

# PRESIDENTIAL ELECTIONS AND THE ELECTORAL COLLEGE



***“Why did George W. Bush win  
the 2000 election with fewer  
votes than Al Gore?”***

## THE 2004 AMERICAN LEAGUE CHAMPIONSHIP SERIES



*Yankee Derek Jeter slides past Red Sox catcher Jason Varitek as Bernie Williams watches, 2004 American League Championship Series. THE NEW YORK TIMES, OCTOBER 21, 2004*

# A.L. CHAMPIONSHIP

## BOSTON VS. YANKEES

**GAME 1** Yankees 10, Boston 7

**GAME 2** Yankees 3, Boston 1

**GAME 3** Yankees 19, Boston 8

★ **GAME 4** Boston 6, Yankees 4, 12 inn.

★ **GAME 5** Boston 5, Yankees 4, 14 inn.

★ **GAME 6** Boston 4, Yankees 2

★ **GAME 7** Boston 10, Yankees 3

(Red Sox win series 4-3)

***Runs Scored:***

***Yankees: 57***

Boston: 29



The Yankees scored more runs  
(the **popular vote**)



But lost the series (the  
**Electoral College vote**)

The delegates to the Constitutional Convention struggled to find the appropriate system to elect the president.

## OPTIONS

- **Virginia Plan** called for the Executive to be elected by the Legislature.
- The **Committee of Eleven**... recommended the election be by a group of people apportioned among the states, chosen by each state "in such manner as its Legislature may direct."

**FEARS** of *scheming* or *intrigue* if the President was chosen by a small group of men who met together regularly.

**CONCERNS** for the independence of the President if he was elected by the Congress.

**James Madison** and others, preferred popular election of the executive.

*"There was one difficulty however of a serious nature attending an immediate choice by the people {popular election}. The right of suffrage was much more diffusive {broad and available} in the Northern than the Southern States; and the latter could have no influence in the election on the score of {because of} Negroes.*

*The substitution of electors obviated this difficulty and seemed on the whole to be liable to the fewest objections."*

The delegates to the Constitutional Convention developed a complicated system to elect the president called the **Electoral College**.

# Article II.

Section 1. The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows,

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; but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

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**538 = 435 (House) + 100 (Senate) + 3 (DC, 23<sup>rd</sup> Amendment, 1961)**

- To win the presidency, a candidate must win a **majority** (50% + 1) of electoral votes (270).
- To receive a state's electoral votes, a candidate must win a **plurality** (the most) of *popular votes* from within that state.
- Today, all states use the “winner-take-all” system... except Maine and Nebraska.

# 270

- Ballots list the names of the presidential candidates, but voters actually choose electors for their state when they vote for President and Vice President.
- Voting for a “slate of electors” who are pledged to an actual candidate.
- In mid-December, electors meet in the state capitals to cast electoral votes **based on their state’s popular vote.**

# 270

- These votes are sent to the U.S. Capitol, where the Senate counts them.
- If no candidate wins the majority, then...
  - ... the U.S. House of Representatives votes, *by state delegation*, among the top three electoral vote-getters, for the president. The candidate who receives a majority (26) wins.
  - ... the Senate elects the vice president.

# Flaws in the Electoral College

- Threat that the winner of the popular vote will not win the presidency. (It has happened four times.)
- Nothing in the Constitution, nor in any federal statute, requires the electors to vote for the candidate favored by the popular vote in their states...

