

Welcome to
*Judaism &
Current Events*

The Electoral College Why Is It So Darned Important?

October 27, 2020

Moderated by Marcy Hotz

A Prayer for Peace in Times of Trouble

Lord, give us peace that we may shine brightly in a dark world. Grant us the courage to live faithfully to our highest values even in the midst of hard times. Let our faith in each other be the beginning of wisdom and compassion rather than allowing fear to drive our actions.

Help us to live strongly in the midst of a world that needs to know peace. We pray for our brothers and sisters and LGBTQI siblings of the world, for we are of one family.

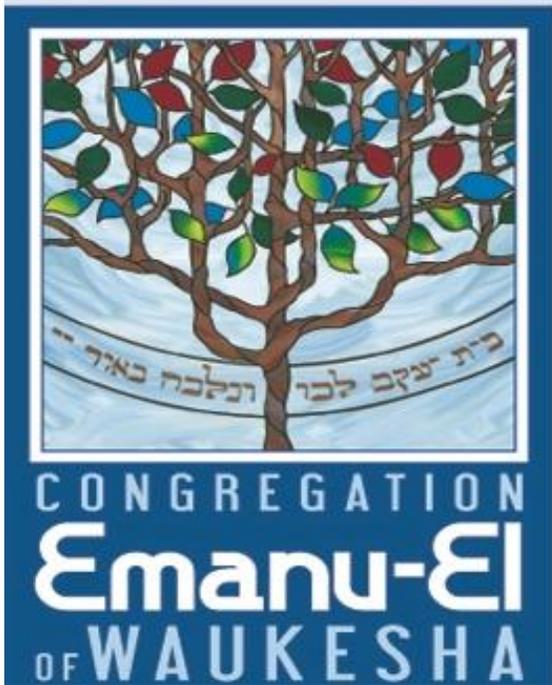
Show us mercy and heal those who are suffering in times of trouble and plague. Most of all, inspire us to restore the world and make all things new.

Amen.

Guidelines

- ▶ This is a discussion, not a debate. Everyone is encouraged to participate.
- ▶ No one or two individuals should dominate a discussion.
- ▶ Raise your hand to signify your wish to speak.
- ▶ Fact-check your sources.
- ▶ Listen to and respect other points of view.
- ▶ Do your best to understand the pros and cons of every opinion
- ▶ Be thoughtful. Be kind.
- ▶ Try to phrase your comments and examples in a non-partisan way.
- ▶ Mute yourself if there is background noise in your area.
- ▶ Because of time constraints and to allow all to have an opportunity to speak, please keep your comments succinct and to the point.

CEEW Wishes You to Note:



- ▶ By consensus, the board recognizes that a group of members decided to hold their own forum on Judaism & Current Events.
- ▶ Views expressed during conversations may not necessarily be those of CEEW.

Upcoming Discussions

- ▶ 11/3 Covid Etiquette: Reinventing the 'niceties' in a COVID world. (Pati Allen Brickman)
- ▶ 11/10 Open Discussion: Looking Forward...
- ▶ We will then take a long winter break until late spring when we will reinvent and reconvene.

Jewish Perspective On the Electoral College

- ▶ “The current system may be cumbersome and hard to explain, but it has magnified the power of the tiny Jewish minority in this country. “The Electoral College is a way of diffusing power, of requiring candidates to pay attention to small states and small groups within states, such as the Jews,” said Marshall Breger, a professor of law at the Catholic University of America and a top Republican activist. “If there was one big popular vote, the focus on the Jewish vote would be far, far less.”
- ▶ ““Jews are concentrated in states with big blocks of electoral votes such as New York, Pennsylvania, Ohio, Michigan, Florida, California and Illinois,’ said Nathan Diament, director of the Orthodox Union’s Institute for Public Affairs. ‘That makes our power greater than the numbers suggest.’”

- ▶ ...Our political influence depends on four things.
 1. We are concentrated in a few states with large electoral votes.
 2. We vote in larger numbers in proportion to our population than is true of the general public.
 3. We contribute more time, money and energy to political campaigns than our numbers warrant.
 4. We are disproportionately represented among elected officials. For example, nine out of 100 U.S. Senators are Jewish even though we constitute less than 2% of the American population.

▶ “...if the electoral college were abolished, then our vote would normally be only 1.8% of all votes. Even if we vote in disproportionate numbers, we would not be able to muster more than 2% of all votes. Therefore, our issues would hardly be considered by our politicians.”

