

## In Defense of the Electoral College<sup>1</sup>

Alfred G. Cuzán

The University of West Florida

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About this time a year ago, many Americans were shocked or enraged when it dawned on them that it was not the candidate who had received the most votes, Hillary Clinton, who was projected to be the winner in the Electoral College, but Donald Trump.

This raised anew the issue of why the United States, alone among the developed democracies, still uses an indirect method for choosing its chief executive, a procedure that at times produces a winner that, as it did for the second time this century, did not place first in the popular vote. In an [interview with CNN](#), Secretary Hillary Clinton herself called for the Electoral College “to be eliminated.”

She’s hardly alone. The Electoral College has been criticized as undemocratic, a medieval relic long overdue for replacement by a straightforward national vote with or without a second round between the two top vote-getters if no candidate wins an absolute majority the first time. This is the way it is done in other large presidential or semi-presidential systems, including Argentina, Brazil, France, and Mexico.

However, as it happens most of the time in those countries, such a formula attracts three or more serious candidates to enter the race in the hope of depriving anyone else of a majority in the first round. This can divide the vote in so many ways

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<sup>1</sup> First published under the title “The Electoral College works for United States” in *Pensacola News Journal*, November 1, 2017, p. 10 C. The original included Mexico as one of four systems where a run-off is held if no candidate for president receives a majority of the vote in the first round. It is not. There the president is elected by a simple plurality vote.

that only one acceptable candidate makes it to the second round, if there is one, depriving the electorate of a chance to choose between two more or less viable options. This has happened in France more than once, including this year.

Also, a mere glance at [the 2016 state-level electoral map](#) confirms that, Secretary Clinton's popular vote plurality notwithstanding, she took only 20 states plus the District of Columbia, almost all of which are coastal entities. A vast swath of the country, stretching from the Rockies to Appalachia and from the Gulf Coast to the Great Lakes, voted for Donald Trump.

Furthermore, Clinton's three million vote advantage over Trump (out of 137 million cast) was made up by two, yes, only two, very large cities, plus the District of Columbia. In Los Angeles and New York, she outpolled him by around one-and-a-half million votes each, and in the District of Columbia by another quarter of a million. Whatever one may say in praise of these metropolises and their residents, representative of the country they are not.

Finally, it is worth remembering that the United States is governed by a genuine, indeed the first and to this day the most resilient federal constitution, [one whose origin was a compact among states](#), and one 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 a majoritarian principle, the Electoral College were to be abolished in favor of a national election by popular vote, why stop there? Why not abolish another federal feature, equal representation of the states in the Senate? After all, isn't it ridiculous that populous California has the same number of senators as Rhode Island or Wyoming?

And, while we are at it, why guarantee to each state at least one member in the House of Representatives? The Congress being an office of the national government, why not charge the Federal Election Commission with the responsibility of redrawing districts around population centers regardless of archaic state boundaries? One can readily imagine even more radical majoritarian schemes along these lines.

Thus carrying the argument underlying the call for the abolition of the Electoral College to its ultimate conclusion makes manifest its political absurdity. Majority rule is one, albeit an important if not the most important constitutional principle, but it is not absolute. Otherwise a Bill of Rights and judicial review would make no sense. Moreover, representation of units inherited from the past (counties, states, provinces) in higher, more encompassing governance structures is an effective way of politically knitting diverse communities into a larger, stronger, heterogeneous whole.

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 Midwestern “Blue Wall” that favored her party’s candidates. But as history records, the popular vote and Electoral College usually coincide. In fact, since the birth of the Republic they have diverged only five times (1824, 1876, 1888, 2000, and 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.*