Q32 – Who elects U.S. senators?

DOUGLAS GINSBURG, Federal Judge, U.S. Court of Appeals, D.C. Circuit:
The citizens of each state elect their U.S. senators – as they have done since the Seventeenth Amendment was adopted in 1913.

Under the original Constitution, state legislatures elected the states' U.S. senators. Some people argue we should repeal the Seventeenth Amendment and return to choosing senators the old way. What were the advantages of that?
The Senate was meant to be a deliberative body where the issues of the day are debated. But now, senators spend a lot of each week raising money for re-election – just like members of the House of Representatives.
Advocates for the Seventeenth Amendment claimed it would eliminate corruption, such as bribing state legislators to get a Senate seat. But money still changes hands. Senate candidates raise money from big donors and political action committees.
Opponents of the Seventeenth Amendment also argue that legislatures would choose senators who better represent the interests of the state, rather than the interests of the national party they belong to.
Still another argument for repeal is the erosion of bicameralism – having two chambers of Congress elected in different ways. Members of the House of Representatives are chosen directly by the citizens. Without the Seventeenth Amendment senators, again, would be chosen by their state's legislature.

Having different constituencies erects another barrier against the tyranny of the majority. As long as senators are directly elected by the citizens of their state, the argument goes, the Senate is more like a small version of the House of Representatives – the greatest distinction between the two having been scrapped.
But the Seventeenth Amendment is probably here to stay. Unless the Constitution is amended again, senators will continue to be directly elected by the citizens of their state.