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Preface

This is the third in a series of white papers sponsored by the Kean University Center for History, Politics, and Policy. This paper, authored by Dr. Terry Golway, explores New Jersey's low turnout rates on Election Day and possible recommendations to increase voter turnout.

On behalf of the University and the CHPP, we thank Dr. Golway for his contribution, and believe you will find this paper informative. Kean faculty will continue to offer their expertise in future white papers through the 2012-13 academic year.

About the Contributing Author:

Dr. Terry Golway is the director of the Kean University Center for History, Politics, and Policy. He is a former editorial board member of *The New York Times* and a former city editor and chief political reporter of the *New York Observer*.

Getting Out the Vote: New Jersey's Low Turnouts on Election Day

Terry Golway, Ph.D.

Problem:

New Jersey set an unenviable record on Election Day, 2012: Only about 60 percent of registered voters turned out to vote. The previous record for a presidential election year was 70 percent, set in the 2000 election between Al Gore and George W. Bush. Voter participation has been in decline for decades, but this year's turnout of just 3.3 million – out of 5.5 million registered voters – was startling because it was so much lower than the state's previous all-time low in a presidential race.¹ While Hurricane Sandy no doubt played a role in suppressing the vote in New Jersey, the startling decrease in turnout cannot be blamed only on power outages and displacement. This white paper will examine some ideas designed to increase voter turnout, locally and nationwide.

Proposed solution:

New Jersey is hardly alone in producing disappointing voter turnouts. Historian Michael McGerr has pointed out that voter participation has been falling since politics became more professional in the late 19th century.² The rise of a non-partisan press and the replacement of voter spectacle with more-dispassionate voter information campaigns led to fewer people at the polls and less interest in politics. At the beginning of the 20th Century, voter turnout was consistently above 70 percent of registered voters in presidential elections. Today turnout generally is below 65 percent.

In New Jersey, voter participation in presidential elections has seen a sharp decline since 1972, save for a spike in 1992. In non-presidential, non-gubernatorial elections, turnout in New Jersey in recent years has averaged less than a third of eligible voters.³ Nationally, turnout in the most-recent non-presidential election, in 2010, was about 37 percent. These figures do not take into account all persons of voting age. If they did, the percentage of participants would be even lower.

Two U.S. representatives, Steve Israel of New York and John Larson of Connecticut, recently revived an idea introduced periodically over the last few decades. They put forward legislation

¹ The Star-Ledger, Nov. 8, 2012

² Michael McGerr, *The Decline of Popular Politics: The American North, 1865-1928* (New York: Oxford University Press, 1986).

³ <http://governors.rutgers.edu/njgov>

that would move Election Day from the first Tuesday after the first Monday in November to the first weekend in November. Election Day for federal elections was fixed by an act of Congress in 1845 – the legislation is written in very specific language so that Election Day would never fall on November 1, which is the Catholic holy day known as All Saints Day.

The Israel-Larson plan calls for voting to take place from 10 a.m. on Saturday to 6 p.m. on Sunday, a considerable break with the American tradition not only of Tuesday voting, but of one-day voting. Of course, this year saw a record number of votes cast in so-called “early voting” which took place in the weeks before traditional Election Day. More than 30 million people, including President Obama, cast their votes before polls opened on November 6, 2012.⁴

Weekend voting has been proposed in the past, most prominently by former Representative Mario Biaggi of New York in the late 1970s and early 1980s. The two congressmen who are now pushing the idea have recruited political experts, including noted commentator Norman J. Ornstein, to advocate for the change. It is important to note that these reforms would regulate elections for federal office only. States regulate their own elections for local and state offices.

Rationale:

The incredible popularity of early voting has challenged the very idea of one-day voting. What’s more, the challenges posed by Hurricane Sandy this year led to improvised voting methods in New Jersey, including fax and email, which made voting even more accessible. Converting federal elections from Tuesday to weekends would seem to fit in with current trends in voting behavior, and could even mitigate the long lines that have plagued traditional polling places in some states, especially Florida.

Advocates note that weekend voting is commonplace in Europe and elsewhere, and in many places, turnout for national elections is much higher than in the U.S.

Concerns:

Weekend voting would seem, at first glance, to be far more voter-friendly than conducting a national vote on a single day during the work week. There is, in fact, nothing sacred about

⁴ The *New York Times*, November 5, 2012

traditional Tuesday voting, so changing Election Day from Tuesday to a weekend would seem to violate no beloved precept or time-honored custom.

However, there is no clear evidence that weekend voting will produce higher voter turnout. In Europe, where voter participation generally is higher than in the U.S., weekend polling has a mixed record. Only 33 percent of voters in Ireland turned out on Saturday, November 10, to pass judgment on a highly contested constitutional referendum regarding the rights of children. In some areas of the country, less than a quarter of eligible voters made it to the polls.

Granted, elections centered on a referendum, however controversial, do not have quite the same appeal as an exciting election between actual candidates. But even in these more traditional contests, weekend voting does not appear to be a panacea for apathy. Greek voters turned out in record low numbers last May to vote in elections centered on the government's highly contested austerity measures. The 65 percent turnout on Sunday, May 6, was a record low in recent Greek history. Granted, Greece has suffered terribly in the global financial collapse, leading to widespread disillusion and cynicism. All the more reason why they might have been expected to show their anger at the polls.

There certainly are bright spots which put U.S. turnout to shame. On the same day that so many Greeks ignored their elections, some 80 percent of French voters went to the polls to choose a new president.

The French figure is impressive, and would seem to argue in favor of weekend voting. But voter turnout in British parliamentary elections, held on Thursdays, suggest that motivated voters can find time to get to the polls, even during the week. Although the most recent British election produced a smaller-than-usual turnout of just under 66 percent in 2010, the previous four general elections, in 1997, 1992, 1987, and 1983, consistently produced turnouts of more than 70 percent, with the '92 election drawing 77 percent. All those elections were held on Thursdays.

Recommendations:

There is no certainty, based on European voting figures, that weekend voting will improve voter turnout. For every example of high turnout, such as in France, there are examples of disappointing weekend turnouts, such as recent elections in Greece and Ireland. Meanwhile, the

British electorate turns out in higher numbers than in the U.S. even though the U.K.'s national elections are held on Thursdays.

Improving voter turnout requires 21st Century tools, including an expansion of early voting and, eventually, the use of digital technology. There are, to be sure, legitimate concerns about ballot security in the digital age. Then again, there are legitimate concerns about ballot security even now, as any number of recent controversies demonstrates.

This year's experiment in New Jersey with remote voting is a better guide to the future of voter turnout than any proposal to change the date of Election Day at either the federal or local level. Rather than tinker with 20th Century solutions, politicians, county clerks, and others officials should begin to discuss 21st century technologies as a solution to low voter participation.

Reformers, however, must bear in mind that political parties inevitably will have input into how new voting technologies will be implemented. Voting officials, including county clerks, are associated with one major party or the other, so it would be unreasonable and certainly unrealistic to believe that modernization of the voting process will take place in a vacuum.

It would seem inevitable, however, that traditional one-day voting will soon be thought of as an anachronism. What comes next remains to be seen.