Twitter Thread by T. Greg Doucette



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@greg_doucette

The midterm Congress doesn't matter; it would be the Congress elected in 2024 that takes office on 3 January 2025

But yes, both chambers of Congress acting together have always had the power to install a President. See Hayes-Tilden 1876

> So if the house had a Republican majority\u2014which it may well in 2022, especially given the gerrymandering and structural minority bias\u2014would they legally be able to stop the transition in 2024 of a Democratic president-elect? https://t.co/L2o4ZVdfXO
>
> — zeynep tufekci (@zeynep) January 2, 2021

Someone has to have the power. Would you rather it be the President? 5 justices of the Supreme Court?

It's functionally impossible to have an election where one party wins the presidency but neither chamber of Congress, and 218 Representatives + 51 Senators agree to toss results https://t.co/uK2VTXOYRm

> Historically, why is this sort of outcome allowed to be a thing? Maybe it's a failure in my imagination, but why would congress be allowed such power?
>
> — Pogman42 (@Pogman42) January 3, 2021

The issue is who is responsible for counting the electoral votes and confirming they're legit. Congress exclusively has that power, and the sheer volume of people that have to be convinced to ignore the results confirms it's the right branch to have it
@Pogman42

If people want to abolish the Electoral College, go for it

But it requires 2/3 of the House + 2/3 of the Senate + 3/4 of state legislatures. It's not an attainable goal, and will not be an attainable goal in our lifetimes

Meanwhile, that energy could be better used elsewhere https://t.co/dD9xQJSeVY

> It\u2019s just weird to me that we\u2019re able to elect senators and congressman themselves without this level of confusion but the electors create some kind of unique challenge requiring resolution by congress in some instances
>
> — Bryan Duva (@duva60) January 3, 2021

Likely unconstitutional, and unenforceable even if it were not https://t.co/SDgRF5G6CV

> What about the NPVIC? https://t.co/arg8V3QPih
>
> — Phil Traum (@TraumPhil) January 3, 2021

Elect better Congresscritters

There is no other solution until you're in a world where amending the Constitution to remove it is plausible https://t.co/o30AU7zAd3

> Your solution to solving the issues with the electoral college?
>
> — Donald McAlpine (@Donbob01) January 3, 2021

Since the modern two-party Dem-Rep system began in 1860, a new President of one party has taken office with both Congressional chambers controlled by the other party in:

➡■ 1969 (Nixon)
➡■ 1973 (Ford)

That's it. 2x in 160 years.

1/ https://t.co/jkN41XhTLx

> I don't see that as "functionally impossible". We see now that the GOP are willing to toss results on a non-existent pretext like now. And there's been times when they've held both houses.
>
> — Susan Kraemer (@dotcommodity) January 3, 2021

And in those 2x-in-160-years occurrences, there weren't majorities in both chambers to overturn the results

(Just like there aren't now even in a Republican-controlled Senate)

2/
@dotcommodity

That's as close to "functionally impossible" as you can get for a thing that can theoretically happen

3/3
@dotcommodity

https://t.co/Sr93YMv54o



Maybe now people (and by people I specifically mean Dems) will put more freaking attention and effort into Congressional races instead of only putting in the effort for Presidential races.

And maybe they'll work harder getting state legislators elected, too.

— Uldihaa (@Uldihaa) January 3, 2021