

Electoral Reform for America

By Rod Fraser



United States Capital Building

It is clear from the past four years (if not from the past few decades), the United States government is dysfunctional. I argue it was designed to be that way. Its Republican structure makes change difficult. Sometimes impossible.

In order for a law to be passed by Congress, it must be approved by a majority of 435 members in the House of Representatives. Then it must pass with a clear majority in the Senate (currently meaning 60 Senators voting for the bill, out of a body numbering 100 in total).

If it passes that hurdle, the President must sign the bill for it to become law. In the event the President vetoes the bill, it can only be passed into law by a subsequent vote of a 2/3 majority in both houses of Congress. In its entire history, only 4.4% of Presidential vetoes have been overridden. It seems, for all practical purposes, a Presidential veto is final.

The theory of government the founders of the United States had in mind, was a structure where overwhelming consensus was required to enact laws. They hoped this would result in greater cooperation among politicians, better legislation and a reduction in partisanship.

It hasn't worked out that way. The downside to making it difficult to pass laws, is that bad laws that do get passed (in the rare circumstances where one political party controls all three centres of power) are seldom repealed or changed as circumstances require.

Parliamentary political systems work far better. A political party that holds a majority in Parliament can pass whatever bills they wish. They are only constrained by concerns over their political popularity, the views of influential citizens and the press.

They are also influenced by the inevitable

election that will come only too quickly. If they have bungled the job of government, they can be replaced. Another political party will take office and reverse the damage.

It isn't a perfect system, but in my opinion, it is far superior to the stasis that occurs in the Republic to our south. For all its weaknesses, parliamentary democracy holds governments accountable to voters for its years in office.



With that as background, I would like to set out a few changes to improve electoral politics in the United States. The first of these is the elimination of the U.S. Senate (or more likely, a reduction in its powers). It is an anti-democratic chamber, if ever there was one.

A majority of Senators (51 out of 100) composed of states that comprise only 18% of the U.S. population can approve legislation for the whole country. And given that a 60% majority is currently required to pass bills in the Senate, 60 Senators, representing states with only 24% of the population, hold that power. Clearly this is out of whack, if you believe in representation by population.

Now don't get me wrong. I am in favour of small state representation in the central government and

they should have influence in Congress that respects their rights in a federal system. I'm just arguing that the Senate is not the place to do it.

Eliminating the Senate is a difficult task, if not impossible. It would require — at the least — a constitutional amendment. Some experts claim it requires unanimity. So any reform of the Senate is more likely to succeed if it were modest.

I suggest an upper house modelled on the U.K., where the Senate would be unable to defeat legislation, but could vote for a one-year suspensive veto. This would give opponents of the bill time to organize resistance and pressure the House of Representatives for amendments. Since the House stands for election every two years, this would have a salutary influence on the members seeking re-election.

This reform would also establish the House of Representatives as the Parliament of the United States and would encourage it to be more responsible. It would stand or fall on the quality of legislation it passed, and the electorate could hold it accountable at election time.

To make it more so, I suggest that the term of the House of Representatives be extended to three years. Two year electoral terms lead to much fund raising and histrionics, and not much in the way of

prudent legislation.

POTUS would also hold it accountable. He (or she) would continue to exercise a veto on all legislation passed by the House (in the absence of a 2/3 override vote). Since the Electoral College ensures the President will continue to represent the interests of all Americans, and not just those of large urban areas, he (or she) would be likely to make decisions in the best interest of all Americans.



In order for my suggestions to work, the 17th Amendment would have to be repealed. The state legislatures would thereafter appoint two Senators from each state and they would no longer be directly elected. This would rob them of their electoral legitimacy and be more in keeping with their role to affirm most legislation and reject only selected bills with a suspensive veto of one year.

I would have the individual states appoint their Senators for a six year term (as is done currently), but in keeping with a three year electoral term for the House of Representatives, I would ensure that half the Senate is reappointed every three years. This would mean it would take six years for the Senate to be completely replaced with new members. This should ensure some stability, in keeping with the traditions of an Upper House.

The Senate would continue its role of confirming federal appointments, such as judges and cabinet ministers. And it would also continue to hold hearings on matters significant to Americans.

To ensure that smaller states have fair electoral representation in the House of Representatives, under my plan electoral districts for rural areas would have fewer voters (and urban voters a larger number of voters). For example, if the average electoral district consists of 400,000 people in the United States, I would change this so urban electoral districts are increased to over 600,000 and rural districts are decreased to no more than 200,000.

This departs from the 'one-man, one-vote' principle, but it is a worthy reform to recognize that rural voters will always be outvoted by urban voters, even though their needs and priorities may differ. This modest change attempts to level the playing field, much as an elected Senate was designed to do in the past.



So there you have it. Reform the Senate so its powers are limited to a suspensive veto, and turn the House of Representatives into the primary legislature of the United States government.

Change the representation in the House to give

rural voters (and states) more clout, and keep the Electoral College for the same reason.

I suspect these changes would dial down the dysfunctional nature of American politics and would 'Make America Great Again'.

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