

The Electoral College – Study Pages for April 2026

History:

The Electoral College was a bundle of compromises rather than a coherent theory. The Electoral College originated with the Constitutional Convention of 1787, which involved months of debate among delegates on topics including whether Congress or the people should choose the president.

Most delegates preferred selection by Congress, but they feared the potential for corruption. Direct popular election was dismissed because they believed 18th-century voters lacked the information to judge national candidates fairly. By basing electoral votes on total population (including enslaved people), the system gave Southern slave states a boost in presidential voting power they would not have had in a direct popular election. . The Founders imagined electors as independent, wise men who would deliberate and choose the best leader. The rise of political parties quickly turned electors into "party hacks" who were bound (often by law) to vote for a specific candidate, effectively killing the system's original purpose.

The 1876 Election involving Rutherford B. Hayes vs. Samuel Tilden illustrates a fundamental flaw in the electoral college. Tilden won the popular vote and appeared to have won the Electoral College, but three Southern states (Florida, Louisiana, and South Carolina) submitted competing sets of returns due to widespread fraud and intimidation. The Constitution offered no clear mechanism for deciding which set of electors was valid. The crisis was resolved through a backroom political deal (the Compromise of 1877) that traded the presidency for the end of Reconstruction.

While the Electoral College was not debated during the Second Continental Congress, both the Congress and the Articles of Confederation did not identify an independent executive. Rather, the "President of Congress" was merely a presiding officer with no real power. The Framers arrived at the Constitutional Convention desperate to create an executive who was strong enough to lead but not so strong as to become a "monarch." The debate was a direct reaction to the perceived "impotence" of the leaderless government of the 1770s. For most of the summer of 1787, the convention leaned toward having Congress choose the president. Proponents argued that the legislature was best equipped to judge the character of a national leader. Others argued that if Congress chose the president, the president would be a "mere creature" of the legislature.. A small vocal group (including James Wilson and James Madison) initially favored a direct popular election. This was rejected for two reasons. First, delegates feared voters in a pre-mass-media age wouldn't be woefully uninformed.. Second—and more critically—slavery, as Madison explicitly noted, meant that the popular vote would disadvantage the South, where a large portion of the population (enslaved people) could not vote. Some delegates argued the state governments should choose the president directly. This was dismissed because the Framers feared it would give the states too much power over the federal government. The Electoral College was the last attempt to satisfy everyone: it gave states a role

(electors are state-based), it satisfied the South (incorporating the 3/5ths compromise into the count), and it avoided Congressional selection (electors meet only once and then disband).

While the Constitution established the *existence* of electors, it did not mandate how they should be chosen. Article II, Section 1 gives state legislatures the power to appoint electors "in such Manner as the Legislature thereof may direct." In the first few elections, there was no uniform method. Some states had legislatures choose electors, some used popular votes in individual districts, and some used a statewide popular vote. The Framers did not anticipate the rapid rise of organized political parties. They assumed electors would act as independent "free agents." To maximize their influence on the national stage, majority parties in state legislatures began switching to the "General Ticket" (Winner-Take-All). This ensured that 100% of a state's electoral votes went to the party's candidate, even if they won by only a tiny margin. By 1836, almost every state had adopted Winner-Take-All. Winner-Take-All can convert tiny margins at the state level to big Electoral College wins (ie, John F. Kennedy's popular vote lead was approximately 112,000 but his Electoral College victory was 303-219.)

Pros and Cons of Retaining the Electoral College:

Since it was created the Electoral College (EC) has had its defenders and opponents. The following table summarizes the arguments for and against retention.

For retaining	Against retaining
It preserves the interests of the states, i.e. the federal nation. This assumes that the state interests are uniform and need to be defended.	Except for Maine and Nebraska, the plurality or majority winner of a state takes all the electoral votes (winner-take-all). Detailed analysis of 2020 data from the Federal Election Commission, released in 2022, showed a much more nuanced picture of votes in states simplistically designated Red and Blue. In 2020 Donald Trump won more votes in California than in any other state. Also in 2020, more Texans voted for Joe Biden than did New Yorkers. But, with winner-take-all, those voters' preferences were ignored, their votes being essentially wasted.
It protects the interests of small population states from being overwhelmed by large population states. It ensures that candidates	Battleground states receive the most attention from candidates. Therefore, unless a small population state is an early voting state (<i>e.g.</i> Iowa, New Hampshire) or a swing state, its

will pay attention to all states, not just those with the most votes.	concerns will not be of primary interest to candidates. The focus on swing states may also affect voter turnout. This occurred in 2016 with a disparity of 66% turnout in swing states vs. 59% in the others and in 2020 with 72% (swing) vs. 66% in the rest.
It is a mechanism that ensures stable elections, contributing to the legitimacy of the process. It prevents fraud by making it easier to isolate and identify where it occurs.	The EC has allowed the winner of the popular vote to lose the election (Bush v Gore, 2000; Trump v Clinton, 2016) Voters select Electors, not the actual candidate and the allocation of electors is Likewise, Electors do not represent the demographics of citizens at large (older, more affluent, more educated). In terms of fraud, it is easier to manipulate the vote in pivotal state(s) than to affect millions of votes in many locations.
Eliminating the EC would only benefit Democrats	The EC gives the opportunity to benefit candidates from both parties. A change of 119,000 votes in Ohio in 2004 would have made John Kerry a minority president vs George W. Bush.
It promotes broad coalition building and moderation. A candidate with only regional appeal will not win enough electoral votes to sway the election. The EC protects minority rights. Minority groups may compose a large enough voting block to tip the state's vote total.	Winner-take-all concentrates candidate attention on swing states and potentially their interests. This also suppresses the votes of minorities within a state.
Replacing the EC with a popular vote system could end up with no clear winner. This would destabilize the electoral system by throwing the election into the House of Representatives (contingent election).	Popular vote systems already are the form used to elect governors, senators, and other state wide officials. The advantage lies with a system that allows one person-one vote.

