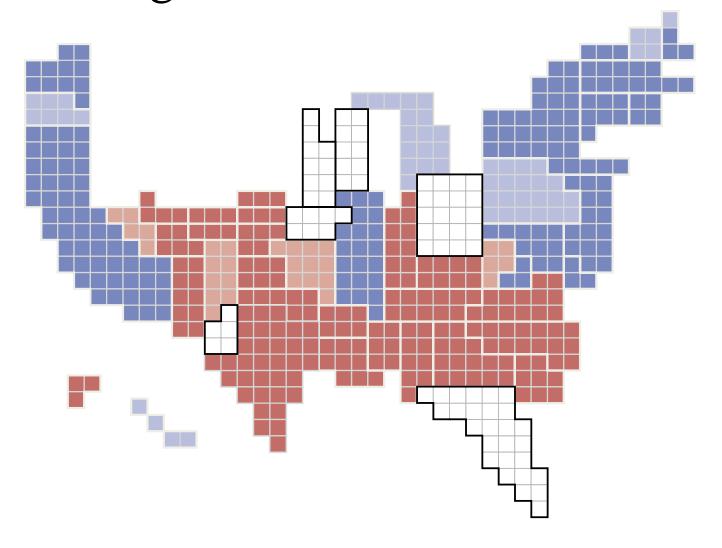
**VOLUME 4, ISSUE 3** 

# Should the Electoral College Count?



**INSIDE** 

Article II

Distribution of Electoral College Votes

Improve on Red vs. Blue

GRAPHIC BY FARHANA HOSSAIN—THE WASHINGTON POST

12 The Debate

#### **Should the Electoral College Count?**

**Lesson:** Six weeks after voters have indicated their choice for president and vice president, electors meet to cast their ballots. Why did the writers of the U.S. Constitution devise the Electoral College and are electors still necessary?

**Level:** Middle to high **Subjects:** Government, civics, history

**Related Activity:** Language arts, mathematics

National, state and local elections lend themselves to a look at the requirements, process and impact of elections. This is the third of five online guides that focus on the broad question: Whose vote really counts? In this guide, we examine the Electoral College.

Established by the Founding Fathers as a compromise between election of the president by Congress and election by popular vote, the Electoral College today is composed of 538 electors. The procedure by which the electors vote was changed with the Twelfth Amendment in 1804—no longer would a vice president be of a rival party or two members of the same party not know who was president and who vice president.

The process for selecting electors varies throughout the United States. Generally, the political parties nominate electors at their state party conventions or by a vote of the party's central committee in each state. In Maine and Nebraska, two electors are chosen by state-wide popular vote and the rest by popular vote in congressional districts. You might ask your students if they know how their electors are selected and who these individuals are.

On the first Monday after the second Wednesday in December, electors meet together in their states and D.C. to vote by ballot for president and vice president. Six original Certificates of Vote, listing all persons receiving votes for president and for vice president, must be prepared by the electors. If a candidate for either office does not receive a vote, his or her name is not listed. More information about the requirements can be found at www.nara.gov.

Not until passage of the Twentythird Amendment in 1961 did D.C. residents have the right to vote in presidential elections. Regardless of its population, D.C. receives three electoral votes, the same as the least populated states.

Academic standards of Maryland, Virginia and D.C. that apply to the activities in this guide are provided. The following national standard for history is also applicable. Standard 5: The student engages in historical issues-analysis and decision-making. The student is able to propose alternative ways of resolving the problem or dilemma and evaluate each in terms of ethical consideration, the interest of the people involved, and the likely consequences of each proposal.

This guide suggests some ways to use the materials included. Your students may be encouraged to read The Post for more coverage of the Electoral College.

