

The Electoral College

Social Education and PBS NewsHour Staff (pbs.org/newshour/extra)

The United States has a system of voting for a president that is unique among western democracies. Rather than vote directly for a president or entrust the presidential election to a parliament, Americans instead vote for statewide slates of electors who are pledged to a candidate. The successful electors become the members of the Electoral College, which elects the president by a majority vote.

Each state has the same number of electors as the total combined number of its senators and representatives in Congress; the District of Columbia also has electors, whose number is the same as the number allocated to the state with the smallest population (Wyoming, which has 3). The accompanying map shows the number of electors in each state. A presidential candidate needs to obtain at least 270 of the 538 electoral votes to win.

The actual vote of the Electoral College takes place on December 15 this year. Members of the Electoral College are never all gathered in one place; they vote in the states for which they were elected, typically in the state capital.

On three occasions in U.S. history, a candidate has lost the popular vote, but become president by the majority vote of the Electoral College. In 2000, George W. Bush became the first such president since 1888, when Benjamin Harrison defeated Grover Cleveland in the electoral vote. The other occasion was in 1876, when the Republican candidate, Rutherford Hayes, defeated the Democrat, Samuel Tilden, after running three percentage points behind Tilden in the popular vote.

In the event of a 269-269 tie in 2008, or a failure by any candidate to win 270 votes because of a Third Party candidate or desertion by electors, the newly elected House of Representatives will meet in January 2009 to elect the next

president. In this circumstance, each state has one vote, and the president-elect must receive at least 26 votes, representing the majority of states. The vote of each state is determined by the majority vote of the state representatives. If the state is split because its delegations are equally divided between the parties, its vote is not counted in favor of any candidate. (In the current House, 27 of the state delegations have a Democratic majority, 21 have a Republican majority and two are equally divided.)

In the case of a deadlocked Electoral College, the Senate will vote for the vice-president, who needs to receive 51 votes (a majority of the entire Senate) to be elected. If the House of Representatives has not elected a president by Inauguration Day, but the Senate has elected a vice president, the vice president becomes acting president until the House of Representatives agrees on a president.

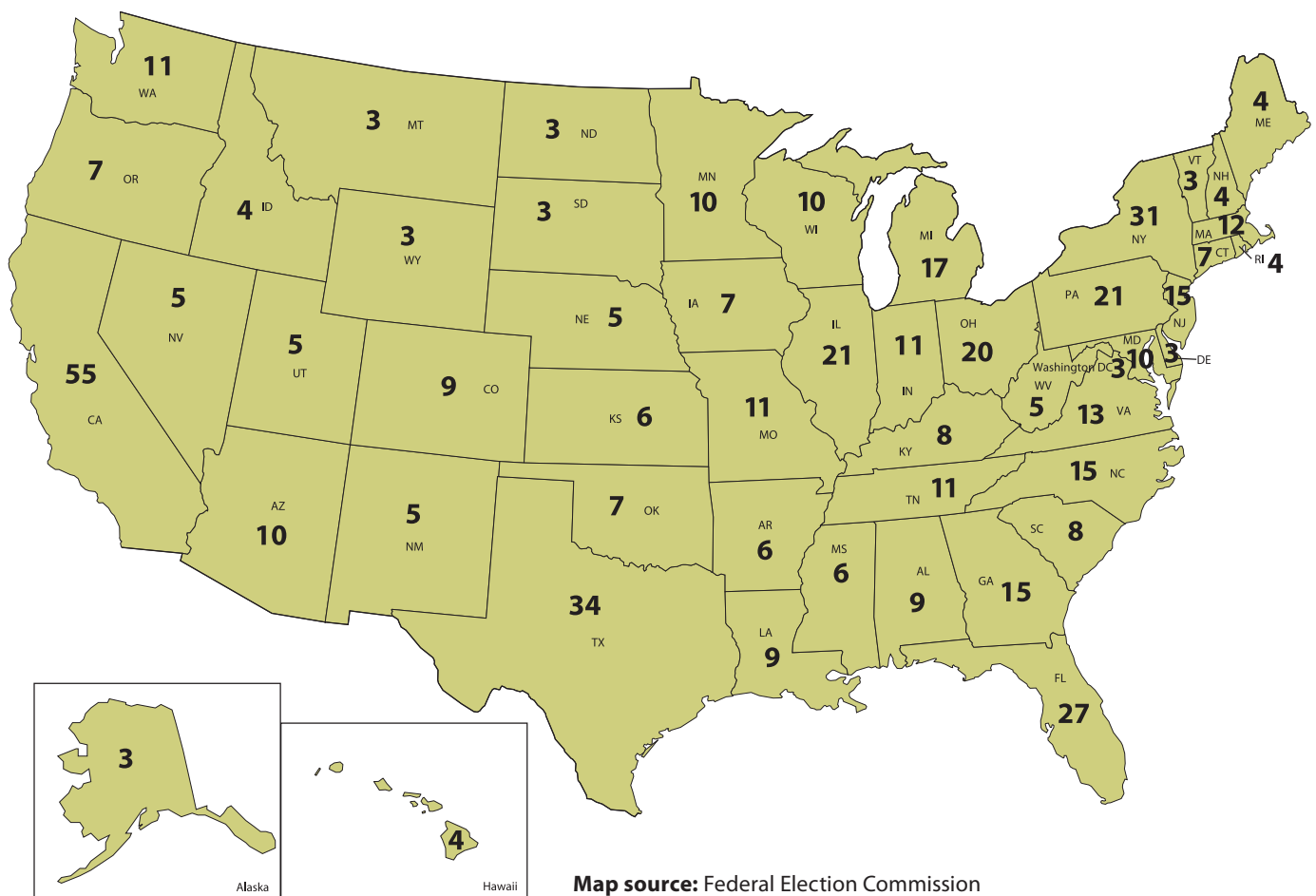
Forty-eight of the 50 states and Washington, D.C., follow a winner-takes-all system of allotting Electoral College votes, so that the presidential candidate winning a majority or plurality of the state's popular vote wins all electoral votes for the entire state. Maine and Nebraska are different. They allocate their votes according to a proportional system that gives two electoral votes to the candidate who wins the statewide race and one vote per district to the candidate

