



## Electoral and Popular Votes

More than 100 million voters will likely cast ballots in nationwide U.S. elections on November 6, 2012. But only 538 men and women will elect the next president of the United States, and those elections will take place in 50 state capitals and in Washington, D.C., on December 17.

This indirect election system, called the Electoral College and devised in 1787 by the framers of the Constitution, reflects the federal governing system of allocating powers to a national government representing not only the people but also the states.

The Electoral College requires a presidential candidate to have national stature as well as broad appeal to different regions. “One consequence of the Electoral College has been to make it hard for third parties, regional factions, or lesser figures to gain the presidency,” said John C. Fortier, author of *After the People Vote*.

The presidential electors nearly always vote the same way in December as the voters in their state did in November. The Electoral College winner nearly always captures the most popular votes nationwide. But because all but two states have winner-take-all rules, occasionally the

Electoral College winner trails another candidate in nationwide popular votes, as happened in 2000.

An election strategy flows from the Electoral College system. Presidential candidates pay less attention to reliably Democratic and Republican states in the campaign. Instead they focus workers and money on a relatively few narrowly divided states — Florida and Ohio are well-known examples — that decide the elections.



### The Constitution

In 1787 the framers of the U.S. Constitution achieved a grand compromise creating a two-chamber Congress with a House of Representatives, where each state's seats is based on population, and a Senate, where each state gets two seats.

Then the framers sought to ensure that the president would have sufficient powers and stature to be independent of

Congress. The framers believed in a separation of powers.

Similarly, the framers did not allow the states to choose the president directly. Instead, they devised a system — the Electoral College — in which electors would be appointed from each state. The state legislatures would decide how the electors were chosen; by the 1830s all electors were chosen by popular election.

One other feature of the electors bears noting. The electors from each state meet to cast their votes for president, but all the state electors never meet together as one single national body.

Each state is allocated a number of electors equal to the sum of its two U.S. senators and the number of its U.S. representatives, which is based on a population census conducted every 10 years. In 2012, the populous state of California has 55 electors while states such as Alaska and Delaware each have three.

The Electoral College now comprises 538 electors, one for each of the 435 members of the House of Representatives and the 100 senators plus three for the national capital, Washington, D.C. A majority of 270 electoral votes is required to elect the president and vice president.

Top: New Jersey's 15 presidential electors are sworn in December 15, 2008, before casting their ballots for Barack Obama. Center: The same day, elector Owen Morgan hands in his ballot for Obama at the Indiana state capital.



### Two-Party System

The framers did not conceive of a political party system and certainly did not design the Electoral College to promote one. But over time, the Electoral College has strengthened the two-party system of Democrats and Republicans.

First, states moved to make their elections winner-take-all. In a winner-take-all system, a party must be strong enough to win the popular vote in a state, not just get a noticeable percentage.

Second, the Electoral College makes it necessary for parties to win states in multiple regions of the country. A candidate could not gain a majority by winning just the South or the North-

east. And in fact, almost every recent successful presidential candidate has won a majority of the states.

In the event of an Electoral College tie, under the 12th Amendment to the Constitution the House of Representatives would select the president. Each state delegation would have one vote to choose from the three candidates who received the greatest number of electoral votes.

A lot of Americans want to change the election of the president to direct popular vote, but no such change is imminent. Amending the Constitution requires enormous political will; only 27 amendments have passed in more than 220 years. And such change

faces resistance from small states (which have disproportionate representation in the Electoral College), from supporters of a two-party system, and from supporters of a federal system of government.

Whatever its merits, the Electoral College at least offers decisiveness. The House of Representatives has had to decide only two presidential elections because no candidate achieved an Electoral College majority. It last happened in 1824.

Left: A conventional U.S. map, top, and a map representing each state by its number of electoral votes in 2012, bottom. Top right: Elector Eugene Miller signs his name on a voting certificate at the Ohio state capital December 15, 2008. Bottom right: That same day, elector Sophie Ann Salley casts her ballot at the Virginia state capital.

