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The Presidential Election in the U.S.A: The Decisive Role of The Electoral College

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Dedication

First and foremost, praises and thanks to the Allah, the Almighty, for His showers of blessings throughout our research work to complete the research successfully. He has been the source of our strength throughout this program. We are extremely grateful to the parents for their love, prayers, caring and sacrifices for educating and preparing us for our future. We are very much thankful to the friends for their love, understanding, prayers and continuing support to complete this research work. Our special thanks go to our mate and friend Mr. Abderaouf Mesbahi for the keen interest shown to complete this dissertation successfully. To our teachers who taught us, and for their supports and encouragements.

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Abstract

The United States of America adopts a unique electoral system in choosing the head of the executive branch that differs from all the world democracies. The present study aims to examine the American presidential election, its mechanisms and stages; starting from the election day in the states until the vote of the Electoral College. In doing so, the study intends to investigate why this system of election is more distinctive than both direct popular election and indirect election. For its framework of analysis, the study draws on tracking the election process by explaining and reviewing its components and stages in order to determine the role of each element focusing on the role of the Electoral College. The study revealed that the framers of the American constitution designed the electoral college as a compromise between the direct and indirect election in order to protect the federalist system and the interest of both people and states.

Key words: Constitution, Democracies, Election Day, Electoral College, Framers of American constitution.

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General Introduction

Background of the Study

Once the emigrants began to settle in the new world and start constructing their own colonies, the issue of governance rose up among the colonists, on one hand, and between the colonists and the British Crown on the other hand. The debates had almost concerned the question of the people's rights to participate in self government as well as avoiding any kind of oppression towards the citizens of the American thirteen colonies by their British ruler. The American revolution represented a turning point in the colonies' relation with the British empire as the colonists refused the measures enacted in order to levy taxes and restrict the people's movement. The colonists waged a war to gain their independence and hence established their self government starting from the declaration of independence, then the Articles of Confederation ending with the constitution in 1787.

Since the independence, the Founding Fathers have worked on drafting a constitution that guarantees citizens' rights and freedoms and represents a break with the past practices and abuses of the British Crown. The United States constitution organized the government under three branches: the legislature, the executive and the judiciary. It established the separation of power in order to ensure that these branches work efficiently. Moreover, it set the rules and modalities to choose the different officials such as the members of the congress, the president and vice-president. The framers of the constitution established a system for electing the head of executive that does not fall under the umbrella of direct election, nor it belongs to the system of indirect election by members of parliament. The new system is a compromise between the direct popular vote and the indirect election by the congress members. Choosing the American president is done by the Electoral College, a group of electors chosen by the people through direct election.

This research sheds light on the presidential election system in the United States, its various stages and the bodies involved in it. In addition, it attempts to explain this unique model of election in the world, which differs from the other systems of direct and indirect election. The President and Vice-President in the United States are elected by a body called the Electoral College whose members are elected by direct vote in the different States. Moreover, This study intends to tackle the current debates over the presidential election system in United States which relies mainly on the Electoral College, and examine the arguments of supporters and critics of the Electoral College and to see whether the votes of the Big Electors do actually reflect the will of the American people to choose their president.

1. Motivation

The uniqueness and complication of the United States system for choosing the President and Vice-President push us to carry out this research. Moreover, the debates that followed the election of the 2016 created an atmosphere of curiosity that led us to conduct this research.

2. Research Problem

Since its adoption in the constitution 1787, the system for selecting the U.S president, that is vested in the Electoral College, sparked the debates about whether this system is democratic and if it reflects actually the popular will of the American citizens or it prevents them from choosing their president through direct popular vote.

3. Aim of the Study

The present study aims to investigate the system of choosing the president in the united states and to examine the different opinions of the political scientists regarding this system and the arguments of the defenders and opponents of the Electoral College.

4. Research Questions

This study attempts to answer the following questions:

- 1- How is the president elected in the United States?
- 2- What role does the Electoral College play in choosing the president in the United States? and does it really reflect the will of the American people?

5. Hypotheses

The present research assumes two hypotheses. Firstly, the system of choosing the president in the USA is a democratic system that reflects the will of the American people. Secondly, the Electoral College system for choosing the American president is undemocratic because it prevents the American citizens from choosing their president through direct popular vote.

6. Research Methodology

The method adopted to conduct this research is descriptive analytical that depends on a qualitative research since it is based on collecting data through reading books ,articles and analyzing speeches of politicians in order to construct an overall idea about the topic and to view the arguments of each group regarding the system of choosing the U.S president. The study intends to describe the presidential election in the U.S, explain its mechanism, stages and the institutions involved in it, then to analyze these stages focusing on the role of the Electoral College and its historical roots in the US constitution.

7. Structure of the Study

The present study is divided into three (03) chapters: The first chapter talks about the historical context that shaped the executive branch in the American government. It focuses on the events that generated the American Revolution Whose objective was to establish a fair government that guarantees the people's rights. The second chapter sheds light on the system of electing the president in the U.S and goes through the different steps of this

process starting from the candidates' nomination, then the election day until the electoral vote. The third chapter is concerned with the Electoral College institution, its historical roots that traced back to the constitutional Convention. We examine the debate over this system and check the arguments of both opponents and proponents of the Electoral College. Finally, we moved to the suggested changes of this system either through complete abolition or through the reform of the Electoral College so that reflects the popular will of the American citizen.