LWVUS Electoral College position:

The One Person One Vote OPOV campaign aims to educate, engage, and activate the American people. To achieve a new system for electing future presidents by direct popular vote, we must use a multi-pronged approach to:

- Educate, engage, and activate communities to support a constitutional amendment to abolish the Electoral College;
- Inform voters on how the *Electoral Count Reform Act* (ERCA) will impact upcoming elections; and
- Pass the National Popular Vote Interstate Compact by 2028.

National Popular Vote Bill (sponsored by the NPVIC-National Popular Interstate Vote Compact):

The National Popular Vote bill would guarantee the Presidency to the candidate who receives the most popular votes in all 50 states and the District of Columbia. It has been enacted into law by 17 states and DC with 209 electoral votes. It needs an additional 61 electoral votes from 1 and/or a combination of states to go into effect. Once in effect, in each presidential election the participating states would award all of their electoral votes to the candidate with the largest national popular vote total across the 50 states and the District of Columbia. As a result, that candidate would win the presidency by securing a majority of votes in the Electoral College. Until the compact's conditions are met, all states award electoral votes in their current manner.

National Popular Vote Bill Constitutional Amendment:

The LWVUS *One Person One Vote* includes working for a US Constitutional Amendment as the ultimate goal. LWVUS believes that achieving the Amendment will require up to 40 years of educating US citizens. The *Electoral College Committee to Abolish the Electoral College by way of a Constitutional Amendment* was formed by the LWV Deerfield/Lincolnshire chapter in Illinois.

Study Page Questions:

1. Do you support the LWVUS position on abolishing the Electoral College?
2. A LWV chapter in Illinois trains League members and citizens about a Constitutional Amendment to abolish the Electoral College. A LWV chapter in North Carolina trains League members and citizens about the National Popular Vote Interstate Compact (NPVIC). Which of the two methods to abolish the Electoral College do you think is best to pursue?
3. Given that Ohio's current legislature is unlikely to support abolishing the Electoral College any time soon, what actions can we take as either a state league or a local chapter to support other states' League chapters' efforts to reform or abolish

the Electoral College? Would you personally consider taking action to help abolish the EC? If so, do ideas come to mind?

4. What concerns do you have about the Electoral College and future elections?

CALL TO ACTION: SHOW UP, SIGN UP, SPEAK UP

- Learn more about the Moonshot on the LWVUS League Management page (<https://www.lwv.org/league-management>) under All Advocacy and Litigation Resources. This information is for LWV members only
- Learn more; National Popular Vote webinars and information on website (<https://www.nationalpopularvote.com>) overview, myths, videos)
- Follow and share on Facebook/Twitter – National Popular Vote, National Popular Vote NC (not always nonpartisan), LWVAB; feature on your chapters social media platforms
- Form an action team for your group; each chapter/MAL has been asked to identify a representative to the LWVNC Election of the President by Popular Vote Action Team
- As individuals write/call your NCGA legislators; encourage them to move forward with HB191
- As individuals ask candidates in the primary and general election about their position on direct election of the president
- Spread the word to friends, colleagues, relatives, etc.; suggest groups that would like a presentation
- Learn how to give a presentation for League members, general public
- Contact Suzanne Fisher (suzanne2001@gmail.com) with questions, suggestions, etc.

Resources:

Dupont, Carolyn Renee. *Distorting Democracy: The Forgotten History of the Electoral College – and Why it Matters Today*. Lanham, MD, Prometheus Books, 2024.

Gallup. September 4, 2025. Trends in U.S. Adults' Acceptance of Moral and Values Behaviors. <https://news.gallup.com/opinion/polling-matters/694550/trends-adults-acceptance-moral-values-behaviors.aspx>

Bowman, J., & DiLascio, T. M. 2025. "Counterpoint: The Electoral College Is Necessary." *Points of View: Electoral College*.

"Does the Electoral College Need Reform? Common critiques of the Electoral College and how to fix them." (2020). *Congressional Digest*, 99(6), 5–9.

George C. Edwards III. May 19, 2023. *Does the Electoral College Protect Small States and Other Interests?* <https://youtu.be/JAcgMx3Ejl4>

Robert Alexander. September 19, 2025. *Representation and the Electoral College*. <https://youtu.be/gKsGxEpcSPo?si=KWw0Gk1mauBoJe3e>

Alan Moghul. August 18 2023. *Myths Debunked: Common misconceptions used to prop up our failing Electoral College*. https://youtu.be/M_hM9y63lyA?si=mlBxT6Debl7wZGD3



Adam Eichen. June, 2020. "The Pros and Cons of the Electoral College: Should the United States change the way it elects presidents?." *Congressional Digest* v. 99(6).

The LWVUS position is documented in *Impact on Issues 2024-2026*, pages 55-57
<https://mail.google.com/mail/u/0/?tab=rm&ogbl#inbox/WhctKLbvWbGrcTfWDPbVCTpxPxqGhcGJJpwvJCwjrKdzGSQctKgMnXMCnQStpCfrGDdgxbq>

The LWVUS Explanation of the NPVIC:

<https://www.lwv.org/blog/what-national-popular-vote-interstate-compact>

Slides from LWV Deerfield/Lincolnshire chapter in Illinois:

*<https://www.lwv.org/league-management/advocacy-litigation/abolishing-electoral-college-resources>

** <https://www.lwv.org/opov>

*** [Agreement Among the States to Elect the President by National Popular Vote](#)

**** ["Text of the National Popular Vote Compact Bill"](#). National Popular Vote. May 5, 2019.