

## **FREQUENTLY ASKED QUESTIONS ABOUT THE ELECTORAL COLLEGE**

### **Why did the framers of the Constitution create the Electoral College?**

The framers intended the selection of the president to be based on the popular wishes of the citizenry, with the electoral college system as an “intermediary system” intended to breach the difficulties of distance and communication. It was one of the last issues discussed at the long, contentious constitutional convention, and it had broad but unenthusiastic support. It was considered “the second choice of many but the first choice of few,” with little idea how it would play out in reality.

### **Will abolishing the Electoral College mainly benefit Democrats?**

No, this is a non-partisan issue with the potential to favor or disfavor both political parties. In the 2004 election between George W. Bush and John Kerry, Bush won with about 3 million more votes but would have lost the Electoral College if Ohio had given 119,000 more votes to Kerry.

### **Does the Electoral College decrease voter turnout?**

Yes. The Electoral College creates so-called “swing states” that essentially determine the outcome of the election. Voter turnout in non-swing states is consistently, significantly lower than in swing states, because voters in non-swing states feel that their votes don’t matter.

### **Does the Electoral College polarize our electorate?**

Yes. The Electoral College divides us into so-called “red states” and “blue states,” and it erases the vote totals within each state once the winner of each state has been determined. It erases the significant diversity of opinion that exists within each state and gives us the misleading impression that people from red states and blue states are on opposite ends of the political spectrum.

### **Without the Electoral College, wouldn’t the president just be chosen by a few large states like California and Texas, or by the largest cities?**

No. Even in a landslide election, it would take the votes from more than 27 states, starting from the largest and going in order to smallest, to get a candidate over the 50% threshold for victory. Doing the same example with the largest cities, it would take hundreds of cities to get us over this threshold. It is mathematically impossible for only the largest states or the largest cities to determine the outcome of a presidential election by popular vote.

With the Electoral College, the outcome hinges on several thousand votes in only a handful of so-called “swing states.” Replacing this system with direct election would mean that all voters can cast a meaningful vote for president.

### **Do smaller states benefit from the Electoral College?**

No. Small states are routinely ignored in favor of so-called “swing states” in every presidential election. Small states share many interests with large states, such as agriculture, education, and health care. Voters from small states do not vote as a bloc for president – some small states tend to vote for Republicans and some for Democrats, their votes are split just as with larger states.

### **Why not just keep the Electoral College but apportion each state’s electoral votes according to the proportion of the popular vote each candidate won in that state, rather than the current winner-take-all system that most states use?**

While states are allowed to apportion their electors however they see fit, using a proportional system is a bad idea, because it would increase the chances that no candidate would receive the 270 electoral vote majority needed to win. According to the Constitution, this would send the election of the president to the House of Representatives, where each state would get only one vote. This would further remove the election of the president from the will of the people.

The reason this is so likely with proportional electors is that we usually have more than two candidates running for president, and while the two major party candidates would likely receive the majority of the votes, and thus the electors, the additional candidates would nonetheless receive a small portion of the vote, and thus the electors, in each state. These small portions can easily add up to a significant electoral total that would prevent either major candidate from reaching 270 electors.

### **Won’t the logistics of a direct popular vote for president be difficult to figure out and administer?**

We elect all of our other elected officials via direct popular vote, including governors and senators, and it works fine. We already calculate the popular vote totals for president, we just don’t use them to assign the winner. Logistics and rules will need to be worked out, but these details are by no means a barrier to direct election of the president.

The fact that we have always used the Electoral College to elect the president makes it seem as if this is the way it has to be done, as if the presidential election is somehow fundamentally different from all of the others, but it’s not different. It’s just bigger.

### **Does the Electoral College make us less vulnerable to voter fraud or election hacking?**

Just the opposite. When an entire election can hinge on several thousand votes in one swing state, this makes it much easier for someone to sway the election through illicit or illegal means. With direct election by popular vote, anyone wanting to hack our elections would need to target millions of voters spread all across the country.

We need to continually work to make our elections secure, regardless of the means by which we elect our president.

### **Is it realistic to think that we can amend the Constitution?**

Yes. The latest amendment, the Twenty-seventh, was added in 1992. The Equal Rights Amendment is one state away from becoming the Twenty-eighth. Throughout our history, there have been flurries of constitutional activity separated by many decades of inactivity. There is a process for amending the Constitution, and we simply need to follow that process.

### **What is the process for amending the Constitution?**

A bill must be passed by two-thirds of the members of both houses of Congress, and this bill must then be ratified by three-fourths of the states, or 38 states. There is no time limit between the date the bill is passed by Congress and the date the 38<sup>th</sup> state ratifies it. The Twenty-seventh Amendment took 200 years to be ratified after passing out of Congress.

### **How are electors selected?**

On election day, when voters in each state go to the polls, each one casts a ballot for the slate of presidential electors who are pledged to support the candidate the voter prefers. These slates have been selected by political parties, through conventions, committees or primaries. When a candidate is not a nominee of a party, the slate is named through a petition filed with the required number of signatures.

In some states, only the names of the presidential and vice- presidential candidates appear on the ballot, masking the fact that voters are choosing electors rather than voting directly for the candidates. In the other states, both candidates and electors are identified.

### **Doesn't the Electoral College protect minority rights?**

We do not protect a minority by giving them outsized political power – that only creates a tyranny of a minority. We protect the rights of minority groups and individuals through our constitution's Bill of Rights, our courts, and our laws. Our votes should all count equally.