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Introduction

The American Revolution (1775-1783) was a revolt led by the residents of the thirteen North American colonies against the British Crown. After its victory in the French and Indian war, the British government saw a need for financial resources in order to recover the heavy costs of the war that brought Great Britain vast new territories (Clack, Sola & Hamby, 2009). In the 1760s, the British government passed new laws that made the colonists pay taxes on sugar, tea and other materials. The colonists refused these taxes and protested in the streets arguing that "No taxation without representation". One group protested by throwing crates of British tea into Boston harbor. Britain responded by enacting more laws and taxes that pushed the colonists to engage into a military resistance against the British government. The first confrontation was the battle of Lexington and Concord that followed with a long bloody war for independence. The colonial delegates drafted the Declaration of Independence in 1776 in which they denounced the wrongs and abuses of the British king and Parliament, they asked the king to correct these abuses and treat them properly, although the declaration of Independence was considered as a significant step towards the separation from the home country, the fighting finally ended in 1783 with the treaty of Paris.

1. The British Imperial System in the Colonies

With the increasing number of immigrants moved to the new land in the search of jobs and religious freedom, the British government thought about North America as a source of raw materials and market. As a result, the British government levied series of taxes on the colonies to recover the bankrupt treasury resulted from the French and Indian War; however, the colonists refused to be taxed without representation in the British Parliament (Agha, n.d.) and sent a request to the king asking him to repeal these taxes, but the latter refused their demand and responded with enacting more taxes and measures (Amimer, 2017). Therefore, the protests led to the violence from both sides. The Parliament passed another series of Acts known as the Intolerable Acts (Coercive Acts) in order to impose the imperial authority on the colonies.

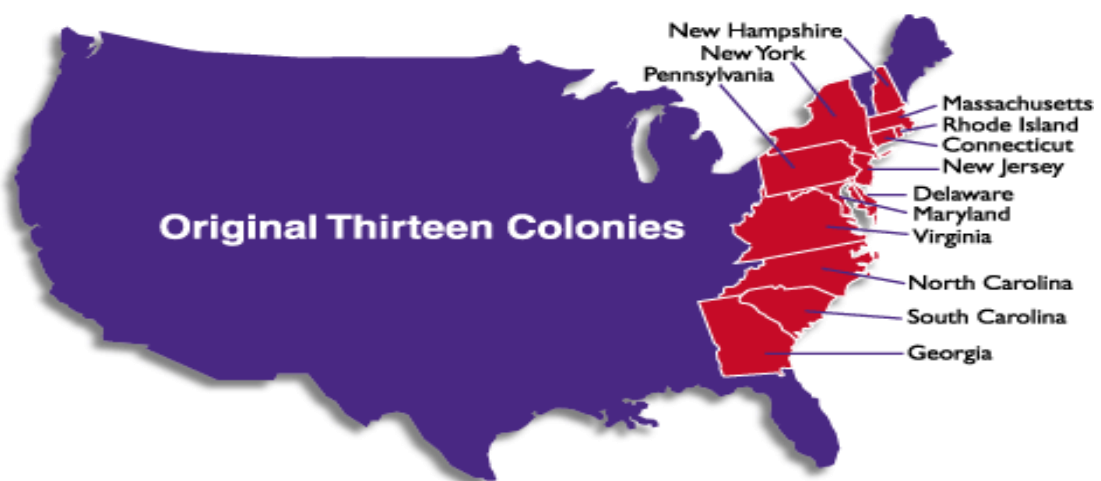


Figure 01:The original American thirteen colonies.

Source:<https://www.worldatlas.com/webimage/countrys/namerica/usstates/colonies.htm>

2. Major Events Generating the American Revolution

2.1. The Sugar Act

In February 1764, the British parliament passed the Revenue Act, known as the Sugar Act, it actually reduced the tax on imported molasses from Europe. In addition, the act also imposed tariffs on coffee, wine, iron, and other products. The Sugar Act also provided for new enforcement measures to eliminate smuggling. The colonists denounced the Sugar Act as a violation of American colonists' political rights because it imposed a tax without their consent or their representation in Parliament (Burg,2007).

2.2. The Stamp Act 1765

The Stamp Act was passed by The British parliament on March 22, 1765 to help pay for troops stationed in North America after the costly war with France. This act states that the printed documents, such as: newspapers, magazines, licenses, and other legal documents have to be taxed and should have a stamp placed on them. This Act led to protests and resistance of the colonists; journalists, lawyers, businessmen... etc. There were also riots in the cities, and customs agents were attacked and forced to resign. In October 1765, the Stamp Act Congress convened in New York by representatives appointed from the colonies. Twenty-seven representatives from nine colonies seized the opportunity to crowd the colonial opinion. The Virginian House ,led by Patrick Henry, argued that the colonies could accept the taxes, unless they have representatives in the British parliament. As a result, the Stamp Act was repealed in 1766 (Clack , Neely &Hamby, 2009).

2.3. The Boston Massacre 1770

After the colonists reaction to the British measures, the king sent more troops to Boston in order to control the colony. A group of American colonists gathered at the Customs House in Boston and protested against the British soldiers guarding the building. The protestors who called themselves Patriots, complained about the occupation of their city by the British troops. On a snowy night in March 5, 1770, a crowd of colonists were protesting by throwing snowballs on the British who responded with opening fire on the crowd killing three and nine others fell wounded. This event became publicly known as the Boston Massacre (Burg, 2007).

