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Opinion: Electoral College continues to serve the national interest

By MICHAEL C. MAIBACH and DR. PATRICK M. GARRY
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Our current presidential election has become an actively contested system now, with political leaders of both parties arguing the validity of mail-in voting procedures, the transparency of votes cast and recorded in many states, claims of modern voting machine failures in a handful of battleground states, and election law changes by some officials absent legislative action.

With these momentary contretemps playing out, we can all agree about the value of diversity of political views, the need to heal our deep divisions while ensuring the protection of minority rights. And yet, a cynical political movement — the National Popular Vote Compact — fundamentally threatens diversity of opinions, regional and economic interests and minority rights. The NPV bill (H.B. 177) before the Virginia General Assembly in 2021 threatens to make our political divisions unrepairable and election results forever contested with endless national recounts.

A common misperception is that our Constitution protects minority rights only through the Bill of Rights. The Electoral College is a part of our “checks and balances” protections. Without the Electoral College, our major metro areas would always choose our president and make America’s rural communities and farmers serfs feeding those populations. New York City has more people than 39 of our states, Los Angeles County has more people than 41 states. Fifty-one percent of Americans live in just nine states. In 2016 Hillary Clinton won only 12 of Illinois’ 102 counties but won the majority of the state’s votes around Chicago.

A president elected by our largest cities could govern without regard for the people living outside of New York, Chicago, Dallas, Miami, Houston, San Francisco and Los Angeles. This would constitute a civic denial of the diversity in our 50 states and their people. Life in Manhattan is a world away from life on an Iowa farm or a Mississippi factory.

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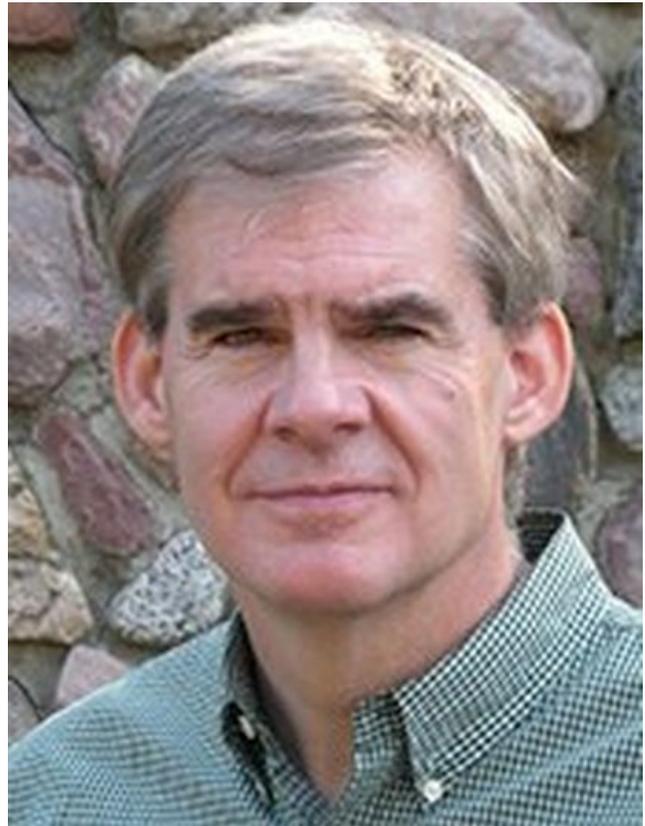
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Dr. Patrick M. Garry is a professor at the University of South Dakota Law School. (HANDOUT)

The Electoral College forces presidential candidates to appeal to a cross-section of America's social, economic and geographic interests. In a continental republic of 300 million people, the Electoral College requires that presidential tickets be in touch with diverse regions and ways of life. New York City and Butte, Montana, are two vastly different worlds.

Diversity of interests has been a reality in America since our founding. It is a strength, but also a representational challenge. One way the Constitution meets this challenge is through the Electoral College. Protecting the diverse interests of our unique regions was deeply important to our founders. Their federalism speaks to this. The Constitution's authors were delegates from the states, and they aimed to build a "Nation of States" — not a "United States of Large Cities." Our Constitution's federalism and separation of powers is a unique American contribution to the

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The Electoral College requires that presidential candidates pay attention to the people, customs and economies of places such as Idaho and Alabama. They are vastly different than Boston and Miami. If our presidents were always chosen by our major metropolitan areas, huge numbers of citizens in more than 20 less-populated states would be politically abandoned.

The Electoral College system curbs foreign influence in presidential elections because we are a vast nation. In contrast, an NPV scheme would make it far easier to manipulate votes in our major urban areas such as New York and Los Angeles. And the Electoral College curbs presidential election fraud and re-counts. State-by-state voting isolates problems inside each state the way an ocean liner's compartments contain a breach of the hull from sinking the ship. The Electoral College protects our Ship of State as we sail through stormy waters as we are today.

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