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The Electoral College: the Best System?

It is commonly believed that “we the people” elect the president; however, we do not. The Electoral College does. When we vote, we are choosing electors who will vote for the president. This system has worked without much trouble over the past 200 years. It has had its problems, but elections throughout the twentieth century seemed to work without much trouble. The 2000 election ended this calm era and brought the Electoral College back to the forefront of the news and debates; in this election the Electoral College failed to represent the popular will. In the 2000 election George W. Bush received 271 electoral votes and about 49.73 percent of the popular vote and Al Gore received 266 electoral votes and approximately 50.27 percent of the popular vote; George W. Bush won (“Popular and Electoral”). The Electoral College has been a controversial system throughout American history; over the past 200 years more than 700 proposals requesting change have been introduced in congress and opinion polls constantly find majority support for direct popular vote (Jost 980). There is obviously desire for change in the Electoral College; whether through reforms or an abolition of the entire Electoral system, people want to see a transformation.

Background

The Electoral College is the system by which the president is elected. Today, each state is allotted a number of electors equal to its number of congressmen—senators (always two) plus its representatives (based on population)—a total of 538 votes. Electors are pledged to a specific

candidate and are expected to cast their vote for that candidate. The candidate who receives the majority of the electoral votes (270) wins the presidency (Glennon 19).

The Electoral College was created at the 1787 Constitutional Convention. It was a compromise between two systems proposed at the Convention—direct popular vote and election by congress (Schumaker 13). The debate that led up to the final compromise contained many issues that are part of the debate today.

At the Constitutional Convention, direct election of the president was favored by John Dickinson—a former chief executive of both Pennsylvania and Delaware. He argued that the public would only accept a powerful chief executive if they were involved in the selection (Jost 988). This system was primarily favored by large states, as it would give them more power than the smaller states; small states disliked the system for the same reason. This system was also opposed because many delegates felt that the general public was not well enough informed about government issues or knowledgeable enough about the various candidates to make the best decision. It was also likely that if a system of popular vote was used, people would simply vote for a local candidate that they knew of; if everybody did this it would be unlikely for any candidate to receive a majority of votes (Kimberling).

The other major proposed system was election by Congress. Congressional election would ensure that voters would be well informed and able to make the best possible choice for president but was also suspected that whoever congress elected as president would become subservient to congress. It was also thought that giving congress such an important power, without giving an equal power to another branch in the government would upset the balance of power (Longley 19).

The final system, the Electoral College was created as a compromise between these two proposals; it was ratified on September 4, 1787 with little debate (Longley 19). In his 1833 book, *Commentaries on the Constitution*, Joseph Story summarized the thinking of the delegates at the convention: “[A] small number of persons selected by their fellow citizens from the general mass for this special object, would be most likely to possess the information and discernment, and independence, essential for the proper discharge of duty” (qtd. in Glennon 8). The Electoral system was a compromise that worked well for both sides, congress was still represented, as its number would be reflected in the number of votes each state received and the people would vote to choose their electors. It also appealed to both large and small states; small states were pleased that all the states would receive an equal number of votes, plus votes based on population and large states were content with receiving electoral votes based on population. The plan also appealed to many because, as opposed to congressional election, it would prevent the electing group from becoming too powerful. The plan stipulated that electors would meet in their own states, rather than in a collective group; it was thought that this would prevent the Electoral College from becoming overbearing and would limit any type of bribery or corruption (Jost 990).

Little has changed in the Electoral System since its creation. The biggest change was made in 1804 with the Twelfth Amendment. Before the Amendment was passed, electors cast two votes for president; the candidate with the majority of the votes became president and the candidate with the second highest number of votes became vice president. The Twelfth Amendment required electors to cast two separate ballots: one for president and another for vice president. Since the passing of this amendment there have been several small changes made to the system, both federal and state, affecting the time and manner of choosing presidential

electors, but aside from the Twelfth Amendment, no change has been made that has altered the fundamental workings of the Electoral College (Kimberling).

