**Name:**

**Date:**

**School:**

**Facilitator:**

**5.01 Electoral College**

**Part 1: Background**

**Answer the questions below in complete sentences.**

1. Who were the candidates in the 2000 Presidential Election? Why was this election controversial?
2. In how many elections did the candidate win the popular vote but NOT become president?
3. What is the Electoral College and why is it important?

**Part 2: Documents**

**Read the document excerpts below. Write a short 1-2 sentence summary of the excerpt and how it relates to the Electoral College.**

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| **Excerpt** | **Summary and How It Relates to Electoral College** |
| **Federalist Papers No. 68 (March 14, 1788)**  *Alexander Hamilton, writing to convince Americans to ratify the Constitution, describes the process and advantages of the Electoral College.*  The Mode of Electing the President  THE mode of appointment of the Chief Magistrate of the United States is almost the only part of the system, of any consequence, which has escaped without severe censure ... I venture somewhat further ... that if the manner of it be not perfect, it is at least excellent ...  It was desirable that the sense of the people should operate in the choice of the person to whom so important a trust was to be confided. This end will be answered by committing the right of making it, not to any preestablished body, but to men chosen by the people for the special purpose, and at the particular conjuncture.  ...  [T]he people of each State shall choose a number of persons as electors, equal to the number of senators and representatives of such State in the national government, who shall assemble within the State, and vote for some fit person as President. Their votes, thus given, are to be transmitted to the seat of the national government, and the person who may happen to have a majority of the whole number of votes will be the President ...  The process of election affords a moral certainty, that the office of President will never fall to ... any man who is not in an eminent degree endowed with the requisite qualifications. |  |
| **Small States (November 20, 2000)**  *During the 2000 presidential election recount, a Duke University professor describes problems with the Electoral College.*  ... [A] deeper reality emerges in the battle of George W. Bush and Al Gore: the bias in the Electoral College toward small states.  It seems clear now that Al Gore won the popular vote. Yet this time the Electoral College apparently did not fall into line. The small-state bias ... helps explain why.  States with large populations do get more electoral votes, of course, than those that have relatively few people. Each state gets electoral votes equal to the number of its representatives to the House, which are allocated in proportion to population. But then something else is added: an electoral vote for each senator. And that seemingly small addition has a surprisingly powerful effect.  South Dakota's electoral vote, for example, is tripled by the senatorial "add-on" of two electoral votes, while New York's electoral weight is increased by only 6 percent. And so in New York, one electoral vote represents 550,000 people, while in South Dakota it represents 232,000.  Mr. Bush generally did well in states with small populations, winning 19 of the 26 states that have fewer than 10 electoral votes each. By winning so many small states, he gained a clear Electoral College advantage.  Mr. Gore won, for example, 22 electoral votes representing 10.4 million people in Massachusetts and Minnesota. Mr. Bush got more—24—by winning votes representing only 6.1 million people—spread across six small states.  Or, to look at the numbers another way, first count as a wash the seven small states won by Mr. Gore and seven closely comparable small states won by Mr. Bush. That leaves Mr. Bush winning an additional 12 small states with a total population roughly equal to that of California. From those states, he will receive 73 electoral votes, compared with California's 54. That difference is enough to tilt the outcome of the election.  Those who tout the virtues of the Electoral College should confront the mathematical reality of the inequities they are defending. |  |
| **The Electoral College: Don't Drop Out (December 4, 2000)**  *During the 2000 presidential election recount, a conservative magazine editorial defends the Electoral College.*  Every time the Electoral College comes up for discussion, so do proposals to abolish it in favor of a direct popular vote. The main reason this will probably never happen is that getting rid of the Electoral College would require a constitutional amendment, and too many small states are committed to keeping it. This year, in pursuit of a narrow victory, Bush and Gore spent serious time in a slew of small states, from Washington to West Virginia. Such places would never see a presidential candidate, if all the votes were thrown into a common pot. The United States has always been a big country, even in 1789 when its population was small, and regional differences have always had ideological and temperamental effects. Liberals in Oregon and Michigan are not the same; neither are conservatives in Mississippi and New Hampshire. It is good that candidates should have to tool their messages to address a variety of concerns.  An even more important reason for keeping the Electoral College is to avoid massive vote fraud. Under the current system, thieves must concentrate their efforts to steal close elections in selected states: Illinois in 1960, Florida in 2000. This makes successful vote fraud in presidential elections a rare event ... In a national popular vote, any fraudulent vote anywhere could tip the scales.  The Electoral College is attacked as a frustration of the people's will. But the people's will is multiform. They express it when they respond to polls; when they buy and sell; when they speak; when they vote for senators, congressmen, and school supervisors. Each expression is slightly different. The Electoral College is a frame for catching the views of a nation stretching over several time, and thought, zones. It gave us James Buchanan, and may well give us Al Gore. But it also gave us Lincoln and Reagan. It should be preserved. |  |
| **Abolish the Electoral College (August 29, 2004)**  *In an editorial, the New York Times calls for the demise of the Electoral College.*  It's a ridiculous setup, which thwarts the will of the majority, distorts presidential campaigning and has the potential to produce a true constitutional crisis ...  The main problem with the Electoral College is that it builds into every election the possibility ... that the president will be a candidate who lost the popular vote. This shocks people in other nations who have been taught to look upon the United States as the world's oldest democracy. The Electoral College also heavily favors small states. The fact that every one gets three automatic electors - one for each senator and a House member - means states that by population might be entitled to only one or two electoral votes wind up with three, four or five.  The majority does not rule and every vote is not equal - those are reasons enough for scrapping the system. But there are other consequences as well. This election has been making clear how the Electoral College distorts presidential campaigns. A few swing states take on oversized importance, leading the candidates to focus their attention, money and promises on a small slice of the electorate ... The political concerns of Cuban-Americans, who are concentrated in the swing state of Florida, are of enormous interest to the candidates. The interests of people from Puerto Rico scarcely come up at all, since they are mainly settled in areas already conceded as Kerry territory. The emphasis on swing states removes the incentive for a large part of the population to follow the campaign, or even to vote.  Those are the problems we have already experienced. The arcane rules governing the Electoral College have the potential to create havoc if things go wrong. Electors are not required to vote for the candidates they are pledged to, and if the vote is close in the Electoral College, a losing candidate might well be able to persuade a small number of electors to switch sides. Because there are an even number of electors - one for every senator and House member of the states, and three for the District of Columbia - the Electoral College vote can end in a tie. There are several plausible situations in which a 269-269 tie could occur this year. In the case of a tie, the election goes to the House of Representatives, where each state delegation gets one vote - one for Wyoming's 500,000 residents and one for California's 35.5 million. |  |

