

November 14, 2016; How Trump Won the Election

For the fifth time in U.S. history, a candidate who did not win the popular vote for the presidency will be our president. Hillary Clinton is on track to win the popular vote by a narrow margin, but Donald Trump will be inaugurated president on January 20, 2017. How can this be?

The answer can be found in the U.S. Constitution. Article 2, Section 1, later altered by the 12th Amendment, created what is commonly known as the electoral college. This is group of people, called “electors,” who are empowered to cast votes for president on behalf of the entire nation. Under our Constitution, the electoral college, rather than individual voters, elects the president. This was a compromise between those founding fathers who wanted Congress to choose the president and those who wanted this critical decision made directly by U.S. citizens.

As a result, some people ask, “Why should I even bother to vote if the electors, not me, choose the president?” The answer lays in the unique relationship between voters and the electors.

First, some background information. The electoral college consists of 538 electors who come from all the 50 states and Washington D.C. The number of electors each state may select is the same as the combined number of senate and congressional seats for that state. Remember, there are 100 senators, two for each state, and a total of 435 Congressional representatives for all the 50 states. Congressional seats are based on population. The more people in a state, the more congressional seats for that state. For example, California, the most populous state, has 53 Congressional positions. As a result, California has 55 electors [53 Congressional seats + 2 senatorial positions]. States with small populations, such as Alaska, Vermont, and North Dakota, only have one Congressional seat, so each selects three electors [1 Congressional seat + 2 senatorial positions]. In 1964, through another Constitutional amendment, Washington D.C. was allotted three electors.

Who are these electors, and how are *they* selected? The political parties of each state get to choose the process for selecting its slate of electors. Electors are usually strong and dependable members of their respective parties who pledge to support their party’s candidate.

So, what is the relationship between a voter, a candidate, and the electors? On election day, when a voter checks the box for a specific presidential candidate, that voter is actually casting a vote for the slate of electors from that candidate’s political party. In fact, some state ballots lists the electors next to the candidate’s name. So, if a voter in California chooses Donald Trump, he or she is actually voting for the state’s Republican slate of electors, and not Trump himself.

After the election, how is the winner determined? The candidate who receives a majority of the electoral votes will be the next president. With a possible total of 538 electoral votes, the candidate with at least 270 electoral votes wins.

With the stakes so high, the crucial question is “how are the various states’ electoral votes divided up among the presidential candidates?” Each state decides this question for itself. In 48 of the 50 states, the winner of that state’s popular vote gets ALL of the state’s electoral votes. So, if 60% of Texas voted for Trump, 30% for Clinton, and 10% for independent candidates, Trump would get all of the state’s 38 electoral votes. Only Maine and Nebraska allow the possibility of splitting electoral votes between parties where the popular vote differs from one Congressional district to another.

Once the popular votes are counted for each state, it’s easy to determine the distribution of the electoral votes and therefore know who won the presidency. And, although the outcomes of the popular and electoral votes are often the same, as we just experienced, this isn’t always the situation. In the recent election, Trump easily surpassed 270 electoral votes even though Clinton received the most popular votes. So, despite the fact that the electoral college doesn’t meet until December 19th to formally determine the winner, the results are already known and Clinton has conceded the election to Trump. These results have many people wondering if it’s time to change how America elects its president.