

## The electoral college is not the problem

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*Every time there is an election in the US, people make noises about the discrepancy between the popular vote count and the electoral college count, and people call for abandoning the electoral college. This is simplistic thinking, it is unnecessary, and it is throwing the baby out with the bath water.*

The electoral college is not the problem. It could even serve a purpose, if they would only remember it.

There is no point being surprised that this system does not yield a representative outcome. And if you are going to participate in this system anyway, the time to complain about it is *before* an election rather than after. Once you've participated you are complicit, and can't complain about the rules. They say you can't complain about the results if you don't vote, but the opposite is true. It was your call to take part in that game, however flawed, and with the rules at hand. By doing so, you legitimize and validate it. You also have to accept the outcome.

People don't even understand their own electoral system. The sum of everything people don't understand is, in my mind, the greatest weakness in all current electoral systems. Especially when coupled to the misguided notion that elected officials should be representative of the people, rather than people having the confidence to elect their betters to *represent* them.

The problem is not the electoral college per se. Instead, it is the first past the post system that creates the real discrepancy between the popular vote and the electoral college tally.

Getting rid of the electoral college is hard. It requires a constitutional amendment. And it isn't necessary.

Most countries have some degree of disparity between the popular vote and representation, but the error is sky-high in those, fortunately few, places where the first past the post system is employed.

The senate is, of course, much more unrepresentative than the electoral college. And you don't even use an electoral college for the Senate. California gets two Senators like every other state, despite its large population. Meanwhile, twenty other states, with the same combined population as California, get a sum total of 40 senators.

You could change the algorithm for determining the number of electors in each state to be more democratic. At the moment, each state gets a number of electors equal to the number of congressmen from that state, plus the number of senators from that state. Now the number of congressmen from each state is supposed to be proportional to the population of that state (adjusted every ten years). The number of senators from each state, however, is, as we've seen, wildly disproportionate, and not related to the population within that state at all. Which means that, in the electoral college, small states like Wyoming, Vermont and Alaska, as well as Washington DC, are vastly overrepresented. (An elector in Texas costs about 4 times as many votes as an elector in Wyoming.) *This algorithm could of course be changed to where the electoral college truly reflected the number of voters in each state.* You could *rebalance* the electoral college by simply eliminating the contribution of the two senators from each state, rather than abolishing the electoral college in its entirety.

But as long as you don't do anything with the winner-take-all nature of the first past the post system, the final sum of electors still will not be representative. **Each state is already free to split its electors proportionally**, rather than assign them all to the candidate who gets the plurality of the votes. And it wouldn't require a constitutional amendment.

Greater problems with US elections than the electoral college include: the ignorance of the populace, the “two-party system” (which is itself a consequence of the winner-take-all algorithms and one-man districts), the role of money in politics (including the legality of political ads and donor access to politicians), the shortage of good people or parties to vote for, active disenfranchisement and gerrymandering, the use of voting machines that cannot be properly checked, networked machines, and so on. Indeed, it is unclear whether such a weak democracy can fix itself.

In addition, it is, of course, silly that in the US you have to register to vote. This has resulted in only 2/3 of the US population of voting age being eligible to vote, and it leads to all sorts of dirty tricks to disenfranchise portions of the population. More civilized nations simply have a central registry of all residents and citizens, that is updated every time someone moves, so you don't need to do anything additional in order to be allowed to vote.

**It is a mathematical fact, that under the first past the post system most votes do not actually count.** If you want people to vote, it would make a great difference to have a system where votes actually count. Add to this the fact that, at present, many potential voters do not have a large party they can stomach voting for.

As an example, take a registered voter in New Jersey. All of New Jersey's electors always go to the candidate from the Democratic Party, whatever you do as a voter. The result is the same no matter what you do as an individual voter. If you vote Republican, 14 electoral votes from New Jersey go to the Democratic candidate. If you vote Democrat, 14 electoral votes from New Jersey go to the Democratic candidate. If you vote third party, 14 electoral votes from New Jersey go to the Democratic candidate. If you abstain from voting, 14 electoral votes from New Jersey go to the Democratic candidate. It really doesn't matter what you do. This is more than just a single vote not changing the outcome of an election. In other systems, an individual vote is

much closer to having an impact on the results.

In the first past the post system, only the plurality votes count. In New Jersey, none of the third party votes count. Non-votes are not counted or publicized. That leaves the Republican votes and the Democratic votes. All the Republican votes are wasted as well. And whatever the margin by which the Democrat beat the Republican, any Democratic votes above that are wasted too. In New Jersey, the *only* votes that count are the ones needed to bring the Democratic candidate over the top. If you are a surplus Democratic voter, exactly 14 electoral votes from New Jersey go to the Democratic candidate whether you vote or not.

In addition, residents of New Jersey don't really have a say in primaries either, so there may be no great enthusiasm for voting for one of the two major candidates that remain after that process. New Jersey primaries are held so late in the season that a winner has already been determined by the time Jersey residents could state their preference.

If you don't like the Democratic Party or the Republican Party you can literally go through your entire life without having anyone you want to vote for, and without having any say in politics. So why bother?

If each state got a number of electors in proportion to their population size (or size of the voting population), and each state assigned electors in the same proportion as the vote count, then fewer votes would be wasted and the electoral college would correspond with the popular vote at the national level.

You could also have ranked choice so that other parties could have a chance, and voters could express their real preferences rather than some utilitarian calculation or expedience.

### **To prevent an unfit candidate from becoming President**

The electoral college could also be an important fail-safe. If the people elect a crazy person and/or an idiot, the electoral college could overrule it. With

all the other problems with American “democracy” this seems set to happen more and more often.

Originally, the electors were supposed to be “men most capable of analyzing the qualities adapted to the station” (Hamilton, Federalist 68), and as such, they could do a much better job than the voters in selecting a President—or at least not appointing a completely unsuited person.

The electoral college could also be compatible with another potential modification of the democratic process: a lottery. The lottery, being completely random, would provide representativeness, provided the pool selected was large enough. The lottery would pick a relatively small group of people to receive training and civic skills adequate for a responsible voter. After receiving such an education, such representatives could vote for our representatives, or they could deliberate. Such “capable” voters could be somewhat similar to the electoral college envisioned by Madison and Hamilton.

In the end, in any “democratic” system where anyone can vote, smart and educated voters seem doomed to always be in a hopeless minority. They are also not likely to like either of the two big parties in the US. Though it is not just in the US that such voters could easily find themselves going their whole life without ever experiencing being under a government that they could like.