who wins the popular ballot in each state congressional district.

Just over half of all states require their electors to cast votes at the Electoral College meeting for the winner of the popular vote in their states; some of these provide for fines and/or replacement of electors who fail to follow this rule. The Supreme Court has never ruled on whether the states can enforce these penalties. Almost half of the states do not require electors to cast votes for the winner of the popular vote. To avoid the problem of "faithless electors," state political parties go to great lengths to ensure that their state's slates of electors are packed with party officials and diehard party activists.

When the framers of the Constitution founded the Electoral College system, they considered alternatives, including electing the president by popular vote, by a vote by Congress, or a vote of the state legislatures. It was a time before the rise of political parties, when weak communications existed between different parts of the country, and they were concerned voters might not be able to make informed judgments about national candidates. In addition, if many candidates ran for election, the victorious candidate might only have the real support of a small minority of voters. The framers were also concerned voters might be carried away by passions in a direct popular vote.

The framers decided against empowering Congress to elect the president, because this would interfere with the division of powers between the executive and the legislature. Moreover, having



Map source: Federal Election Commission

state legislatures elect the president might disrupt the carefully drawn balance between state authorities and national leadership. The Electoral College system was a compromise that enabled nationwide votes by the citizens in a way that recognized state powers.

Opinion polls have shown that a majority of Americans believe that the winner of the popular vote rather than the electoral vote should become president, but that a large minority (about 40% in the more recent polls) still backs the current system.

The Electoral College is an excellent topic for class discussions, such as those suggested in the accompanying lesson plan.

Typical arguments for the Electoral College are that it is decisive; it combines the principle of voting by citizens with the respect for states embodied in the Constitution, and it ensures that citizens in small states do not have their voices drowned out by voters in major cities and the more populous states. Moreover, eliminating it would be very difficult because it would require a constitutional amendment that smaller states would likely refuse to ratify.

