

The Necessity of Election Reform

By Amy E. Wong



I was too young to vote in the 2000 elections, but I still remember the impact it left on me. I was a huge supporter of Gore, and it was a huge disappointment when I heard Gore say, “For the sake of *our* unity as a people and the strength of our democracy, I offer my concession.”

I was reluctant to let the fight go, especially when Bush won the race by a margin of only 537 votes in Florida. I remember when we meticulously counted the votes for a full month until Dec. 12 when the Supreme Court held, in a 5-4 decision, that the Florida recount was unconstitutional.

The rest, as you can say, is history. President Bush is our president, and he won by a majority in both the 2000 and 2004 elections. However, the 2000 presidential elections highlighted the varied weaknesses of our voting system. The major downfall, of course, was the irregularity of the U.S. voting system. For instance, the butterfly ballots clearly worked in favor of George W. Bush. How will we be certain in our voting system? How can we trust in our democratic system when our elections are riddled with flaws?

Congress wizened up to our needs. In order to remedy voter malfeasance, fraud, and mistakes, Congress passed the “Help America Vote Act” in 2000. It encouraged states to update their voting system, standardize voter registration, and create reforms. States, too, have tried to better plan and reform their voting systems. Nevertheless, we need to have clear laws on how to rectify the system.

Steven F. Huefner, associate professor at the Michael E. Moritz College of Law, wrote in the upcoming *Harvard Journal on Legislation*, “Largely absent, however, has been meaningful discussion on how to improve the way that state election systems respond when elections still go awry, as they inevitably will.”

Huefner’s article, “Remedying Election Wrongs,” reviews the strengths and weaknesses, the fraud and mistakes that permeate the voting system. In his exploration, Huefner identified several potential reforms such as (1) defining what specific remedies the state partakes in, (2) having clearer standards, (3) creating greater uniformity in how state’s handle election problems, and (4) having a non-judicial body to settle election contests.

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