Electoral College: Fair or Fraud

Dr. Kelly Jackson
Professor of Mathematics
Camden County College
Do you know these 15 people?

- Jose Colon
- William Fontanez
- Gina Genovese
- Wilma Grey
- Kevin Halpern
- Victor Herlinsky
- Stacy Lubrecht
- Salaheddin Mustafa
- Peter Nichols
- William W. Northgrave
- Ken Saunders
- Ginger Gold Schnitzer
- Carl Styles
- Shavonda Sumter
- Stephen Weinstein
The “Electoral College”

- 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.
It is all about the arithmetic....
The Electoral College

- 270 votes needed to win
- 538 Electors
  - 100 (Senators)
  - 435 (Representatives)
  - 3 Washington DC electors
- 23rd amendment
2008 Presidential Election
The 2008 Presidential Election

County by County Results

Red for McCain, Blue for Obama
John Kerry received all 21 Electoral Votes

<table>
<thead>
<tr>
<th>Popular vote</th>
<th>2,938,095</th>
<th>2,793,847</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percentage</td>
<td>50.9%</td>
<td>48.4%</td>
</tr>
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</table>
2008 NJ Presidential Election
Obama 57% McCain 42%

Results by County

House Membership

Results by municipality
Winner Take All

• Not required in the Constitution
• 50.1% of the vote gets 100% of delegates
  – Maine and Nebraska NOT winner take all
    • Statewide winner gets 2 Senate delegates
    • Each Congressional District elects its delegate separately
1796 Adams v Jefferson

• Adams only won because he was able to get one electoral vote each districts in VA NC, and PA

• Had 2 of the three voted as a block, rather than districts Jefferson would have won
### Methods of Presidential Elector selection, by state, 1789-1832

<table>
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<th>AL</th>
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**Key:**
- A: Popular vote
- D: Popular vote, Districting
- L: Legislative selection
- H: Hybrid system
Methods of Choosing Presidential Electors in the First 13 Presidential Elections

Number of States

Presidential Elections

- Districts
- Statewide
- State Legislature
- Hybrid/Other
• If we assume 12 swing states, each as a “coin flip” there are $2^{12} = 4096$ combinations of outcomes
• 212 of these would result in an electoral tie
1800 Adams v Jefferson

• Jefferson won (tied with Burr)
• Had the Federal Ratio not been in effect, Jefferson would have finished behind both Adams and Burr
<table>
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<th>State</th>
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<td>New York</td>
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<td>New Jersey</td>
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<td>Pennsylvania</td>
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<td>South Carolina</td>
<td>4</td>
</tr>
<tr>
<td>Georgia</td>
<td>4</td>
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</table>

Aaron Burr of NY

James Bayard of Delaware
The House of Representatives Vote

1800

| AL | KY | ND |
| AK | LA | OH |
| AZ | ME | OK |
| AR | MD | OR |
| CA | MA | PA |
| CO | MI | RI |
| CT | MN | SC |
| DE | MS | SD |
| DC | MO | TN |
| FL | MT | TX |
| GA | NE | UT |
| HI | NV | VT |
| ID | NH | VA |
| IL | NJ | WA |
| IN | NM | WV |
| IA | NY | WI |
| KS | NC | WY |

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Jefferson (D-R) - 10
Burr (D-R) - 4
No Vote - 2
They were for it, before they were against it…

• Under the Articles of Confederation the 3/5 Compromise was proposed as a way to count slaves to the purpose of taxation
  – Northerners preferred that slaves count as whole persons, Southerners preferred that not be counted at all

• Under the Constitution the compromise was used for representation
  – Now it was the Southerners who wanted slaves to count rather than Northerners
Win 11 of these 12 states and you win, even if you lose all others plus DC

- California
- New York
- Texas
- Florida
- Pennsylvania
- Illinois
- Ohio
- Michigan
- New Jersey
- North Carolina
- Georgia
- Virginia
Win 11 of these 12 states and you win, if you lose all others plus DC

- California
- New York
- Texas
- Florida
- Pennsylvania
- Illinois
- Ohio
- Michigan
- New Jersey
- North Carolina
- Georgia
- Virginia
Small States and the Electoral College

Population

- Virginia: 100
- Mass: 80
- Conn: 60
- RI: 10

Representatives

- Virginia: 10
- Mass: 8
- Conn: 6
- RI: 1

4% of Representatives

Political Numeracy
Small States and the Electoral College

Population

Virginia 100
Mass 80
Conn 60
RI 10

Electors

Virginia 12
Mass 10
Conn 8
RI 3

9% of Electors

Political Numeracy
Small States and the Electoral College

• Population at the 2000 census
  – CA 33,871,648
  – W 493,782

• California electors = 55 (53 R + 2 S)

• Wyoming electors = 3 (1 R + 2 S)

• CA has 68 times as many people but only 18 times as many electors
Reagan/Mondale 1980