Arguments against the Electoral College are that it diminishes the principle of one person, one vote, by giving the popu-

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Useful Websites

www.archives.gov/federal-register/electoral-college/index.html

This National Archives and Records Administration (NARA) website has a rich supply of information and answers to questions about the Electoral College. This is an insider's vantage point; NARA administers the Electoral College and its Office of the Federal Register coordinates the functions of the Electoral College. Historical results are available at www.archives.gov/federal-register/electoral-college/historical.html

www.hks.harvard.edu/case/3pt/electoral.html

This overview on the website of Harvard University's John F. Kennedy School of Government provides detailed background information on the Electoral College, as well as a good account of the pros and cons of the Electoral College system.

www.pbs.org/newshour/bb/election/july-dec00/ec_11-23.html

This is a PBS NewsHour report from November 2000 discussing the situation after Al Gore won the popular vote but appeared to have lost the electoral vote. Experts offer different views on the Electoral College.

Popular and Electoral College Votes in Presidential Elections									
Year	Total Members of Electoral College	Votes Needed for Majority	Winner	Main Opponent	Winner's Electoral Vote	Main Opponent's Electoral Vote	Winner's Popular Vote	Main Opponent's Popular Vote	
1789 ¹	69	35	George Washington (F)	John Adams (F)	69	34	no record	no record	
1792 ¹	132	67	George Washington (F)	John Adams (F)	132	77	no record	no record	
1796 ¹	138	69	John Adams (F)	Thomas Jefferson (D-R)	71	68	no record	no record	
1800 ¹	138	70	Thomas Jefferson (D-R)	Aaron Burr (D-R)	73	73	no record	no record	
1804	176	89	Thomas Jefferson (D-R)	Charles Pinckney (F)	162	14	no record	no record	
1808	175	88	James Madison (D-R)	Charles Pinckney (F)	122	47	no record	no record	
1812	217	109	James Madison (D-R)	DeWitt Clinton (F)	128	89	no record	no record	
1816	217	109	James Monroe (D-R)	Rufus King (F)	183	34	no record	no record	
1820 ²	235	118	James Monroe (D-R)	John Quincy Adams (N-R)	231	1	no record	no record	
1824 ³	261	131	John Quincy Adams (N-R)	Andrew Jackson (D-R)	84	99	108,740	153,544	43.1%
1828	261	131	Andrew Jackson (D)	John Quincy Adams (N-R)	178	83	647,286	508,064	43.6%
1832	286	144	Andrew Jackson (D)	Henry Clay (N-R)	219	49	687,502	530,189	40.0%
1836	294	148	Martin van Buren (D)	William Henry Harrison (W)	170	73	762,678	550,816	36.6%
1840	294	148	William Henry Harrison (W)	Martin Van Buren (D)	234	60	1,275,016	1,129,102	46.8%
1844	275	138	James K. Polk (D)	Henry Clay (W)	170	105	1,337,243	1,299,062	48.1%
1848	290	146	Zachary Taylor (W)	Lewis Cass (D)	163	127	1,360,099	1,220,544	42.5%
1852	296	149	Franklin Pierce (D)	Winfield Scott (W)	254	42	1,601,274	1,386,580	43.9%
1856	296	149	James Buchanan (D)	John C. Fremont (R)	174	114	1,838,169	1,341,264	33.1%
1860	303	152	Abraham Lincoln (R)	John C. Breckinridge (D)	180	72	1,866,452	847,953	18.1%
1864	233	117	Abraham Lincoln (R)	George McClellan (D)	212	21	2,213,665	1,805,237	45.0%
1868	294	148	Ulysses S. Grant (R)	Horatio Seymour (D)	214	80	3,012,833	2,703,249	47.3%
1872 ⁴	352	177	Ulysses S. Grant (R)	Horace Greeley (D-LR)	286	0	3,597,132	2,834,125	43.8%
1876 ⁵	369	185	Rutherford B. Hayes (R)	Samuel Tilden (D)	185	184	4,036,298	4,300,590	51.0%
1880	369	185	James A. Garfield (R)	Winfield Hancock (D)	214	155	4,454,416	4,444,952	48.2%
1884	401	201	Grover Cleveland (D)	James G. Blaine (R)	219	182	4,874,986	4,851,981	48.2%
1888 ⁶	401	201	Benjamin Harrison (R)	Grover Cleveland (D)	233	168	5,439,853	5,540,309	48.6%
1892	444	223	Grover Cleveland (D)	Benjamin Harrison (R)	277	145	5,556,918	5,176,108	43.0%
1896	447	224	William McKinley (R)	William Jennings Bryan (D-P)	271	176	7,104,779	6,502,925	46.7%
1900	447	224	William McKinley (R)	William Jennings Bryan (D-P)	292	155	7,207,923	6,358,133	45.5%
1904	476	239	Theodore Roosevelt (R)	Alton Parker (D)	336	140	7,623,486	5,077,911	37.6%