The Electoral Debate

Although there have not been many changes to the Electoral College, there has been many attempts. In the past 200 years over 700 proposals to either modify or abolish the Electoral College have been introduced in congress (Jost 979). Although there was debate in congress; the Electoral College wasn't a matter of concern to the general public for many years. The 2000 election demonstrated the possible problems the Electoral College can create and brought the debate back into the open. Today, there are many people who would like to see the Electoral College either reformed or abolished. They claim that the system has become obsolete and is anti-democratic. Others claim that the current system is the best way to elect a president because it protects federalism and the two-party system (Jost 979).

Both opponents and proponents of the system have a variety of valid reasons backing up their view of the Electoral College. The primary view of opponents is that the Electoral College undermines the principle of one person, one vote (Jefferson-Jenkins 173). Proponents of the system believe that the voting system use through Electoral College is more effective and more equal than one person, one vote. They believe the need for a majority of votes in the Electoral College to win the presidency requires candidates to campaign in both large and small states. Judith Best, a Professor of Political Science and a long time advocate of the Electoral College believes; "Broad distribution of popular support is far more important than depth of support (Best 40). The need for a majority in the Electoral College brings the country together through broad support, as backing for a candidate must be wide spread in order them to be elected. Votes are distributed among the states in such a way that a candidate cannot simply campaign in a

single area of the country, win all of the electoral votes there and then win the presidency—they need a broad range of support from various regions (Kimberling). This need for wide support gives small states, minorities, and rural areas protection against larger, more populous states as their electoral votes are also needed for a candidate to receive an absolute majority in the Electoral College (Jost 980). As Ann Coulter puts it, “Who would ever campaign in North Dakota without the Electoral College” (Coulter).

The Electoral system is set up in a way that for the most part disregards population. Electors are allocated to states partially on the basis of population but all of the states (except Maine and Nebraska which allot Electoral votes separately in each congressional district) operate on a “winner-take-all” system. In this system, the winner of the popular vote in a state gets all of that state’s Electoral Votes—ballots for the losing candidate become insignificant (Jefferson-Jenkins 175). This system misrepresents the popular opinion of the country. Votes for the losing candidate in a state do not correspond to any votes in the Electoral College. This makes it possible for a candidate to receive a majority of Electoral votes, but not receive the most popular votes. This has happened four times in the nation’s history; in 1824 where John Quincy Adams wins the presidency over Andrew Jackson, in 1876 Rutherford B. Hayes became president, in 1888 when Grover Cleveland beat Benjamin Harrison, and most recently in the 2000 election where George W Bush won the Electoral votes over Al Gore’s win of the popular vote (Jost 990).

Opponents of the Electoral College point out that by misrepresenting the popular will, the ‘winner-take-all’ system could affect voter turnout. Because all of the states votes go to a single candidate who wins the overall popular vote in a state, citizens in states with strong political affiliations, who plan to vote for the opposite candidate may be discouraged from voting because

they know that in the end, their vote won't count. Voter turnout could further be discouraged because a state is given the same number of electoral votes despite its voter turnout. If a person belongs to the majority political party in a state, it may consider not voting and assume others will vote as they would, and in the end their opinion will be heard anyway (Kimberling).

Proponents of the Electoral College claim that the "winner-take-all" system promotes political stability by encouraging the two-party system. Under this system it is difficult for a new or minority party to win enough popular votes to get any Electoral votes, let alone enough to win the presidency, when they have to get a majority of votes in a state to get any Electoral votes (Kimberling).

Another fault in the current Electoral system is the possibility of "faithless Electors." These are Electors who fail to vote the way they are supposed to. Today, Electors are chosen on the basis of which candidate wins in a state. Each party chooses Electors and if their party wins, their Electors are chosen to represent the state in the Electoral College. These Electors are not bound to vote for their party's candidate by law. The political parties require Electors to take pledges, where they promise to vote for a particular candidate, however the pledge is not law and it can be violated without penalty (Longley 110).

