**The Electoral College**

Just as baseball games are not decided by who gets the most hits and football games are not won by the team with the most yards, the president is not selected by a simple majority vote. Instead, the president is chosen by the Electoral College, in which each state gets as many votes as its combined number of senators and representatives.

Elections for the President and the Vice President are not ​*direct*​ elections in that the votes do not go directly to the candidates. When Americans vote in a presidential election, they are actually voting for presidential electors, known collectively as the Electoral College.

The Electoral College is actually made up of two distinctive features. The first is the *ratio* of votes that each state gets, which like the two houses of Congress itself, balances the states and people, or federalism and population. The second feature is, technically, the Electors, and the indirect election of the president by them. However, in practice this second feature has become simply direct election of presidential candidates by state voters.

# A Brief History

In designing the selection mechanism for the President, the Founding Fathers had to reconcile many different objectives. They wanted the president to be someone sufficiently well known throughout the country, meaning this person had earned the respect of the country’s political leaders through public service. They wanted this office to be sufficiently separate from the Congress, rather than simply its pawn. They wanted the people to be involved, but not a purely majoritarian vote. They wanted this person to have broad support across the different states, rather than a purely regional candidate or representing just a few areas or cities. They wanted the president to have sufficient time to learn to do the job, but not so long a term as to become monarchical—that is, like a king.

The Constitutional Convention of 1787 considered several methods of electing the President, including selection by Congress, by the governors of the states, by the state legislatures, by a special group of Members of Congress chosen by lot, and by direct popular election. Unable to come to a consensus, the delegates referred the matter to the Committee of Eleven on Postponed Matters, which developed the electoral college system in its original form. The delegates approved the plan, incorporating it into the final version of the Constitution with minor changes.

The electors formally responsible for choosing the president would be political notables from the states, chosen according to processes determined by the state legislatures, which were accountable to the people of the states. (In other words, the people would be involved, but only indirectly.) The president would not be chosen by Congress, except as a fallback in the event no candidate proved sufficiently popular.

Under this plan, each state is assigned a number of electors equal to the combined total of the state’s Senate and House of Representatives delegations—in other words, its congressional apportionment.

Like the two houses of Congress itself, this takes into account both the states and people, federalism and population, ensuring any winning candidate is broadly acceptable across different regions of the country. This balances the process of picking the president between direct popular election and congressional selection.

The number of electors per state ranges from three to 55, plus three for the D.C. itself, placing the total of 538. A majority of 270 electoral votes is required to elect the President.

The total number of electors each state gets is adjusted following each decennial (ten year) census in a process called reapportionment, which re-allocates the number of Members of the House of Representatives to reflect changing rates of population growth (or decline) among the states. Thus, a state may gain or lose electors following reapportionment, but it always retains its two “senatorial” electors, and at least one more reflecting its House delegation.

The Electoral College is a process and not a place. The creation of the Electoral College sought to reconcile differing state and federal interests, provide a degree of popular participation in the election, give smaller states some additional leverage in the process, preserve the presidency as independent of Congress, and force a candidate to have broad regional appeal: one cannot win an entire national election simply by running up the vote tallies in one or a few locations.

# Choosing Electors

The electors are chosen by the states “in such Manner as the Legislature thereof may direct

“(U.S. Constitution, Article II, section 1). Qualifications for electors are found in Article II, section

1, clause 2, and simply state that “no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.”

In other words, the Constitution leaves it up to state legislatures to determine how their states appoint their electors for the Electoral College.

Today, forty-eight of the fifty states choose to award all of their electoral votes to the presidential candidate who receives more popular votes than any other candidate within that state. This is known as a “winner-take-all” system. Alternatively, Maine and Nebraska allocate some of their votes based on who wins the different congressional districts, not just the state as a whole.

Each candidate running for President has his or her own group of electors in each state. Political parties often choose electors to recognize their service and dedication. Electors may be state elected officials, state party leaders, or people in the state who have a personal or political affiliation with their party's Presidential candidate.

There is no constitutional provision or federal law that requires electors to vote according to the results of the popular vote in their states, though some states require electors to cast their votes according to the popular vote. Today, it is rare for Electors to disregard the popular vote by casting their electoral vote for someone other than their party's candidate—they are called “faithless electors”. Electors generally hold a leadership position in their party or were chosen to recognize years of loyal service to the party.

# The Election

Every state holds a popular election for president every four years in deciding how to allocate its electors. This is done on (generally) the first Tuesday in November.

On Election Day, when the voters in each state cast votes for the candidate, 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 (it depends on election procedures and ballot formats in each state).

The meeting of the electors takes place on the first Monday after the second Wednesday in December after the presidential election. The electors meet in their respective states, where they cast their votes for President and Vice President on separate ballots. The electors’ votes are recorded and then submitted to Congress.

Each state’s electoral votes are counted in a joint session of Congress on January 6 of the year following the meeting of the electors. Members of the House and Senate meet in the House chamber to conduct the official tally of electoral votes.

The Vice President, as President of the Senate, presides over the count and announces the results of the vote. The President of the Senate then declares which persons, if any, have been elected President and Vice President of the United States.

The President-Elect takes the oath of office and is sworn in as President of the United States on January 20 in the year following the Presidential election.

**Criticisms of the Electoral College**

Both features of the Electoral College have been criticized, and efforts to eliminate one or both of them have been proposed.

Some, especially those who would like to see America as a more consolidated nation rather than a more decentralized federalist one, object to the component of the Electoral College that represents the states as part of the ratio, arguing that whoever wins the most total votes from the nation as a collective whole—sometimes called the “popular vote”—should be president.

These critics often object to the way in which the Electoral College creates “battleground states” and makes it possible for a candidate to win the presidency without winning the highest number of total votes nationwide. This has happened, though very rarely, in American history. This possibility is due to the structure of the Electoral College, discussed above, whereby each state receives at least 3 electoral votes, no matter how small its population, and that state legislatures can allocate those votes according to their discretion (almost universally by the “winner-take-all” or unit rule).

Others find the federalist ratio part of the Electoral College acceptable but object to what they see as the archaic process in which we still technically vote for indirect election. These critics argue that since we no longer approve of having political notables choose our president and functionally have popular voting in each state anyway, we should amend the Constitution to make that official: citizens of each state should simply vote for the president and vice president of their choice, rather than for electors who are supposed to simply then vote for whomever the state’s voters did. In effect, these critics want to eliminate the possibility of “faithless electors”.

In addition to the various benefits envisioned by the Founders as discussed above, such as reinforcing the distinctive role of states in our federal system of government, contemporary defenders of the Electoral College argue that it continues to ensure that successful presidential candidates have broad appeal across the nation, and that it prevents people in less populated states from being ignored. They express concern that, if presidents were chosen directly by popular vote, presidential candidates would dedicate all of their attention to highly populated cities and states, overlooking the interests and concerns of people in other parts of the nation.

Some defenders of the Electoral College today argue that it has other benefits, as well. For example, ensuring there are 51 separate elections, instead of one, serves to minimize the possibility of fraud by limiting the damage to only the affected state or states. The Electoral College is also said to moderate our politics, because candidates have to appeal to a wide variety of voters (including in “swing states”), rather than simply rallying their most ardent supporters to vote. Finally, even the indirect election of the Electoral College has its supporters, who argue that the possibility of “faithless electors” is a good thing as a check against installing especially poor presidential candidates.