

WHAT KIND OF SCHOOL IS THE ELECTORAL COLLEGE?

Guest Blogger Jeff Broadwater, Professor of History at Barton College, joins us today to discuss the history of the electoral college and how and why the founders settled on it as the method for electing the President.

Few institutions in America are more important, and more misunderstood, than the Electoral College, so let's start with the basics: it is not a college at all. Article II, Section One of the Constitution, with some tweaking in the Twelfth Amendment, establishes the Electoral College and gives each state electoral votes for president and vice president based on its representation in Congress.

Because most states award electoral votes on a winner-take-all basis, a candidate's margin of victory in a particular state doesn't matter much. Once a candidate is assured of winning a state, the state can be ignored. No more than ten states are being contested this year.

It's an odd system. How did it ever come about?

During the 1787 Constitutional Convention, the most difficult, conceptual problem the delegates faced was finding a way to pick a president. There were no good models. Early in the convention, Virginia's James Madison proposed the chief executive be chosen by Congress and be ineligible for a second term—that would prevent him from spending his first term currying favor with lawmakers. Elbridge Gerry from Massachusetts advocated letting state governors select the executive. Other delegates thought the state legislatures should fill the position. Pennsylvania's James Wilson favored a direct, popular election, but he suggested the creation of an electoral college because he believed it was as much democracy as the delegates might accept. Instead, they tentatively agreed on an executive selected by Congress for a seven-year term with no possibility of reelection.

It is sometimes said that the Framers rejected the idea of a direct election of the president because they didn't trust American voters. That's not quite accurate. Most of the delegates didn't doubt the intelligence of the voters; the delegates worried about the people's knowledge of national affairs. On average, newspapers in the eighteenth century were only four pages long. Advertising occupied over half their space. Local news, shipping schedules, and the occasional poem filled most of the rest. Little room remained for national news. For most of the delegates, the biggest obstacle to a national, popular election would be the tendency of voters, since they knew little of candidates from out of state, to vote for a favorite son.

But many of the delegates feared the politicians as much as they did the people. They worried unscrupulous office seekers would manipulate any system they created. As Gouverneur Morris of Pennsylvania, put it, "the convention was aware that every species of trick and contrivance would be practiced by the ambitious and unprincipled" to win elective office.

The delegates faced a dilemma. Most of them thought a popular vote for president would fail to produce a clear winner. Only Congress could come to a consensus. But most of them wanted the executive to be independent of the legislature. So they decided at first that the president could not run for reelection. Ineligibility for a second term

led them to approve a fairly long initial term, but a long term raised the possibility that the president might become too powerful. Still there was skepticism about term limits.

Toward the end of the convention, Madison went to work on another proposal: let an electoral college select the president, but leave states free to decide how the electors would be chosen and allocated. Each elector would get two votes, one of which would be cast for a resident of another state. To discourage electors from casting a meaningless second vote, the second place candidate would become vice president. Electors would meet in their respective state capitals, not in the national capital, as a matter of convenience and to avoid horse trading among electors from different states. If no candidate won a majority of the electoral vote, the Senate would choose from among the top finishers. The president would serve only four years, but he could run for reelection.

The proposal passed, with an amendment from Connecticut's Roger Sherman that reassured delegates fearful of the Senate and small state representatives who worried about being outvoted in the House of Representatives: if no candidate received a majority in the Electoral College, the House would pick a winner, and each state would cast one vote.

Our election process is, in short, the product of what Madison called the "fatigue and impatience" of tired men who were ready to go home, but the appeal of the plan was in the flexibility it left the states. They would come to award electors on a winner-take-all basis so the majority party in the state could maximize the electoral vote for its presidential ticket, and, in doing so, they created the red, blue, and swing states we know today.

Is the Electoral College an appropriate institution for modern elections?