

VOICE OF THE LEFT

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The Electoral College: It's Time To Reconsider

Following the 2000 Presidential Election, when Al Gore lost to George Bush despite having 543,816 more votes than his opponent, a number of Americans (especially those who voted for Gore) began to ask the question: IS THIS SYSTEM DEMOCRATIC?

For starters, the debate over how we should elect the president has been going on for generations. Those who object to the Electoral College system and favor a direct popular election of the president generally do so on four grounds:

- the risk of so-called “faithless” Electors
- the possibility of electing a minority president
- the possible role of the Electoral College in depressing voter turnout
- the “over representation” of voters in rural states

Before taking a closer look at these objections, let's look at what the Electoral College is and how it came into being. The Electoral College is the constitutional body that elects the President and Vice President. Currently comprised of 538 members, the College is created with each state having as many electors as it has representatives and senators in the national legislature, plus 3 for the District of Columbia. To be elected, a candidate must obtain an absolute majority. If no candidate gains an absolute majority, the US House of Representatives makes the choice, with the delegation from each state having one vote.

If you're wondering why such a bizarre mechanism was chosen, that's rather simple. The Electoral College was intended by our Founding Fathers to be a safeguard against democracy, which the framers of our Constitution saw as little more than “mob rule.” Yes, our Founding Fathers were elitists... and not just the ones living on southern plantations. For this “high-heeled” crowd, trusting the “people” (even white guys) to elect the president was far too risky an idea.

Just so they could sleep at night, the gents in Philadelphia went one step further. Even the electors themselves were not to be elected directly, but “appointed” by the states. Interestingly, this same sentiment also prevailed with regard to our national legislature's “upper house” (Senate), whose membership was also to be chosen indirectly.

Their rationale went something like this. The public was largely uninformed and uneducated, whereas members of the Electoral College were expected to be prominent state worthies (rich white guys) impervious to transient public moods. Needless to say, reality soon proved otherwise. With the rapid emergence of political parties, it wasn't long before the electors themselves were popularly chosen. Nevertheless, the president's name did not even appear on the ballot (only the elector's) until 1824.

What very few folks realize is that even today when we vote for president and vice president we are officially voting for an elector who has pledged him or herself to a particular candidate(s) and not the candidates themselves. What happens if an elector who was pledged to a certain candidate all of a sudden has a change of heart? Well, there are 24 states that currently have laws on the books to punish those electors who “forget their manners.” But punish after the fact is all they can do. There is no means to force such a “misbehaving” elector to change his/her vote. This has taken place on numerous occasions, but never affected the outcome of an election.

So let's get back to the other most commonly cited objections from the "let's get rid of it" crowd. Ironically, the "winner takes all" rule, in which all of a state's Electoral College (electoral) votes go to the candidate who receives the most popular votes, is not in the Constitution. In fact, two states (Maine and Nebraska) presently assign their electoral votes roughly in proportion to the state vote for each candidate. As for the other 48 states, it's winner take all. This leaves wide open the possibility of winning the presidency (electoral vote) while losing the popular vote (which means nothing other than a pat on the back at Rotary.) Not only was this the case in 2000 with Bush/Gore, but it also happened on three other occasions: 1824, 1876, and 1888.

There is also the distinct possibility that if the country were so deeply divided politically that three or more presidential candidates could split the electoral votes among them so that no one obtained the necessary majority. This occurred in 1824 and nearly took place in 1948 and 1968. In such a scenario, there is the rather unsettling possibility that a candidate could throw his/her electoral votes to the support of another before the meeting of the Electoral College. How do you like them apples?

Opponents of the Electoral College are further concerned about its possible role in depressing voter turnout. Since each state is entitled to the same number of electoral votes regardless of its voter turnout, there is no incentive in the states to encourage voter participation. Indeed, there may even be an incentive to discourage participation. What's really the point of casting your presidential ballot for a Democratic candidate if your hometown is Dallas, TX? On the other hand, aren't registered Republicans in San Francisco just going through the motions?

Finally, some opponents of the Electoral College point out, quite correctly, its failure to accurately reflect the national popular will in at least two respects.

First, the distribution of Electoral votes in the College tends to over-represent people in rural States. This is because the number of Electors for each State is determined by the number of members it has in the House (which more or less reflects the state's population size) plus the number of members it has in the Senate (which is always two regardless of the state's population). The result is that Wyoming, with a population of just over 500,000, is granted three electoral votes, or roughly one electoral vote for every 170,000 people. California, with a population of approximately 38,000,000, will weigh in with 55 electoral votes in the upcoming 2008 election, or just one electoral vote for every 700,000 people. In other words, a resident of Wyoming enjoys four times the voting representation in the Electoral College as that of a California voter. With all due respect to my friends in the "Equality State" (a.k.a. Wyoming), why should folks in Casper count more than in LA?

Then again, another potential shortcoming of the Electoral College is that it makes it extremely difficult for third party or independent candidates to make much of a showing. For example, if a third party or independent candidate were to win the support of even as many as 25% of the voters nationwide, that candidate e might still end up with no Electoral College votes at all. In other words, folks like Ralph Nader have quite a mountain to climb.

And as for those 4,000,000 U.S. citizens in Puerto Rico? Well... that's another story.