2.4. The Boston Tea Party

In 1773, the British government imposed the Tea Act in order to increase revenue for the East Indian Company. The Americans saw that as subverting their liberty .In December 1773, when some ships of the Company arrived in Boston. A group of men dressed as Indians boarded the ships and dumped the tea in the Boston Harbor. That event Was referred to as the Boston Tea Party. The parliament responded by passing more new Acts and measures called the Intolerable Acts that led to the closure of the Boston Harbor until the cost of the dumped tea would be paid for (Marston, 2002).

3. The Intolerable (Coercive) ACTS

In the aftermath of Boston Tea Party, the Parliament proceeded to enact a series of laws in 1774 the colonists called the Intolerable Acts (Burg,2007).The first act was the Boston Port Bill which closed the port of Boston until the price of the dumped tea would be paid for. This action prevented the Bostonians from having access to the sea which meant an economic disaster. The second was called Massachusetts Bay Regulating Act

which banned all town meetings without the approval of the royal governor. The third one was the Quartering Act which required the states authorities to find suitable quarters for the British troops in houses or empty buildings if barracks were not available (Clack, Sola & Hamby, 2009). The Quebec Act of 1774 allowed the colony of Quebec to keep its Roman Catholic Religion with no interference, whereas, the American colonies were deprived from these rights. Last but not least, the Impartial Administration of Justice Act enabled the royal governor to move trials either to England or to another colony if necessary (Marston, 2002). In reaction to the Intolerable Acts, the colonists held the First Continental Congress to protest against Britain and boycott the British goods which led to the beginning of clashes and rose tensions.

4. The First Continental Congress 1774

The Continental congress refers to the body of delegates who spoke and acted collectively for the people of the colony- states that met in 1774 (History.com, 2010). The First Continental Congress convened in Philadelphia on September 5, 1774. Only Georgia in the presence of delegates from twelve colonies. Samuel Adams, George Washington and others chose Peyton Randolph as the Continental Congress's president and gave one vote to each colony. The debate in the congress focused on issues such as American Rights that were inspired from the British constitution and the colonial charters. The delegates decided to boycott the British goods and stop exporting goods to Great Britain by December 1774 (Burg, 2007).

5. The Second Continental Congress 1775

In order to discuss the current problems between Great Britain and the colonies, the Second Continental Congress met in Philadelphia on May 10, 1775 in the aftermath of the battle of Lexington and Concord. The states' delegates included George Washington of Virginia, John and Samuel Adams of Massachusetts, Patrick Henry of Virginia and John Jay of New York. The Congress voted to go to war, formed the continental Army to defend the colonies and appointed Colonel George Washington of Virginia as their commander-in-chief on June 15. At the beginning, the congress members did not address the complete separation from England. In July, the congress adopted the Olive Branch Petition, begging the king to prevent further actions until they could reach an agreement. King George III rejected the petition and issued a proclamation declaring the colonies were in a state of rebellion on August 23, 1775. On July 4, 1776 the Congress voted to approve the Declaration of Independence (Clack, Neely & Hamby, 2009).



Figure 02:The second continental Congress

Source:<https://courses.lumenlearning.com/boundless-ushistory/chapter/the-second-continental-congress/>

6. The Declaration of Independence 1776

Thomson(2007) defined the declaration of independence as "A document, largely penned by Thomas Jefferson, and adopted by the Continental Congress in 1776, that outlines why the American colonies no longer accepted the British rule"(p.54). In January 1776, the British Immigrant and political theorist Thomas Paine (1737-1809) wrote his pamphlet the Common Sense in which he denounced the hereditary Monarchy declaring that "One honest man was worth more to society than all the crowned ruffians that ever lived" (Clack, Neely & Hamby, 2009). In this document, Paine presented his arguments in favor of independence and suggested the alternatives to the current government which is a self sufficient independent republic. The Colonists were aware that their military was unable to fight the British army. Thus independence would help them to enter into alliance with France. The Congress appointed a committee of five men to draft the Declaration of Independence. It consisted of John Adams, Benjamin Franklin, Thomas Jefferson, Roger Sherman and Robert Livingston. But the Declaration was mainly drafted by Thomas Jefferson who accused the British king of interfering with the colonists right of self government, levying taxes on the colonists without being represented in the parliament, and requiring them to quarter British soldiers without their consent (History.com, 2010).

Conclusion

The first chapter has dealt with the timeline from the beginning of the American revolution until the Independence. In spite of the long bloody struggle and the huge number of casualties, the Revolutionary war represented a turning point to the thirteen colonies because it brought independence that separated them from the British Monarchy with its oppressive practices and abuses, and made them enjoying their liberty and freedom of choice. The new independent thirteen states wrote the Articles of Confederation as their first constitution. Afterward, the founding fathers felt that these Articles were unable to govern the new nation because they included many weaknesses which give more power to the states than the federal government. Thus, the framers wrote the first constitution under which the United States still is governed nowadays.

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Introduction

This chapter attempts to investigate the presidential election system, and the laws and rules that govern it. In addition, it will go through the different stages of this process starting from the nomination of the political party's candidates, to the electoral day ending with the vote of the Electoral College along with the historical events that pushed the founding fathers to establish a such unique system of election.

1. The Organization of Powers in the United States

1.1. The Articles of Confederation

Brannen (2005) defines Articles of Confederation as "The document that established the federal government for the United States of America from 1781 to 1789" (p.380).

Article I The Style of this Confederacy shall be "The United States of America".

