DEBATING THE ELECTORAL COLLEGE

For some, it’s an essential legacy of the founders’ vision. For others, it’s a relic enabling a tyranny of the minority.

As a compromise between electing the president by popular vote or letting Congress choose the chief executive, our Founding Fathers settled on the idea of using electors. Each state has as many electors as it has members of the U.S. House and Senate. Together, these 538 electors make up the Electoral College, which has one purpose: to choose the president every four years.

Electors generally are chosen by the political parties, though laws governing the selection process vary by state. Today, 48 states allocate their electoral votes to the winner of the statewide vote—a winner-take-all approach. Maine and Nebraska give two electors to the winner of the statewide vote, then apportion one elector to the top vote-getter from each congressional district. A presidential candidate must get at least 270 Electoral College votes to win the office.

In recent years, state lawmakers have debated the continued use of the Electoral College. Should it be left intact or abolished? Improved or replaced? Opinions differ. We offer two views here. Trent England, director of the Save Our States project, and favors the current system. Vermont Senator Christopher Pearson (P/D) sits on the board of the National Popular Vote Inc. and would do away with our winner-take-all system.
Winner-Take-All Ignores the Will of Too Many Voters

The Electoral College should follow the popular vote.

BY CHRISTOPHER PEARSON

Americans want a popular vote for president. Fortunately, how the Electoral College functions is up to the states. Article 2, Section 1 of the Constitution says: “Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors...” The red and blue map we watch on election night is not set in stone; it’s set in state statutes.

Forty-eight states have adopted the “winner-take-all” law. This law, for example, gave then-candidate Donald Trump all of Pennsylvania’s 20 electors the moment he got one vote more than Hillary Clinton inside Pennsylvania.

Winner-take-all is creating problems for states and the country as a whole.

Consider, the winner-take-all rule is why 70% of American voters are ignored, while campaigns shower attention on five to 12 battleground states. In 2016, two-thirds of the general election campaign (spending and events) took place in only six states; 94% was centered in just 12 states.

Ignoring so many voters has an impact beyond campaigns. Florida and other battleground states get more disaster declarations, more federal waivers, more presidentially controlled spending and so on.

The winner-take-all rule is also why the second-place candidate has won the White House twice in our lifetimes.

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“THE ELECTORAL COLLEGE HAS STOOD THE TEST OF TIME.”

dominate presidential politics. By using a two-step election process, the Electoral College prevents one region, or a handful of major metropolitan areas, from controlling the White House. Support must be geographically distributed around the country in order to win enough states to capture an electoral vote majority.

This was particularly important after the Civil War. The nation remained divided, and Democrats became dominant in the south. A combination of intense popularity with some voters and violent suppression of others allowed Democrats to receive the most popular votes in 1876 and 1888 even though they lost the Electoral College and thus those elections.

While some whined about the Electoral College, smarter Democrats set about the hard work of reaching out and building a broader coalition. They focused on voters in the north and in the new western states, especially those being ignored by Republican political machines. Their outreach to immigrants and Catholics rebuilt the Democratic Party. It also helped break down sectional divides and heal the nation.

The National Popular Vote Interstate Compact, which 15 states have joined, would eliminate incentives to build a nationwide coalition. Geographic diversity would be irrelevant in the election. And with no runoffs or minimum threshold to win, a national public vote would encourage fringe parties and spoiler candidates, leading to winners with smaller and smaller pluralities.

The popular vote compact would rely on each participating state to certify, for
te the president.

- The U.S. Constitution should be amended only rarely.
- It safeguards against uninformed or uneducated voters.
- It prevents states with larger populations from having undue influence.
- It forces presidential candidates to campaign in all parts of the country.
- It lessens the likelihood of calls for recounts or demands for runoff elections.

reasons to keep the electoral college

Electoral Votes Allocated to Each State, 2020

Note: Residents of U.S. territories do not have voting representation in Congress and are not entitled to electoral votes for president.

Reasons to Keep the Electoral College

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Electoral votes allocated to each state, 2020

Like the United States, most major countries use a two-step democratic process to choose their head of government. These systems prevent regionalism and some, like the Electoral College, reduce the possibility of having winners with small pluralities and decentralized support. Proposals to eliminate the Electoral College, or to do an “end run” with the popular vote compact, would eliminate these checks and balances in favor of a simple majority.

The Electoral College is not perfect—no election system is. But it has stood the test of time. The process rewards coalition-building and prevents nationwide recounts. In most elections, it simply amplifies the popular vote result. In every election, it allows states to remain in charge and contains disputes within state lines. In a time of political turbulence, the United States needs the Electoral College more than ever.

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States are already working to fix the Electoral College. Since 2006, the national popular vote bill has passed in 15 states plus the District of Columbia. These 16 jurisdictions hold 196 electors. The bill will take effect when enacted by states with 74 more electoral votes to reach a majority (270 of 538). The Electoral College would then be guaranteed to follow the popular vote winner because enacting states agree to award their electors to the candidate who’s won the popular vote in all 50 states plus Washington, D.C.

Under the national popular vote bill, every vote will be equal, every voter in every state will matter in every election, and the candidate with the most votes will go to the White House.

Contentious days: Deciding how to elect the president was one of the thorniest matters addressed at the Constitutional Convention in 1787. The Founding Fathers took 30 votes on the topic on 21 different days.

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