1908	483	242	William H. Taft (R)	William Jennings Bryan (D)	321	162	7,678,908	51.7%	6,409,104	43.0%
1912	531	266	Woodrow Wilson (D)	Theodore Roosevelt (P)	435	88	6,293,454	41.8%	4,119,207	27.4%
1916	531	266	Woodrow Wilson (D)	Charles E. Hughes (R)	277	254	9,129,606	49.2%	8,538,221	46.1%
1920	531	266	Warren G. Harding (R)	James M. Cox (D)	404	127	16,152,200	60.3%	9,147,353	34.1%
1924	531	266	Calvin Coolidge (R)	John W. Davis (D)	382	136	15,725,016	54.0%	8,386,503	28.5%
1928	531	266	Herbert Hoover (R)	Alfred E. Smith (D)	444	87	21,391,381	58.3%	15,016,443	40.8%
1932	531	266	Franklin D. Roosevelt (D)	Herbert Hoover (R)	472	59	22,821,857	57.4%	15,761,841	39.6%
1936	531	266	Franklin D. Roosevelt (D)	Alfred M. Landon (R)	523	8	27,751,597	60.8%	16,679,583	36.5%
1940	531	266	Franklin D. Roosevelt (D)	Wendell Wilkie (R)	449	82	27,244,160	54.7%	22,305,198	44.8%
1944	531	266	Franklin D. Roosevelt (D)	Thomas E. Dewey (R)	432	99	25,602,504	53.4%	22,006,285	45.9%
1948	531	266	Harry S. Truman (D)	Thomas E. Dewey (R)	303	189	24,105,695	49.6%	21,969,170	45.1%
1952	531	266	Dwight D. Eisenhower (R)	Adlai Stevenson (D)	442	89	33,778,963	55.1%	27,314,992	44.4%
1956	531	266	Dwight D. Eisenhower (R)	Adlai Stevenson (D)	457	73	35,581,003	57.4%	25,738,765	42.0%
1960	537	269	John F. Kennedy (D)	Richard M. Nixon (R)	303	219	34,227,096	49.7%	34,107,646	49.5%
1964	538	270	Lyndon B. Johnson (D)	Barry Goldwater (R)	486	52	42,825,463	61.1%	27,146,969	38.5%
1968	538	270	Richard M. Nixon (R)	Hubert H. Humphrey (D)	301	191	31,710,470	43.4%	31,209,677	42.7%
1972	538	270	Richard M. Nixon (R)	George McGovern (D)	520	17	46,740,323	60.7%	28,901,598	37.5%
1976	538	270	James E. Carter (D)	Gerald R. Ford (R)	297	240	40,825,839	50.1%	39,147,770	48.0%
1980	538	270	Ronald W. Reagan (R)	James E. Carter (D)	489	49	43,901,812	50.7%	35,483,820	41.0%
1984	538	270	Ronald W. Reagan (R)	Walter F. Mondale (D)	525	13	54,455,000	58.8%	37,577,000	40.6%
1988	538	270	George H.W. Bush (R)	Michael Dukakis (D)	426	111	47,946,000	53.4%	41,016,000	45.6%
1992	538	270	William J. Clinton (D)	George H.W. Bush (R)	370	168	44,908,254	43.3%	39,102,343	37.7%
1996	538	270	William J. Clinton (D)	Robert Dole (R)	379	159	45,590,703	50.0%	37,816,307	42.0%
2000	538	270	George W. Bush (R)	Albert Gore, Jr. (D)	271	266	50,456,062	47.9%	50,996,582	48.4%
2004	538	270	George W. Bush (R)	John Kerry (D)	286	251	60,693,281	50.7%	57,355,978	48.3%

KEY TO PARTIES:

