



## On the Fence

### Should we keep or abolish the Electoral College?

Electoral College reveals federal government's lack of trust

As most everyone knows, the United States uses what political scientists call an indirect method of election to select our president and vice-president. The system is known as the Electoral College. It is mandated by the federal constitution.

Membership in the Electoral College is granted to each state according to its population. There are 538 members. They are assigned to each state according to the number of the members of the House of Representatives and that state's two senators. As an example, the state of Oregon has seven electors, the sum of five House members and two senators. In order to win the election, the presidential candidate must secure at least 270 electoral votes.

The reasons for the Electoral College are interesting. The basic reason is that many of the framers of the Constitution did not trust giving the selection of the chief executive to the general population. They were suspicious of the ability of the general population to resist the temptation to vote for a candidate who might imperil the democratic ideal. Thus they created a second level of voting. That level is the Electoral College.

Perhaps the most controversial issue today is the formula that prescribes how electoral votes are cast. Forty-eight states mandate that all of each state's electoral votes are cast to the winner of the popular vote in that state. Nebraska and Maine provide for a division of the electoral votes. Using the current formula, it is possible for a huge number of votes to be simply thrown out. As an example, if four million votes were cast in a state with the result that 2,000,001 were cast for one candidate and 1,999,999 for the other candidate, the "winner" receives all of that state's electoral votes.

Although always somewhat controversial, the current concern about the method of an indirect election is largely due to the 2000 and 2016 presidential elections. Had a direct election system been in place, we would have had a President Al Gore and President Hillary Clinton. Both



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Gore and Clinton garnered more votes than the winners of the Electoral College vote. Of course since the current system is enshrined in the U.S. Constitution, it would require a constitutional amendment to change the system.

Perhaps a brief look at how other constitutional democracies select their chief executive would help us decide on a more appropriate system. Consider the following electoral procedures.

- Indirect election: As described earlier, this system uses a secondary level of voting to select its chief executive (usually called a president). It is interesting to note that the United States is the only large democracy to employ this system.

- Chief executive chosen by a legislative body: For example, the German president is elected by the Bundestag (630 members) and 630 members chosen by the German states.

- Parliamentary system: In this system the chief executive is chosen by the legislative body based on the number of seats won by each party in the general election. The leader of each party is always known before the general election so it is known who will be the prime minister before the election. If no party secures a majority of seats, the leading party is asked to form a coalition. The United Kingdom is probably the best example of this system.

- Direct election: This procedure simply adds up the popular votes. The candidate who wins the most votes is elected as the chief executive.

The remaining question is which system (or some hybrid system) is best for the United States. Many people find the results of the 2000 and 2016 elections to be very unsettling. The course of our country would most likely be very different if a direct election system would have been in place. ■

Electoral College reflects important constitutional principles

Keep it. Absolutely. After long debate and consideration, the founders designed the operation of the Electoral College with extra care. The part of the Constitution (Article 2, Section 1) that describes the operation of the Electoral College has more detail than any other issue in the Constitution, including the federal judiciary, war powers, taxation and representation. It prescribes in detail how it is supposed to work.

It is good to discuss the subject. Every generation needs to be taught and reminded of the reasons and benefits of constitutional principles, otherwise liberties and inalienable rights are put in jeopardy.

The Electoral College is one of many ways our governmental system disperses power so that the minority has a voice to help protect their rights. The Electoral College is an ingenious system for electing a president and provides amazing practical benefits. Here is what the Electoral College system does for us:

- Recognizes that every part of the country is important: Because we are a Republic, we have a representative form of government. Therefore we do not vote directly for president but rather for how our state (electors) will vote for president. Because most states use a "winner takes all" system, in order to win, the candidates are obliged to campaign widely among disparate groups and to recognize the needs of the entire country — which encompasses many minority interests. Because of the Electoral College, candidates have no incentive to campaign in states already won because no electoral votes are gained by increasing the vote margin. This is a very good thing because a candidate with only a regional appeal is unlikely to make a good president.
- Gives smaller states a bigger voice: Electoral College voting is proportional to the population but still gives the smaller states an advantage. For example, the state of New York has 29 electors and Oregon has seven electors. New York has a population 5 times larger than Oregon, but the influence of New York in the Electoral College is only 4.1 times larger. This is



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because the number of electors is the sum total of representatives (proportional by state population) plus the number of senators (always two per state).

- Helps protect from voter fraud: In 1876, Sam Tilden won 50.9% of the popular vote, due to massive voter fraud and suppression of black votes in Southern states. However, Tilden lost the Electoral College vote and so Rutherford B. Hayes became president. It is another case where no more electoral votes are obtained by increasing the margin of victory. Also, in case of dispute, the Electoral College system makes a recount practical and possible.

- Provides a "certainty of outcome": The Electoral College system requires the winner to have a majority, not a plurality (where the most votes are still less than a majority), of electoral votes. This method of requiring a majority discourages a large number of narrow focus parties and candidates, prevents a need for run-off elections, and gives the winner a mandate to govern the country. In many parliamentary systems where a plurality wins, there are often many parties each with a very narrow focus. A candidate can often win with a small plurality of the vote, like 10-20%. In this case the other 80-90% of voters do not feel represented and the winner receives little support and no mandate to govern.

There is always some grumbling when the Electoral College does not follow the majority vote, but that's not an accident but rather a feature. Without the Electoral College our elections would be dramatically different, and not for the better. Candidates who succeed must represent the entire country in their campaigning.

It would require a constitutional amendment to replace the Electoral College but there are too many good arguments in its favor to ever seriously consider that. It will last to the benefit of all. ■

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