

What is the Electoral College?

The Electoral College is a method of indirect popular election of the President of the United States. The authors of the Constitution put this system in place so that careful and calm deliberation would lead to the selection of the best-qualified candidate. Voters in each state actually cast a vote for a block of electors who are pledged to vote for a particular candidate. These electors, in turn, vote for the presidential candidate. Each state is apportioned a number of electors equal to the total number of their Congressional delegation.

After Election Day, on the first Monday after the second Wednesday in December, these electors assemble in their state capitals, cast their ballots, and officially select the next President of the United States. Legally, the electors may vote for someone other than the candidate for whom they were pledged to vote. This phenomenon is known as the "unfaithful" or "faithless" elector. Generally, this does not happen. Therefore, the candidate who receives the most votes in a state at the general election will be the candidate for whom the electors later cast their votes. Two votes are taken, one for President and one for Vice President. Electors are restricted from voting for two candidates from their state. The candidate who wins in a state is awarded all of that state's Electoral College votes, except in Maine and Nebraska where the electoral may be split. In Arkansas, ACA 7-8-104 through 307 authorizes and outlines our state's role in this national process. Each political party in Arkansas oversees their block of electors and the Secretary of State administers the casting of the elector's ballots.

The votes of the electors are then sent to Congress where the President of the Senate opens the certificates, and counts the votes. This takes place on January 6, unless that date falls on a Sunday. In that case, the votes are counted on the next day. An absolute majority is necessary to prevail in the presidential and the vice presidential elections, that is, half the total plus one electoral votes are required. With 538 Electors, a candidate must receive at least 270 votes to be elected to the office of President or Vice President.

Should no presidential candidate receive an absolute majority, the House of Representatives determines who the next president will be. Each state may cast one vote and an absolute majority is needed to win. Similarly, the Senate decides who the next Vice President will be if there is no absolute majority after the Electoral College vote. Elections have been decided by Congress in the past. The House of Representatives elected Thomas Jefferson president in the election of 1800 when the Electoral College vote resulted in a tie. When the Electoral College vote was so split that none of the candidates received an absolute majority in the election of 1824 the House elected John Quincy Adams President. Richard Johnson was elected Vice President by the Senate when he failed to receive an absolute majority of electoral votes in the election of 1836.

