

Electing our President – It’s Complicated

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It is one of the most surprising facts about voting in the United States: Americans elect all officials, from mayors and governors to U.S. Senators, by popular vote, **except two** – the President and Vice President of the United States. These two candidates are elected not by a popular vote, but by the Electoral College.

If you’re wondering why we use the Electoral College to elect the President, it’s because that was specified in the Constitution. There was much disagreement among the framers of the Constitution about how to elect the President. The Electoral College process was created as a compromise between electing the President by a vote in Congress or by a popular vote of qualified citizens. The framers intended the Electoral College to be a deliberative body made up of the most knowledgeable and informed individuals chosen from each State who would then elect the President based solely on his merit.

Lawmakers have tried to amend or abolish the Electoral College more than 700 times. To this day, millions of voters, and even members of Congress, misunderstand it.

How are electors selected and how does their vote determine who’s President?

Article II, Section I of the U.S. Constitution gives the states the sole authority to determine the procedure by which they each choose their Electors. Section 1 states that: *“Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress. So, because each state has two U.S. senators, they start with two electors. Then they add electors to equal the total number of U.S. Representatives their state is allowed. For Wisconsin, the total number of electors – based on two state senators and 8 U.S. Representatives – is ten.*

The U.S. House of Representatives currently has a total of 435 Representatives. The total number of electors from *all* the states and the District of Columbia can be determined by totaling the 100 Senators plus 435 U.S. Representatives and the three electors allotted to the District of Columbia – for a grand total of 538 electors in the Electoral College. The Presidential and Vice Presidential candidates (that ticket) need a simple majority of the 538 electoral votes to win the election. A majority of those 538 votes is 270. That’s the magic number we all hear about on Election Day.

How do *our* votes (yours and mine) for president get translated to electoral votes?

Currently, 48 out of our 50 states and the District of Columbia use what is called the “winner-take-all” system to choose their electors. In a **winner-take-all** state election system, all of the state’s electoral votes go to the presidential candidate who wins the most popular votes **within that particular state**, **NOT** the winner of the popular vote in the nation as a whole. These 48 state legislatures (including Wisconsin) passed state election laws at some time to choose their electors

by this “winner take all” system. The candidate who wins the most votes in the state gets *all* of that state’s electoral votes, whether the candidate wins the race by 100,000 votes or by 1 vote. Potential electors are chosen in advance of the general election by the two major political parties in that state. These electors pledge to vote for the candidate representing their party if that candidate wins the most popular votes in the state. When a voter casts a vote for a presidential candidate, he or she is essentially casting a vote for which slate of electors – Democrat or Republican – will cast the state’s official votes. If a majority of voters in a state vote for the Republican candidate for president, the Republican slate of electors is “elected” and will cast the vote. If a majority vote for the Democratic candidate, the Democratic slate of electors is chosen and will cast a vote for the Democrat.

As was noted earlier, the process for how electors vote for President is not in the Constitution, and initially the states tried a variety of methods. For the first 13 presidential elections, spanning the first four decades of United States history, states experimented with many different electoral systems. It wasn’t until the mid 1800’s when the winner-take-all system became popular, and most states adopted it. This was primarily for political reasons as political parties were becoming important. Some states have changed electoral laws several times. Today, two states do not follow the winner-take-all plan: Maine and Nebraska passed state laws to choose their electors by a *congressional district* system. Each of those states’ Congressional districts choose one elector according to who is the popular vote *winner in that district*; the remaining two of the state’s electoral votes go to the statewide popular vote winner, again whether the win is by 100,000 votes or by 1 vote.

The National Popular Vote (NPV) bill would guarantee the Presidency to the candidate who wins the most popular votes in all 50 states and the District of Columbia combined, regardless of how a candidate does in any *particular* state. If you believe that the current way we elect the President doesn’t make sense, go to <https://www.nationalpopularvote.com> for more information.