#### **Capitalize It or Not?**

The Associated Press Stylebook and dictionaries agree that *Electoral College* should be capitalized, and words and phrases such as *elector* and *electoral votes* should

CONTINUED ON PAGE 3

#### What's It About?

http://www.archives.gov/federal\_ register/electoral\_college/

#### **U.S. Electoral College**

The U.S. National Archives and Records Administration provides a thorough background on the Electoral College. In addition to the FAQs, sections include "How Electors Vote," "Electoral College Calculator" and "Historical Election Results." Teaching resources include NARA lesson plans and links to other sites.

http://www.pbs.org/elections/kids/

#### By the People: Election 2004

PBS created activities to involve young people in the voting process. From the "Teachers" section select the lesson plan for "Is the Electoral College Out of Date?"

http://jceb.co.jackson.mo.us/ fun\_stuff/electoral\_college.htm

#### **The Electoral College**

Jackson County, Missouri, provides an easy-to-understand history and changing designs of the Electoral College, the process of selecting electors, and a fascinating collection of "historical curiosities."

http://www.archives.gov/exhibit\_hall/ treasures\_of\_congress/page\_7.html

#### The House Selects a President

National Archives page includes the tally sheet of electoral votes cast at the 1801 meeting of the Electoral College.

http://www.socialstudiesforkids.com/articles/government/theelectoralcollege.htm

#### The Electoral College

Social Studies for Kids provides basic information on the process and a look at the elections of 1800, 1824, 1876 and 2000.

**CONTINUED FROM PAGE 2** 

not be capitalized. Although The Washington Post does not capitalize Electoral College in most sections of the newspaper, we will follow the conventional use in this guide.

#### **Discover How It Works**

Give students "How the Electoral College Works." This graphic appeared in the Nov. 2, 2004, Post. Note the example of how a "tie" vote might occur and the constitutional answer to that situation. You may also wish to use "Electoral Votes in Proportion." Each square represents one elector. How does this map change students' perspective? Does every vote count?

"There is no constitutional right for individual citizens to vote for president. The framers of the Constitution chose not to establish a national standard for voter eligibility or participation in presidential elections. Individual states can choose their electors through a popular election—or not," states Linda Monk in *The Words We Live By*. "Beginning with Pennsylvania in 1788, an increasing number of states gradually allowed citizens to vote for presidential electors. Now all states do."

Apply mathematics skills to explain the rationale for the Electoral College. Use the chart on page 14 or the map on page 15 in the October guide to record the 2004 election results. You can use the numbers to determine the result of the electors' voting in December and to play some "what if" scenarios.

#### **Get an Outlook**

Find out what students think about the Electoral College. Do they understand why it was created? Do they think that reasoning is still applicable today? How might they change the process?

Three opinion pieces are included in this guide: "The Non-College Try," a Washington Post editorial; "Improve on Red vs. Blue," a commentary by Post columnist William Raspberry; and "Repair the Electoral College," by guest columnist Peter Shane. Each presents a different perspective. These may be read as homework, summarized for plan presented, evaluated and discussed in class. Or the class may be divided into three groups with each group receiving one of the opinion pieces. Their task is to determine the perspective given, list the pro-con sides and then argue for it in a class discussion. Use "The Debate About the Electoral College System."

#### **Study Rights**

In this activity, students will learn why the Electoral College was created, how the Electoral College functions today, and prospects for the future of the Electoral College by debating and voting on the issues.

Distribute "The Electoral College: History, Present and Future." Ask students to read it as homework or in class. Engage students in a brief discussion to ensure understanding of the issues. They may be given "Debate Over the Electoral College System" at this time or when in groups.

Divide students into the following groups of 2-4 students:

- Representatives from a small state who favor the current Electoral College;
- Representatives from a large state who would like to change the method of counting votes within the Electoral College;

CONTINUED ON PAGE 4

#### In the Know

**Amendment:** A formal revision of, addition to, or change to the Constitution

**Direct Popular Vote:** A majority of the votes cast by U.S. citizens

**Electors:** A body of people selected by each party within a state that is numerically equal to the state's congressional delegation, representatives plus senators.

**Electoral College:** The system for the election of the president and vice president of the United States. It is the collective name for a group of electors nominated by political parties within the states and popularly elected who meet to vote for those two offices.

**Framers:** The group of people who drafted the Constitution in 1787

**Proportionality:** A method of counting votes where the Electoral College votes are allocated according to the percentage of the popular vote each candidate wins. (For example, if there are three candidates running in a state with 10 Electoral College votes, the winner could take 6 votes, the second-place candidate could take 3 votes and the third-place candidate could win the remaining vote.)

