

## Critically Examining the Electoral College

Social studies teachers should find very useful Isabel Morales and Dan Rothstein's interview with the eminent scholar Alexander Keyssar (October 2020) about his timely new book, *Why Do We Still Have the Electoral College?* In particular, Keyssar's idea that even the framers of the Constitution were dissatisfied with their creation, and his discussion of how the Electoral College intersected historically with white supremacy, should be added to class lessons evaluating this aspect of American government.

The interview, of course, was conducted before the November 2020 election, and two aspects of the challenges by the Trump campaign to the outcome of that election make critical examination of the Electoral College in our nation's classrooms even more important.

Morales writes in her introduction that "available lesson plans about the Electoral College focus on the same four elements": how it works, conflicts between large and small states, "wrong winner" results, and possible reforms. To these may now be added the observation that the Electoral College, as it currently functions, exacerbates tensions and doubts about the legitimacy of the electoral process and disrupts the smooth functioning of American government. Because 13,000 votes in Georgia, say, or 10,000 in Arizona, separated the two candidates, Trump's lawyers (and supporters) tried mightily to cast doubt on the results. If the outcome were based on the national popular vote, in which Joe Biden beat Donald Trump by over six million votes, these close statewide margins would have been insignificant and there would no basis at all on which to challenge the results.

Moreover, in the weeks since the election, the Trump campaign again sought to erase Black votes, continuing the pattern Keyssar identified of the Electoral College bolstering racism. Despite a lack of any evidence of fraud or misconduct, Trump's lawyers and campaign surrogates challenged ballots especially in Philadelphia and Detroit, cities with large African American populations, in what a *New York Times* headline on November 23, 2020, described as "Using Playbook That Recalls Jim Crow Era." And these were states, one might add, in which the results were not particularly close, with Biden winning Pennsylvania by 80,000 votes and Michigan by over 150,000.

It is telling that despite two questions Morales and Rothstein posed to Prof. Keyssar about how teachers might help students find "hope" for traditionally marginalized Americans in studying the Electoral College, he was not able to do so. Perhaps it is past time for teachers to encourage students to examine the pros and cons of this method of electing our presidents and come

to their own conclusion, and to examine it instead as another obstacle to be overcome in our efforts to achieve greater equality and inclusion in our nation.

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## Isabel Morales Responds:

The Constitution is a living document that has changed over time to reflect people's struggles for justice and equal protection under the law. Social studies courses should provide students with opportunities to reflect on their own values and their role in shaping the type of America in which they want to live. This is a difficult time for equity-minded educators, however, and we must carefully design lessons that develop criticality among our students in an increasingly polarized political context. We appreciate the support and encouragement offered by those in our professional community as we engage in this challenging work.

## Dan Rothstein Responds:

Professor Shaffer highlights a challenge teachers face each day; how to teach about contested issues. He suggests teaching about the Electoral College explicitly "as another obstacle to be overcome in our efforts to achieve greater equality and inclusion in our nation." I understand his perspective and appreciate the sense of urgency in his recommendation. The larger problem, however, may be that the Electoral College is just one of many issues in American history that reveal obstacles to equality. As Dr. Morales has argued, teachers need to help students develop their own ability to carefully and critically examine all that they study. Teachers' influence will be greater if they are able to foster students' own ability to pursue different lines of inquiry, to gather information from contrasting sources, and to analyze and assess relevant information when engaging with complicated texts and issues. It seems all too apparent now, in the wake of the 2020 election, that we need to equip all students, in all parts of the country, with their own ability to become independent thinkers and assess the credibility of their sources of information and the strengths as well as weaknesses of our democracy. It is not a short term solution to the dilemma Prof. Shaffer identified, but it is a necessary long term strategy for fostering democratic habits of mind and creating a more just and equitable democracy. 🌐