

WHY I AM RUNNING
By: Mark Washburne
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“These are the times that try men's souls,” wrote Thomas Paine in a 1776 pamphlet during one of the low points during the American Revolution.

Our country is once again experiencing another one of these troubling times that try men's and women's souls.

On this date in history, on November 8, 2016 – one year ago, a Presidential Election was held in America.

A man, who ran one of the most divisive campaigns in our country's history, won an upset victory in the Electoral College to become our 45th President of the United States.

I am a History and Political Science professor at a college in Morris County in New Jersey. I also have an M.B.A and have taught college Business and Economic classes in the past.

I have also done extensive research on the workings of Congress during another critical period in American history. In that regard, I have written a seven-volume biography on Civil War Congressman Elihu Washburne, a distant cousin, who was a close political and personal friend to both Abraham Lincoln and Ulysses S. Grant.*

In 2016, I did not vote for the Presidential election winner and was shocked by the results.

My only consolation in the results is that my candidate, the first woman ever nominated by a major party for the position of President, actually won the popular count by close to 3 million votes.

For those who have never studied the issue, the voters in the United States do not directly pick the winners for President and Vice President but instead they are picked by a system of state delegates that vote in a process known as the Electoral College.

Under the Electoral College, each state is allocated as many delegates as they have Congressmen plus their two Senators.

Every ten years a census is taken to determine how many Congressmen a state receives based on that state's population versus the population of the country as a whole.

Based on the 2010 census, New Jersey received 12 Congressmen.

In the Electoral College for this decade, New Jersey thus was granted 14 delegates – based on having 12 Congressmen plus 2 Senators.

Most states, including New Jersey, allocate their Electoral College vote based on a winner-take-all system.

Only the states of Maine and Nebraska divide their Electoral College votes based on Congressional districts.

In the Presidential Election of 2016, former Secretary of State Hillary Clinton won a majority of New Jersey's popular vote and was granted all 14 of New Jersey's Electoral College votes.

Given the winner-take-all system that most states use in the Electoral College, it is possible for the person who places second in the popular vote to actually win a majority in the Electoral College and thus the Presidency.

This is what happened in the 2016 election.

While some like the fact that individual states are deciding who gets elected President and Vice President, in my opinion, the Electoral College has not served our country well.

For example, some Northerners in the early years of the Republic felt that the Electoral College was rigged against them.

Under the rules established by our Founding Fathers in 1787 when they drafted the U.S. Constitution, slaves, although they certainly could not vote, were counted as $3/5^{\text{th}}$ of a person in regards to deciding a state's population.

From our perspective, it is outrageous that people "bound to Service" (the words used in Article 1, Section 2, Paragraph 3 of the U. S. Constitution) were counted only as $3/5^{\text{th}}$ of a person and that black males would not be given the right to vote until the passage of the 15th Amendment in 1870. It is also outrageous that women would not be given the right to vote until the 19th Amendment passed in 1920.

From an historical perspective, the $3/5^{\text{th}}$ clause meant that slave holding states, where only white males could vote, were given more Congressional seats and Electoral College votes in the census calculations than they would have received if only whites were counted.

From a Political Science perspective, the white votes in the slave holding Southern states carried more weight than the votes in the North in deciding Presidential elections. This, of course, upset many Northerners.

Not surprising given their Electoral advantage, Southern candidates dominated the early Presidential contests as four out of our first five Presidents came from Virginia and the South. In that regard, Southerners won eight out of the first nine Presidential elections and controlled the Presidency for 32 out of the first 36 years under the new Constitution. These results confirmed for many Northerners that our new political system was rigged against them.

Interestingly, the only Northern President to break the Virginia dynasty, John Adams, our second President from Massachusetts, was also the only early President among the first five to be denied a second term.

Our sixth President, John Quincy Adams, son of our second President and also from Massachusetts, would be our second President to be denied a second term.

Given this feeling by many Northerners that the Congressional and Electoral College systems were rigged against them, it is also not surprising that the early talk of seceding from the Union did not come from Southerners but rather from Northerners.

The most famous story of Northerners plotting to secede from the Union involved Vice President Aaron Burr, who supposedly discussed having his state of New York, along with the region of New England, leave the Union and form a new Northern country.

In 1804, former Secretary of the Treasury, Alexander Hamilton, spread these alleged secessionist plans by Vice President Burr that played a role in the famous duel between the two protagonists in Weehawken, New Jersey, and the death of Hamilton.

Besides the complaint that the Electoral College has been unfair to certain groups throughout the years, the overall result of having the second place candidate in the popular vote assume the Presidency has been riddled with governing problems.

