightened” politics was not so informed by what we know today as human rights, either seeing nothing wrong with or not being troubled enough by slavery and sexual inequality in their midst). Invoking a clock as the technological symbol of their Deist age, John Adams called the government “a complicated Piece of Machinery,” requiring a “nice and exact Adjustment” of its “Spring Wheels and Weights.”²⁵ Madison, Hamilton, and Jay, as coauthors of the *Federalist Papers*, presented a masterly exposition of the new federal system, as well as the burgeoning ideals of justice, the general welfare, and the rights of individuals. In *Federalist* No. 10, Madison weighed the causes and consequences of political factions; Washington, in his farewell address, warned—prophesied, actually—about the excesses of political parties. In *Federalist* No. 9, Hamilton wrote that

the science of politics . . . like most other sciences has received great improvement. The efficacy of various principles is now understood, which were either not known at all, or imperfectly known to the ancients. The regular distribution of power into distinct departments—the introduction of legislative balances— . . . the representation of the people in the legislature by deputies of their own election—these are either wholly new discoveries or have made their principal progress towards perfection in modern times.

When we inherited our Winner Take All system from our eighteenth-century British colonizers, it was the cutting edge of democracy technology compared to the rule of a despotic king. As political scientist Robert Dahl and others have pointed out, the Winner Take All voting system was pretty much all that the Framers knew, since other voting systems like cumulative voting, choice voting, limited voting, proportional representation, instant runoff voting, and the like had not yet been invented. Nor would these other voting systems be invented until the middle of the nineteenth century or later, so, like the locomotive or the steam boat, we can hardly blame the Framers for not employing democracy technology that did not yet exist.

But today, just past the launch of the twenty-first century, Winner Take All is horse and buggy technology. It is akin to using DOS 1.0 rather than Windows XP or Mac OS X. More than simple, the eighteenth-century Winner Take All system is *primitive*. We will see how the internal mechanics of Winner Take All render it archaic and antiquated for the modern demands of representation, political discourse, and policy formation in an extremely mobile, pluralistic,

Internet-connected, multinational, multipartisan, multiracial, multireligious, multitasking, multi-World Wide Webbed and free trading mass society. Obviously the world today is a much different place than it was at the dawn of our nation. We should think carefully about the ramifications of using an eighteenth-century piece of democracy technology in the twenty-first century.

What Hamilton called the “science of politics” must continue to study and research our democracy technology with fresh eyes. This book presupposes, quite optimistically, that we can diagnose what ails our political system, that we can upgrade our political institutions and practices. I am quite certain that the Framers, being the enlightened rationalists that they were, would have applauded the effort to peer into the political fog and figure out the next step, or even the next ten steps, as their piece of handiwork continues to evolve into one that lives up to the lofty rhetoric and aspirations of their astonishing age.

To understand more fully how far we’ve fallen, consider the words of Alexis de Tocqueville, writing in his 1835 seminal work *Democracy in America*. Tocqueville had this to say about our political ancestors:

How happens it that in the United States, where the inhabitants arrived but as yesterday upon the soil which they now occupy, and brought neither customs nor traditions with them there; where they met each other for the first time with no previous acquaintance; where, in short, the instinctive love of country can scarcely exist;— how happens it that every one takes as zealous an interest in the affairs of the township, his county, and the whole State, as if they were his own? It is because every one, in his sphere, takes an active part in the government of society. . . . The citizen looks upon the fortune of the public as his own, and he labors for the good of the State. . . . The political activity that pervades the United States must be seen in order to be understood. No sooner do you set foot on American ground than you are stunned by a kind of tumult.²⁶

The “tumult” of democracy, the animal spirits of popular sovereignty, have grown rather timeworn and tame in the United States today. The contrast between Tocqueville’s description of that nineteenth-century democratic paragon and its deformed somnambular twenty-first-century descendant could not be more stark. So come, I invite you to fly over the terrain of the American political landscape, as we chart our descent into the twin black holes of political depression and national division, where an anxious future of post democracy awaits.

PART ONE

Geography Is Destiny