Article II Each state retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right, which is not by this Confederation expressly delegated to the United States, in Congress assembled(constitution.com,2018). Under the Articles of confederation, the government included only one branch which is the unicameral congress whose representatives are chosen by the states legislature (Vile, 2006).

Few years later, the Founding Fathers realized that the Articles included weaknesses that needs to be reformed in order not to lead to the split of the government into thirteen independent nations. One problem was that it did not provide for an executive branch of government to enforce the country's laws and to manage the affairs of the nation. The Confederation government lacked many powers including the power to levy taxes.

The president, who was appointed by Congress, was only Congress's presiding officer and had no power to enforce the laws of the United States or to do anything else that a king or governor could do. Once the American Revolution ended in 1781, the thirteen states started to fight among themselves (Thorburn, 2013). As a result, a convention was called by the confederation Congress on February 21, 1781 in Philadelphia in order to solve the problems. Finally, the States' delegates agreed on a new form of government and wrote a new constitution that was ratified on September 17, 1781 (Palumbo, 2009).

1.2. The United States Constitution

During the 1787, Constitutional Convention held in Philadelphia, a new constitution was written because the Articles of Confederation was not working well. So, the delegates created a new office, the president of the United States (Thorburn, 2013). Palumbo (2009) states that "The Constitution created a federal government of limited, delegated powers. At the federal Convention of 1787, the delegates from the states transferred certain powers to the federal government because they believed that it would be more appropriate but retained all other powers to the states. James Madison, in a speech at the Virginian Ratifying Convention, June 1788, declared that "the powers of the Federal government are enumerated, it can only operate in certain cases; it has legislative powers on defined and limited objects" (p.33).

2. The Division of Power under the American Constitution

The Constitution establishes the three branches of American government: the legislative, the executive, and the judicial. The legislative branch makes laws, the executive branch enforces the laws, and the judicial branch interprets the laws. The division of government is also called the separation of powers. Each branch has powers to check the affairs of the other branches. The so-called checks and balances prevents each branch of the U.S. government from being more powerful than the two other branches. Thus, the powers are shared between the three branches of federal government (Brannen, 2005).

The executive branch

The new independent states were afraid of executive authority because of their experience with British King George III in the American Colonies. At the Constitutional Convention in 1787, there were a sharp debate between the delegates on the nature of the office of the president, his term of service and the manner for electing the president. The results of the debates were Article II of the Constitution, outlining the office of the president (Encyclopedia Britannica Editorial, 2009). Article II, Section 1 states that "The executive Power shall be vested in a President of the United States of America". It includes the president, the vice president, and many executive departments, agencies, and offices (Brannen, 2005). The Constitution gives fewer powers to the president than it does to the Congress. It lists two major roles for the president: enforcer of the laws, and commander in chief of the armed forces. The Constitution says little about the specific powers the president can exercise, except for those of appointment, pardon, and the making of treaties (Kollman, 2015). The Constitution limits the eligibility to the presidency to those who were American citizens, who have a minimum age of thirty-five years, and resided in

the United States for at least fourteen years (Vile, 2006). The term of the Presidents is four-years, and he may not serve more than two terms according to the Twenty-second Amendment in 1951 (Brannen, 2005). The American presidency as an institution has changed over time, because individual presidents responded to circumstances and built support for stronger institutional powers(Kollman,2015).

3. The Process of Choosing the President in The United States

Long before the Constitutional Convention in 1787,the founding fathers had discussed the ways to select the head of the executive in the United States' government (Zacharias,2008). The delegates at the Convention put some suggestions including Congress, the Senate, the State Governors, the State legislatures, and the people through popular vote, they finally agreed on the Electoral College system (Palumbo, 2009). Article II of the Constitution established a unique system for electing the president of the United States. Each State was given a number of electors that equal to the number of its representatives and senators in Congress. To win the presidential election, a candidate needs to win the majority (50%+1) of electoral votes. The candidate who gets the second highest number becomes the Vice-President. In the case of a tie ,the House of Representatives chooses the president and the Senate chooses the Vice-President (Palumbo, 2009). The Constitution established an Electoral College as a compromise between direct popular election of the president and election by Congress. The method of selecting electors was left to the states. Electors are now chosen by popular vote (constitutioncenter.org, 2014) .

4. The process of choosing the Big Voters

According to Sabato and Ernst (2006) "In American politics, an elector is a member of the Electoral College. In the Presidential Election system, an elector is a public official responsible for casting vote for president and vice president"(p.131). The United States Constitution guarantees each state at least three electors, equal to the total number of U.S. representatives and senators. Two votes for the Senate members and one vote for the House of representatives. The Twenty-Third Amendment (1961) provides Washington D.C. a minimum of three electors. the nation's total number of electors is fixed at 538, among the 50 states and the District of Columbia (Sabato, & Ernst,2006).

The Manner of choosing electors is determined by the state laws . The Constitution does not require that the electors to cast their votes for their party's candidate in the Electoral College. During the 2000 presidential recount, the media speculated one or two of Bush electors have switched their votes for Al Gore during the Electoral College (Ragone, 2004).