We now have had five elections where the person who came in second assumed the Presidency.

The first time it happened was in 1824 when second place popular vote winner John Quincy Adams was declared President over Andrew Jackson. This controversial election, decided by the United States House of Representatives when no candidate won a majority in the Electoral College, led to the complaints of unfairness and "Corrupt Bargain" by Jackson and his followers.

The American people apparently agreed with Old Hickory because Jackson won an outright victory to become our 7th President in their rematch election in 1828.

The second time we had a second place popular vote candidate declared President was in 1876 when Rutherford B. Hayes defeated the popular vote winner Samuel Tilden.

The controversial election of 1876 led to the infamous Compromise of 1877 and the abandonment of protection of former slaves in the rebel South. This abandonment of the protection of former slaves led directly to the enactment of Jim Crow laws in the South that would be a terrible plague on our country for years to come.

Our third election when the second place popular vote winner won the Electoral College vote and the Presidency occurred in 1888 when Benjamin Harrison won a victory over then President Grover Cleveland.

The American people apparently did not like the result and Cleveland would win back the Presidency in a rematch with Harrison in 1892.

[President Cleveland is listed as our 22nd and 24th President since he did not have consecutive terms in office. Please "gently" correct people who refer to the current occupant of the White House as the 45th person to be our President. He is not. He is only the 44th person to be President but we call him the 45th President because we count President Cleveland twice.]

The fourth time a second place popular vote winner was declared the new President occurred in this century when George W. Bush squeaked out an Electoral College victory against Albert Gore in the 2000 election.

Bush's victory only occurred after the United States Supreme Court, by a one-vote margin, decided to stop the recount in Florida. Many in America, including me, were upset with the Supreme Court for meddling in the election and throwing the Presidency to Bush.

In fairness to George W. Bush, the American people eventually moved beyond the decision and Bush would be the only Chief Executive to win a second term for President after originally receiving the job by coming in second in the popular vote,

Of course, the last time a second place popular vote winner won the Presidency occurred one year ago on this date when reality TV celebrity Donald John Trump defeated Hillary Clinton for the job.

Even if we had two plain vanilla candidates running, the election of 2016 would still be seen by Historians and Political Scientists as controversial given the fact that we now had a fifth example of a Presidential election where the popular vote winner diverged from the Electoral College winner.

The labeling, however, of the Election of 2016 as being "controversial" became a controversy in itself at my college.

About a week after the 2016 election, the librarian at my college sent an email to the faculty with some links to on-line resources about the election to explore with our students. "As you know, our students have many questions and concerns regarding the recent election, and emotions are running high," the librarian wrote as her purpose for sending her email. "You may want to incorporate the controversy into your teaching, or you may find that you need to address conflict as it arises in the classroom."

The first comment she received back from a faculty member asked, "What controversy are you referring to?"

The librarian responded to all with an apology, "You're right; 'the controversy' was poor phrasing on my part . . ."

I was the next to respond to the "controversy" about calling the election "controversial."

"For the record, I believe you were correct the first time when you referred to the election as being controversial," I wrote to the librarian. "In my opinion, some of the racist (President Obama was not born in the United States; Mexicans are rapists and criminals), sexist (if you are famous, it is OK to assault women), xenophobic (build a wall to keep people out of our country), Islamophobic (people of the Islamic faith should not be allowed to enter our country), unscientific statements (global warming is a hoax), and outright falsehoods (According to the *Washington Post* fact checkers: 'We did find that Trump frequently invented statistics, used faulty reasoning, flip-flopped without explanation or made highly misleading statements — to a degree that was unusual for a politician running for president.') makes the election of President-elect Donald Trump to

be controversial. Moreover, if you also factor into the equation that Mr. Trump was declared the winner based on an archaic Electoral College System even though he apparently came in second in the popular vote by what may be more than one [now nearly three] million votes, there is no doubt that historians and political scientists will consider the 2016 Presidential contest to be listed as among the most controversial elections in our nation's history."

I actually received a rebuke from one of the administrators at my college for my email to the librarian but I felt I would be guilty of professional malpractice to be silent on the obvious truth in this matter.

We are now exactly one year from that "controversial" election.

I had hoped that the heated rhetoric of the campaign would lessen as our new President governed but, if anything, events have gotten worse.

These events include such questionable actions by our President as the Muslim travel ban, the firing of the F.B.I. director, the Russia scandal, pulling out of the Paris climate change agreement, the transgender military ban, delay in condemning white supremacist in Charlottesville, suspending the Deferred Action for Childhood Arrivals program (DACA), and much more.

