

Electoral college was meant to be un-democratic

County and state borders can affect vote outcome, undermine legitimacy of system, says mathematician

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In 12 days, the real election for president of the United States will take place.

I am talking, of course, about the electoral college vote, which will take place Dec. 19 in each of the 50 states and the District of Columbia. The winner of that election — i.e., whoever gets 270 or more votes — will be inaugurated president on Jan. 20.

And barring something unprecedented happening, that person will be Donald J. Trump, who should receive 306 electoral votes despite losing the popular vote nationwide by more than 2 million votes.

In the Nov. 16 issue of *The Clarion*, I explained how it is possible for a candidate to “win” the popular vote and still lose the election. I pointed out how the electoral college system flies in the face of the “one-person, one-vote” rule that has always been a hallmark of American democracy, and I suggested a few ways that could yield election outcomes more in line with what most voters desire.

Last week, an opinion piece by business and economics professor Drew Baker in *The Clarion* rightly pointed out that the electoral college system gives smaller states more of a say in presidential politics, and that candidates for president must appeal to less populated states as well as big states like California, Texas, and New York. It is true that the system envisioned by the Framers of the Constitution in 1787 was designed to avoid a small number of large states from dominating smaller ones, to prevent what Mr. Baker, by way of Alexis de Tocqueville, referred to as a “tyranny of the majority.”

There is certainly some merit to the fears expressed by the Framers about the dangers of faction and tyranny of a majority. Unfortunately, in this year's election, the winner of the election did not achieve even a plurality, much less a majority, of the popular vote.

Why did the Framers opt for such an undemocratic method to decide the nation's chief executive? A number of explanations defending the electoral college system have circulated on social media since Election Day, but to truly understand why the Framers adopted it, we

have to understand the historical context in which it was proposed.

During the summer of 1787, delegates from most of the not-very-united states met in secret in Philadelphia to discuss how to reform the Articles of Confederation, the government put in place to govern the new nation following the Declaration of Independence in 1776. Rather than simply repair the relatively weak national government, however, the delegates came up with what was then a revolutionary idea: a much stronger national government that would keep in place individual state governments but take greater precedence over them.

To come up with a national government that would be acceptable to both large and small states, delegates made many compromises, the most important of which was the so-called “great” compromise of a two-part legislature, one based on population in each state, the other with a fixed number of senators from each state.

And in a clear attempt to preserve the power of the various states, they came up with the electoral college system for choosing the president, an elected office that had not existed under the Articles.

For all the talk we sometimes hear about American democracy, the Framers were rather fearful of “the people,” and so in its earliest form, the Constitution established safeguards against mob rule, in particular asserting that Senators and the president would be chosen not by “the people” in direct elections but rather by state governments. Their assumption was that elected state officials could be trusted to make more informed, responsible decisions for the offices of president and senator than could the people.

What the Framers did not foresee, however, was that states would adopt a winner-take-all system in all but two states based on the “winner” of the popular vote for president. All of the electors in a given state would vote for that state's popular vote winner regardless of whether he won by a million votes or by five votes.

Since the system created by the Framers did not even account for popular vote as a factor in Senatorial or presidential elections, it is reasonable to think, at a minimum, they would

find our current system at odds with what they had envisioned.

Most people would agree that gerrymandering — that is, drawing electoral districts in such a way as to benefit one political party over another — is unfair. Politicians of both parties have used this tool for decades to manipulate vote outcome, and the courts have often been needed to intervene.

What is often overlooked, however, is that state boundaries themselves constitute a form of gerrymandering that can manipulate presidential election outcomes in capricious or arbitrary ways, thanks to the electoral college.

In his article last week, Mr. Baker noted that most counties in the United States preferred Donald Trump over Hillary Clinton. That is true, and if the election were based solely on how each county voted, Donald Trump, as he said in a post-election rally last week in Ohio, would have won in a “landslide.”

The fact is, however, individual county outcomes don't matter.

Last week, a *Washington Post* reporter noted that if just five counties in the United States — one in Illinois and four in Florida — had been part of the adjoining states of Wisconsin and Alabama, Hillary Clinton would have won the election.

It's hard to believe, but the outcome of the 2016 election might have turned out differently had surveyors nearly 200 years ago drawn state boundaries in another way.

Lake County, Ill. is on the border of Wisconsin. If it were in Wisconsin, Illinois would still solidly remain blue, but the Clinton vote in that one county would be enough to win Wisconsin for her. Likewise, if four counties at the western tip of the Florida panhandle were somehow switched to be in the state of Alabama, Florida would have gone to Clinton.

You can view for yourself how the inherent arbitrariness of state boundaries can affect electoral college votes at “Redraw the States,” a website created by mathematician and data scientist Kevin Wilson that allows users to see what might happen if counties were somehow switched to another state. (It works both ways,