**Representative Democracy:** The idea that government is run by the people and the people elect representatives to run the government on their behalf

**Winner-Take-All:** A method of counting votes where the candidate who wins the most votes wins the entire allotment of Electoral College votes for that state

**CONTINUED FROM PAGE 3** 

Representatives who would like to eliminate the Electoral College entirely.

• The remaining students in the class should consider and discuss the pros and cons of the relevant arguments. These students should prepare questions to ask the Representatives.

Give each group a copy of "Distribution of Electoral Votes" and "Debate Over the Electoral College System." When the small groups are ready, they should choose one or two representatives who will present to the remaining students their justifications for their proposal for the future of the Electoral College. After each presentation, the "voters" will have the opportunity to ask questions, voicing their concerns about the Representative's strategy.

Finally, the "voters" will deliberate and decide upon the fate of the Electoral College.

If time permits, a representative of the voters can explain to the class how they reached their decision.

#### **Argue the Fate of the Electoral College**

Ask students to write a persuasive essay in which they argue whether the Electoral College is pertinent or outdated. In it they are to include historic perspective and current demographic, social and political considerations. If they believe the Electoral College is outdated, they are to propose an alternative. What are the ethical considerations and likely consequences of their proposals?

#### **Extension**

- 1. Research the elections of 1876, 1800, 1824 and 2000. What influence did the Electoral College and House of Representatives have in each election?
- 2. Research the Twentieth Amendment to the Constitution. Why was it necessary? When is an official

- a "lame duck"? If the result of the 2000 election had not been determined by noon of January 20, 2001, who would have been president?
- 3. In what way did the civil rights movement influence passage of the Twenty-third Amendment? "As of 1960, the District of Columbia had about eight hundred thousand citizens-more than thirteen other states," states Linda Monk in The Words We Live Bv: Your Annotated Guide to the Constitution. "African Americans constituted a large majority of these citizens, which raised racial justice issues during the onset of the civil rights movement. The District's population has decreased significantly since that time—to six hundred thousand as of the 2000 census, and only Wyoming had a smaller population. In addition, whites composed a greater proportion of the District's population in 2000."

#### **Article II. Section 1**

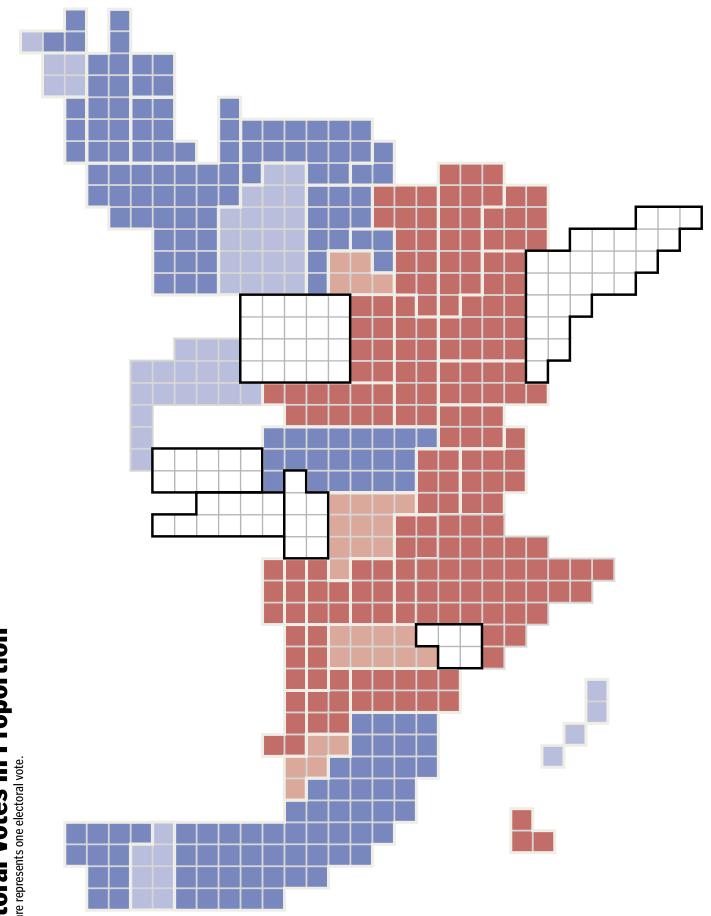
Clause 2: Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

**Clause 3:** The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the

Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for

President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this Purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice President.