D=Democrat

D-IR=Democratic-Liberal Republican

D-P=Democratic-Populist

D-R=Democratic-Republican

F=Federalist

N-R=National Republican

P=Progressive

R=Republican

W=Whig

Notes

- 1789-1800: Prior to the 12th Amendment, ratified in 1804, votes for president and vice president were not listed on separate ballots. The second highest vote getter was to assume the vice presidency. Thus the confusion in 1800, when Thomas Jefferson and his running mate, Aaron Burr, received the same number of votes. The election was decided in the House of Representatives, with 10 state delegations voting for Jefferson, 4 for Burr, and 2 making no decision.
- 1820: James Monroe stood for election unopposed, but one elector cast his vote for John Quincy Adams.
- 1824: John Quincy Adams received fewer electoral and popular votes than Andrew Jackson, but as neither received an electoral majority, the election was decided in the House of Representatives, with 13 state delegations voting for Adams, 7 for Jackson, and 3 for William Crawford.
- 1872: Horace Greeley died after the election and before the Electoral College met.
- 1876: When the electoral votes of four states were disputed, Congress referred the matter to an Electoral Commission, which gave the vote to Hayes. This produced the closest electoral vote in U.S. history.
- 1888: Benjamin Harrison won the electoral vote comfortably over Grover Cleveland, who held a small margin in the popular vote.

Principal Sources: History Central.com at www.multied.com/elections/#history and National Archives at www.nara.gov/feeding/elctcol/ec-boxsch.html. Some discrepancies

between the main sources used for this chart were resolved using *Historical Statistics of the United States, Colonial Times to 1970, Part 2* (Washington, DC: U.S. Census Bureau, 1975); *Statistical Abstract of the United States, 1999* (Washington, DC: U.S. Census Bureau, 1999); and James T. Havel, *U.S. Presidential Candidates and the Elections* "A Biographical and Historical Guide" (New York: Macmillan, 1996).

lation of small states more electoral votes than an equivalent population in a large state would receive; that it can award victory to the candidate who came in second in the popular vote; and that a candidate who wins the electoral but not the popular vote may have a lasting problem of legitimacy as president. In addition, an Electoral College deadlock resulting in the election of the president and vice president by the House and Senate could cause a major political crisis.

Classes can also review some suggestions that have been made to reform the Electoral College without eliminating it.

1. Replace the winner-take-all system with one comparable to that in Maine and Nebraska, in which the two electoral votes that represent senators are allocated to the popular winner statewide and one electoral vote is allocated to the winning presidential candidate in each congressional district in the state.
2. Replace the winner-take-all system in the states with a different kind of proportional representation, in which each candidate wins electoral votes in proportion to his/her popular vote in the state.
3. Keep the Electoral College, but eliminate the electors and have the state's electoral votes allocated in proportion to the popular vote statewide.
4. Keep the Electoral College, but award a bonus to the winner of the nationwide popular vote. One proposal has been for the popular vote winner to receive a bonus of 102 electoral votes (two for each state and the District of Columbia). This plan was proposed in 1978 by the Twentieth Century Fund Task Force on Reform of the Presidential Election Process.

The Electoral College can be a dry subject outside a presidential election year. But it becomes real and engaging when students realize how important the College might be to the chances of their preferred presidential candidate, especially in a close election. 🗳️

Note:

1. In 1824, Andrew Jackson lost the presidential election to John Quincy Adams despite winning a plurality of both the popular and electoral votes. Jackson did not, however, win a majority of the electoral votes, and the election was decided in favor of Adams by a vote of the House of Representatives.

The lesson plan and handout in this article have been derived from resources offered by NewsHour Extra to teachers interested in offering classroom instruction based on features from the PBS program, *The NewsHour with Jim Lehrer*. www.pbs.org/news-hour

At www.pbs.org/teachers/vote2008/ teachers can find election coverage, standards-based lesson plans, a curriculum guide and tools that can be used to evaluate issues, track electoral trends, and express opinions. Lesson plans are offered for both the elementary and secondary levels, and the site offers numerous interactive possibilities for students to participate and express themselves.



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LESSON PLAN

[This lesson plan originally appeared on the PBS Newshour Extra website (pbs.org/newshour/extra) and has been adapted for publication.]

The Electoral College Lara Maupin and PBS NewsHour Staff

Subjects: government/civics, current events

Time: This lesson is intended to take two class periods.

Lesson Objectives: Students will understand how the Electoral College system works. Students will analyze and debate the pros and cons of the Electoral College system.

Procedures:

1. Introduction / Background

Explain to students that while Americans will cast their ballots for president in November, the system called the Electoral College actually determines who will win the election. Provide students with an introduction to the system with some of the details on pp. 304–307.

