Question: What is perhaps the most misunderstood institution in American Government?

- The Electoral College
  - What do we know about it?
    - It's found in Article II, Section 1 of the Constitution.
      - 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 to in Congress... The Electors shall meet in their respective states, and vote by ballot for two persons, of whom at least one shall not be an inhabitant of the same state with themselves.

What else do we know?

- The Founding Fathers wrestled with the question of how to elect the president.
  - Popular vote was deemed too dangerous, not just because of the idea of "mobocracy," but because in a country with little communication it was assumed that each state would run its own candidate and the winner would not have a popular mandate.
  - Neither did the framers want Congress or State Legislatures to choose the President - too much potential for corruption.
The end result of their discussion is the system we have in which...

- Every adult citizen is eligible to vote in the presidential election in their state. When you do this, you are actually expressing a preference to give your state's electors the direction in which they should vote.
- The State Legislatures choose the manner in which electors are selected. (Remember AZ in our state, the party of the popular vote winner chooses our electors.)
- The House picks the winner if no one wins a majority in the Electoral College.
- The Senate picks the V.P. if no one wins a majority of the Electoral College.

So, for example...

- Arizona is entitled to 10 electoral votes
- California is entitled to 55 electoral votes
- Alaska is entitled to 3 electoral votes

How do you win electoral votes?

- By winning states
  - The Electoral College is based on the principle of winner-take-all. In order to win a state's electoral votes, you just need to win the plurality of votes cast in that state.
2000 Presidential Election
Popular Vote Totals

Vote totals are as shown on each State's Certificate of Election. The highest number is highlighted.

<table>
<thead>
<tr>
<th>State</th>
<th>Candidate A</th>
<th>Candidate B</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>CA</td>
<td>16,500,050</td>
<td>16,499,950</td>
<td>50</td>
</tr>
<tr>
<td>(33,000,000)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>AK</td>
<td>100</td>
<td>399,900</td>
<td>-399,800</td>
</tr>
<tr>
<td>(400,000)</td>
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</tbody>
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So how is it that you can win the popular vote and still lose the electoral college?

- This happens when you win large states by small margins and lose small states by large margins.

Candidate A wins 16,500,050 popular votes, but wins 55 electoral votes. Candidate B wins 16,499,950 popular votes, but wins 3 electoral votes.

Therefore, Candidate B wins the popular vote, but Candidate A wins the electoral college.
So how many times in the nation’s history has the winner of the popular vote lost the electoral college?

- 1824: John Q. Adams defeats Andrew Jackson
- 1876: Rutherford B. Hayes defeats Samuel Tilden
- 1888: Benjamin Harrison defeats Grover Cleveland
- 2000: George W. Bush defeats Al Gore

Our most recent election...
Barack Obama - 365
John McCain - 173

Major complaints about the Electoral College...

- It’s outdated... with modern communication it would not be difficult for candidates to run national campaigns.
- It’s undemocratic - how can a person who wins the popular vote lose the election? Plus, almost half the states do not require their electors to vote for the candidate who won the popular vote in that state.
- It gives an advantage to big states that have more electoral votes because candidates spend more time campaigning there.
All valid complaints, BUT consider this...

- The Electoral College actually gives disproportionate power to small states.
  - California gets 55 electoral votes for 33,871,648 people. That’s one E.C. vote per 618,848 people.
  - The nine smallest states combined have 27 electoral votes for 6,286,634 people. That’s one E.C. vote per 232,838 people.
  - This ensures that candidates actually do campaign in those small states because they can swing the election.

Some say we should make electoral votes proportional to the popular vote, not winner-take-all.

Maybe, but then you run into the possibility that no one gets to the magic number 270. If no one gets there, then the House chooses the President.

If this formula were followed, then Ross Perot would have won approximately 107 electoral votes in 1992, making it more difficult for either Clinton or Bush to get to 270.

For better or worse, the Electoral College preserves the two-party system because third party candidates can only win any E.C. votes unless they win an entire state.

Why don’t we just abolish it altogether?

- This is possible, however, it would require a Constitutional Amendment, AND it could lead to the possibility that regional candidates would arise, causing the popular vote to be split among 3 or more candidates, with the winner having no real popular mandate (Remember what the founding fathers were afraid of?)
- Or, the candidates would campaign in only the 5-6 largest cities in America, virtually ignoring everywhere else.
More cool maps...

Why should we keep the Electoral College?

- It preserves federalism – the states have a role in the election of the president. To eliminate that role would give license to ignore the smaller states at the behest of the large ones.

How is the Electoral College like the World Series in Baseball?

- It’s not the number of runs you score, it’s the number of games you win.
- Just like, it’s not the number of votes you get, it’s the number of states you win.
One more cool graph...