**Part 3: The Electoral College: Wrap-Up and Discussion Questions**

In the aftermath of the disputed 2000 election, reform efforts centered on revising voting procedures and modernizing voting equipment. Surprisingly, not much headway was made in reforming the Electoral College. Some explanation for this may be found in the outcome of two reform attempts in the late 20th century. In 1969 a proposed revision of the Electoral College was defeated in Congress by small state legislators, most of them Republicans. They feared a loss of influence for their states if the presidential election was based exclusively on the popular vote. In 1976 a similar proposal was defeated by legislators from states with large urban populations, most of them Democrats. They feared the loss of the influence of their traditionally Democratic voting constituencies. Ultimately, it would seem, Electoral College reform has no true champion in Congress.

Nonetheless, the Electoral College affects American elections far more than the framers of the Constitution ever imagined. For example, it has enabled the two dominant political parties to pursue regional approaches to winning the presidency. For example, the Democratic Party relied on the "Solid South" from the 1880s through 1968, when Republican candidate Richard Nixon was able to use the strategy to his own advantage. The democrats, and then Nixon, were able to appeal to pro-segregation and anti-civil rights voters in the South, virtually guaranteeing the Electoral College votes of an entire region.

In the modern era, each party can generally count on the electoral votes of certain regions, for example, the Democrats rely on the Northeast and California and the Republicans the South and West. Recent Electoral College strategies have resulted in presidential campaigns focusing on a few key states, often called "battleground" states, while the rest of the nation is taken somewhat for granted. Presidential candidates ignore some states entirely, choosing to spend their time and campaign money in states where the electoral vote is in doubt. During the 2004 election, some Democratic political strategists argued that their candidate could win the election without carrying a single southern state, instead relying on the Midwest, Northeast, and California for an Electoral College victory. The strategy failed when they were unable to win several key Midwestern states.

**Answer the following questions in 2-3 complete sentences.**

1. Is it fair to the electorate at large if presidential candidates concentrate their efforts in a few key states?
2. What specific challenges would be posed by a disputed election based solely on the popular vote?
3. How does the Electoral College support the two-party system, and does it unfairly hinder the success of third-party candidates?

**Part 4: Focus Question**

**Answer the question below in a short paragraph. Defend your position using evidence from this lesson.**

Is the Electoral College a fair method of selecting the president?

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