

Jonah Goldberg

Why we need to defend the Electoral College

<http://www.NewsAndOpinion.com> | "The electoral college method of electing a president of the United States is archaic, undemocratic, complex, ambiguous, indirect, and dangerous."

That's what the American Bar Association famously had to say in 1967 about the Electoral College, and the sentiment is echoed in the complaints we increasingly hear today. The ABA's indictment was wrong on points 3 ("complex"), 4 ("ambiguous"), and 6 ("dangerous"). But it was right that the college is archaic, undemocratic and indirect. And that's why I love the musty old thing.

When Dean Wormer threw Delta House - AKA "Animal House" - off campus, the fraternity president, Robert Hoover, exclaimed, "But sir, Delta Tau Chi has a long tradition of existence both to its members and the community at large."

I feel the same way about the Electoral College. The mere fact that it has been around for a very long time stands in its favor.

In Federalist 49, James Madison referred to "that veneration which time bestows on everything, and without which perhaps the wisest and freest governments would not possess the requisite stability." What Madison meant by this was simple. Anyone can write a new constitution. The Weimar Republic's constitution was, for example, arguably the best written constitution of the 20th century. We need not dwell on its successes. Meanwhile, old constitutions are a rare thing. Our political institutions and culture are deeply invested in the Electoral College, and its two-century-long success is something we should respect on its own merits.

Which brings me to the Bar Association's second and third complaints. Yes, the Electoral College is undemocratic and indirect - which, I'm sad to say, is a redundant complaint in the modern view. Today we think that anything that buffers, dilutes or even improves "direct" democracy is automatically evil in some way. (Some, like Dick Morris, even want Americans to decide public policy by polls.) According to this logic, of course, we should abolish the U.S. Senate, since 35 million Californians get the same representation as fewer than 1 million Montanans do - not that I'm trying to give anyone any ideas.

But the Senate and the Electoral College share many of the same rationales. It's true that the founders were worried about too much democracy. A Senate, it was hoped, might cool the passions of the more representative house. An Electoral College might also have the same effect, preventing demagogues from sweeping to power in a moment of national passion. This "archaic" benefit of the college has been reduced because electors must vote

for whomever won their state. But it hasn't vanished. A nationwide popular presidential election could be dominated by a handful of mostly urban states. Is it really so horrifying that our system requires presidential candidates to grasp the regional and cultural variations of the nation?

I agree it's a flawed system. But that's true of every system - ours just so happens to be the most successful one in the history of humanity. Moreover, one needs to ask how would our society be improved by direct, popular elections? Sure, we'd have "majority rule," but why is that so great? Once you get past the symbolism and romance of majoritarianism, there aren't many concrete benefits to it. A mob is usually the majority. The difference between a mob and a republic are those institutions that encourage deliberation, reflection and judgment. Popular, direct elections do no such thing.

The ABA said the electoral college system was "ambiguous," "complex" and "dangerous." It's not complex. Each state decides democratically who it wants to be president, the winner gets that state's electoral votes, which are allotted proportionally based on population. Whoever wins the majority of electoral votes wins. If you think that's too complex to grasp, I'm not sure you're qualified to vote in the first place. It's not ambiguous either. Indeed, one of its chief benefits is that historically it has given an unambiguous victory in electoral votes to candidates who receive only a fraction of the popular vote.

As for the dangerous part, well, that's in the eye of the beholder. If you think fraud is a problem, direct voting would make it that much harder to identify. The Electoral College serves as a dye marker helping us identify where elections go wrong. Direct election would turn the entire nation into Florida 2000.

More important, I look around America today, with the constant bribing of voters to show up at the polls, and I don't yearn for more direct democracy. (Celebrities are being used as bait at some polling stations. If you need a glimpse of P-Diddy or Matt Damon to motivate you, don't vote.) I look at the way politicians prostitute themselves in front of focus groups and at the whim of pollsters, and I think it would be more dangerous to give in to these trends than to fight them. But most of all, I stand by this conservative axiom: When change is not necessary, it is necessary not to change.