

To: General Administration and Elections Committee

From: William E. Devlin

Date: March 18, 2018

To the Members of the Committee:

I have long believed that the separation of the popular vote from the Electoral College is a time bomb; a kind of I.E.D. buried in the road to democracy our country has been following for over 200 years.

To stretch the metaphor a little farther, it has exploded several times in our national history, most recently in the elections of 2000 and 2016, giving a candidate with a significant minority of the popular vote the presidency solely through the Electoral College.

In accepting the Electoral College as its method of choosing the President, the Founders chose what at the time was the most democratic of three proposals in front of them. The idea of a nationwide popular vote in an era in which the general populace was largely uneducated was unthinkable, and poor communication and transportation infrastructure would have made it a massive and time-consuming undertaking. However, time and regrettable experience have demonstrated that the institution is not democratic at all, nor is it healthy. In 1876, the candidate with a minority of the popular vote but with a virtual tie in the Electoral College was selected by the House of Representatives in a cynical bargain that ended Reconstruction in the South and condemned generations of African-Americans to second class citizenship.

Arguments in favor of saving the Electoral College often mention federalism and the idea of a republic. However, those statewide elections are based on popular votes cast within the state. In an age of instant communication, why shouldn't every American's vote count equally?

Which brings up another often-cited argument for the Electoral College's existence, namely that it provides a final check and balance to the election of the president. However, the Electors never act independently of their state's popular votes in significant enough numbers to impact the election. After all, they represent and answer to the political parties. In the 2016 election, seven Electors followed their consciences and bolted the fold, perhaps the largest total ever, but nowhere near a number that would affect the outcome.

A candidate elected with a minority of the popular vote in our times cannot possibly govern with anything like a mandate, making their position innately weak.

And the former President of Liberia, Ellen Johnson Sirleaf, in a recent interview credited the United States for the movement toward democracy in Africa. And yet whenever elections are split there is manipulation or the possibility of it. The setup of the Electoral College is absurd on its face; do we consider the Atlanta Falcons the winners of the 2017 Super Bowl because they were ahead for more minutes in the game?

The trajectory of our country's history has been toward greater democratic participation: the expansion of the electorate to men without real property, to racial minorities and to women, the popular election of Senators, the lowering of the voting age to eighteen, all point in a direction of putting greater power and responsibility in the hands of an increasingly better-educated electorate. The institution of the Electoral College cheats us of our full franchise and mocks our championing of democracy in the world.

This is not a "sour grapes" letter born out of disappointment that a particular candidate lost. I felt suspicion of the Electoral College long before 2000, the two mismatched elections since then have only confirmed my fears. And as the New York Times pointed out in its December 19, 2017 editorial calling for an end to the Electoral College, a shift of a few votes in a few key counties in a few key states would have awarded the presidency to John Kerry in 2004, despite the fact that HE lost the popular vote to George W. Bush by almost three million.

While I favor an end to the institution altogether, the best antidote to the current dangerous and anachronistic situation is the National Popular Vote proposal now before you. I strongly urge you to adopt it.

William Devlin

3 Waramaug Lane

New Milford, CT 06776