

Origins of the Electoral College:

Debated, voted on 30 times at Constitutional Convention, 5/29 - 9/7/1787

Principles:

- Virtue: wanted the President to be fit for the job
 - need for knowledgeable intermediaries to make an informed choice
 - worried most people would favor candidates from their own region
- Independence: not beholden to Congress, especially if re-electable
 - considered selection by national legislature, but with only a single 7-year term of office
 - electors not allowed to hold federal office
 - temporary post of elector would greatly reduce the chance of cabal & intrigue, including by foreign powers
- Republicanism: accountable to the people
 - left up to the states to decide how to select electors -- by legislative appointment, by popular vote, or by district

Balancing interests:

- large states vs. small -- national vs. federal
 - large were expected to be the source of leading candidates
 - small states given extra weight in the House contingency election
- slave states vs. free
 - slave states had a lower proportion of voters to population, but given same representation in E.C. as in House & Senate (following the Three-Fifths Compromise)

Other factors:

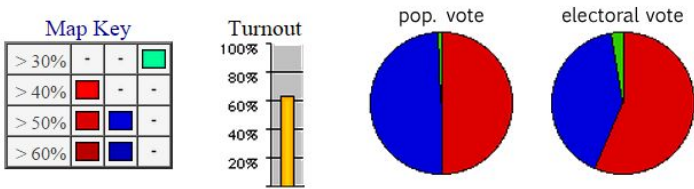
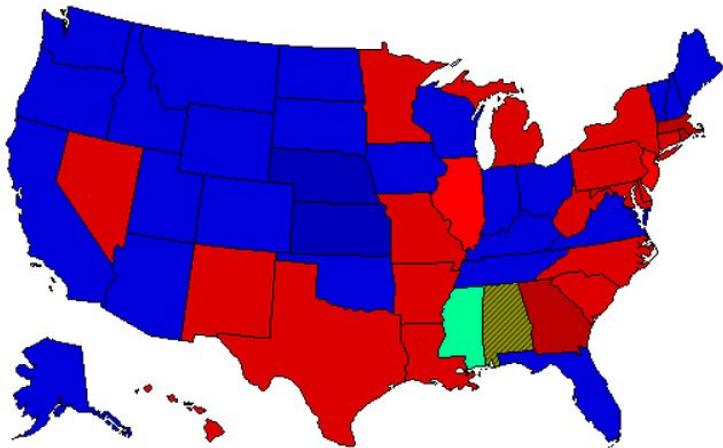
- Framers wanted to avoid additional conflict in the contentious debates over how the federal government would be structured.
- After long negotiations during a hot Philadelphia summer, they were ready to adjourn and begin the process of pushing for ratification.
- It was assumed that George Washington would be the first President, so the problem of choosing the executive seemed less urgent.

Milestones:

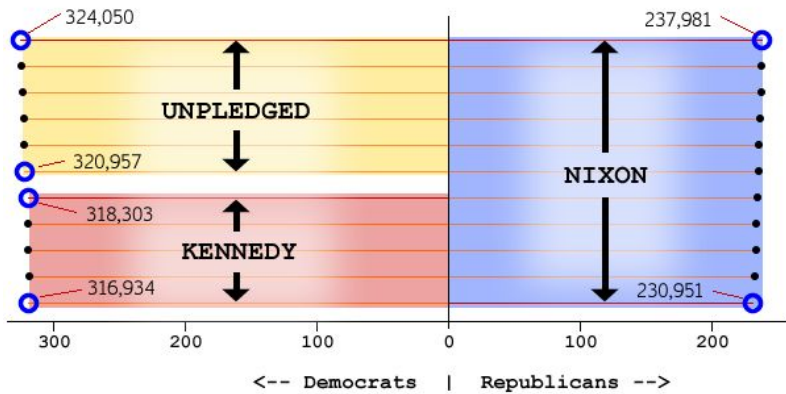
- 1796: Jefferson elected VP under his rival John Adams; first faithless elector.
- 1800: winner-take-all first used in Virginia. By 1830 most states used this method.
- 1800: Jefferson tied with his running mate, Aaron Burr; Congress selected Jefferson on the 36th ballot.
- 1804: Twelfth Amendment changes the House's role, when no candidate wins a majority, to top three instead of top five; specifies that candidates would be designated as either President or VP.
- 1824: Jackson wins plurality of popular vote and electoral vote (EV), but House selects John Quincy Adams as President.
- 1872: first time every competing state had a popular vote (SC was last to abandon legislative selection).
- 1876: Samuel J. Tilden wins popular vote 50.9% to 47.9%, but Rutherford B. Hayes wins EV 185-184.
- 1888: Grover Cleveland wins popular vote 48.6% to 47.8%, but Benjamin Harrison wins EV 233-168. (Harrison won in Cleveland's home state, NY.)
- 1948: Strom Thurmond wins 4 states (LA, MS, AL, SC) and 39 electoral votes.
- 1960: JFK wins EV 303-219-15, but popular vote? (SEE BELOW)
- 1968: George Wallace wins 5 states (LA, MS, AL, SC, GA, AR) and 46 electoral votes.
- 1969: House passes constitutional amendment; dies by Senate filibuster
- 1992: Ross Perot wins 19% of popular vote, 0 electoral votes.
- 2000: G.W. Bush wins EV 271-266, but loses popular vote to Gore, 47.9% to 48.4%.
- 2004: Faithless elector in MN casts vote for "John Edwards" (sic).

1960 Presidential election:

- Alabama: voting for individual electors -- not by slate
- counting the popular vote in Alabama is difficult
- unpledged electors hoped to send the election to the House
- faithless elector in Oklahoma voted for Byrd/Goldwater



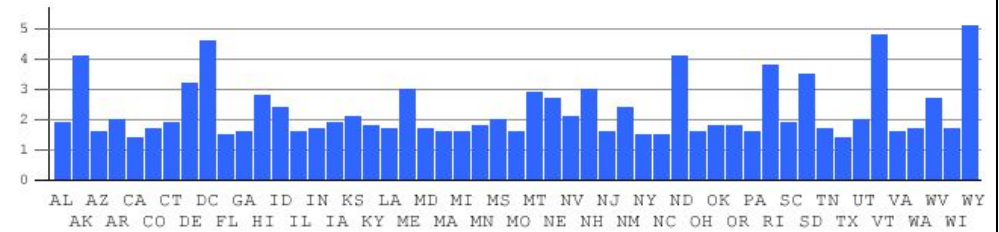
from Dave Leip's US Election Atlas -- <http://uselectionatlas.org/RESULTS/>
 see article "Did JFK Lose the Popular Vote?", RealClearPolitics, Oct. 19, 2012



Problems with the current system:

- Under winner-take-all, only 12 or so states are in contention. The rest are safely Democratic or Republican.
- Votes do not count equally.
- Faithless electors can cast their vote other than how they pledged to.

Voting power by state -- millionths of an elector per capita:



Alternative methods compared:

method	mode	# races	legal notes
current system	winner take all	51	--
const. amendment	majority rule	1	difficult to pass
NPV	majority rule	1 (51)	const. challenge?
district system	winner take all	436 + 51 (?)	-- (already in ME, NE)
proportional alloc.	approx. maj. rule	51	--

District method was favored by many early statesmen, incl. James Madison.

NPV has passed in MD, NJ, IL, HI, WA, MA, DC, VT, CA, RI, NY. Pending legislation in MI, MN.

Details of an amendment may differ in what happens when no candidate gets a majority.