# Electoral Votes in Proportion Each square represents one electoral vote.



# **Distribution of Electoral College Votes**

		Needed to El	ect: 270		To	tal Electoral Vote: 538
Alabama	Florida	Louisiana	Nebraska	Oklahoma	Vermont	<b>Questions to</b>
1981-1990: 9	<i>1981-1990</i> : 21	<i>1981-1990:</i> 10	<i>1981-1990:</i> 5	<i>1981-1990:</i> 8	<i>1981-1990</i> : 3	Consider
1991-2000: 9	<i>1991-2000:</i> 25	<i>1991-2000:</i> 9	<i>1991-2000:</i> 5	<i>1991-2000:</i> 8	<i>1991-2000:</i> 3	1. What was the
<i>2001-2010:</i> 9	2001-2010: 27	<i>2001-2010</i> : 9	<i>2001-2010</i> : 5	2001-2010: 7	<i>2001-2010</i> : 3	original purpose of the Electoral
Alaska	Georgia	Maine	Nevada	Oregon	Virginia	College? Are those
3	12	4	4	7	12	purposes still met?
3	13	4	4	7	13	<ol><li>Should the</li></ol>
3	15	4	5	7	13	Electoral College
						remain the same,
Arizona	Hawaii	Maryland	New Hampshire	Pennsylvania	Washington	undergo reform
7	4	10	4	25	10	or be abolished?
8	4	10	4	23	11	Describe and
10	4	10	4	21	11	justify your
						suggestions for
Arkansas	Idaho	Massachusetts	New Jersey	Rhode Island	<b>West Virginia</b>	the future of the
6	4	13	16	4	6	Electoral College.
6	4	12	15	4	5	3. How does the
6	4	12	15	4	5	Electoral College
						help or hurt repre-
California	Illinois	Michigan	<b>New Mexico</b>	<b>South Carolina</b>	Wisconsin	sentative democ-
47	24	20	5	8	11	racy? Is there a
54	22	18	5	8	11	more "democratic"
55	21	17	5	8	10	alternative?
						4. How does
Colorado	Indiana	Minnesota	New York	<b>South Dakota</b>	Wyoming	the Electoral
8	12	10	36	3	3	College affect
8	12	10	33	3	3	Presidential candi-
9	11	10	31	3	3	dates' campaign
						strategies? If the
Connecticut	lowa	Mississippi	<b>North Carolina</b>	Tennessee		Electoral College
8	8	7	13	11		were abolished,
8	7	7	14	11		,
7	7	6	15	11		how would these
						strategies change?
Delaware	Kansas	Missouri	North Dakota	Texas		5. What role do
3	7	11	3	29		third parties play
3	6	11	3	32		under the current
3	6	11	3	34		system? If the
	-					method of counting
D.C.	Kentucky	Montana	Ohio	Utah		votes in states
3	9	4	23	5		were changed from
3	8	3	21	5		"winner-take-all"
3	8	3	20	5		to proportionality,
3						what role would

## **How the Electoral College Works**

The electoral college system drew added attention during the last presidential race when Al Gore won the popular vote but lost the election.

■ Each state is allotted one elector for each U.S. representative and senator it has. Washington, D.C., receives three electors, the same number of electors as the least populous state.

2 Mostly, electors are nominated at state party conventions. The electors' names are given to the state's election official.

3 On Election Day, voters in each state cast their ballot for the slate of electors representing their choice of presidential ticket. The electors' names do not usually appear on the ballot.

4 The slate of electors for the presidential ticket that receives the most votes is appointed, and all the electoral votes for that state go to those candidates.\*

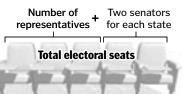
A candidate needs to win a majority of electoral votes—270—to be elected president. If no candidate wins a majority of electoral votes (see example below), the House chooses the president and the Senate chooses the vice president.