Ask your students what they know or remember about the 2000 election. Explain that George Bush won because he had 5 more electoral votes than Al Gore. (You may also want to discuss the contested results in Florida and the Supreme Court case that ultimately determined the outcome of the election.) Explain that each state and the District of Columbia are given a share of the electoral vote based on population. Electors are chosen by the states to actually cast the official votes for president. Because of how the system is set up, it is possible for one candidate to win the popular vote and another to win the electoral vote. After the 2000 election, a majority of Americans favored abolishing the system. However, no proposals to do so were seriously considered. Why? Tell your students they will now try to answer that very question.

2. Handout: The Electoral College

Give students the Handout and ask them to use the online resources on page 305 and other online resources (or printouts) in order to complete it. Students may work individually or in small groups.

3. Group Activity: Constitutional Convention

After students have completed their handouts, tell them that the class is going to participate in a “constitutional convention,” called at the bequest of the states, to propose and ratify constitutional amendments. (The possibility of a convention to propose [not ratify] amendments is included in the Constitution, though it has never been used.)

Tell them that there has been a public outcry to change the process of presidential elections. Since the students in the class will be the delegates to the convention, it will be their jobs to research and develop amendments to alter the process or argue that the current process should not be changed. Ask students to volunteer to represent either the status quo or to propose an amendment to alter the current system. Have the students create groups that either accept the status quo or seek to promote a change. Each group will need to collect resources and to develop logical arguments defending its position or discounting the opposition’s stance.

Allow students ample time to formally research their view (either via the Internet or through conventional sources). Note that there have been several suggested replacements for the Electoral College, such as a set number of electors per state or a popular vote alternative in which the presidential/vice presidential ticket receiving

the most votes (more than 40 percent) is declared the winner. At least three alternate plans should be developed. The John F. Kennedy School of Government website (www.ksg.harvard.edu/case/3pt/electoral.html) offers useful information on alternatives to the Electoral College.

Once students have adequately researched their various positions and roles, the class may convene the constitutional convention. It’s a good idea to acquaint students with the basic ideas of parliamentary procedure (see www.texasnaacp.org/parlproc.htm). The teacher may also opt to elect a student to be the convention “president.” The role of the president would be to maintain order and to function as an intermediary between various groups. The teacher may wish to assist, especially if debate between different groups becomes heated.

After a reasonable amount of time, the president should pronounce the convention “closed” and announce that the time has come to accept or to reject proposed amendments (to maintain the status quo or to replace the current system). The class as a whole convention may vote to accept or to reject proposals (or may also vote to compromise between various proposals). Regardless of the vote, the student’s grade should not be dependent on whether his or her group or proposal wins out.

4. Sample Rubric for Grading Convention Participation:

1. Research: how well did the collected sources back the group’s position or demonstrate the other positions as inadequate? Did the group effectively cite their research?
2. Speaking ability: how well did each member of the group participate in the convention? Did they speak well?
3. Cooperation: did the members of the group act in a manner of respect and courtesy to members of other groups? Did the members of the group act in a manner of respect to other group members?

Extensions

Have your students learn more about the results of one of the following nineteenth century presidential elections: 1800, 1824, 1836, 1872, 1876, or 1888. Students share their findings. Discuss. What surprised them? What did they learn about the American system of electing the president from these elections? What can they conclude from these elections? What relevance do they have today?

Correlation to National Standards

McRel Compendium of K-12 Standards Addressed:
Civics Standards 8 and 20.

National Council for the Social Studies Thematic Strands:

IV Individuals, Groups, and Institutions; VI Power, Authority, and Governance; X Civic Ideals and Practices

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The Electoral College

1. Why does the U.S. have the Electoral College system?

2. Who are the electors? How are they chosen in your state?

3. What do the electors actually do? Can they vote any way they wish?

4. How many electoral votes are there? How are they divided among the states? How many does your state have? How does your state determine how many electoral votes each candidate will get?

5. How many electoral votes are needed to win? What if no candidate receives a majority? Has this ever happened?

6. How often have the results of the Electoral College differed from the popular vote?

7. What are the PROS of the Electoral College system? Who favors it? Whom does it benefit?

8. What are the CONS of the Electoral College system? Who does not favor or might like to change it?
