

In Defense of the Electoral College

Alfred G. Cuzán

The University of West Florida

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In a [recent interview with CNN](#), Hillary Clinton said that the Electoral College “needs to be eliminated.” In this she concurs with what many if not most political scientists think. Take, for example, Prof. George C. Edwards III, an authority on the presidency. In an article for *The Washington Post*, he [asserts](#) that our system for electing a president protects neither the minority against majority tyranny nor the viability of the two-party system. “Instead,” he avers, “it provides the potential for tyranny of the minority” and encourages regional party fragmentation. Thus, he concludes, the Electoral College does not compensate for its fatal flaw, namely, that “sometimes” it contravenes the people’s “preferred choice for president.”

Professor Edwards argues that “people sometimes think that, if not for the Electoral College, a candidate could win by garnering an overwhelming number of votes in one region of the country, imposing that region’s choice on the rest of the country. A quick look at the census shows that this is impossible.”

Actually, a mere glance at [the 2016 state-level electoral map](#) confirms that this fear is not as far-fetched as he thinks. Clinton won only 20 states, plus the District of Columbia, almost all of which are coastal entities. Furthermore, her three million vote advantage over Trump is made up by two, yes, only two, large cities. In Los Angeles and New York, she outpolled Trump by better than one-and-a-half million votes each. (And in the District of Columbia alone she beat him by another quarter of a million votes!)

Whatever one may say in praise of these metropolises, representative of the country they are not.

Professor Edwards sets out to refute the second argument in favor of the Electoral College by turning it on its head. Far from maintaining the two party system, he says, it “encourages third parties, especially those with regional bases, because by winning a few states they may deny either major-party candidate a majority of the electoral vote,” citing the examples of Strom Thurmond in 1948 and George Wallace two decades later. Never mind that neither man accomplished his purpose, and that their regional parties disappeared by the next election.

Next, without appearing to notice the inconsistency, he goes on to add, “Moreover, victorious presidential candidates under the Electoral College — including, most recently, John F. Kennedy (1960), Richard Nixon (1968), Bill Clinton (1992 and 1996), George W. Bush (2000) and Donald Trump (2016) — have received less than a majority of the national popular vote about 40 percent of the time since 1824. We have not needed a runoff.” Indeed we have not, because the election is not by an absolute majority of the popular vote but of the Electoral College!

We do not need to rely on speculation to inquire into the possible effect on the party system of doing away with the Electoral College. Four other large presidential election systems elect the chief executive by popular vote: Argentina, Brazil, Mexico and France. All but France are governed under at least a nominally federal constitution, and all but Mexico provide for a run-off.

In the five most recent elections in these countries, the candidate who came out on top in the first or only round averaged 47% in Brazil, 43% in Mexico, 30% in Argentina, and 27% in France. The group average was 37%. Except in Mexico, in one or

more elections four to six candidates garnered at least 5% of the vote. Across these four countries, on average only two-thirds of the vote went to the two highest vote-getters. Is there a reason to expect that such fragmentation would not occur in the United States were we to switch to a popular vote winner, with or without a run-off?

If Professor Edwards' attempt at proving wrong what he calls "two of the most prominent arguments in favor of the Electoral College" is itself problematic, what of the argument that he does not even consider, namely that the United States is governed by a genuine federal constitution, [one whose origin was a compact among states](#), and which could not have been ratified unless it included built-in protections against the largest states running roughshod over the small ones?

If, in the interest of political equality, the Electoral College were to be abolished in favor of election by popular vote, why stop there? Why not abolish another federal feature, equal representation in the Senate? And, while we are at it, why guarantee to each state at least one member of the House of Representatives? Indeed, why even keep state boundaries at all? Why not draw House district around population centers regardless of archaic state lines?

Thus carrying the argument underlying the call for the abolition of the Electoral College to its logical conclusion makes manifest its political absurdity. Political equality or majority rule is one, albeit an important if not the most important principle of representative government, but it is not absolute. That is the whole point of having a constitution, not to speak of judicial review.

It is understandable that Secretary Clinton would lash out at the Electoral College, having neglected vigorously to campaign for working class votes in the states that composed the once solid "Blue Wall." But as Prof. Edwards himself admits, only

“sometimes” does the popular vote diverge from the Electoral College result. In fact, since the birth of the republic, this has occurred only five times (1824, 1876, 1888, 2000, 2016). That’s an “error rate,” if one cares to view it as such, of less than 10%. Would that all human institutions worked as well!

*Alfred G. Cuzán is a distinguished university professor of political science at The University of West Florida, and co-founder of the [PollyVote](#) project.*