Our new President also has repeatedly lied to the American people as noted by fact checkers from the *Washington Post* who documented over 1,000 false and misleading statements he made in the first 200 days of his administration ("President Trump's list of false and misleading claims tops 1,000" - August 22, 2017).

It is clear that our new President lacks any recognizable moral compass and has engaged in a pattern of deceit and obstruction of justice that needs to be stopped.

While I have my professional reservations about the wisdom of the Electoral College system created by our Founding Fathers, I believe the men who met in Philadelphia in 1787 to draft our plan of Union showed great creativity in their selection of a new three-branch government with checks and balances.

In drafting the 1787 Constitution, our Founding Fathers intended Congress to be a check on the Executive branch by giving our legislative body the power of Impeachment and other remedies to deal with a dictatorial and/or rogue President. "A good magistrate will not fear [impeachment]," noted Massachusetts's representative Elbridge Gerry. "A bad one ought to be kept in fear of them."

Unfortunately, our Founding Fathers did not count on Party politics playing a role in preventing the legislature from fulfilling its Constitutional duties in being a check on an unfit Executive.

In my opinion, as long as the same political party controls all three branches of our government, including both Houses of Congress, President Trump has nothing to fear from his dangerous, unethical, and illegal behavior.

Trump's behavior needs to be stopped and we cannot count on our current Representative from New Jersey's 11th District to be part of the solution to stop him.

In fact, the current Congressman from the 11th District has gone out of his way to support the Trump agenda. For example, after first announcing that he was against the Trumpcare bill in the House earlier this year, our Congressman eventually voted for the bill.

The Trumpcare bill, that passed the House of Representatives with the support of our Congressman, could potentially throw millions of people off healthcare coverage that currently have coverage under the current system. According to the Congressional Budget Office, in a nonpartisan analysis for the U.S. Congress, they “estimate that, in 2018, 14 million more people would be uninsured under the legislation than under current law” and we would also see an “increase in the number of uninsured people relative to the number under current law would rise to 21 million in 2020 and then to 24 million in 2026.”

The Trumpcare bill also would be devastating for many constituents in the 11th District. The American Medical Association said the bill did not protect those with pre-existing conditions and according to New Jersey Policy Perspective, “the number of those without insurance [in the 11th Congressional District] would climb 74 percent to 55,847 from 32,147.”

Even President Trump admitted that the Trumpcare bill passed by the House of Representatives and supported by our Congressman with his vote was “mean.”

So why did our 11th District Representative support this “mean” healthcare bill? We don’t know for sure but there are rumors that our Congressman, who Chairs the House Appropriations Committee, was threaten with possible loss of his Chairmanship if he did not play ball.

As Chair of the House Appropriations Committee, our Congressman has also used his position to push the “mean” Trump agenda. For example, his Appropriations Committee approved a spending bill for the Federal Government that would defund Planned Parenthood, a “women’s health care provider, which has 26 centers in New Jersey serving around 100,000 people annually” (*Newark Star-Ledger*: “How House Spending bills could be trouble for Frelinghuysen,” July 27, 2017).

While our Congressman as Chair of the House Appropriations could not find money to fund this women’s health care provider, he was able to find \$1.6 billion of U.S. taxpayer’s money to begin construction on a border wall with Mexico – a wall that candidate Trump said would be paid by Mexico.

On another issue, there are 15.5 million cancer survivors in America today. Each of them has benefitted from the groundbreaking scientific discoveries in the prevention, early detection and treatment of cancer. More scientific research is needed but, unfortunately, the White House budget proposal for 2018 included a \$7.2 billion cut for the National Institutes of Health and a \$1.2 billion cut for cancer research funded at the National Cancer Institute (*Newark Star-Ledger*: “Boost federal funding for cancer research,” Editorial by Scott Kachlany, October 1, 2017.)

The current administration and Congress also refuses to pass comprehensive gun control legislation and universal background checks to deal with the growing gun violence in our country.

On October 1, 2017, a gunman opened fire on a country music festival in Las Vegas killing at least 58 people and injuring over 500 people. It was the deadliest mass shooting in American history. The second deadliest mass shooting happened 477 days earlier when another gunman opened fire at an Orlando nightclub leaving 49 dead and many wounded. In between (and including) these two most deadly days, another 521 mass shootings occurred leading to at least 585 people killed and 2,156 injured. ("A mass shooting involves four or more people injured or killed in a single event at the same time and location.") (*New York Times*: "477 Days. 521 Mass Shootings. Zero Action by Congress." Editorial. October 3, 2017.)