Electoral Votes = 97.6% but popular vote = 58.8%
Nixon/McGovern 1972

Electoral Vote = 96.7%, Popular Vote = 60.7%
Faithless Electors

• In 21 states the electors are NOT legally bound to vote for the candidate for whom they were selected
  – Penalties: small fines, misdemeanor, felony

• 158 times through history electors have NOT voted as expected

Red = state in which elector is legally required to cast a vote for candidate to whom they are pledged.
Clinton/Bush/Perot 1992

68.8% of the Electoral Vote and 43% of the Popular Vote
The President did not receive a popular majority in 18 Elections

<table>
<thead>
<tr>
<th>Year</th>
<th>President</th>
<th>Percent</th>
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<tr>
<td>1824</td>
<td>JQ Adams</td>
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<tr>
<td>1844</td>
<td>Polk</td>
<td>49.54</td>
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<td>1848</td>
<td>Taylor</td>
<td>47.28</td>
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<tr>
<td>1856</td>
<td>Buchanan</td>
<td>45.28</td>
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<tr>
<td>1860</td>
<td>Lincoln</td>
<td>39.82</td>
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<td>1876</td>
<td>Hayes</td>
<td>47.95</td>
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<td>Garfield</td>
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<td>Cleveland</td>
<td>48.50</td>
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<td>1888</td>
<td>Harrison</td>
<td>47.82</td>
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<tr>
<th>Year</th>
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<td>1892</td>
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<td>2000</td>
<td>Bush</td>
<td>47.87</td>
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Four Men Became President Without a PLURALITY of the vote

• 1824 John Quincy Adams (over Jackson)
  – elected by Congress
• 1876 Hayes 185 – 184 (over Tilden)
• 1888 Harrison 233-168 (over Cleveland)
• 2000 Bush 271-266 (over Gore)
Election of 1888

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<td>168</td>
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<td>States carried</td>
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<td>18</td>
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<tr>
<td>Popular vote</td>
<td>5,443,892</td>
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## 1960 World Series
### Pirates versus Yankees

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<tr>
<td>2</td>
<td><strong>New York Yankees</strong> – 16, Pittsburgh Pirates – 3</td>
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<tr>
<td>3</td>
<td>Pittsburgh Pirates – 0, <strong>New York Yankees</strong> – 10</td>
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<tr>
<td>4</td>
<td><strong>Pittsburgh Pirates</strong> – 3, New York Yankees – 2</td>
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<td>5</td>
<td><strong>Pittsburgh Pirates</strong> – 5, New York Yankees – 2</td>
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<td>6</td>
<td><strong>New York Yankees</strong> – 12, Pittsburgh Pirates – 0</td>
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<td>7</td>
<td>New York Yankees – 9, <strong>Pittsburgh Pirates</strong> – 10</td>
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So the Yankees should win 55 – 27?!?!
“Stolen” Election of 1824

• Andrew Jackson won the popular vote AND won the electoral vote

• John Quincy Adams was chosen by the House of Representatives to be President
House Vote
Adams won 13 states
Jackson won 7
Crawford won 3
Without the Federal Ratio it would have likely been Clay not Crawford who was the third candidate considered by Congress. As Speaker of the House, there is a good chance he would have been elected by House members.
“Stolen” Election of 1876

Rutherford B. Hayes

Samuel Tilden

Samuel J. Tilden won 51% of the popular vote and lost!
“Stolen” 2000 Election

- George Bush had 47.87% of the vote
- There have been 10 Presidents elected with a smaller percentage
No national standard…

• Registration deadlines (some same day)
• 17 year olds can vote in primary if birthday before the Presidential election
• Early election
• Felons (while in jail $\leftrightarrow$ never)
• Residency requirements
• Homeless
• Overseas
• Article Five of the United States Constitution describes the process whereby the Constitution may be altered.
  – Amendments may be proposed by the United States Congress (2/3 of BOTH houses)
  – A national convention assembled at the request of the legislatures of at least two-thirds of the states.
    • attempted twice, but never succeeded.
• To become valid, an amendment must then be ratified by three-fourths (38) of the states
The National Popular Vote Interstate Compact (NPVIC) is an agreement among several U.S. states.

- States agree to replace their current rules regarding the apportionment of presidential electors
- Guarantee the election of the presidential candidate with the most popular votes in all fifty states and Washington, D.C.

The agreement is to go into effect only when the participating states have an absolute majority in the Electoral College.
NEW JERSEY

• January 13, 2008 - New Jersey Governor Jon Corzine today signed the National Popular Vote Bill into law.
  – January 3, 2008, the New Jersey Senate passed the National Popular Vote bill (S2695)
  – On December 13, 2007, the New Jersey Assembly today passed the National Popular Vote bill (A4225).
  – Earlier in 2007, the National Popular Vote bill was reported favorably from the Assembly Appropriations Committee on November 19, 2007 and from the Senate State Government Committee on June 14, 2007.
• The National Popular Vote law has been enacted by states possessing 132 electoral votes — 49% of the 270 electoral votes needed to activate it.
• The goal is not to find a perfectly fair solution - which is impossible - but to come as near to perfection as possible.