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Every State a Swing

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There are two opposing narratives among Republicans to explain how their party's standard-bearer has lost the popular vote in five of the last six presidential elections, despite GOP dominance in state legislatures and governor's mansions across the country.

One narrative contends that Republican candidates move swiftly to the left after they secure the nomination in a misguided attempt to court voters in swing states and districts, costing them the enthusiastic support of conservative voters in November and thus sending them down to ignominious defeat. If only the nominee would maintain a more steadfast conservatism in the general election, this theory holds, the GOP would control the White House.

The alternative narrative holds that candidates are forced by the polarized nature of modern American politics to take extreme positions in order to satisfy the ideologically avid base that dominates the primaries and caucuses, leaving the eventual nominee in an impossible position for the general election, when he must appeal to millions of voters in the moderate middle. Hard-line positions taken in the primary season leave the nominee looking out of touch with the middle-class pocketbook anxieties of the broader electorate, and attempts to tack back toward the center on economic policy and social issues are perceived as insincere pandering.

Both schools of thought overlook one essential element that drives the political dynamic of national elections, skews the priorities of both parties, and leaves the GOP in a particularly difficult position in presidential years: a "winner-take-all" electoral system in 48 states that leads candidates and their partisans to focus almost all their campaigning and spending after the conventions on a tiny percentage of competitive districts in swing states, while taking for granted the electorate in states safely blue or red.

Given that the GOP has won the popular vote in a presidential election precisely once since 1988, one might expect some receptivity from Republicans to proposals that would change the electoral map. Thus far, however, the argument for proportional representation in the Electoral College that would more accurately reflect the popular vote has been almost exclusively the province of the left. The cause received a boost among liberals after the disappointment and chaos of 2000, when Al Gore's popular vote victory nationwide was rendered null by the scramble for a few hundred recount votes in Florida, which eventually delivered Florida's 25 electoral votes to Bush for a tenuous victory. Conservatives, by contrast, have reflexively opposed reform of the winner-take-all Electoral College system as both unwise, given Democratic dominance in densely populated urban areas, and likely unconstitutional—certainly out of keeping with the intentions of the Founders.

While this bias reflects a healthy regard for tradition, it is simply off-base historically and wrongheaded strategically.

The Constitution gives the states exclusive control over the manner of awarding their electoral votes. The winner-take-all rule is nowhere in the Constitution, and it was demonstrably not the Founders' preference since it was used by only three states in the first presidential election in 1789. There is simply no constitutional imperative—or practical imperative—to maintain the current winner-take-all apportionment of states' electoral votes.

The winner-take-all status quo is inarguably dysfunctional. Because relatively few states are competitive in November, presidential campaigns concentrate their efforts on 12–18 battleground states, depending on the year. And the disparity in time spent campaigning and money spent gets worse every cycle. In 2012, two-thirds of general-election campaign events were in just four states: Ohio, Florida, Virginia, and Iowa. Thirty-eight states were relegated to “flyover country” and ignored entirely. Ninety-nine percent of spending on campaign ads was restricted to just ten battleground states.

The winner-take-all electoral system has had a variety of deleterious effects on politics and policy. It has certainly resulted in low voter turnout in states that are not competitive and a corresponding decrease in civic engagement generally. Ironically, it has fed both the increasing ideological polarization of American political discourse and the bland similarity of policy priorities of Democrats and Republicans at the national level. In noncompetitive states firmly in the red or blue column, the primary or caucus process is invariably dominated by the most rigid ideological factions who regard the normal process of legislative horse-trading and political compromise as an unpardonable betrayal of principles. This encourages candidates seeking the nomination to mouth the most hardline—or as Mitt Romney famously characterized it, “severe”—positions that cater to what establishment insiders derisively term “the wingnuts.”

In the case of candidate Romney, this meant flip-flopping on more moderate positions taken by Governor Romney, resulting in a widespread perception of political opportunism that worked to his great detriment in the general election—when he once again tacked back to the left. Conversely, the views of a substantial minority of voters in red states across the nation—and the substantial number of Republican voters in solidly blue states—can be safely ignored, or even derided in the language of talk radio in order to prove conservative bona fides. In short, when candidates are not forced to scrounge for every electoral vote in every state to build a majority, normal political compromise, civil dialogue, and policy substance become devalued in favor of posturing and the strategic use of “wedge issues” to win crucial battleground states and districts.

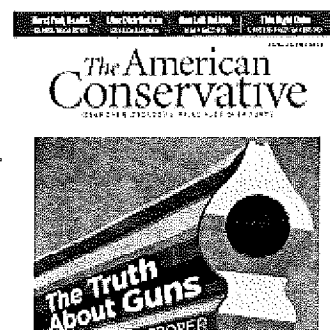
Big-money donors who pay the campaign bills and fund “independent” super PAC advertising are well aware of how this rhetorical game is played and generally take a “whatever it requires to secure the nomination” attitude towards primary-season pandering. As long as their candidate understands which side his or her bread is buttered on and maintains the policy priorities of the business and lobbying establishment in Washington once in office, somersaults on second-tier issues in order to triumph in primary season are unimportant. The big-donor money then pours into the battleground districts after the conventions and the candidate generally goes negative on the opponent, to the detriment of any positive and coherent policy agenda.