5. Comparing the Direct with Indirect Presidential Election System

There are two common type of elections in most of the world democracies: direct and indirect elections. Direct elections refers to a system of choosing political officeholders in which the voters directly cast their votes for the person, persons or political party, an example of direct election is the presidential election in France . Indirect election, on the other hand is a system where members of parliament an election in which individual citizen's vote for electors who will select a candidate. In other words, they don't vote for the candidate directly, instead they choose to put the decision in the hands of others. Indirect elections are used in a number of ways in nations around the

world such as: Italy, Germany, and Switzerland. Historically, indirect elections were the most common system (slideshare.net, 2018). The arguments of direct election supporters is that it enhances the president legitimacy.

In the countries with Parliamentary system, direct election serves only to choose the members of parliament, then the majority party in parliament selects the head of government from its popularly elected members. In The presidential and semi-presidential systems, the president is elected by the popular vote. In the United States, the president is chosen neither directly by popular vote nor indirectly by elected parliament members (Medvic, 2013).

6. The Presidential Elections Process in the U.S

Every four years American voters go to the polls to elect a president. The process of selecting the president, however, begins before election day. Starting early in an election year, candidates compete in a series of state-by-state contests that determine who wins their party's nomination. Then, the nominees face each other in a national election to decide the presidency (Encyclopedia Britannica Editorial, 2009).

6.1. The Presidential Candidates Nomination

The presidential candidate nomination process is the method by which political parties select a candidate to compete for the position of president of the United States. Several candidates in each party may seek their party's nomination, but only one from each party will become the nominee, and represent his political party in the presidential election. There are three basic elements to the nominating process: candidate announcement, the Primary season , the nominating parties' conventions . First, the candidate announcement

when individuals announce their intent to run for the president. Second, the Primary season, in which the candidates from each party compete for votes and support in states. Finally, the nominating parties' conventions where the candidates to the president and vice-president are officially defined. Today, the process is more transparent than each party's presidential nominee was known before its convention began (Sabato, & Ernst, 2006).

6.2. The Election Day: Popular Vote

In the United States, the Election Day is the day set by law for the elections of federal public officials. It is statutorily set as the Tuesday next after the first Monday in the month of November. For federal offices (President, Vice President, and United States Congress), Election Day occurs only in even-numbered years. The presidential elections are held every four years, in which electors for President and Vice President are chosen according to the method determined by each state. Terms for the elected president begin in January the following year (en.wikipedia.org, 2018).

6.3. The Vote of the Electoral College: Electoral Vote

According to Article II in the Constitution, the election of the president and vice president is vested in the Electoral College. All the states choose their electors by direct popular vote. When people cast their votes for a presidential candidate on election day, they actually vote for a group of electors. All states except Maine and Nebraska use the "winner take all" principal, a system in which the candidate who receives the most votes is awarded all the state's electors, even if the margin of victory in the state's popular vote is small. Hence it is possible for a candidate to win the popular vote but lose the electoral vote. The Electoral College is composed of 538 members, equivalent to 100 senators, 435

House members, and 3 representatives from the District of Columbia (DC). California has the most number electors with 54, followed by New York (33), Texas (32), Florida (25), and Pennsylvania (23) (Ragone, 2004). The chosen electors meet in their state capitals on Monday following the second Wednesday in December to cast their votes for president and vice president. The electors are not bound by the Constitution to vote for the candidates who won the state's popular vote, though some states have laws requiring their electors to do so. The electors' votes are delivered to Congress that counts the electoral votes on January 6 of the next year. The first two candidates who receives a majority, or more than half, of the votes become president and vice president. In the case that no candidate receive a majority, the House of Representatives chooses the president. The formal inauguration of the new president occurs on January 20 in Washington, D.C. (Encyclopedia Britannica Editorial, 2009).

Conclusion

The second chapter has investigated the construction of the American political system in the aftermath of independence from the British Crown. The United States government went through significant historical steps that helped shape its political institutions. The first document established by the founding fathers that serves as constitution was the Articles of Confederation and perpetual union. That document couldn't stand for a long time because it included a lot of flaws and weaknesses such as the absence of the executive branch. The founding fathers established the Congress as the only branch of the government and gave great deal of power to the states due to their concerns about a tyrannical central government. In the constitutional Convention 1787, the founding fathers drafted a new constitution to the United States that aimed to correct the weaknesses of the Articles. A stronger federal government that included three branches of power that work in harmony but separately. The constitution reinforces the role of the executive branch that is vested mainly in the office of the president. Together with the states legislatures, the Constitution defined the rules and modalities for choosing the president and vice-president. The framers established a unique system for electing the president through the Electoral College instead of direct popular election. This system has sparked a heated debate about the purpose of adopting the Electoral College rather than relying on direct popular election to choose the president of United States.

Chapter Three

The Advantages and Drawbacks of the Electoral College

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Introduction

As we have seen in the previous Chapter, the president and vice president are actually elected by the Electoral College. That was a unique system established by the U.S. Constitution. A compromise between direct popular election and indirect election through the congress members. The Electoral College has been controversial since its adoption in the constitutional convention in 1787 because it prevents the popular will, as many critics view it, from choosing the president through direct election. Although the framers provided their argument to adopt this system, arguing that it protects the smaller states' interests, the criticism of the political scientists has not reached an end over the last two centuries. The opinions were divided between the complete abolition and the reform of the Electoral College. The debate became stronger than ever after the outcome of the 2000 presidential election that announced the victory of George W. Bush against his rival Al Gore, even though the latter won the popular vote. It seems that a large number of Americans became convinced that a change ought to be done either through the abolition or the reform of the Electoral College.