Some electors have “broken their pledges,” refused to vote for their party’s nominee... *1796, 1820, 1948, 1956, 1960, 1968, 1972, 1976, 1988, 2000, and 2004.*

# Flaws in the Electoral College

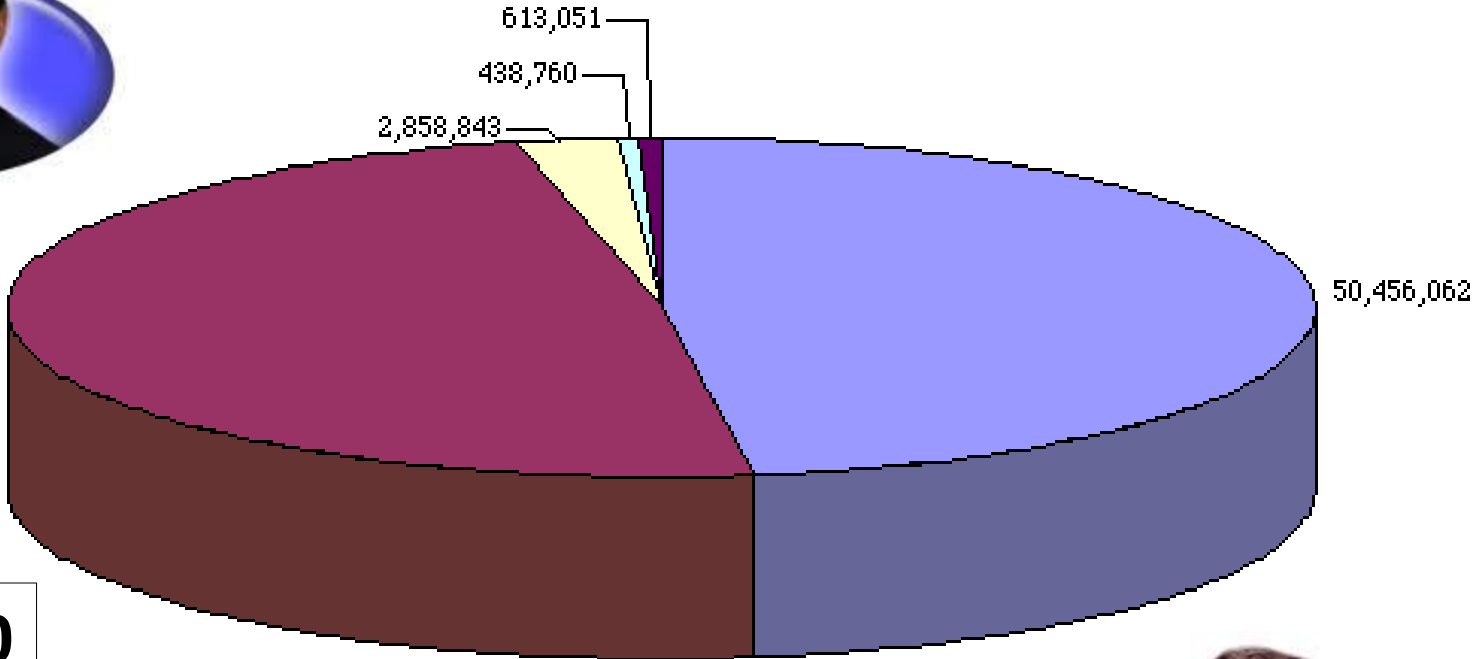
- Possible the presidential election will be decided in the House. (It's happened twice – and not since 1824).
  1. Vote is by State, not by individual members – so small states have as great a vote as populous states.
  2. If representatives so divided that no candidate is favored, that State would lose its vote.
  3. Constitution requires a majority of States (26) for election in the House. A third-party candidate could muck up that possibility.

# Defending the Electoral College

- Supporters cite the relative rarity of ripples in the electoral process. Only two elections have gone to the House and none in more than 180 years.

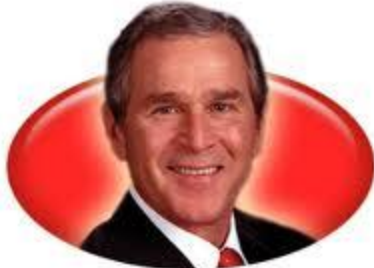
1. It is a known process.
2. In nearly every instance, the present system identifies the President-to-be quickly and certainly. Rarely does the nation have to wait very long to know the outcome of the presidential election.