The Trump phenomenon of the past year has exposed all the inherent weaknesses of a party that cultivates the fears and anxieties of its base at election time while catering to the revolving-door establishment in D.C. once elected. The disconnect between the grassroots and the party establishment has never been more apparent. In the second quarter of 2015, Jeb Bush raised \$11.4 million directly for his campaign and another \$103 million for his super PAC. It now seems that money can't buy you love among grassroots Republicans. Never has so much been spent to produce so little: Jeb's super PAC spent about \$25,000 for each caucus vote he garnered in Iowa. Trump, who spent almost nothing and takes few outside contributions, easily bested Bush in the first contests, while the GOP establishment frantically searched for an acceptable candidate to unite behind in an effort to deny him the nomination.

★ Trump's remarkable rise was the logical outcome of the game that GOP leaders have been playing for years to gin up the base with culture-war outrages at election time, while maintaining policy priorities once in office that work against the interests of that very base. The Donald essentially called the bluff of the establishment. Were you railing against the Democrats for not enforcing immigration law while party leadership has been working for years to continue the flow of cheap labor for their business contributors? Then explain why you are opposed to Trump's proposal to build a wall. Attacking Obama for not calling out "radical Islamic terrorism" and being vigilant in the fight against terror? Then explain why you oppose Trump's call for banning the entry of Muslims into the country until security is assured. Attacking the administration for a miserable record of job creation? Then explain why you have supported lousy trade deals that have been responsible for exporting hundreds of thousands of American jobs over the last 20 years.

According to polling data, white Americans without a college degree have the bleakest view of their country and the least trust in our institutions. It's easy to understand why, with median household income remaining almost \$4,000 below the pre-recession level and well below median income in 1999. Republicans have done nothing to further, or even defend, the interests of their core voters, while feeding them red meat in election years on social issues and promises to shrink the size of government that are disregarded once in D.C. The lack of policy substance with regard to rebuilding the middle class, as opposed to defending the interests of the lobbyist/business class, has fed an anti-government, anti-establishment narrative that has now come back to bite the GOP's leaders and impede their ability to carry out the K Street agenda of the donor class. Party insiders who have quaked at the prospect of a Trump nomination because it would accurately represent the fearful and anxious sentiments they have been stoking with the base—while doing nothing to alleviate the real plight of that base—are simply reaping the whirlwind of their cynical approach to politics and policy.

[1]But how would electoral reform in the direction of proportional representation affect GOP policy emphasis and possibly improve Republican presidential prospects? If the party had to fight for every vote in every state, it would require building general-election coalitions in every state, not just the handful that matter. That in turn would require the adoption of an agenda and rhetoric with broader appeal in the primary season and would fundamentally change the strategy of candidates who



are now only concerned about burnishing their hardline credentials among primary-season activists before throwing lots of advertising money at battleground states to do everything possible to alter their image as "the party of No" in November.



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Correspondingly, the policy influence of big donors would be lessened because big money spent on advertising in swing states is much less meaningful, and much less effective, when every state is a swing state. Campaigns would be less interested in a posture of intransigence towards the agenda of political enemies—legislative gridlock—and more interested in putting together a positive agenda that finds common interests and serves the common good, an agenda that could actually garner some legislative victories. Campaign efforts and money now spent on motivating the base to turn out in order to get over the top in a few crucial districts might instead be spent on crafting a message and a vision with appeal across state lines, racial lines, class lines, and ideological lines.

Concretely, there would be more incentive to carefully craft a middle-ground agenda that can win the consensus in Congress necessary for its passage, which could really improve the prospects of the middle class, rather than stoking, feeding, and exploiting the fears of those frustrated in their quest to achieve a place in that middle class. That positive consensus agenda might include prison and sentencing reform; reform of Obamacare rather than repeal; less tax relief at the top and more in the middle; immigration and trade policies to support middle-class wages, not to undermine them; infrastructure repair and development; and more emphasis on government reform and efficiency and less emphasis on shrinking the size of government. (Our aging population makes cutting total spending virtually impossible since entitlement programs account for the lion's share of spending.)

How might proportional representation in the Electoral College be implemented? A constitutional amendment ending winner-take-all allocation of electoral votes for all 50 states is a nonstarter. Convincing all 50 state legislatures, including those in GOP-dominated states, that proportional allocation of electoral votes would be in their interest would be virtually impossible. The "interstate compact" idea pushed by National Popular Vote is an interesting end-around: already enacted by 10 states and the District of Columbia, it would only take effect when enacted by states possessing a majority of the electoral votes (270 out of 538). When the Electoral College meets in mid-December, the national popular-vote winner would receive all of the electoral votes of the enacting states, thus assuring the presidency to the winner of the popular vote nationwide. Although the states that have enacted the measure thus far are pretty solidly Democratic, the proposal has recently picked up support among some prominent Republicans, including former Speaker Newt Gingrich.

Perhaps it's time for Republicans to see this compact to elect the president by popular vote as an opportunity to broaden the appeal of a party with increasingly limited demographic support, rather than as a liberal plot. After all, they are not doing too well at the national level with the status quo.

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