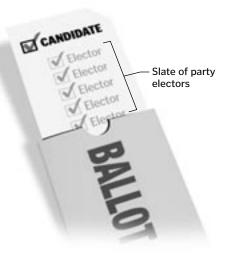


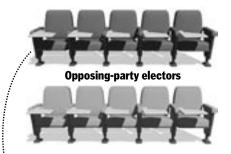
**6** In December, in a largely ceremonial gesture, the electors cast ballots for president and vice president and are expected to follow the popular vote of their state.

The votes are counted at a joint session of Congress, and the president officially is elected.

\*Except in Maine and Nebraska, which each give two at-large delegates to whoever wins the state and the rest to whoever wins in each congressional district.







The candidate who wins the popular vote in a state gets all of the electoral votes.\*



#### **Previous Close Calls**

Four times in U.S. history, the candidate who won the popular vote lost the election. In 1824, the House decided the election because no candidate won a majority of electoral votes.

✓ Elected president

\*\*One D.C. elector abstained

SOURCES: Congressional Quarterly's Guide to U.S. Elections, Federal Election Commission, Associated Press

1824	POPULAR VOTE	ELECTORAL VOT
John Quincy Adams 🗸	30.9%	84
Andrew Jackson	41.3	99
Henry Clay	13.1	37
William H. Crawford	11.2	41
1876		
Rutherford B. Hayes 🗸	48.0%	185
Samuel J. Tilden	51.0	184
1888		
Benjamin Harrison 🗸	47.8%	233
Grover Cleveland	48.6	168
2000		
George W. Bush ✓	47.8%	271
Al Gore	48.4	266**



Harrison



THE WASHINGTON POST

### The Non-College Try

Washington Post Editorial November 1, 2004 WHOEVER WINS the most electoral votes tomorrow—and let's hope we know tomorrow night—will be the president-elect, thanks to the strange and anachronistic institution called the Electoral College. At this stage, it's possible to construct scenarios under which either candidate wins a majority of the popular vote and loses the presidency. If this happens, as it did in 2000, some partisans on the losing side will challenge the legitimacy of the winner. The complaint will, once again, be frivolous. Both sides know the rules and the possibility of an incongruous outcome.

But the broader question is a fair one: Is the Electoral College a relic that should be discarded, and, if so, what ought to replace it? Nobody today would design an election system like the one that America's founders fashioned. Voters in each state choose a number of electors equal to the number of senators and representatives the state sends to Congress—unless, that is, the state legislature decides to appoint the electors itself. Technically, the president isn't even elected until these electors cast their votes, long after the people have gone to the polls. Electors are expected to vote for the candidate to whom they are pledged—though they don't always do so. A state's electors are winner-take-all-except in Maine and Nebraska and maybe soon in Colorado. Small states have a disproportionate voice: A vote in Wvoming or here in the District of Columbia counts more than a vote in California. If the electoral vote is tied, the process becomes absurd: The House of Representatives selects the president, with each state delegation casting a single vote, while the Senate selects the vice president.

The founders' intent was to put a layer of deliberation between the people and the presidency. A byproduct is

that candidates ignore the jurisdictions they expect to win or lose handily and focus exclusively on expected "battlegrounds." The result: A majority of Americans are left out of the campaign.

All of this could be fixed by direct election of the president—a system that could, if properly designed, ensure elections that better reflect majority will. But if Wednesday morning headlines prompt calls for reform, it will be worth remembering a few things.

First, the current system has worked pretty well over the centuries, only rarely producing anomalous results. Second, change would not come easily; small states would have a big incentive to block the constitutional amendment that would be needed for most fundamental reform. Third. any reform would have unpredictable, and not necessarily beneficial, consequences of its own. The Electoral College ensures that purely regional candidates have no chance of becoming president. Direct elections, by contrast, could encourage candidates to cultivate strong regional bases and campaign minimally elsewhere—appealing mostly to the South, say, or to the coasts. Such a system could also encourage independent candidacies that would weaken the two-party system. To prevent a president from being elected in a wide field with, say, 35 percent of the vote, some provision for runoff elections would be necessary. That, too, can have democratic tradeoffs-as leftist French voters discovered when they had to vote for the conservative President Jacques Chirac to head off a runoff victory in 2002 by ultra-right candidate Jean-Marie Le Pen.

Whoever wins this election, it is time for serious discussion about reforming our presidential election system.