1. The Historical Development of the Electoral College

When the Electoral College was first adopted, there had been two methods for choosing Electors: either by the state legislature or by dividing a state into electoral districts. The electors cast two votes for President. The candidate who received the most votes became the President and the candidate who obtained the second largest number of votes became the Vice-President. By 1800, the political parties became an important player in the presidential election. Thomas Jefferson and Aaron Burr were the Republican Party's candidates. Since the Constitution did not allow a separate vote for each office, both candidates obtained the same number of votes. Thus, the House of Representatives had to decide the election. Jefferson became the President and Burr the Vice-President. This problem was solved in 1804 by the Twelfth Amendment of the constitution. This Amendment brought some significant changes. First, the Electors voted separately for the President and the Vice-President. Second, if no one received a majority of electoral votes for the President, the decision went to the House of Representatives. A quorum of at least two-thirds of the House members was needed to elect the president. In 1961, another change affected the Electoral College system, when the Twenty-Third Amendment of the Constitution gave the District of Columbia three Electoral votes as much as a smallest state so that the whole number of electors reached 538 (Arthur & Palumbo, 2009). Today, electors are chosen by popular vote. In all states except Maine and Nebraska, the plurality winner of the state's popular vote wins all of the state's electors (Medvic, 2013).

2. The Opponents of Electoral College

The Electoral College has been controversial throughout the U.S. history. More than 700 proposals to change it have been introduced in Congress over the past 200 years. Critics call the Electoral College anachronistic and anti-democratic (Zacharias,2008). Furthermore, the Electoral College opponents argue that the presidency is a national office that should be elected by a direct vote of all citizens. One of the sharpest criticisms of this system is that the popular vote winner can lose the election, as what happened recently in 2000 elections, and at three times before, in 1824, 1876, and 1888. The third drawback that disturbs critics is the “contingent election,” an election that is thrown into the House of Representatives because no candidate has won a majority of the Electoral College. This happened in 1800 and 1824. Moreover, the winner-take-all principle has been criticized because it reduces the motivation of the presidential candidates to compete for votes in Safe states, that are clearly going to be taken by one of the two major candidates. As a result, the candidates focus only on the Swing states, in which the result of vote cannot be clearly expected (Dahl, 2002). According to some political scientists, the Electoral College system never functioned as it was intended by the framers because They did not take into account the factor of the political parties that did not exist before 1800. Therefore, electors are required to vote for their party’s candidate rather than voting according to their own independent will (Palumbo, 2009).

3. The Proponents of Electoral College

Zacharias (2008) mentioned that "the Supporters view the Electoral College as a bulwark of federalism and the two-party system. In any event, the supporters say it works most of the time without a hitch" (p.106). The defenders of the Electoral College advocate

that it enhances the influence of small states. It helps voters in these states and protects them from having their interests violated (Medvic, 2013). Dahl (2009) quoted James Wilson's question at the constitutional convention "can we forget for whom we are forming a government?... is it for men, or for the imaginary beings called states?" (p.84). In addition, the proponents of that system of election suggest that the presidency should not be a national representative who stand on the same rank as the congress members. Rather the presidency is a federal office that stands simultaneously for the people and the states and for the nation. In a project conducted at the University of Kansas after the 2000 election, thirty seven political scientists were asked to examine the Electoral College. The study revealed that most of them support the Electoral College than any of the alternative systems (Medvic, 2013).

4. The Suggested Reforms to the Electoral College System

The Criticism for the Electoral College can be traced back to the constitutional convention in 1787. The debates over reforming this system have dramatically increased after The presidential election of 2000. About sixty percent (60%) of the American public have supported the abolition of the Electoral College. A study conducted by the Congressional Research Service revealed that most of the suggested constitutional amendments have been introduced in Congress concerned the Electoral College reform. The proposals took two forms: reform or abolition (Medvic,2013).

4.1- Abolition Proposals

The complete abolition of the Electoral College, also called the “direct election plan”, would require a constitutional amendment, as the Constitution specifies that the president is to be chosen by the electoral college (Kollman, 2015). Under the direct election plan, the Electoral College would be replaced with direct election . In this case ,the plurality winner, the candidate with the most votes, of the national popular vote would become president. Others argue that the popular vote winner needs to have a majority of the vote, if no candidate receives the majority, a run-off election between the top two candidates will be carried out few days or weeks after the first election(Medvic, 2013). In 1977, the Congress rejected a proposed constitutional amendment by President Jimmy Carter to abolish the Electoral college because it failed to win a two-thirds majority in the Senate. The latter had also refused a proposal to eliminate the Electoral College in 1969 (Ragone ,2004).

4.2- Reform Proposals

Most of the reform proposals seek to avoid the situation wherein the popular vote winner loses the electoral vote. Some do so by addressing the winner-take- all method of distributing the state’s electoral votes. The “district plan” is one of the possible alternatives by granting one electoral vote to the winner of each district in the state and two to the winner of the statewide vote. Some states have already implemented this plan without constitutional amendment such as Maine and Nebraska(Medvic,2013). Another proposal is the “proportional plan” that gives electoral votes in a state according to the percentage of votes each candidate receives in a state. For instance, in a state with ten electoral votes, the candidate receiving sixty percent (60%) of the vote will get six electoral votes. When

the winner in the Electoral College is a candidate other than the winner of the popular vote, “the national bonus plan” a proposed reform that gives extra electoral votes to the candidate with the most popular votes in a state to ensure that there will be no interference between the results of the Electoral vote and those of popular vote (Schumaker & Loomis, 2002).