# 2000 Election Popular Vote

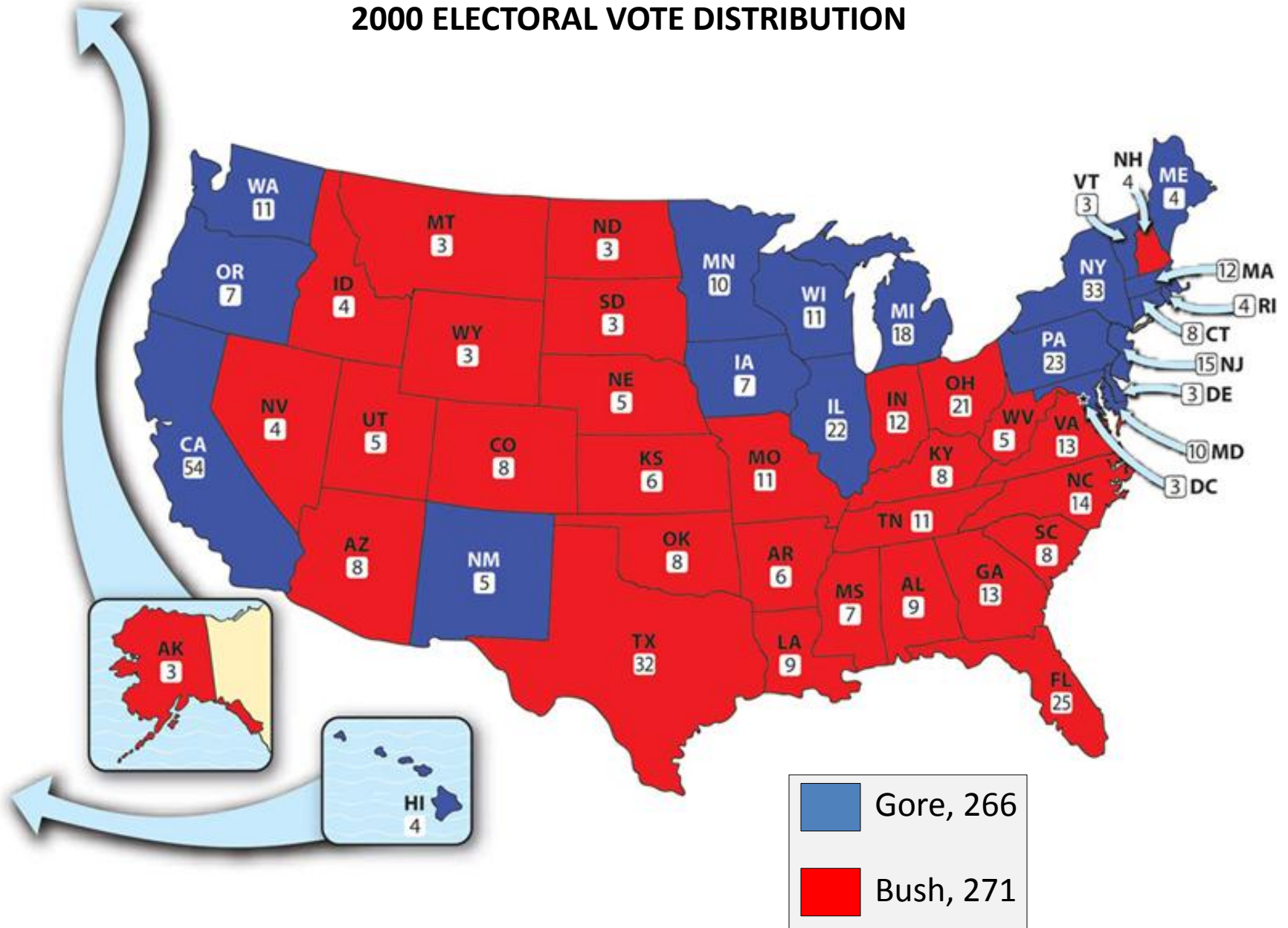


★ 50,996,582  
**+540,520**

■ Bush ■ Gore ■ Nader ■ Buchanan ■ Other

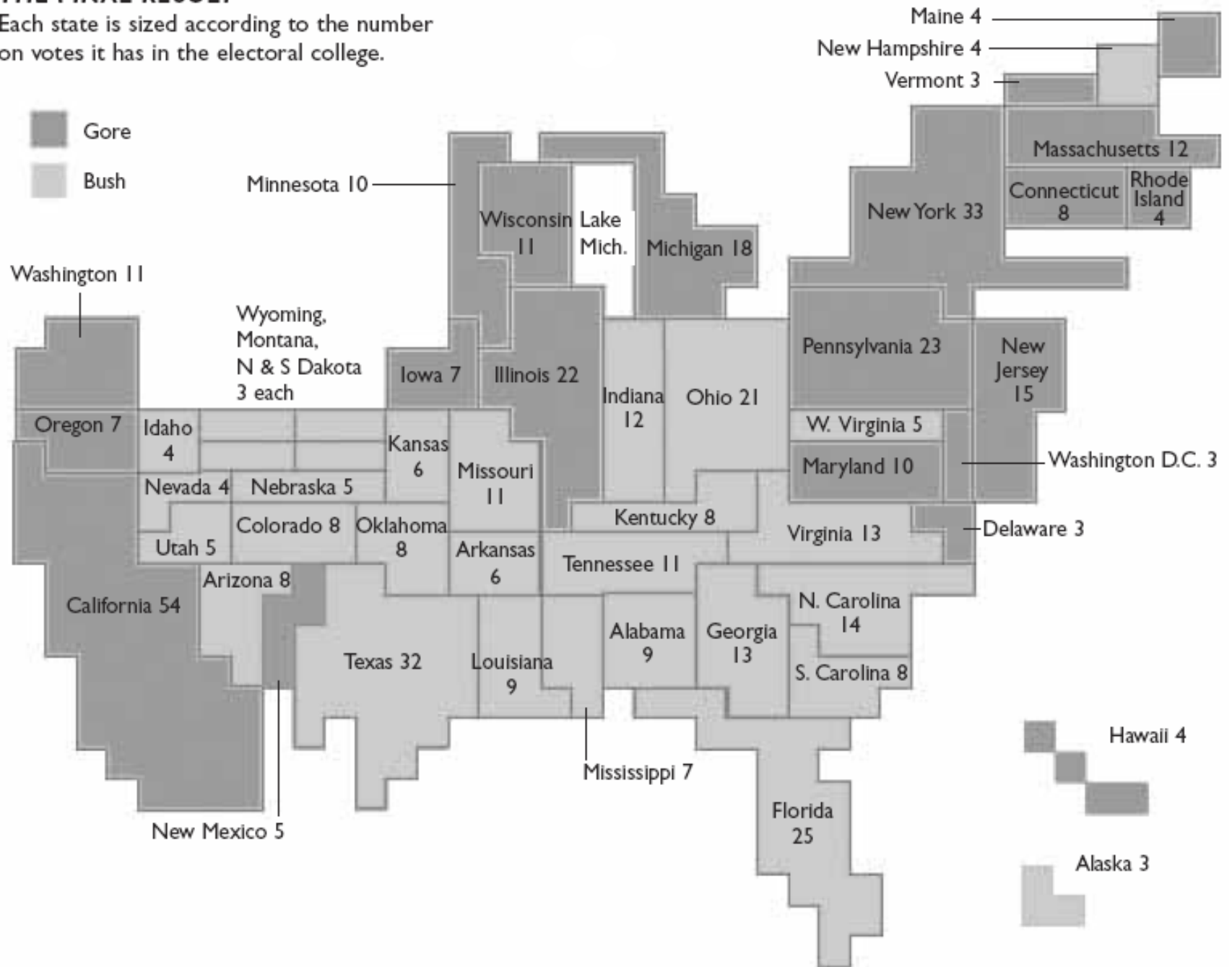


# 2000 ELECTORAL VOTE DISTRIBUTION



## THE FINAL RESULT

Each state is sized according to the number on votes it has in the electoral college.



270

To Win!