# Outlook: Improve on Red vs. Blue

# Winner-Take-All Systems Leave Out Too Many Voters.

#### **William Raspberry**

Four years after a dead-heat presidential election came near to producing a constitutional crisis, it's odd what stands out in my memory. Not the butterfly ballots and the hanging chads; those were mechanical failures, and quite fixable. Not Florida's partisan secretary of state, its on-again off-again recount efforts, nor even the U.S. Supreme Court's delivery of the state—and the election—to George W. Bush. Those were human failings of the sort that matter only in very close elections.

What I remember most starkly is the fact that very nearly half of the Floridians who bothered to register and go to the polls (and who managed to survive the challenges of confusing ballots and human roadblocks) might as well have stayed at home. Approximately 3 million Floridians delivered all of their state's 25 electoral votes to Bush. The same number of voters less 537—the size of the official margin—delivered nothing.

How could anyone imagine that to be fair?

Florida sticks in my mind, of course, because by the time it came to Florida, it was known that that state held the election in the balance. The flaw, however, was not Florida's but the winner-take-all electoral system used by 48 of the 50 states in presidential elections. Millions of Texas Democrats and New York Republicans had their votes similarly disregarded. If you didn't vote for the winner, your vote didn't count.

And here we are headed toward what may be another close election. Isn't it time to fix the system?



As a matter of fact, several repair efforts are underway. Maine and Nebraska do not follow the winner-take-all rule. (If their system had been in place in Florida, supporters of George Bush and Al Gore would have been arguing over which candidate should get 13 electoral votes and which one only 12.) Enacting some form of proportionate allocation of electoral votes makes sense to me. Interestingly, it's up to the individual states to do it, though at the moment only Colorado is considering the change.

One of the more interesting electoral reforms is underway in San Francisco, where voters next month will select their top choice for a seat on the city's Board of Supervisors—but also have a chance to mark their second and third choices.

If you think this doesn't sound like much, you ought to talk to Rob Richie, executive director of the Center for Voting and Democracy and my frequent guide on voting systems. Three things about the rank-voting system appeal to Richie. First, it increases the likelihood that any particular voter will have helped to elect a candidate to office, a fact that Richie believes might help to reduce voter apathy. Second, it makes it possible for a voter to support a darkhorse candidate—say, a third-party hopeful—without helping his least favorite candidate in the process. Say John McCain is on the ballot and he is your first choice. Under the present system, a vote for McCain would be a vote taken away from your second favorite, Bush, and in effect a vote for John Kerry. Under a rank-order system, either your first choice wins or your vote goes to your second choice.

But what really excites Richie about the system is that it tends to drive candidates and campaigns toward coalition-building and civility. "The present system leads candidates to sharpen, even exaggerate, their differences with their challengers," he says. "The result is a sort of polarization that marginalizes moderates of both parties. But the candidate who thinks he may need your second-choice vote to win will tend to reach out to—or at least not antagonize—voters whose first choice is someone else."

The people simply aren't as polarized as the system paints them. Florida wound up being a red state, though virtually half of its voters were blue. The truth is, with a small handful of exceptions, the states are various shades of purple.

Wouldn't it be a good thing for our politics to acknowledge that fact?

William Raspberry, a Post columnist since 1966, won the Pulitzer Prize for Distinguished Commentary in 1994. He may be reached at willrasp@washpost.com.

# Outlook: Repair the Electoral College

# Four Steps Would Help Balance Majority Rule With Minority Rights

#### **Peter M. Shane**

If Tuesday brings another mismatch between the electoral and popular votes, maybe we will finally get national agreement on a significant proposition: Our current electoral college system has got to go.

The most popular idea to replace it—a national direct election—has the obvious appeal of honoring our modern-day commitment to the principle of one person, one vote. We would no longer risk the distortion of majority sentiment by a disproportionate allocation of state electors.

But a national direct election would also mean giving up a number of advantages that thoughtful commentators attribute to the electoral college system as it currently operates.

Operating our presidential contest as 50 state elections (and one in the District of Columbia) means candidates have to be more attentive to minority interests, including rural interests, than they would otherwise be.

The electoral college system limits the burdens of recounting, and the impacts of voting irregularities, to single states.