Conclusion

In this chapter, the present research shaded light on the Electoral college system for choosing the U.S. president. It tackled the debate between the defenders and critics of that system and examined the arguments provided by each group, besides to the attempts to address the Electoral College either through complete abolition or only by changing its mechanisms. In our point of view, the opponents of the system for choosing the president were more prominent than its supporters, and the major issue that made the disagreement was that the winner of popular vote might lose the electoral vote as the case of the 2000 presidential elections. Although the elimination of the Electoral College through a constitutional amendment seems to be unlikely to happen, political scientists think that the reform is inevitable due to the large number of politicians and people demonstrating their complains about the outcome of the elections. The solutions, in our opinion, are available: either by changing the selecting electors method, district plan or state legislature, or by requiring the electors not to cast their votes to a candidate other than their party's candidate. Only by doing so, the procedure of choosing the head of executive in the United states would become more reasonable. Finally, it seems that no change will occur in the near future.

General Conclusion

General Conclusion

The present research attempted to investigate the process of electing the head of executive in the United States, by reviewing its constitutional roots. We explained the different steps of the election process by stressing on the role of the Electoral College in deciding the election outcomes. The framers of the American Constitution vested the election of the President and Vice-President in the Electoral College. They argued that the president should be chosen by qualified people that have sufficient political background. Moreover, the founding fathers established this system to protect the small states from having their interests violated and to prevent the candidates to focus only on the large populated states and neglect the small ones.

There was no consensus over the role of the Electoral College system during the last two centuries. The debates over the issue had increased dramatically after the results of two thousands (2000) elections since the point that sparked the disagreement is that the winner of the popular vote may lose the electoral vote. The supporters assert that the current system of choosing the president protect the federalism and the two- parties system. They suggest that the direct popular vote can lead to wrong choice of the head of executive. There was several attempts to change the Electoral College system over the last years but it failed to obtain the needed quorum in the senate due to the concerns of the small states' senators.

Although the abolition of the Electoral College system through a Constitutional amendments seems very difficult, it is recommended that the current system should be, at least, reformed. The proposals take several forms but the most acceptable reform in, our opinion, is that of modifying the winner-take-all principal through granting additional

electoral votes to the candidates who win the popular vote so that there will be no interference between the outcomes of popular vote and those of the electoral vote.

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Appendix List

Appendix List

Appendix A: الملخص

Appendix B: Presidential Election Results from 1789 to 2008

الملخص

تتبع الولايات المتحدة نظاما فريدا لاختيار رئيس الدولة يختلف عن باقي الديمقراطيات حول العالم. تهدف هذه الدراسة إلى فحص الانتخابات الرئاسية الأمريكية والياتها ومراحلها بدءا باليوم الانتخابي في الولايات إلى غاية المجمع الانتخابي. ويهدف البحث بهذا إلى معرفة لماذا يعد هذا النظام أكثر أهمية من كل من الانتخابات المباشرة والانتخابات غير المباشرة. ونظرا للطابع التحليلي للبحث فإن الدراسة تقوم على تتبع العملية الانتخابية بشرح ومعاينة مكوناتها ومراحلها من أجل معرفة دور كل عنصر مع التركيز على دور المجمع الانتخابي، وقد كشفت نتائج الدراسة بان واضعي الدستور الأمريكي صمموا نظام المجمع الانتخابي كحل توافقي بين الانتخابات المباشرة والانتخابات غير المباشرة من أجل حماية النظام الفدرالي وكذا مصالح كل من المواطنين والولايات.

الكلمات المفتاحية: الديمقراطيات، المجمع الانتخابي، النظام الفيدرالي، اليوم الانتخابي، واضعي الدستور الأمريكي.

Presidential Election Results from 1789 to 2008

Year	Candidate	Party	Electoral Vote	Popular Vote
1789	George Washington	/	69	
1792	George Washington	Federalist	132	
1796	John Adams Thomas Jefferson	Federalist Democratic-Republican	71 65	
1800	Thomas Jefferson Aaron Burr John Adams C.C. Pinckney John Jay	Democratic-Republican Democratic-Republican Federalist Federalist Federalist	73‡ 73‡ 65 64 1	
1804	Thomas Jefferson C.C. Pinckney	Democratic-Republican Federalist	162 14	
1808	James Madison C.C. Pinckney George Clinton	Democratic-Republican Federalist Independent-Republican	122 47 6	
1812	James Madison DeWitt Clinton	Democratic-Republican Federalist	128 89	
1816	James Monroe Rufus King	Democratic-Republican Federalist	183 34	
1820	James Monroe John Quincy Adams	Democratic-Republican Independent Republican	231 1	
1824	John Quincy Adams Andrew Jackson W.H. Crawford Henry Clay	(no distinct party designations)	84 99 41 37	108740 153544 40856 47531
1828	Andrew Jackson John Quincy Adams	Democratic National Republican	178 83	647286 508064
1832	Andrew Jackson Henry Clay John Floyd William Wirt	Democratic National Republican Nullification Anti-Masonic	219 49 11 7	687502 530189 - 100715
1836	Martin Van Buren William Henry Harrison Hugh L. White Daniel Webster W.P. Mangum	Democratic Whig Whig Whig Anti-Masonic	170 73 26 14 11	762678 550816 146107 41201 -
1840	William Henry Harrison Martin Van Buren	Whig Democratic	234 60	1275016 1129102
1844	James K. Polk Henry Clay James G. Birney	Democratic Whig Liberty	170 105 -	1337243 1299062 62103
1848	Zachary Taylor Lewis Cass Martin Van Buren	Whig Democratic Free Soil	163 127 -	1360099 1220544 291501
1852	Franklin Pierce Winfield Scott John P. Hale	Democratic Whig Free Soil	254 42 -	1601274 1386580 155210
1856	James Buchanan John C. Fremont Millard Fillmore	Democratic Republican Know Nothing (American)	174 114 8	1838169 1341264 873053
1860	Abraham Lincoln John C. Breckinridge John Bell Stephen Douglas	Republican Democratic Constitutional Union Democratic	180 72 39 12	1866452 847953 590901 1380202
1864	Abraham Lincoln John B. McClain	Republican Democratic	212 21	2123665 1805237
1868	Ulysses S. Grant Horatio Seymour	Republican Democratic	214 80	3012833 2703249
1872	Ulysses S. Grant Horace Greeley	Republican Democratic	286 63	3597132 2834125
1876	Rutherford B. Hayes Samuel J. Tilden	Republican Democratic	185 184	4036298 4300590

