

IN PRAISE OF THE ELECTORAL COLLEGE

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- The US Electoral College guarantees a president with legitimate majority support and a broad base.
- Without the US Electoral College, would the major parties just compete for different urban areas?
- The US system is a federation of states. It is right that state-by-state majorities elect the president.

"America's Constitutional system aims not merely for majority rule, but rule by certain kinds of majorities..."

All 537 persons elected to national offices – the President, Vice President, 100 Senators and 435 Representatives – are chosen by majorities that reflect the Nation's federal nature." George F. Will 2004

"We are a very different country than we were 200 years ago. I believe strongly that in a democracy, we should respect the will of the people, and to me that means it's time to do away with the Electoral College and move to the popular election of our President." – Hillary Clinton, November 10, 2000, upon election to the US Senate.

Americans elect their President through the state-by-state Constitutional mechanism known as the Electoral College, rather than by direct vote nationwide. Today, all but two states award all their respective electoral votes to the statewide winner.

Ever since 1824, when the popular vote winner, Andrew Jackson, was denied the Presidency by the U.S. House of Representatives after the Electoral College failed to produce a majority for any candidate, some have called for its abolition.

With another Presidential election now upon us, and more than 10 state legislatures having expressed their support for an alternative system, it is timely to consider the value of this vital and controversial 18th century institution.

Typically, three criticisms of the College are made: First, that it is "undemocratic." Second, that it permits the election of a candidate who does not

win the most votes. Third, that its winner-takes-all approach cancels the votes of the losing candidates in each state.

Is It Undemocratic?

Those who call the Electoral College “undemocratic” often claim it represents the Founders’ fear of an imprudent electorate. The people’s choice for President is best confirmed by wise and dispassionate electors.

This explanation ignores the great debate of the Constitutional Convention between the small and large state delegates. The U.S. Congress similarly reflects this struggle, in its two chambers: one for proportional representation of the population and one for equal representation of each U.S. State.

The Electoral College evolved from a similar compromise. Fearing Presidential domination from the populous states of New York, Pennsylvania and Virginia, small states proposed election of the President by the 13 state legislatures. Each state would hold a single vote. Large-state delegates such as Madison of Virginia naturally favored direct popular election.

The Electoral College was an ingenious compromise, allowing the popular election of the US President, but on a state-by-state basis. Each state is allotted electoral votes equivalent to their combined proportional and equal representation in the two chambers of Congress.

Even the least populous state thus gets at three votes – one for its representative and two for its senators – but the very populous states are not deprived of significant influence, either.

Thus, the Electoral College is no more “undemocratic” than is the U.S. Congress. Without it, however, the importance and influence of small states, such as Wyoming and Alaska would be reduced to virtually nothing.

Against the Will of the Majority?

The second criticism of the Electoral College – that it allows a candidate to win the presidency with less than half the popular vote – is the most challenging to deal with.

Indeed, in three instances (1876, 1888 and 2000), the first-place candidate by popular vote has finished second in the Electoral College. In all three, the popular margin nationally was very close, but the first-place finisher’s votes were too concentrated in a few states like California to win enough states.

Still, the Electoral College although imperfect, remains a better solution than direct popular election of the President.

Rarely has this scenario transpired, and the rest of the time, this state-based system ensures that candidates build support across a broad range of states, not

just a majority of citizens in a few large states. We are “a nation of states”, and this is a key part of American federalism.

Moreover, it is unclear how a popular-vote-majority system would work out in practice, if the Electoral College were abolished. In the 57 presidential elections since 1789, no candidate received 50% of the popular vote on 18 occasions, including Lincoln, Wilson, Truman, Kennedy, and Clinton - to name the most famous “minority Presidents”. However, they did win a majority of the states’ Electoral College votes!

The Electoral College creates a national majority for new Presidents, regardless of the popular vote margin and without requiring a run-off system. *Reflecting the will of majorities in the 50 states*, the College legitimizes the result.

A sharply divided America gave Lincoln only 39.7% of the vote in 1860. However, Lincoln won 180 electoral votes – more than double the second-place finisher, Breckinridge. This gave his election legitimacy at a critical moment in American history.

Are Votes Wasted?

The third criticism is that the “winner-takes-all” provision for the awarding of Electoral College votes essentially throws out the popular votes not cast for a state’s Presidential choice. For example, Virginia votes cast for Walter Mondale in 1984 were “thrown out” because all 12 of its electoral votes were given to Reagan.

But one could obviously make that argument of the overall result: 37.6 million votes for Walter Mondale nationwide were canceled out by virtue of Ronald Reagan’s decisive 54.5 million-vote victory. There will always be only one winner in any contest for a single office like the Presidency.

One could also argue that votes are “wasted” in “safe” states, as well, particularly since both candidates often ignore those states and focus their time in the more competitive states. In fact, in any electoral system, some locales will be overlooked. Here again, the alternatives to the Electoral College look worse.

Return of Sectionalism?

While some states are predominantly rural or predominantly urban... every US state today has an internal mix of attributes. Nominally, then, all candidates must represent a mix of people and sub-cultures, no matter which specific states vote for them.

However, without the Electoral College, it is probable that most candidates would concentrate their efforts on vote-rich urban centers of the country, no longer needing to “win statewide”. The short-term effect would be to alienate millions in small towns and rural states such as Montana and Idaho.

The longer-term effect of a focus on urban areas and away from statewide balancing politics may be to a major re-alignment of the major parties towards urban interests. This is bad for national unity and neglects the interests of non-urban Americans.

The two-party, winner-take-all system serves the United States well by comparison to the fractious, multi-party coalition governments of Europe. A splintered set of regional and issue-oriented parties or factions would spring up. This might engender in the US Congress an urban vs. rural akin to the sectional gridlock that led to the Civil War.

The Founders' Electoral College is a mechanism unique to the American republic. It creates national electoral majorities, engenders national Presidential campaigns, and maintains a robust federalism that operates most effectively within a strong two-party system. It is not a perfect system, but the alternatives proposed to may bring political consequences that may be even more damaging than any perceived problem of the current system.

Removing one gear from a watch affects the entire mechanism. Let us keep the US Electoral College system!

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