What Is the Electoral College?

The United States uses a system called the electoral college to elect presidents. Under this method, the candidate with the most votes nationwide doesn't necessarily win the election, which was the case in 2016 with Hillary Clinton and Donald Trump and in 2000 with George W. Bush and Al Gore. (It also happened three times in the 19th century.)

Each state is given a number of electors based on the size of its congressional delegation. The candidate who wins a majority of electors becomes president.

Why was the Electoral College Created?

“Among the many thorny questions debated by the delegates to the 1787 Constitutional Convention, one of the hardest to resolve was how to elect the president. The Founding Fathers debated for months, with some arguing that Congress should pick the president and others insistent on a democratic popular vote.

“Their compromise is known as the Electoral College.”

<https://www.history.com/news/electoral-college-founding-fathers-constitutional-convention>

How Does the Electoral College Work?

1. Number of electors for each state is determined.

Each state is allotted one elector for each US Representative and US Senator it has.

of Representatives + 2
Senators per state =
Total electoral seats.

The number of congressional seats each state gets is determined by the decennial census. The 2020 Census is happening right now, which means some states will have a different number of electoral votes for the next presidential election in 2024.



Wisconsin has 8
Congressional
Districts (8 House
Representatives)
and 2 Senators =

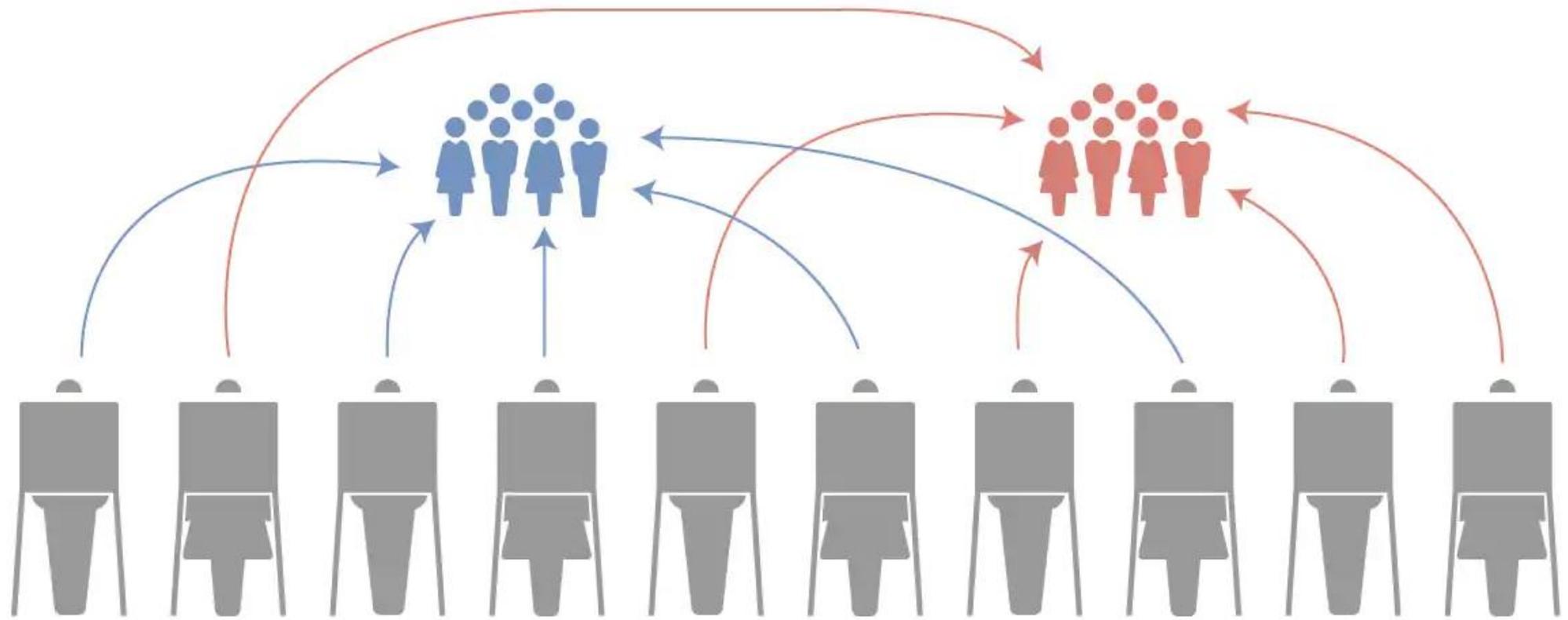
10 Electoral Votes

2. Electors are nominated.

In most states, electors are nominated at party conventions and their names are given to the state's election official.

