



*Voting and Elections: SS.7.CG.3.14*

## **Origins of the Electoral College**

### **VIDEO SCRIPT**

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1. In the United States citizens are able to participate in elections and cast their vote for candidates running for public office. Every level of government has elections, but the national election to select the president and vice president is the only one where all citizens are choosing between the same candidates.
2. Unlike other elections, presidential candidates are not simply selected by the people. Instead, they are chosen by electors through a process called the Electoral College.
3. After watching, you will be able to:
  - explain the purpose and function of the Electoral College in electing a president.
  - explain the origin of the Electoral College and the changes made to it by the 12th Amendment.
4. The process of using electors to select the president comes from the Constitution, Article II, Section 1. During the Constitutional Convention, members debated whether to have the popular vote by citizens or a vote in Congress determine who becomes president.
5. Well, why not both? Sort of. The conversation ended in compromise and created a group of special electors selected by the state legislatures. The electors represent the popular vote of the people of in the state. They will meet separately to cast their votes for president, then send those votes to a joint session of Congress to be counted on a set day after the general election. This would ensure states' rights were preserved, the president and executive branch would be independently elected, and a popular election was avoided because many believed the people would not know enough about the candidates to make wise choices.
6. Originally, in presidential elections the Founders had electors cast two votes for president; each for a different person. The person with the most votes was the winner and became president, and the runner-up in second place became vice president. As you can imagine this probably caused some problems, and Guess what? The situation got even stickier.
7. Right around the year 1800, the idea of political parties was becoming popular and it just so happen to be an election year. During the election of 1800, Thomas Jefferson and Aaron Burr tied for President, even though Thomas Jefferson was the actual nominee for his party and Burr was supposed to be his vice president. But electors could only cast votes for president!
8. According to the Constitution, the House of Representatives must decide the presidency in the case of a tie or if no one receives more than half of the votes. It took 36 separate votes in the House before Jefferson was declared the winner. I hope everyone bought dinner that night.
9. As a result, the 12th Amendment was created to separate electoral votes for president and vice president. In modern elections, after individuals cast their ballot for president, their vote goes to a statewide tally.

10. In 48 states and Washington, D.C., there is a “winner-take-all” system, where the candidate with the most popular votes gets all the electoral votes for that state; even if the candidate wins by one vote.
11. Maine and Nebraska assign their electors using a proportional system; where individual electors are appointed based on the winner of the popular vote for each congressional district, and then 2 more electors are appointed based on the winner of the overall statewide popular vote. For example, in 2020, Democrat Joe Biden defeated Republican Donald Trump in Maine, though each won a Congressional district. But Biden won the popular vote in the state and so he got the other two electoral votes. In Nebraska, Trump won 2 districts and the popular vote and so got 4 of the 5 electoral votes in the state.
12. There are a total of 538 presidential electors. Victory requires a candidate to receive one more than half, so, 270 electors are needed to win the presidency. It's important to remember that in our system, in a presidential election, the person who wins the most popular votes (that is, they have the most citizens voting for them) is NOT automatically the winner. Instead, it is the person that wins half plus one of the electoral votes in the Electoral College. This has happened a few times in our history.
13. In 1824, Andrew Jackson got more popular votes than John Quincy Adams and the third candidate Speaker of the House Henry Clay, but because he did not win one more than half of the electors, the vote went to the House of Representatives and Clay's supporters voted for Adams. After becoming president, Adams appointed Clay as Secretary of State, and Jackson and his supporters accused Quincy Adams and Clay of having a 'corrupt bargain' that stole the election from him!
14. In 1876, near the end of Reconstruction, Democrat Samuel J. Tilden won the popular vote over Republican Rutherford B. Hayes. He also had 184 electoral votes against Hayes' 165. But you needed 185 to win, and there were 20 electoral votes in dispute because of accusations of corruption and questions over who actually won in a few states. Eventually, a compromise was reached that gave Hayes the presidency despite losing the popular vote. The Compromise of 1877 allowed Hayes to become president. The Democrats would not protest...but Hayes had to agree to remove federal troops from the South. This ended Reconstruction and allowed racist Jim Crow laws to be established throughout the South.
15. In 1888, Democrat and President Grover Cleveland ran for re-election and won the popular vote against Republican Benjamin Harrison. However, he lost the Electoral College vote 233 to 168. He would later win the presidency again in 1892, defeating Harrison and becoming the only person (as of 2023) to ever serve two non-consecutive terms as president.
16. In 2000, Democrat Al Gore, vice-president under the term limited President Bill Clinton, won the popular vote against Republican George W. Bush. However, Gore did not get enough electoral votes to win outright, and the election came down to who would win the popular vote in Florida (and thus get those electoral votes). George W. Bush won the state by just 537 votes out of six million cast, and so won the election!
17. In 2016, Democrat Hillary Clinton, a senator from New York and also a former first lady, defeated Republican Donald Trump in the popular vote by almost 3 million votes. However, Trump won the states he needed too and defeated Clinton in the Electoral College, 304 to 227.
18. Let's recap what we learned. The Electoral College is established by Article II, Section 1 of the US Constitution. The 12th Amendment modified the Electoral College to require separate votes for president and vice president. There are 538 votes in the Electoral College, and a candidate must win half plus 1, or 270. State electoral votes equals the number of representatives plus senators that it has. The 23rd Amendment gave Washington, DC 3 electoral votes. And finally, winning the national popular vote is not enough. You must win the Electoral College vote.