

Abolish the Electoral College?

“Pondering a Popular Vote” by Alexis Simendinger, James A. Barnes, and Carl M. Cannon, “As Maine and Nebraska Go...” by Michael Steel, “Can It Be Done?” by Richard E. Cohen and Louis Jacobson, and “What Were They Thinking?” by Burt Solomon, in *National Journal* (Nov. 18, 2000), 1501 M St., N.W., Washington, D.C. 20005.

In the eyes of many Americans, the Electoral College is like the vermiform appendix: a useless organ that can cause trouble on occasion. After the extraordinary presidential election last year, a majority of Americans indicated in polls that they favor doing away with it and electing presidents by direct popular vote. Senator-elect Hillary Rodham Clinton (D.-N.Y.), former Senator Bob Dole (R.-Kan.), and other political figures agreed. In the *National Journal*, various correspondents explore the implications.

To begin with, of course, abolition would require a constitutional amendment, and that would not be easy. After third-party candidate George Wallace won six states and 46 electoral votes in 1968, raising the specter of a presidential election being thrown into the House of Representatives, just such an amendment was proposed. With President Richard Nixon’s backing, the House of Representatives in 1969 overwhelmingly approved the amendment. A year later, however, the measure died in the Senate, in part because small states resisted. Senate passage would have required a two-thirds majority, and then legislatures in three-fourths of the states would have had to give their approval.

But suppose the Constitution were amended. What then? Largely rural, less populous states would lose voting power. Under the Electoral College system, there are now 538 electoral votes: The District of Columbia has three, and each state gets as many votes as it has senators and representatives. Since every state thus gets at least three electoral votes, the less populous states have more weight than they otherwise would.

Though many of the concerns that prompted the Founding Fathers to create the Electoral College are indeed outdated, observes Solomon, regional interests still compete. “The lightly populated locales still feel overwhelmed by the behemoths.”

Without the Electoral College, states as such would no longer have a major role in presidential elections, and so their importance as political units would diminish, notes Paul Allen Beck, a political scientist at Ohio State University. Presidential politics would be nationalized, and the way campaigns were conducted would change. Wooing a national audience, candidates would spend less time shaking hands and more time on TV. No longer could candidates lavish attention on “battleground” states and ignore vote-rich states where a win or a loss was a foregone conclusion. Instead of courting independent “swing” voters in certain key states, note Simendinger, Barnes, and Cannon, candidates would be intent “on winning big in the states where loyal party supporters reside, and in generating a bigger turnout of those loyalists.” Former GOP National Committee Chairman Haley Barbour thinks the incentive for vote fraud would increase: Under the current system, there’s little reason for partisans to “run up the



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score” in states that their candidate is virtually certain to carry.

The current “winner-take-all” system also “discourages third parties,” notes L. Sandy Maisel, a political scientist at Colby College in Maine. Direct popular election might give alternative candidates, such as Ralph Nader and Pat Buchanan, more influence on the major parties.

Short of getting rid of the Electoral College, there is still a way to make it less likely that the electoral and popular votes will get out of alignment—and no constitu-

tional amendment would be needed. The states could simply drop their winner-take-all formula for apportioning electors. Two states have already done this: Maine and Nebraska each give the statewide winner two electoral votes, but allocate the remaining ones by congressional district. Other states have not followed suit. One reason: Unless all the states adopted the approach, those that did would lose clout in the Electoral College and standing in the candidates’ eyes, relative to the winner-take-all states.

Caricaturing Congress

“Congress and the Welfare State” by James T. Patterson, in *Social Science History* (Summer 2000), Duke Univ. Press, Box 90660, Durham, N.C. 27708-0660.

Congress has been taking it on the chin lately from many historians and other scholars who see it as a villain in battles over the expansion of the American welfare state since the mid-1930s. Though sympathetic to their concerns, Patterson, a historian at Brown University, chides them for oversimplifying.

Congress, for the most part, hasn’t simply been on the “conservative” side, doing the bidding of corporations and other special interests, athwart the popular will, Patterson says. “On the contrary, Congress has generally approved what the majority of the American people have seemed willing to support.”

Linda Gordon, a historian at the University of Wisconsin-Madison, for instance, has blamed “powerful minorities” in Congress for “inequities” in the 1935 Social Security Act, such as the “stingy and humiliating conditions” attached to its Aid to Dependent Children (ADC) program. But in the 1930s, as in later decades, writes Patterson, most Americans instinctively distinguished between the “deserving” and the “undeserving” poor, and opposed public assistance for the latter. In 1935, backers of ADC thought that it “would help ‘deserving’ people, mainly widows and their young children.” They never dreamed that the program would evolve into the chief source of government support for large numbers of unwed mothers and their children.

Likewise, the decision by Congress and President Franklin D. Roosevelt to exclude

domestic and farm workers from the old age insurance program. This did affect many African Americans and other minorities. Some scholars see racism at work. But there’s no evidence “that racial considerations mattered much” in the deliberations, Patterson says. Concerns about fiscal feasibility swayed many experts and even some liberal advocates. Other nations made the same exclusion when they began their old age insurance programs.

Nor was the great power wielded by congressional committee chairmen—which has been much reduced in the House since the early 1970s—invariably used to constrain or tear down the welfare state, Patterson notes. It took a brilliant legislative maneuver by House Ways and Means Committee chairman Wilbur Mills (D-Ark.), for instance, to fashion “the compromise that led in 1965 to Medicare.”

Members of Congress know, “perhaps better than scholars,” says Patterson, that presidents who propose bold new social programs generally expect the proposals “to be narrowed and refined,” so that the programs can be effectively implemented, with broad popular backing. Members of Congress also “often sense that dramatic efforts for ‘reform’ enjoy considerably less popular support than liberals have imagined.” Budgetary considerations, including the popular desire to keep taxes down, play a very important part. Indeed, suggests Patterson, some scholars could learn a lesson or two from Congress’s realism.