3. Voters select electors on Election Day

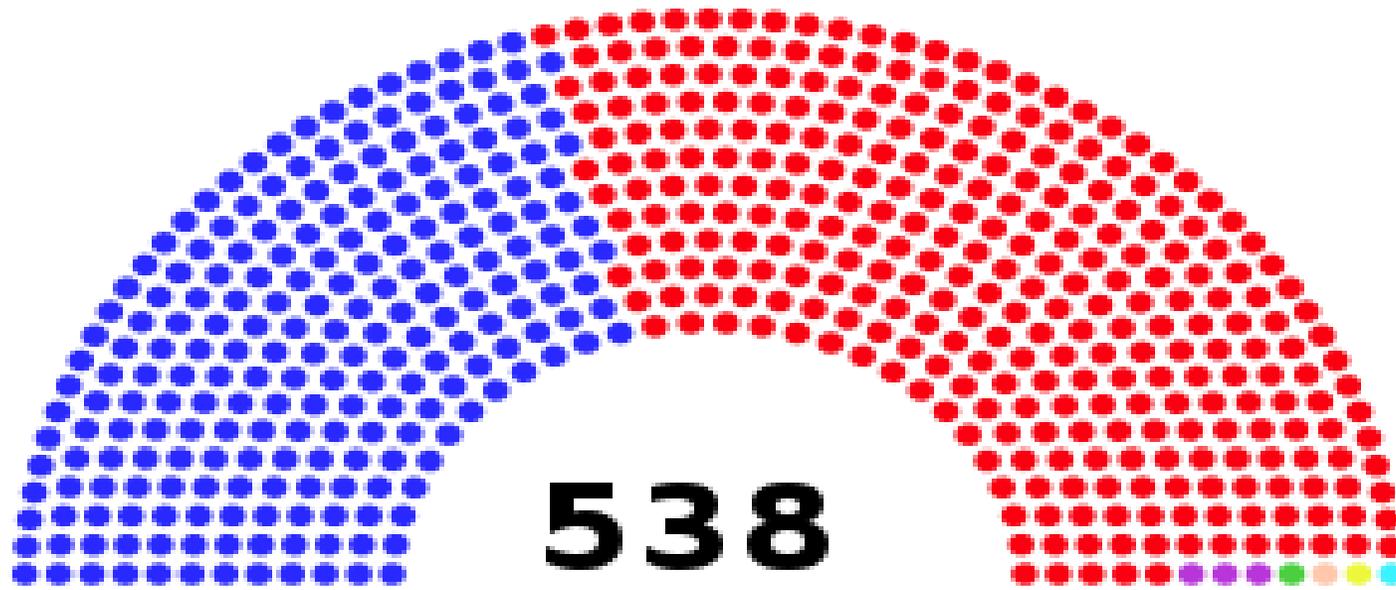
Electors' names do not usually appear on the ballot, but when Americans in each state vote for their choice of president, they are technically casting their ballot for the slate of electors representing the ticket.



The Reapportionment Act of 1929

The Reapportionment Act of 1929 was a combined census and apportionment bill passed by the Congress on June 18, 1929 that established a permanent method for apportioning a constant 435 seats in the US House of Representatives according to each census.

It did not specify that districts must be contiguous, compact or equally populated as previous apportionment bills had done, allowing states to draw districts of varying size and shape.



Electoral College vote tally - 2016 presidential election. The total votes cast: 538. Donald Trump received 304 (●), Hillary Clinton received 227 (●), Colin Powell 3 (●), Bernie Sanders 1 (●), John Kasich 1 (●), Ron Paul 1 (●) and Faith Spotted Eagle 1 (●). The total of electors do not meet together to vote, but rather separately meet in their individual jurisdictions.

4. Electoral votes are tallied for states/districts

Most states are *winner-take-all* for presidential elections. Whichever party's slate of electors receives the most votes gets all of the electoral votes. There are two exceptions: Maine and Nebraska both give two at-large delegates to whoever wins the state overall, and then one to the winner of each individual congressional district.

