

# The Electoral College: Do We Still Need It?

By Lynn Schott

In the aftermath of the contentious 2000 Bush v. Gore Presidential election, many people called for an end to the Electoral College method of electing a President. Al Gore had barely won a majority of the popular vote, but George W. Bush had the edge in the Electoral College. Those supporting Al Gore claimed that the Electoral College voting system was “antiquated” and didn’t reflect the will of the people. They proposed that whoever won the national popular vote should always be declared the winner. They wanted “democracy.”

However, the Founding Fathers took the time to create the Electoral College for some very important reasons: (1) they wanted to create a republic, *not* a democracy; (2) they believed that the Electoral College was necessary for a distribution of power called federalism; (3) they wanted protection for small states against large state dominance, and (4) it was a safeguard against those who may want to tamper with the process. Is the Electoral College as described in Article 2:1 and Amendment 12 of the Constitution still needed today? I say yes.

Our Founding Fathers were against pure democracy. They studied history, and they had fought against the oppressive King of England. They knew that a pure democracy would eventually allow a few scheming men to seize power and tyrannize the people. As a result of these fears, our Founders crafted a *republic*, and built our Constitutional government on federalism. Federalism is a system that distributes power vertically for two distinct purposes; “. . . the first purpose was to distribute power from the top down and the second purpose was to filter wisdom from the bottom up.”<sup>1</sup>

Power is distributed from the top down by giving the states authority to choose their electors. During the debates at the Constitutional Convention, two groups emerged: the Federalists, who wanted a stronger central government, and the Anti-Federalists, who feared that a strong central government would lead to tyranny.

The Anti-Federalists were very protective of their state sovereignty, and to persuade the Anti-Federalists to ratify the newly written Constitution, the Federalists had to ensure that state authority would be protected. The two camps argued about many provisions of the Constitution, but when it came time to discuss the manner of electing the President, the two sides had little to argue about. As Alexander Hamilton stated in *Federalist No. 68*: “The mode of appointment of the Chief Magistrate of the United States is almost the only part of the system, of any consequence, which has escaped without severe censure. . . . I venture somewhat further, and hesitate not to affirm, that if the manner of it be not perfect, it is at least excellent.”<sup>2</sup> The Federalists agreed that “it was desirable that the sense of the people should operate in the choice of the person to whom so important a trust was to be confided.”<sup>3</sup> The concept of the Electoral College was to have “a small number of persons, selected by their fellow citizens from the general mass, [who] will be most likely to possess the information and discernment requisite to such a complicated investigation.”<sup>4</sup> The Framers doubted that the common man would have enough information available to choose the best President, so they devised a plan where good men (voters) would choose better men (electors), who would then choose the best man (the President).<sup>5</sup> This system would allow the people’s voice to be heard and would give each state the power to express their will in electing the President.

The Framers devised a system that called for the people to select trusted men from their

states to “form an intermediate body of electors”<sup>6</sup> to elect a President. Each state would have electors equal to the number of Senators (2) plus the number of Congressional representatives. For example, California has fifty-five electors: fifty-three Congressional representatives, plus two for their Senators. Electors meet together in their own states to “vote for some fit person as president.”<sup>7</sup> Since the electors are chosen in their state and meet in their state to vote for the President, even the small states have an important role in the process. The Framers noted that unless the small states were important to the electoral system, the Presidential candidates would tend to ignore the needs of the citizens in those small states and concern themselves only with the needs and opinions of the large states. This would tend to cause regional tensions and a sense that the President didn’t represent the entire union of states. The current system forces candidates to run separate campaigns in each state.

Having an effective and “energetic” government was very important to the Framers, but it was equally important to them to guard against tyranny. “Nothing was more to be desired than that every practicable obstacle should be opposed to cabal, intrigue and corruption.”<sup>8</sup> They worried that if the central government were in charge of choosing the President, they might choose someone only from within their own ranks, ignoring public opinion. They also noted the danger in having the electors all meet together in one central location. The public might try to influence their vote.

The Framers also set up the electoral system so that the electors would come together to make this one decision and then disband. The Electoral College was not a standing committee that could be tampered with “chiefly from the desire in foreign powers to gain an improper ascendant in our councils . . . . They have not made the appointment of the president to depend on any pre-existing bodies of men who might be tampered with beforehand to prostitute their votes.”<sup>9</sup>

We’ve established that the Framers had specific reasons for creating the Electoral College. Through the Constitution they wanted to establish a republican form of government whose power would be distributed from top to bottom while still protecting the smaller states from the larger states. They wanted a system that would discourage foreign influence from affecting the selection of a President. Is it fair that a President can be elected by a majority of the electoral vote without winning the popular vote? Yes, in the same way that a tennis player can win more points than his opponent but lose the match. One baseball team can score more runs than the opposing team and still lose the World Series.

The Electoral College is not intended to reflect the national popular vote; it is intended to reflect the votes of the people in the individual states. The Framers created an electoral system that is often misunderstood but on closer examination is a brilliant safeguard for electing arguably the most powerful leader on earth. It is most definitely still needed today.

*Lynn Schott is a fourteen-year [homeschool veteran](#) who taught her own three children from elementary through high school graduation. She is passionate about helping young people understand and embrace Constitutional liberty and free market economic thought. Founders Academy specializes in teaching live, [online Government and Economics](#) classes and engaging and exciting [enrichment classes](#) for ages 5 and up.*

## References

1. Alexander Hamilton, *The Federalist Papers*, (New York, Bantam Dell, 2003), p.413.
2. Ibid., p. 414.
3. Ibid., p. 414.

4. Andrews, *The Guide*, p. 145.
5. Ibid., p. 414.
6. Ibid., p. 416.
7. Hamilton, *Federalist No. 68*, p. 414.
8. Ibid., p. 414–415.

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