

Electing the President:

The Traditional Practices

Review of The Electoral College

- President is elected by “electors”
- Each state gets # of electors = # of senators + # of reps
 - a. D.C. get 3 (Amendment #23)
- Each state legislature determines how electors are chosen
- Electors from each state meet and vote for President
 - a. **Simple Majority** needed to elect President
 - 100 Senators + 435 Reps + 3 DC = 538
 - At least 270 needed
 - b. If no candidate receives a majority, **House of Representatives** elects President

What the Framers expected

- State legislatures would choose electors
- No serious candidate would actively run for office
 - a. Active running seen as power-hungry
- Electors would vote for whomever they thought best
 - a. Several candidates would emerge
- Electoral College would rarely result in majorities
 - a. EC would only really create a narrowed list (5) of candidates
 - b. HoR would usually elect President

Boy, were they wrong!!!

How Are Electors Chosen?

- Constitution states that each state legislature determines how electors of that state are chosen
 - All States use **Popular Vote** to determine electors
 - Electors “pledge” support for a candidate
 - People vote for the electors based on that
 - All except ME & NE use **Winner-Take-All** system
 - All electors for a given candidate are chosen if a majority of those electors receive votes from people
 - ME & NE use “Congressional District Method”

How do the Electors vote?

- Constitution does not require electors to vote as they pledged
- However, they almost always do
- 29 States have laws compelling it
- **Faithless Electors**--electors who vote other than how they pledged
 - 178 total in history -- Never significantly impacting outcome of election

How are Candidates Nominated?

- **Political Parties** evolved the put forward candidates and supported them for office
- **Two Party System**
 - a. Evolved very early in US history
 - b. 2 “Big Tent” parties
 - Democratic Party-- 1790s to Present
 - Republican Party -- 1850s to Present
 - Third Parties -- usually issue-oriented & short-lived

So...

Combination of **Two Party System** & **Winner-Take-All** system, Electoral College usually elects the candidate that is supported by a majority of the people

Wait. What do you mean “Usually”?!

- **Winner-Take-All** distorts the vote making it possible for candidates that are not supported by a majority of the people to be elected
 - Candidate A wins popular vote in some by huge landslides and gets ALL the electoral votes from those states
 - Candidate B wins popular vote in some states by a slim margin but gets ALL the electoral votes
 - Math can work out that Candidate gets a majority of popular vote but Candidate B gets a majority of electoral votes