Possible Reforms

The 2000 election made it obvious that the Electoral College has its faults, but that doesn't mean that it should be abolished; there are a variety of reforms that could be made to better the current system. Congress has debated numerous proposed reforms; three of the most commonly discussed reforms are the district plan, proportional allocation, and the national bonus plan (Schumacker 15).

The “district plan” has been used in Maine since 1972 and in Nebraska since 1992. It would keep the Electoral College and eliminate the “winner-take-all” system. The district plan provides for popular elections in each congressional district and a statewide election, both resolved by plurality rule. The winner in each district would get one electoral vote and the winner of the statewide election would receive two votes (for the numbers of senators). This system would increase representation of minority interests, as the votes in states would be broken down, allowing different candidates to win in the same state (Schumacker 15).

Another similar reform would be “proportional allocation.” Like the district plan, this proposal would keep the Electoral College and abolish the “winner-take-all” rule, it would also ignore congressional districts; instead it would allocate electors proportionately based on the votes they received in each state. For example in a state has ten electoral votes, and candidate A receives 40 percent of the vote, then that candidate will get four electoral votes. Like the district plan, this reform would improve the representation of minority interests and better represent the popular will. This method may be more effective than the district plan in this matter because it allows votes from all over the state to be counted when choosing electors (Schumacker 16).

The third possible reform is the “national bonus plan.” This reform would also retain the Electoral College and the “winner-take-all” system. This system would be the same as the current Electoral system but the candidate who wins the national popular vote would receive an extra 102 electoral votes (one for each senator). To win the presidency, a candidate would have to win a majority of the now 640 electoral votes. This system would no better represent majority interests, but it would ensure that the popular will triumphs (Schumacker 17).

Instead of reforming the Electoral College, it could also be abolished; whichever candidate received the most votes would win the election (Schumacker). This system, would

pose numerous problems—possibly worse problems than those posed by the Electoral College. Election by direct popular vote would create numerous parties, creating a diverse vote. With direct election it is unlikely that any candidate would receive an absolute majority, thus splitting the country, making it harder to govern (Glenn 7). It is also likely that candidates would only campaign in large, urban areas. Many candidates would also likely disregard the interests of rural and minority populations as their votes wouldn't count as much because they make up less of the population. The Electoral system does need to be reformed but abolishing the Electoral College wouldn't be the best or most fair way to elect the president.

Conclusion

In *The Federalist Papers No. 68*, Alexander Hamilton said of the Electoral system, “if the manner of it not be perfect, it is at least excellent” (qtd. in Longley 20). The system may have been perfect or excellent when it was created in 1787, but times have changed and it is no longer a perfect nor excellent system. Since its creation, this country has developed national election campaigns, political parties, mass media, and a massive increase in technology. The country now has universal suffrage, universal education, and the ability to be well informed if a person chooses. Furthermore, the system is outdated; it hasn't changed substantially since the addition of the Twelfth Amendment in 1804. Jack Rakove, a Professor of political science, history, and American studies believes that “universal suffrage... and the popular election of senators and presidential electors may have diluted the value of the Federalist assurances” (Rakove 33). Since the inventions of political parties the importance of Federalism and states rights have dwindled, as people feel more loyal to political affiliations than their states.

Times have changed and many people are no longer happy with the current Electoral system. The 2000 election marked the first time in over 100 years that the popular vote

contradicted the electoral vote, and it made people pay attention. The election prompted Senator Richard J. Durbin (D-Ill.) to sponsor a constitutional amendment that would abolish the Electoral College. He believes that the “current system disenfranchises millions of voters who happen to vote for the losing presidential candidate in their state” (qtd. in Jost 994). The current Electoral system doesn’t work for the twenty-first century; it needs to be improved.

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