What is the Electoral College and Why Is it Controversial?

Table Talk: Family Conversations about Current Events

Topic Summary

The Electoral College is an election topic that inspires confusion, controversy and conflict. Many people know that the Electoral College is part of the Presidential election process but may be unsure about its importance and how it works.

In the early days of our country's formation, deciding on the process for electing a U.S. President was a controversial topic. Some suggested that Congress should choose the President. Others argued that it should be a democratic vote by the
people. The compromise was the Electoral College, which has been in effect ever since.

**How the Electoral College works**
The Electoral College is composed of electors who each cast one electoral vote following the voting that takes place in the general election. Each state gets a certain number of electors based on its total number of representatives in Congress, which reflects population numbers for that state. There is a total of 538 electoral votes and the candidate must win the majority of the electoral votes to win the election. Therefore, the candidate who gets more than half (270 electoral votes) wins the Presidential election.

Based on the Electoral College, Presidential campaigns prioritize victories in states that will total more than 270 electoral votes, rather than trying to win the most actual direct votes nationwide. The key reason for this strategy is that in every state, except Nebraska and Maine, the candidate who wins the most votes in a state also wins all the electors from that state, regardless of the margin of victory. This winner-take-all electoral system makes it possible for one candidate to get more votes nationwide, but a different candidate to win in the Electoral College and ultimately, win the Presidency.

**Rationale for the Electoral College**
Many believe that the origins of the Electoral College are more complex. One theory is that its roots are in slavery. If there had been no Electoral College, the South would have lost every Presidential election because a large percentage of the Southern population were enslaved people who could not vote. Instead, eight of the first nine Presidential races were won by a Virginian based on electoral votes.

Another common theory about the justification for the Electoral College is that it prevented Presidential candidates from ignoring the smaller, less populated states
while running for election. If the outcome was just based on the popular vote, candidates could focus primarily on high-population states and urban centers and mostly ignore smaller states and more rural areas of the country.

There have been five times in U.S. history when the candidate who won the Electoral College (and ultimately won the election) did not get the most popular votes. It happened in 1824, 1876, 1888 and in the last two out of five Presidential elections (in 2000 won by George W. Bush and 2016 won by Donald Trump), when the Presidential election was determined by the Electoral College, not the popular vote.

**What critics say**

Critics of the Electoral College believe that it compromises the “one person, one vote” principle and it is less democratic than a popular vote. Not only can someone win the presidency without winning the popular vote, another consequence is that it influences how and where candidates campaign. Under the current system, if it seems clear that one candidate is likely to win a particular state, there is no reason for the other candidate to campaign in that state and try to capture any votes. As a result, rather than visiting as many states as they can, candidates end up focusing their time and resources on a small number of “swing states.” (Swing states are states that can reasonably be won by either the Democratic or Republican Presidential candidate and these states are often targeted for campaigning by both parties.) This practice contradicts the idea that Presidential candidates should share their platform and seek as many votes as possible in every state across the whole country.

**States’ election and voting policies**

Individual states have the responsibility of overseeing federal elections and make decisions about their state’s election and voting laws and policies. Each state has the power to adopt and implement critical policies that expand or restrict voting. These policies include voter accessibility laws like early voting, mail-in voting,
same-day registration voting, and voter ID laws. This means that the state you live in plays an important role in determining your ability to vote and how much your vote matters.

Public opinion about the Electoral College
In a 2020 Pew Research study, more than half of U.S. adults (58%) expressed the opinion that the Constitution should be amended so that the Presidential candidate who wins the popular vote (i.e., receives the most votes nationwide) should win the election. Women and young adults are more likely to support amending the Constitution to end the Electoral College. There are also differences in political affiliation among the people who support or want to eliminate the Electoral College. In 2011, about half of Republicans and Republican-leaning independents (51%) said the Constitution should be amended to eliminate the Electoral College. In 2020, nearly two-thirds of Republicans reported wanting to keep the current system.

Age
10 and up

Questions to Start the Conversation
- How important do you think it is to vote in elections? Please explain.
- What did you learn about the Electoral College that you didn’t know before? What is surprising?
- Did you previously have an opinion about the Electoral College and if so, has it changed?
- What questions do you still have about the Electoral College?
- What are the best arguments for and against the Electoral College today?

Questions to Dig Deeper
Do you think the Electoral College is fair and equitable? Why or why not?

Do you think the Electoral College should be kept, ended or modified in some way? Please explain.

If you think the Electoral College should change in some way, what do you think is the best way persuade others and amplify your opinion?

Take Action

Ask: What can we do to help? What actions might make a difference?

- Help to organize a forum (in-person or virtual) at school to discuss elections, voting and the Electoral College. Invite speakers with different points of view who can share their thoughts and insights about their perspectives.
- Learn more about the voting and election laws in your state. Depending on your opinions about those laws, share your point of view in school, in your community and on social media.
- Reach out to your members of Congress to share your ideas and opinions about the Electoral College and elections in general.

Additional Resources

- Should We Keep the Electoral College? (ADL Lesson Plan)
- Elections and the Youth Vote (ADL Lesson Plan)
- Grace for President (ADL Book of the Month)
- Representing the People: Diversity and Elections (ADL Lesson Plan)
- Teaching about Elections (Collection of Resources)