The winner-take-all system everywhere but Maine and Nebraska, which is based on state law and not on the Constitution, bolsters the two-party system, which many think the basis for our long history of relative political stability.

Moreover, when it accords with the popular vote, the Electoral College

tends to exaggerate the margin of victory, thus discouraging post-electoral challenges and diminishing uncertainty.

For all of these reasons, it may be attractive to replace our current process with another system of indirect election that simply changes the makeup of the Electoral College.

I call my proposal "Drop Two." We should preserve the Electoral College, but lower by two the number of electors allocated to every state.

Currently, each state gets a number of electors equivalent to the number of its members of the House, plus two for its senators.

It is the latter allocation that most significantly causes the overweighting of the small states' votes. Giving each state a number of electors equivalent to its House delegation would still overrepresent the less populated states, but not as dramatically.

The second step of a desirable constitutional amendment would be to require states to choose their electors through statewide popular votes. This would finally give explicit recognition to the proposition that participating in presidential elections, even if run by the states, is a privilege of national citizenship.

A third step would be to impose the winner-take-all "unit rule" as a national standard, thus protecting the two-party system and the incentive that our current system embodies for consensus-building and governing from the middle. It would keep partisan gerrymandering from affecting presidential elections, and it would avoid the increased likelihood of throwing elections to the House that would likely follow if electors were apportioned within states according to the size of the popular vote.

Finally, a new amendment should provide that, in elections thrown to Congress, each state delegation would vote as a whole, as it does now, but that the vote of each state would be weighted according to the size of its House delegation. In other words, we should not abandon a fair weighting of the states just at the point that the Electoral College fails to produce an outcome.

Had this system been in place from 1960 to 2000, it would have changed the outcome of only one election—the election of George W. Bush over Al Gore. Instead of losing 271 to 266, Gore would have won 224 to 211, which would have accorded with the popular vote.

"Drop Two" thus preserves the institutional advantages of the Electoral College while offering a sounder balance between the two fundamental and somewhat contradictory tenets of American democracy: majority rule and minority rights.

Peter M. Shane teaches separation-of-powers law at Ohio State University's Moritz College of Law, where he directs the Center for Law, Policy and Social Science.

# The Electoral College: History, Present and Future

When the Electoral College convenes in December to cast ballots for president and vice president, the electors will be fulfilling a constitutional duty. The 538 electors representing each state and the District of Columbia are expected to follow the popular vote in their jurisdictions so the outcome is not a surprise.

#### **BACKGROUND**

The Electoral College represents one of the many compromises made by the Framers of the Constitution to ensure large states did not overrule smaller states. In this sense, the Electoral College is representative of the system of federalism established in the Constitution. Also, the Electoral College was designed to mitigate the effect of "popular passion." The

#### YOU AND YOUR RIGHTS

details of the Electoral College are largely written in the United States

Constitution, although the method of choosing electors is left to the states. The number of electors per state matches the number of representatives each state has in the United States Congress. For example, Pennsylvania has 21 electors because it has two U.S. Senators and 19 U.S. Representatives.

If no candidate wins the sufficient number of Electoral College votes (as happened in 1824), then the House of Representatives would choose the president from the top three candidates, and each state would only have one vote. Alternatively, a candidate could lose the popular vote but win the Electoral College vote, as in 1888. These situations are exceptional, but their occurrence raises questions among critics as to whether the Electoral College is democratic or undated.

#### THE ELECTORAL COLLEGE TODAY

The Founding Fathers did not foresee the advent of a two-party system. Originally the electors would seek to become electors and then vote for the candidate of their choice. Now the parties choose the electors, usually rewarding people who are loyal to the party.

Some commentators have likened the Electoral College system to the World Series. Think of each state as one game within the World Series. If one team scores 22 runs in a sevengame series but wins four games and the other team scores 24 runs. but only wins three games, the team with the most games wins, not the team with the most runs. Based on this analogy, some say the Electoral College is fair and sensible. Critics say elections should not be like the World Series, which is designed to heighten drama between two adversaries for added excitement. Rather, an election should allow for the most popular and most qualified candidate to win.

Some people consider the Electoral College to be pointless as its only purpose is to convene six weeks after an election is decided to confirm the result of the election. This denies the influence of the Electoral College on how a campaign is run. Candidates know presidential elections are won by electoral votes, not popular votes, which is why they and election-night viewers focus on some states more than other states.