5. Majority of electoral votes determines the winner

A candidate needs to win a majority of 538 electoral votes – 270 – to be elected president.

$$538 / 2 = 269$$

$$269 + 1 = 270$$

If no candidate wins a majority of electoral votes, the Senate chooses the vice president and the House chooses the president. But the House decision doesn't work like normal: Each state's delegation gets to cast a single vote, meaning that large states have the same weight as small states, similar to the Senate.

6. Electors ceremonially cast ballots for president

In December, in a largely ceremonial gesture, the electors cast ballots for president and vice president and are expected to follow the vote of their state.

On rare occasions, some electors have decided to cast their votes for a different candidate. These are known as “faithless electors,” and the behavior is protected by the Constitution. But a recent ruling of the Supreme Court stated that a state is allowed to require presidential electors to support the winner of its popular vote and may punish or replace those who don’t.

The votes are counted at a joint session of Congress, and the president is officially elected and later inaugurated on Jan. 20.

Why Get Rid of the Electoral College?

- ▶ If I vote red in a blue state, my vote doesn't count; if I vote blue in a red state, my vote doesn't count. I don't care how my state votes, but I do care that my vote counts.
- ▶ It is not working the way the Founders intended. Having just thrown off the rule of one powerful person, the founders worried that another unscrupulous person could take power in this new country. Therefore, the electors were supposed to evaluate those running for the presidency and not vote in a power-hungry fool.

- ▶ Because of the winner-takes-all nature of picking electoral delegates in most states, the electoral college creates a paradox where both the minority in a state and the majority across the nation can have either no or insufficient representation, respectively.
- ▶ Alternative: Apportion delegates in all states according to voting percentages for each candidate.

https://www.washingtonpost.com/opinions/the-electoral-college-is-not-working/2019/09/03/1dda0d50-cb44-11e9-9615-8f1a32962e04_story.html

Why Keep the Electoral College?

- ▶ We are a representative republic, not a direct democracy. A nationwide popular vote would violate this principle of our Constitution. Each state's electors are determined by that state's number of representatives and senators, maintaining the ratio of electors to state population. The electoral college prevents the tyranny of the majority, a compromise to protect the rights of the small states.
- ▶ Democratic nominee Hillary Clinton's popular-vote majority came from a small number of counties in California and New York. This hardly reflected the will of the country as a whole. A large majority of counties in the United States voted for Republican nominee Donald Trump.

- ▶ Shifting to just the popular vote without some form of runoff voting could cause problems with majority rule. Already with the electoral college, winners of four of our past seven presidential elections received less than 50 percent of the popular vote.
- ▶ Without the electoral college's winner-take-all disincentive to independents, more candidates would be sure to run, increasing the likelihood of more and smaller plurality winners.

https://www.washingtonpost.com/opinions/its-not-time-to-throw-out-the-electoral-college/2019/04/07/e8f7865c-57c7-11e9-aa83-504f086bf5d6_story.html

References & Further Reading

- Article II, Section 1 of the U.S. Constitution
- Where Democratic candidates of the 2020 primaries stood on eliminating the electoral college
- Opinion: The electoral college is not working
- Opinion: It's not time to throw out the electoral college
- Is the electoral college fair?
- Is the electoral college good for Jews?
<https://jewishjournal.com/news/united-states/3586/>

- ▶ How the Electoral College Works:
https://www.washingtonpost.com/elections/2020/08/24/how-electoral-college-works/?arc404=true&fbclid=IwAR0H5t-6g5n7Tg8bQBAP_I2VlZjV8dmyNlfYiaKdgRgC2lCya1d_kiw3J8s
- ▶ United States Electoral College:
https://en.wikipedia.org/wiki/United_States_Electoral_College
- ▶ Why Was the Electoral College Created?
<https://www.history.com/news/electoral-college-founding-fathers-constitutional-convention>

- ▶ Number 68 of “The Federalist Papers”
- ▶ Reapportionment Act of 1929:
https://en.wikipedia.org/wiki/Reapportionment_Act_of_1929#:~:text=The%20Reapportionment%20Act%20of%201929,Representatives%20according%20to%20each%20census.
- ▶ The Electoral College and the Jews: The Founding Fathers Must Have Meant Us:
<http://jbuff.com/c112300.htm>