

Countless challenges: After 230 years, Electoral College creates divisions

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The United States uses the Electoral College to choose its presidents. People vote for the president and then electors for each state vote for the person chosen by their state.

The Electoral College usually gets the same result as the popular vote. The popular vote includes all votes rather than just state votes. However, sometimes the winner of the popular vote loses the election because of the electoral vote.

The Electoral College has divided Americans from the start. It was created in the Constitution during the 1787 Constitutional Convention in Philadelphia. The Constitution includes the laws that rule the U.S.

The College was put forth as a way to give citizens the opportunity to vote for president. It came with the added protection of a group of knowledgeable electors with final say on who would lead the country.

Founders Argued Over Slavery

The story of the Electoral College is also one of slavery. Most of the new nation's citizens lived in cities like Philadelphia and Boston, in the North. The South was left lightly populated by farmers, plantation owners, other landowners and slaves. This difference in the population became important. It was used to determine how to represent states. It also was used to determine the number of votes in the Electoral College.

Southerners wanted slaves included in the count. Some Northerners thought slaves shouldn't be counted because they were treated as property rather than as people, says Michael Klarman. He is a professor at Harvard Law School. He recently wrote a book, *The Framers' Coup*. It is about framers of the Constitution, the men who created it. In the book, Klarman discusses how each framer's interests showed while creating the Constitution.

"One of two biggest divisions at the Philadelphia convention was over how slaves would count" for the House of Representatives, he says. The concern divided the framers. James Madison, a slave owner, called it a serious difficulty.

At the time, 4 out of 10 in the South's population were slaves. The deal reached by the founding fathers said that each slave would count as three-fifths of a person for dividing the nation into congressional districts. Three-fifths is just over half. The Electoral College gave each state a number of electors equal to its congressional delegation. A state's delegation included two senators and its number of representatives.

Many Have Challenged The System

Robert W. Bennett wrote *Taming the Electoral College*. He is a law professor at Northwestern University. He notes that neither women nor white men without property could vote at the time. So slavery was not the only thing that made the numbers in the Electoral College out of touch with real life. "A relatively small number of people actually had the right to vote," he says.

As the voting public has gained knowledge, the outcry against the Electoral College has continued. The National Archives show the past 230 years have brought calls for change. More than 700 constitutional

changes were proposed for the Electoral College. Barbara Boxer is a lawmaker in California. This month, she wrote a bill that would use the popular vote instead of the Electoral College vote.

Even if the Electoral College stays around for years, it will still have to deal with a leftover from its start. With the College came the problem of “faithless electors” who vote against their party’s chosen person. Some states say that electors must follow their state’s electoral choice. However, 21 states don’t have rules on it.

The Strange Election Of 1872

The Archives show that electors almost always have voted for their state's choice. Still, voting differently does happen. The first case of a faithless elector was in 1796. Samuel Miles of Pennsylvania, for unknown reasons, switched his vote from John Adams to Thomas Jefferson. These votes have never changed the result of an election.

The 1872 election had an unusual situation. The losing man, Horace Greeley, died between the election and the Electoral College vote. Elector votes were split among three other people. Nineteen electors did not vote. The voting did not change the election's outcome. It was a huge win by Ulysses S. Grant.

Voting has changed over the years. Still, the Electoral College remains. People who want to change or end the College also remain.