#### THE FUTURE OF THE ELECTORAL COLLEGE

The value of the Electoral College is subject to many views. A number of critics would like to abolish the Electoral College, in fact, legislation has been introduced in the U.S. Senate to do so. Others would like to see the Electoral College change its method of vote allocation to be more fair and representative of the popular will, as well as the population size of each state. Finally, some do not want the Electoral College to change at all.

# The Debate About the Electoral College System

- \* The Electoral College is part of the greater system of checks and balances.
- \* James Madison, a Framer, believed the public will is also encompassed by the "will of the States in their distinct and independent capacities"; therefore, the Electoral College system encompasses both the popular vote and the will of the states in a federal system.
- \* It is necessary to our federal system that the small and medium-sized states be given more leverage in a presidential election as they have limited power in other areas.
- \* The Electoral College system enhances representative democracy by requiring candidates to seek support throughout the nation and look for voters beyond their strongholds, which will result with a president who has broader support across the nation.
- \* One of the founding elements of our system of government is that the central government does not wield too much power over the states, which the Electoral College system helps to maintain.
- \* Prevents third parties from splintering our two-party system.

- \* The Electoral College was founded in a completely different time when communications were slow, illiteracy high, and U.S. Senators were not even elected by popular vote.
- \* Diluting the power of the popular vote is undemocratic and not true to the system of representative democracy.
- \* The possibility of the House of Representatives deciding an election for the presidency is undemocratic.
- \* Awarding all of a state's electoral votes to the winner, even if there is a close margin, disenfranchises voters because votes are taken from the losing candidate and given to the winning candidate.
- \* The Supreme Court's decision holding "one person, one vote" in legislative districting should apply to presidential elections.
- \* The current system does not give smaller states more power because they are largely ignored in presidential candidates' campaign strategy.
- \* For the most part ignores third parties' popular support and does not make third party success feasible.

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#### **Academic Content Standards**

This lesson addresses academic content standards of Maryland, Virginia and the District of Columbia.

#### Maryland

Social Studies, Grade 5, Political Science.

Students will explain the importance of civic participation as a citizen of the United States:

- Analyze the usefulness of various sources of information used to make political decisions;
- Describe the ways people can participate in the political process including voting, petitioning elected officials, and volunteering.

#### English

Students will read, comprehend, interpret, analyze and evaluate informational texts. Develop comprehension skills by reading a variety of self-selected and assigned informational texts. Grade 3: newspapers; Grade 8: editorials and commentary.

#### **Mathematics**

Knowledge of Statistics. Students will collect, organize, display, analyze or interpret data to make decisions or predictions.

A complete list of State Content Standards of Maryland can be found at http://www.mdk12.org/mspp/standards/.

#### **Virginia**

Civics and Economics.

The student will demonstrate knowledge of the political process at the local, state, and national levels of government by describing the role of the Electoral College in the election of the President and Vice President.

#### English

Reading, Grade 7: The student will read and demonstrate comprehension of a variety of informational texts. Describe how word choice and language structure convey an author's viewpoint.

Writing, Grade 7: The student will develop narrative, expository and persuasive writing.

#### **Mathematics**

Probability and Statistics. Grade 7: The student will make inferences and predictions based on the analysis of a set of data that the student(s) collect.

A complete list of Standards of Learning of Virginia can be found on the Web at http://www.pen.k12.va.us/.

#### Washington, D.C.

American Government.

Students will demonstrate an understanding of the contents of founding documents and history of founding documents of the United States. The student

- explains reasons for opposition to ratification of the U.S. Constitution,
- examines the reasons for adoption of the amendments to the United States Constitution.

#### **Mathematics**

Data Analysis, Statistics and Probability. The student collects, organizes, represents, evaluates and interprets data; makes predictions based on data; applies basic understandings of chance and probability; and solves real-life and career-related problems.

#### English

Language as Meaning Making. Students comprehend and compose a wide range of written, oral and visual texts in the process of making meaning.

A complete list of Standards for Teaching and Learning of the District of Columbia Public Schools can be found at http://www.k12.dc.us.