

CHAPTER 1

Presidential Selection: A Historical Overview

Summary Overview

How U.S. presidents are selected is a complicated process. The framers of the Constitution in 1787 weighed several factors and proposals in their quest to create a system for selecting a chief executive that reflected the Enlightenment ideals, while at the same time was experimental in nature, as there was no historical precedent for the framers to guide them in this process. As the composition of the electorate changed over time, so have there been constitutional, statutory, and precedent-setting changes to the system for selecting American presidents.

This chapter is about that system: why it was created; what it was supposed to do; the compromises that were incorporated in the original plan; its initial operation and the changes that have subsequently affected it; the groups that have benefited from these changes; and the overall effect on the parties, the electorate, and American democracy. The first section discusses the creation of the presidential election process. It explores the motives and intentions of the delegates at Philadelphia and describes the procedures for selecting the president within the context of the constitutional and political issues of that day.

The second section examines the development of nominating systems. It explores the three principal methods that have been used to nominate presidential candidates: partisan congressional caucuses, brokered national conventions, and state primaries and caucuses. It also describes the political forces that helped to shape these modes of nomination and, in the case of the first two, destroyed them.

The third section discusses presidential elections. It focuses on the most controversial ones, those determined by the House of Representatives (1800 and 1824), influenced by Congress (1876), and decided by the Supreme Court (2000). The chapter also examines elections in the twentieth and twenty-first centuries in which the shift of a relatively small number of votes could have changed the outcome (1960, 1968, 1976, and 2004). In doing so, this section highlights the strengths and weaknesses of the Electoral College and assesses its consistency with the principles of a democratic electoral process.

The final section of the chapter examines the current operation of the electoral system. It describes its geographic and demographic biases and how they affect the national character of the presidential elections. The section also discusses the Electoral College's major-party orientation and its adverse impact on third-party and independent candidacies.

Chapter Outline

INTRODUCTION
THE CREATION OF THE ELECTORAL COLLEGE
THE DEVELOPMENT OF NOMINATING SYSTEMS
 Congressional Caucuses
 National Nominating Conventions
 Popular Primaries and Caucuses
THE EVOLUTION OF THE GENERAL ELECTION
 Partisan Electors
 Congressional Decisions
 Judicial Determination
 Other Close Elections
THE POLITICS OF ELECTORAL COLLEGE VOTING
SUMMARY

Teaching Tools

Focus Questions

The Creation of the Electoral College

- Why was the election of the president such a contentious issue at the Constitutional Convention?
- Why did the framers reject the idea of a direct popular election for president?
- How does the Electoral College system reflect a compromise among the methods proposed?

The Development of Nominating Systems

- **Why was the nomination of candidates not an issue at the Constitutional Convention?**
- **How did the framers think the candidates would be chosen?**
- Why weren't the framers concerned about political parties and their impact on presidential selection?
- ***Has the choice of the nominees become more or less democratic and is it that good or bad?***

The Evolution of the General Election

- **How has the electoral system changed over the years?**
- Have changes had a positive or negative effect?
- **Does the system today still achieve the goals of the framers? Are those goals consistent with contemporary values?**

- *Why have there been differences in the outcome of the popular and Electoral College votes?*

The Politics of Electoral College Voting

- **Who gains and who loses from the Electoral College system of voting?**
- **Why do most of the states determine their electors on the basis of winner-take-all?**
- Why have all the nonplurality presidents been Republicans?
- *How have the politics of the Electoral College affected the choice of candidates and the conduct of their campaigns?*

Exercises

1. Prior to the completion of the next nomination process, obtain the most recent schedule of primaries and caucuses for the selection of delegates to the Democratic and Republican national nominating conventions for the year of the presidential election. You can do this on most major news organizations' websites, thegreenpapers.com, or at the Federal Election Commission. Try to figure out which of the declared and undeclared candidates for each party's nomination is most and least advantaged by this schedule.

2. Get up to speed on the Electoral College by accessing and reviewing the material on the Electoral College at the National Archives and Records Administration site (www.archives.gov/federal-register/electoral-college). Use the links available at this site to find out how the electors in your state are selected and the dates and procedures by which they used to vote in 2016.

3. Access the website www.270towin.com. Explain how the Electoral College maps for the 2012 and 2016 elections differed. Then construct a winning Electoral College strategy for the Democratic or Republican candidate you prefer in 2020. Focus on the likely swing states in your analysis. Why do you think these states may go Democratic or Republican in 2020?

Online Resources

General Sites:

All of the major search engines and news websites will have information on the next presidential campaign in addition to the following websites:

270towin.com

www.270towin.com

A website that contains an interactive electoral map for current and past presidential elections.

Fivethirtyeight.com

www.fivethirtyeight.com

A website that contains a wealth of data, analysis, and outcome predictions on elections.

C-SPAN: Road to the White House

www.c-span.org

A website that provides up-to-date information about the campaign.

Center for Voting and Democracy

www.fairvote.org

An organization that promotes voter education and outreach; the center supports a national popular vote for president.

Democracy in Action

www.democracyinaction.us/2020

A site that contains a wealth of up-to-date information on recent presidential campaigns with links to other sources.

Election Line

www.electionline.org

A nonpartisan, nonadvocacy site for election reform news and information.

Politics 1

www.politics1.com

A guide to current politics with links to other relevant sites for the current presidential campaign.

Government Sources:

Election Assistance Commission

www.eac.gov

The commission set up by Congress in the 2002 *Help America Vote Act* to facilitate voter registration and voting procedures in U.S. elections.

Federal Election Commission

www.fec.gov

This commission collects and disseminates data on election turnout, voting, and most importantly, candidate, party, and nonparty group revenues and expenditures. It also publishes the official results of the election.

National Archives and Records Administration; Office of the Federal Register

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

This website provides access to federal laws and presidential documents as well as statistics on past presidential elections and information on the Electoral College.

The White House

www.whitehouse.gov

This website provides information on the activities of the president and vice president: what they say, who they meet, and their positions on current issues.

Selected Readings

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Assessments

Multiple-Choice Questions

1. Under the initial plan for the Electoral College, the second place vote recipient in elections
 - a. would be nominated to the Supreme Court.
 - b. would not receive anything.
 - c. would be selected as vice president.
 - d. would become the Speaker of the House.

ANS: c

2. The first method for political parties to select nominees for president, beginning in 1800, was known as _____.
 - a. national nominating conventions
 - b. activist caucuses
 - c. direct primaries
 - d. partisan congressional caucuses

ANS: d

3. At the turn of the twentieth century, Progressives such as Robert La Follette of Wisconsin and Hiram Johnson of California proposed this type of nominating process, in order to break the power of state party bosses and their machines.
 - a. Delegate conventions
 - b. Activist caucuses
 - c. Direct primaries
 - d. Roundtable meetings

ANS: c

4. In which of the following election years was there NOT a controversy involving the Electoral College?
 - a. 1876
 - b. 1932
 - c. 2000
 - d. 2016

ANS: b

5. The 2000 election was settled by the U.S. Supreme Court after voting issues occurred in which state?

- a. Florida
- b. Ohio
- c. Pennsylvania
- d. Michigan

ANS: a

True/False Questions

1. The Constitution gives the states authority to conduct elections for federal officials, but it also grants Congress the power to make or alter such regulations.

ANS: T

2. The Electoral College is biased against Democratic candidates.

ANS: F

3. The framers of the Constitution feared a direct popular vote.

ANS: T

4. The Electoral College system worked as it was intended in only the first two presidential elections.

ANS: T

5. The winner-take-all voting in the Electoral College helps minor parties become more competitive.

ANS: F