



# What is the Electoral College?

## *Fast facts*

### Why do we have an electoral college?

- At the **Constitutional Convention in 1787**, delegates debated how presidents would be elected. They decided that each state would elect people in charge of voting for the president (**electors**). Originally, electors got two votes, and the candidate who got the most votes would be president and the runner up vice president.
- The electoral system solved three problems: First, it created a way for state governments to remain separate from the federal government. Second, it kept more populated states from making all the decisions for the rest of the nation. Third, it kept citizens involved.
- Those supporting the Electoral College today point out that it keeps big cities from having more of a voice than rural areas and keeps a candidate from representing interests of only a small percentage of Americans.

### How does the Electoral College work?

- **270 electoral votes** (out of 538 possible) are needed to win the presidency.
- First, the political parties in each state choose **slates of potential Electors** sometime before the general election. Generally, they are chosen at state party conventions or by a vote of the party's central committee. This results in each presidential candidate having their own unique slate of possible Electors.
- The number of electoral votes is different from state to state. The number of senators and representatives that a state has is the number of electoral votes a state gets.
- The second part of the process happens on **Election Day**. When the voters in each state cast votes for the presidential candidate of their choice, they are actually voting to select their state's Electors. The potential Electors' names may or may not appear on the ballot below the name of the presidential candidates, depending on election procedures in the state.
- Political parties often choose Electors for the slate to recognize their service and dedication to that political party. They may be state elected officials or state party leaders.
- There is no constitutional provision or federal law that requires Electors to vote according to the results of the popular vote in their states. Some states, however, require Electors to cast their votes according to the states' popular vote. The Supreme Court has not specifically ruled on the question of whether penalties for failure to vote as pledged may be enforced under the Constitution. No "**Faithless Elector**" has ever been prosecuted for failing to vote as pledged. In U.S. history, more than 99% of Electors have voted as pledged.

### What weaknesses does the Electoral College have?

- Many states give all their electoral votes to the winner of the popular vote. Therefore, candidates concentrate their energy on winning over states where the popular vote could go to either party, by a small margin. These are called **swing states**. Those who oppose the Electoral College system say that the candidates pay little attention to those states that have a history of always supporting a specific party's candidate, ignoring the interests of many supporters.

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## Fast facts

- Opponents to the Electoral College also note that it is possible to win the **popular vote** and lose the election. There have been five elections in U.S. history in which the candidate who won the majority of electoral votes did not win the popular vote: John Quincy Adams in 1824, Rutherford B. Hayes in 1876, Benjamin Harrison in 1888, George W. Bush in 2000, and Donald Trump in 2016.

### Has the Electoral College ever been changed?

- Two changes have been made to the electoral college:
  - The introduction of political parties made it more likely for the Electoral College to result in a tie. In **1804**, Congress passed the 12th Amendment, which established that each elector would cast a single vote for president and a second single vote for vice president.
  - In **1961**, the 23rd Amendment granted the District of Columbia three electoral votes.

### What changes have been proposed?

- There have been at least **700 proposed amendments** related to the Electoral College in U.S. history.
- Some propose reassigning how electoral votes are given to candidates. For example, in **1950 the Lodge-Gossett Amendment** proposed an alternate voting process by which electoral votes for a state would be divided between candidates rather than all awarded to one. The number of electoral votes for a candidate's party would depend on the percentage of the state's votes for that candidate. The amendment passed in the Senate but not the House of Representatives.
- In **1969 the Bayh-Celler Amendment** called to abolish the Electoral College. Each voter would cast a vote for two candidates of the same party, a president and vice president. The pair of candidates with the greatest number of votes would be elected. If, however, no candidate received at least 40 percent of the vote, a national run-off election would be held between the top two candidates. The bill was supported by both Democrats and Republicans, including President Richard Nixon. It was approved in the House but died in the Senate.
- Recently, the **National Popular Vote Interstate Compact** has been adopted by 15 states and the District of Columbia. It does not require a constitutional amendment. States that take part in the compact agree to award all the states' electoral votes to the candidate who wins the overall popular vote in all 50 states. However, to have an effect on elections, the compact must have 270 electoral votes under its control, and it currently has only 196 (including those in Washington).

### SOURCES

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