1880	James A. Garfield Winfield S. Hancock James B. Weaver	Republican Democratic Greenback-Labor	214 155 -	4454416 4444952 305997
1884	Grover Cleveland James G. Blaine	Democratic Republican	219 182	4874986 4851981
1888	Benjamin Harrison Grover Cleveland Clinton B. Fisk	Republican Democratic Prohibition	233 168 -	5439853 5540309 249819
1892	Grover Cleveland Benjamin Harrison James B. Weaver John Bidwell	Democratic Republican Populist Prohibition	277 145 22 -	5556918 5176108 1027329 270770
1896	William McKinley William Jennings Bryan	Republican Democratic	271 175	7104779 6502925
1900	William McKinley William Jennings Bryan	Republican Democratic	292 155	7207923 6358133
1904	Theodor Roosevelt Alton B. Parker Eugene V. Debs	Republican Democratic Socialist	336 140 -	7623486 5077911 402489
1908	William Howard Taft William Jennings Bryan Eugene V. Debs	Republican Democratic Socialist	321 162 -	7678908 6409104 420380
1912	Woodrow Wilson Theodore Roosevelt William Howard Taft Eugene V. Debs	Democratic Progressive (Bull Moose) Republican Socialist	435 88 8 -	6293454 4119207 3483922 900369
1916	Woodrow Wilson Charles Evans Hughes Allan L. Benson	Democratic Republican Socialist	277 254 -	9129606 8538221 589924
1920	Warren G. Harding James M. Cox Eugene V. Debs	Republican Democratic Socialist	404 127 -	16147249 9140864 897704
1924	Calvin Coolidge John W. Davis Robert M. La Follette	Republican Democratic Progressive	382 136 13	15725016 8386503 4822856
1928	Herbert Hoover Alfred E. Smith	Republican Democratic	444 87	21392190 15016443
1932	Franklin D. Roosevelt Herbert Hoover Norman Thomas	Democratic Republican Socialist	472 59 -	2281857 15761841 884781
1936	Franklin D. Roosevelt Alfred M. Landon	Democratic Republican	523 8	27476673 16679583
1940	Franklin D. Roosevelt Wendell L. Willkie	Democratic Republican	449 82	27243466 22304755
1944	Franklin D. Roosevelt Thomas E. Dewey	Democratic Republican	432 99	25602505 22006278
1948	Harry S. Truman Thomas E. Dewey Strom Thurmond Henry A. Wallace	Democratic Republican States' Rights Progressive	303 189 39 -	24105695 32969170 1169021 1156103
1952	Dwight D. Eisenhower Adlai E. Stevenson	Republican Democratic	442 89	33778963 27314992
1956	Dwight D. Eisenhower Adlai E. Stevenson	Republican Democratic	457 73	35581003 25738765
1960	John F. Kennedy Richard M. Nixon	Democratic Republican	303 219	34227096 34107646
1964	Lyndon B. Johnson Barry M. Goldwater	Democratic Republican	486 52	42825463 27146969
1968	Richard M. Nixon Hubert H. Humphrey George C. Wallace	Republican Democratic America Independent	301 191 46	31710460 30898055 9906473
1972	Richard M. Nixon George S. McGovern	Republican Democratic	520 17	46740323 28901598
1976	Jimmy Carter Gerald R. Ford	Democratic Republican	297 240	40825839 39147770
1980	Ronald Reagan	Republican	489	43642639

	Jimmy Carter John B. Anderson	Democratic (independent)	49 -	35480948 5719437
1984	Ronald Reagan Walter F. Mondale	Republican Democratic	525 13	54455075 37577185
1988	George Bush Michael S. Dukakis	Republican Democratic	426 111	48886097 41809074
1992	Bill Clinton George Bush Ross Perot	Democratic Republican (independent)	370 168 -	44909889 39104545 19742267
1996	Bill Clinton Bob Dole Ross Perot	Democratic Republican Reform	379 159 -	47402357 39198755 8085402
2000	George W. Bush Al Gore Ralph Nader	Republican Democratic Green	271 266 -	50456002 50999897 2882955
2004	George W. Bush John Kerry	Republican Democratic	286 251	62028285 59028109
2008	Barack Obama John McCain	Democratic Republican	365 173	66000000 58000000