



PICKING THE PRESIDENT

understanding the electoral college

EDITED BY ERIC BURIN

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*Understanding the
Electoral College*

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Preface

The 2016 presidential election has sparked an unprecedented interest in the Electoral College. In response to Donald Trump winning the presidency despite losing the popular vote, numerous commentators have weighed in with letters-to-the-editor, op-eds, blog posts, and the like, and thanks to the revolution in digital communications, these items have reached an exceptionally wide audience. In short, never before have so many people had so much to say about the Electoral College.

This remains a high-stakes debate, and historians, political scientists, philosophers, and other scholars have an important role to play in it. They can enrich discussions about the Electoral College by situating the system within the history of America and other societies; untangling the intricacies of republicanism, federalism, and democracy; articulating different concepts of political morality; and discerning, through statistical analysis, whom the Electoral College benefits most. In spotlighting the Electoral College from various vantage points, this volume aims to empower citizens to make clear-eyed decisions about it.

If one of this volume's goals is to illuminate the Electoral College, another is to do so while many people are still focused on the topic. This project came together quickly. The entire enterprise went from conception to completion in a mere five weeks. That swiftness was made possible by working with The Digital Press at the University of North Dakota, which embraces a cooperative, transparent model of publication with the goal of producing open-access, electronic works that can attract local and global audiences. Likewise, this volume came to fruition speedily because the contributors agreed to pen brief essays in short order. As a result, while their works have the hallmarks of scholarly articles, they do not constitute an exhaustive examination of the Electoral College. Indeed, many germane subjects are not addressed. Even so,

these learned ruminations can enhance the ongoing debate about the Electoral College.

Essays of this sort are much-needed, for the post-election dialogue about the Electoral College has been warped by partisanship. Republicans who reckon that Electoral College benefits their party usually have defended the system. Conversely, Democrats, smarting from the fact that in a span of sixteen years they have twice lost the presidency despite popular vote triumphs, typically have denounced it. This mode of assessment is unfortunate, for it impairs our ability to analyze the Electoral College on its own merits, as opposed to how it affects one party or another. Put another way, the Electoral College is an inherently political institution, but appraisals of it need not be invariably partisan.

To facilitate and expand the conversation about the Electoral College, this volume offers short essays that examine it from different disciplinary perspectives, including philosophy, mathematics, political science, communications, history, and pedagogy. Along the way, the essays address a variety of questions about the Electoral College: Why was it created? What were its antecedents? How has it changed over time? Who benefits from it? Is it just? Should we alter or abolish the Electoral College, and if so, what should replace it? In exploring these matters, *Picking the President* provides timely insights on one of America's most high-profile, momentous issues.

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Electoral College is Fixable; Senate is Not.

Mark Trahant

The Electoral College was a huge mistake. It's anti-democratic. It's 18th century machinery designed to elect a government despite deep philosophical differences between states, regions and cities. And, in a digital economy, the mechanics makes no sense.

But the funny thing is: The Electoral College is fixable.

If votes were counted proportionally, instead of winner-take-call, the results would be a lot closer to the popular will and still account for regional differences in thinking. (This reform would not require a Constitutional amendment, but all 50 states would have to agree.)

Indeed the Electoral College gets the attention for being undemocratic when there are other issues in the American version of democracy that cry out for real reform.

Consider the notion of requiring a super-majority in the Senate (a filibuster-proof 60 votes). The Senate elects two members from each state. So California's 36 million citizens get two votes – exactly the same as Wyoming's 532,000 people. And the super-majority makes matters worse because senators representing a tiny slice of the population can block legislation that most Americans favor.

The Senate has a unique history and in that favorite argument used by so many, “we have always done it that way.” But let's be clear about this, the structure of the Senate does not represent democratic values. Why does this matter? Especially when it's worked for more than two centuries?

The Senate ceased its claim to democracy in 1920 when the census showed that the United States had become an urban nation.

A century ago this did not matter because the values and priorities were largely the same; the opposite is true now. The greatest divide in our politics stems from this rural, urban split on issues ranging from natural resource extraction to climate change. Yet the Senate skews rural dramatically. It only takes 17 percent of the country to elect a majority in the Senate (and that's not even including the additional ten votes required for a supermajority.)

The House is not particularly democratic either. The United States is one of the few countries in the world that clings to a district system that can be manipulated by a political party. Districts are designed to favor incumbents or the party in power. In other countries, proportional representation insures that all constituent groups are represented in body politic. In a district system, however, the other party is often shut out from all elective offices in a state.

Could there be reform without a new Constitution? Perhaps. States could create multiple congressional districts. And California could split into two, three or even four states, to even out the Senate a bit. We need more representation, not less. So I'd like to see a Senate the size of the House now and a people House of Representatives that was significantly larger in order to accommodate more points of view.

Democratic reform is critical when the U.S. preaches it as a value to the rest of the world. That means system reform, well beyond a quick fix to the Electoral College. And, who knows? After reform a proportional Electoral College could actually work. Even in a digital century.