

# Cultural Daily

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## Electoral College Reform: We Need Direct Elections

Darlene Conte · Wednesday, October 21st, 2020

### Can we learn from our past to save our future?

History can only be understood through the lens of its context. We no longer have the time or the impunity to deny the facts or romanticize the men who wrote the rulebook of our nation. As much as we don't like to admit, many of our "founding fathers" were slave-owning racists. While they propagated the idea that "all men are created equal" in the Declaration of Independence, when it came time to apportion power to the people, the Constitution was written for the benefit of white men, particularly those who owned land. We tend to idolize our past by imbuing the founders with the wisdom and the forethought that would serve this country for centuries. We cannot afford our illusions anymore. The electoral college is an institution rooted in slavery and the time has come to reform this archaic system or even dissolve it altogether. Either way, we need direct elections. In order to move forward, we must examine our shameful past to understand why it was created and what motives our founders had for implementing it in the first place.



### 39 Men, 27 of which Owned Slaves

The framers of the Constitution were educated lawyers, plantation owners, politicians, and businessmen who had a stake in keeping slavery alive. Of the 55 delegates who attended the Constitutional Congress, only 39 men signed the document, 27 of whom were slave owners. 70% of our country's framers had owned, participated, and benefited from slavery. Thomas Jefferson owned over 600 slaves. George Washington had more than 300. Even Benjamin Franklin owned slaves as a young man, although he denounced the practice later in his life. Robert Morris, one of only two men who signed both the Declaration of Independence and the Constitution, owned a shipping company that imported slaves from West Africa. 12 out of the 45 men who have held the office of President owned slaves (8 while in office). Washington, Jefferson, Madison, Monroe, Jackson, Van Buren, Harrison, Tyler, Polk, Taylor, Johnson, and Grant... founding fathers... war heroes... slave owners. With over 25% of our Presidents having owned slaves, is no wonder that we are still battling systemic racism today.



### The Constitution, Electoral College, and Slavery

James Madison, a politician, and plantation owner authored the Virginia Plan, a bi-cameral legislation of checks and balances which included our three-branches of government (legislative,

judicial, and executive). While the framers could agree on our new governments structure, they couldn't agree on issues that led them to revolution in the first place; taxation, and representation. We don't need to revisit our 8th grade history class to remember the "Great Compromise" of the Constitution, which allowed smaller populated southern states to count 3 out of every 5 slaves a "person" ("the 3/5ths federal ratio" also called the "3/5ths compromise"), thus allowing them more representation in the House of Representatives as well as the electoral college. This system of government wasn't designed for people of color or women; it was for the white, wealthy men who won an 8-year war against the world's greatest military for their independence. Their prize was to claim the new country for their own and they had no intention of apportioning any of their newfound power equally to all its inhabitants.

✘ While "The Committee of Eleven on Postponed Matters" was responsible for putting forth the electoral college, it was a lawyer named James Wilson who authored the concept. Wilson is not well known, but he had a major hand in the Constitution, as he proposed both the "3/5ths compromise" as well as the electoral college as a way to keep direct elections out of the hands of the people. (He would go on to become a Supreme Court justice, who, towards the end of his life had amassed so much debt, he served on the bench from debtors prison and later, moved to avoid paying his creditors.) Let that sink in... a Justice of the Supreme Court was a debt evader who served on the court from prison. He was very much aware of the hypocrisy of the system that he, himself benefitted from.

"Ought we to instill into their tender minds a theory, especially if unfounded, which is contradictory to our own practice, built on the most solid foundation? Why should we reduce them to the cruel dilemma of condemning, either those principles which they have been taught to believe, or those persons whom they have been taught to revere?" – James Wilson

While it was a ground-breaking document for its time, the Constitution was also flawed. Many delegates refused to sign it as it "codified and protected slavery and the slave trade." The pressure to ratify the Constitution was enormous, and The Federalist Papers, whose pundits put political pressure on signing by circulating a series of articles, often cited reasons for ratifying that were not in the Constitution itself (for example, the fear of a demagogue being elected if the popular vote was allowed). History shows us that the compromises the founders made couldn't withstand the pressure of time. And seventy-four years after the ratification of the Constitution, the underlying problems of slavery, sewn into the very fabric of representation, would bring the country to war.

## Reconstruction Amendments

The Civil War remains the deadliest conflict our country has fought. It is estimated that over 750,000 Americans died. President Lincoln's Emancipation Proclamation in 1863 abolished the bonds of slavery during the war, and the 13th Amendment would soon follow. This not only freed over 3 million slaves in the south, but it also came into direct conflict with the 3/5ths "federal ratio" of the "Great Compromise" which was predicated on slavery. As the country was still repairing the wounds of war, the "federal ratio" went largely ignored. When the 15th Amendment was passed, giving former male slaves, now citizens, the right to vote- it also came into conflict with the "3/5ths federal ratio" and effectively repealed it, but the electoral college remained intact. It should have been replaced with direct elections since the representation on which it was based

was no longer lawful.

Consider this; since the 13 original colonies that formed the United States, the 37 states that joined the union never had a voice in ratifying what is our rule book of government that only a few elite developed for their self-preservation 233 years ago. Our history is laced with hypocrisy, contention, and compromise. It is worth noting that it wasn't until the 17th Amendment was passed in 1913 that we elected our senators by direct elections/ the popular vote. (They previously were elected by their state legislatures.) It proves that when enough pressure is exerted by the people, the result is positive change.

## 20th Century into the New Millennium

It's been 157 years since the Emancipation Proclamation, 57 years since Martin Luther King Jr. led the March on Washington, and 12 years since President Obama took the oath of office... and still, racism is embedded in our society and our infrastructures like a weed that keeps sprouting up. While the recent push to take down the symbols of the Confederacy are a start, we need to pull out the roots of racism and address the policies that continue to aid and abet the injustice and inequality that was born from our initial founding. While most Jim Crow laws of the south have been struck down on, policies of bigotry specifically related to voting still exist (voter ID laws, racial gerrymandering, and felony disenfranchisement to name a few) . Black Lives Matter is a direct result of the countless men and women who have been killed by racist police. Even this month, the state legislature of Ohio is debating on removing a slavery clause from it's State Constitution, because it is still legal there to use prisoners as slaves.

## We Need Direct Elections

Over 700 proposals have been made to reform or eliminate the electoral college, all of which have been dismissed, even as the data clearly states that the majority of American's support amending the Constitution so that the winner of the popular vote wins the election. As of January 2019, Representative Steve Cohen (D) from Tennessee has introduced H.J. Res-7 that would eliminate the electoral college; this bill and two others just like it are all stuck in sub-committees. What we do to change this broken system is still unwritten, and the promise of the premise of a true democracy is still unfulfilled. Whether we negate the electoral college by reform, or by its removal, we need direct elections. Our country will never have peace, will never know unity, will never thrive until we do.

*\*This is the second of a two-part series. To read part-one, [click here](#).*

*Photo credit: Women's March on Washington. Photo by Bill Clark. Via Getty Images with Permission Granted.*

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