

THE ELECTORAL COLLEGE

1. Go to www.270towin.com and click on **Historical Elections Timeline**. Select the year **2016**.
2. How many total popular (people) votes did Donald Trump receive? Hillary Clinton?
3. How many total electoral votes did Donald Trump receive? Hillary Clinton?

Wait! Are you telling me that the guy who received fewer votes from the people (the "popular vote") still won the election because of a system established in the 1780s! In America, don't we believe in majority rule!

In 1787, it wasn't at all clear whether democracy would work. In fact "democracy" was a bit of a dirty word in some people's minds: it raised fears of mob rule, as in fact had happened in a few places during and after the Revolution. The United States was intended as a *republic*, in which the people would govern themselves only through elected representatives.

Because the role of the president was so important, most of the framers thought that the people couldn't be trusted to elect the president directly. Instead, they should elect *electors*, who would convene as a "college of electors" (similar to the way a new pope is selected) to consider the available candidates and pick the best man for the job.

- **Must WATCH! Search – Do You Understand the Electoral College? (5:02)**
 - <https://www.youtube.com/watch?v=V6s7jB6-GoU>
- **Must WATCH! Search – Electing a U.S. President in Plain English (3:42)**
 - https://www.youtube.com/watch?v=ok_VQ8I7g6I
- **Optional. Search – How the Electoral College Works (4:42)**
 - <https://www.youtube.com/watch?v=OUS9mM8Xbbw>
- **Optional. Search – Trouble with the Electoral College (6:31)**
 - <https://www.youtube.com/watch?t=168&v=7wC42HgLA4k>
- **Optional. Search – Does Your Vote Count? Electoral College Explained (5:21)**
 - <https://www.youtube.com/watch?v=W9H3gvnN468>
- **Optional. Search – The Popular Vote vs. the Electoral College (4:53)**
 - <https://www.youtube.com/watch?v=LXnjGD7j2B0>
- **Optional. Search – What if the Electoral College is Tied? (3:37)**
 - <https://www.youtube.com/watch?v=sHEDXzOfENI>

Why does the Electoral College matter?

The Electoral College determines the President and Vice President of the United States. The Electoral College system also distinguishes the United States from other systems where the highest vote-getter automatically wins. This so-called "indirect election" process has been the subject of criticism and attempted reform, though proponents of it maintain that it ensures the rights of smaller states and stands as an important piece of American federalist democracy.

What is the Purpose of the Electoral College?

The Electoral College dominates the airwaves and the headlines every four years. But what exactly is the Electoral College? Below is a quick guide on what it does and why it matters.

The Electoral College is made up of 538 electors who cast votes to decide the President and Vice President of the United States. When voters go to the polls on Tuesday, they will be choosing which candidate receives their state's electors. The candidate who receives a majority of electoral votes (270) wins the Presidency. The number 538 is the sum of the nation's 435 Representatives, 100 Senators, and 3 electors given to the District of Columbia.

One of the major reasons for creating the Electoral College process was lack of confidence in the voters. The Founders did not think voters across the country (even though the country was much smaller at the time) would have enough information to vote intelligently in a national election.

The Electoral College was also seen as reflecting the system of federalism. It gave an important role to the states. Some scholars argue that the Electoral College was created to give small states a voice in the election. Others say the Electoral College actually helped slave states. Since each slave was counted as three-fifths of a person in establishing a state's population, white male voters in the slave states had a "louder" voice than voters in free states.

The Electoral College system allowed voters to vote for electors, who would then cast their votes for candidates, a system described in Article II, section 1 of the Constitution.

How Electors are Chosen?

Political parties nominate electors at their state conventions. Sometimes that process occurs by a vote of the party's central committee. The electors are usually state-elected officials, party leaders, or people with a strong affiliation with the Presidential candidates.

How many electoral votes does each state have?

As stated before, the Electoral College is made up of 538 electors who cast votes to decide the President and Vice President of the United States. How do we come up with this number? Well, there are 435 Representatives, 100 Senators, and 3 electors given to the District of Columbia. Add these all up and you get 538 electors.

Each state gets one electoral vote for each of its U.S. Senators and Representatives. For example, Illinois has 20 electoral votes (18 representatives + 2 Senators). Since every state has at least one Representative and two Senators, the least amount of electoral votes a state can have is three.

(Since the District of Columbia is not a state – it's a district – it was granted three electoral votes [equal to the smallest state] from the 23rd Amendment.)

ARTICLE II

Section 1

- ❖ **Clause 2:** *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.*

How does the Electoral College work?

Every four years (on the first Tuesday after the first Monday in November in years divisible by four), voters go to the polls and select a candidate for President and Vice President. In all but two states, the candidate who wins the majority of votes in a state wins that state's electoral votes. So, really, voters aren't voting for the candidates for President and Vice President. In reality, voters are casting their votes for the electors who will then cast their votes for President and Vice President.

What does an elector actually do?

In each state, the electors for the candidate who won the popular vote meet on the Monday following the second Wednesday of December. They meet in their state capital and cast their electoral votes. One vote is cast for President and one for Vice President. At least one of their votes must be for someone from outside their state. This provision was designed to keep electors from voting for "favorite sons"—candidates from their home states.

Do electors have to vote for their party's candidate?

Neither the Constitution nor Federal election laws compel electors to vote for their party's candidate. That said, twenty-seven states have laws on the books that require electors to vote for their party's candidate if that

candidate gets a majority of the state's popular vote. In 24 states, no such laws apply, but common practice is for electors to vote for their party's nominee.

What happens if no one gets a majority of Electoral College votes?

If no one gets a majority of electoral votes, the election is thrown to the U.S. House of Representatives. The top three contenders face off with each state casting one vote. Whoever wins a majority of states wins the election. The process is the same for the Vice Presidency, except that the U.S. Senate makes that selection.

Can you lose the popular vote and win the Electoral College vote?

Yes, a candidate could lose the popular vote and win the Electoral College vote. This happened to Donald Trump in 2016, who lost the popular vote to Hillary Clinton by 2.1% but won the Electoral College 304 to 227.

Hillary Clinton won only 20 states and the District of Columbia, but had large margins of victory in some of these states. However, those "extra" popular votes did Clinton no good in terms of the Electoral College. Donald Trump won 30 states, including many smaller states, which have more electoral votes per person than larger states. In the end, those small-state electoral votes—along with such large states as Texas and Florida—put Trump over the "top."

If this is confusing, think about it in these simplified terms. Imagine Clinton won 20 states by an average margin of 200 votes each. Trump won 30 states by an average margin of 100 votes each. In the popular vote, Clinton would be ahead by 1000 votes—but Trump would still win with the electoral votes of the 30 states he carried.

When does the Electoral College cast its votes?

Each state's electors meet on the Monday following the second Wednesday of December. They cast their votes then, and those votes are sent to the President of the Senate who reads them before both houses of Congress on January 6th.

How could the Electoral College be changed?

Abolishing the Electoral College or making a change that would apply to all states would require a constitutional amendment. Article V of the Constitution describes how the Constitution can be amended. There are two ways for amendments to be proposed. Congress can propose an amendment by a two-thirds vote of both houses. Two-thirds of the state legislatures can call for a convention to propose amendments. There are also two ways for amendments to be adopted. One is by a vote of three-fourths of the state legislatures. The other is by conventions in three-fourths of the states. It is not easy to pass a constitutional amendment!

Some other reforms could be made at the state level. That would not be easy, either. All the states would need to act for a reform to be adopted nationally.