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Margaret Chase Smith Library 2020 Essay Contest

Each year the Margaret Chase Smith Library sponsors an essay contest for high school seniors. The essay prompt for 2021 asked students to offer their opinions on whether the Electoral College has outlived its usefulness, or if it is more important than ever given the country's current deep political polarization. Essays have been edited for length.

FIRST-PLACE ESSAY

Our American Nightmare:

The Anachronistic Disaster of the Electoral College

by Sofia Durdag

The Electoral College is the vestigial tail of America's worst elitist and discriminatory impulses. We must abolish the Electoral College and replace it with the popular vote to safeguard our fragile democracy and ensure that every citizen has an equal voice in deciding our future.

For a document written so long ago, the Constitution has worked surprisingly well for our diverse, fractious country. Even better, much of the original racist, sexist, or inequitable language has been corrected. Yet the Electoral College remains, even though its existence perpetuates a harmful legacy demanding that only the upper crust of American society deserves a say in how their country is run. The framers designed the Electoral College to keep power in the hands of wealthy, educated white men. This desire guides the entire Constitution: senators were elected by state legislatures and democratically elected representatives had short terms. In a new nation where many citizens could not read and received their news from a local man on horseback, it's logical—though unfortunate—that the Founding Fathers were afraid that an

uneducated, unaware populace could do great harm if unchecked. Virginian George Mason also worried citizens would be overly partial to those from their own states, saying, “the extent of the Country renders it impossible that the people can have the requisite capacity to judge the respective pretensions of the Candidates.”

In truth, America was not designed to be a democracy, but through bloodshed, protest, legislation, and a slew of constitutional amendments, we have managed to form an imperfect, complex democracy. It is a far more representative union than the framers designed. Our democratization has been a slow, painful process that only began with the 13th, 14th, 17th, 19th amendments, and the Voting Rights Act of 1964. But our democracy is still unfinished. These systemic changes that most Americans see as proof of America's boundless capacity for progress are in direct conflict with the goal of the Electoral College.

The Electoral College has incredibly racist origins, as Wilfred Codrington III (2019) says, “Of the considerations that factored into the Framers' calculus, race

and slavery were perhaps the foremost.” By counting enslaved people as three-fifths of a person, the slave states got much higher numbers of electoral votes than they would have otherwise, because it “increased the size of the South's congressional delegation by 42 percent.” These “slave seats” also played a huge part in preserving “the dominance of slave-master presidents for the next quarter century” (Beinart 2016). The ramifications of 25 years of pro-enslavement presidents are obvious. If these slave seats hadn't existed in the first place, is it possible that the deferment of justice for enslaved people could have been avoided? The Electoral College is a bulwark of a racist, oligarchic, ferociously unequal nation that we should no longer venerate for veneration's sake. America cannot claim to prize equality and still allow the existence of an institution that was designed to protect slave-holding states. The racist legacy of the Electoral College persists today because it prizes geographical diversity and dilutes the political power of Black voters because they tend to live mostly in the South. Codrington (2020) argues that “the disempowerment of Black voters ... is core to what the Electoral College is and what it always has been.” Abolishing the Electoral College is a necessary step in recognizing and ameliorating the ugly stain of slavery on our nation's soul.

Constitutional originalists, take note: the Electoral College doesn't function as the framers intended, and it hasn't from its conception. The Electoral College was designed to be a safeguard against the common people electing a candidate that the nation's elite didn't think was worthy. Alexander Hamilton put it this way in Federalist 68: “The process [of the electoral college] affords a moral certainty that the office of President will never fall to the lot of any man who is not in an eminent degree

endowed with the requisite qualifications.” But when political parties were birthed during the struggles over ratification of the Constitution, the rise of political parties hampered this intention before it could even begin. Electors became beholden to party, not personal will. In modern day, this is now codified into law, as electors from 33 states are bound to cast their votes to reflect the way their state voted because of “faithless elector laws,” some of which carry a fine if violated. Even in the states that don’t possess such laws, the role of the modern elector isn’t as an independent, wise arbiter of the presidential election.

So what exactly does the Electoral College do? Mainly, it muddles election results, leading to candidates ascending to the presidency without a popular mandate. This mismatch is happening more frequently, occurring twice in the 21st century by candidates of the same party. America’s faith in government “to do what is right most of the time” is already at an all-time low, hovering at around 22 percent in 2021, according to Pew Research (2021). It’s difficult to imagine an act more destructive to our faith in government than a party that routinely wins the White House without getting the majority of the votes. Our modern day Electoral College is a complicated method of computation that doesn’t accomplish the original goal of the framers (bad as that intent may be) and betrays our modern democratic sensibilities of how elections should be carried out.

The Electoral College also presents serious political and practical issues. One example is the outsized importance that swing states hold in presidential elections. Eight or ten states deciding a presidential election is preposterous. There are 330 million people in the United States, and for “consent of the governed” to have value, all citizens need to be equal in importance in choosing the next president. In a popular vote system, candidates would have to appeal to all Americans. Additionally, the

system creates a mentality of red states vs blue states, when in reality America is purple from coast to coast. If you’re a Republican in a very blue state, or a Democrat in a very red state, it can be difficult to feel like your vote matters because of the winner-take-all system.

The Electoral College has also led to political parties with little incentive to be democratic. The existence of the Republican Party is crucial for lively debate, a voice for fiscal moderation and state’s rights in our national conversation. But the Republican Party has become dangerously reliant on the Electoral College to win the White House because “rural America...retains vastly disproportionate electoral strength” (Badger 2016). For example, if California’s electoral votes were subject to the same population-to-electoral-votes ratio that Wyoming’s are, California would have 159 electoral votes, an enormous increase from its current 55. The Electoral College is also a threat to popular sovereignty. For instance, Democratic candidates have won the popular vote six out of the last seven presidential elections, but won the White House four. The minoritarian insanity of political parties isn’t the only sign of our deteriorating political system. Spurious election fraud claims may be in part due to the slow, opaque machinations of the Electoral College. Yet with a popular vote system, the result of the election would be clear and close to final on election night with little room for lies.

Our addiction to minority rule is killing our democracy. Furthermore, a system that consistently and systematically undervalues votes is a national joke that has been made at the expense of the health of our democracy. The Electoral College allows for tyranny of the minority, and it harkens of total democratic collapse as the demographics of America skew further and further away from white, rural voters. The unfairness of the Electoral College will only intensify as urban areas grow while our

system doesn’t keep pace. Democracy isn’t assured. We must secure its survival or face chaos and disunion. Constructed from racism and elitism, the Electoral College is a flawed product of the past that only reinforces the problems of the present. Until we abolish the Electoral College, we are only pretenders at true democracy.

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