According to data compiled by *FiveThirtyEight*, under the title "Tracking Congress In The Age Of Trump," the current Congressman from the 11th District in New Jersey has voted in favor of the Trump agenda more than 95% of the time. (Please see: <https://projects.fivethirtyeight.com/congress-trump-score/rodney-p-frelinghuysen/>).

In my opinion, this draconian world vision pushed by our President and supported by our Congressman that prioritizes walls and guns over people's health needs to be vigorously challenged and stopped. Our country is going through a once in a generation Constitutional crisis because of the unethical and illegal activities of our President. We need a Representative from our 11th District who is willing to stand up to this rogue Executive and not pass his "mean" agenda.

For these reasons, I am announcing today that I am a candidate to represent New Jersey's 11th District in the United States House of Representative.

In that regard, I first hope to earn your vote and support in the Democratic Primary Election to be held in June 2018.

Should I win the Primary, I next hope to earn your vote and support in the General Election to be held in November 2018.

In running for office, I am concerned about the role money plays in American elections. According to the *Newark Star-Ledger*, the same spending bill that would defund Planned Parenthood and put aside \$1.6 billion of U.S. taxpayer's money to begin construction on a border wall with Mexico, noted that, "The House Appropriations Committee would prevent the Securities and Exchange Commission from moving ahead with efforts to require corporations to disclose how they spend their shareholders' money on political efforts" ("How House spending bills could be trouble for Frelinghuysen," July 27, 2017).

Do we really want corporations to be able to hide the amount of money they are spending for political efforts from their shareholders and the public? I don't think so and I am also deeply concerned about some of the recent fundraising activities from our 11th District Congressional Representative.

In March 2017, our Congressman, in a fund raising letter targeted at one of his constituents - an executive at a local bank, complained to her employer that she was a "ringleader" at protests at the Congressman's Morristown office.

A nonprofit government watchdog group filed a request for an official investigation into the fundraising letter and our Congressman is now under investigation for his actions against the protest “ringleader.”

In my opinion, the whole episode is a good example of the corruption of money into our political system. The “ringleader” comments by our Congressman were, of course, wrong and unethical but I am also concerned that our Representative felt the need to do fundraising just two months after he started a new term as our Congressman when his chief concern should have been about governing and representing the people of New Jersey’s 11th District in the United States House of Representatives.

Should I be so honored to represent New Jersey’s 11th District in Congress, I hope to act differently. In that regard, I do not seek and I will not accept any money donations of any amount to my campaign during the Primary season.

Yes, “these are the times that try men's souls.” Our country, however, has been through difficult times before and has been able to both survive and even grow. With your help, we can do it again. In the upcoming campaign, I look forward to hearing your concerns for our country and earning your vote and support in the 2018 Congressional election.

Best wishes,
Mark Washburne

* The name of my seven-volume work is called, “A Biography of Elihu Benjamin Washburne: Congressman, Secretary of State, Envoy Extraordinary.”

Congressman Elihu Washburne served as an important link between Ulysses S. Grant and Abraham Lincoln. Coming from the same town in Illinois as General Grant and being a close political friend with President Abraham Lincoln, Congressman Washburne played a major role in both their lives as they rose to power and throughout their presidencies. “About all I know of Grant I have got from you,” wrote President Lincoln to Congressman Washburne in 1864 – nearly three years into the Civil War. “I have never seen him. Who else besides you knows anything about Grant?”

Originally a member of the Whig Party, Elihu Washburne was active in the anti-slavery movement and became a Republican as soon as that party was organized. Washburne served eight successive terms in Congress (1853 to 1869) and was elected to a ninth in the House of Representatives, where he earned the titles “Father of the House” and “Watchdog of the Treasury.” After the Civil War, Congressman Washburne was a member of the joint Committee on Reconstruction and Chairman of the Committee of the Whole in the Impeachment of Andrew Johnson in 1868.

In 1869, President Grant honored his old friend by nominating him Secretary of State and then Minister to France. In May 1869, Elihu Washburne presented his letters of credence to Napoleon III and was present the next year for the Franco-Prussian War. During that war, Minister Washburne distinguished himself as one of the only foreign diplomats to remain in Paris during the German siege of that city and later the Paris Commune.

In 1880, Elihu Washburne was a candidate for the Republican nomination for President receiving over forty delegate votes in a losing cause to General James Garfield who later became President. At that same Republican convention, Washburne came in second place in the balloting for Vice President. In the contest for the number two spot, Elihu Washburne lost to Chester Arthur, who replaced Garfield as President after that Chief Executive was assassinated in 1881.