

## Q.NO.7 (2017)

Examine the merits and demerits of the US Election System to elect President.

### (1) Introduction:

President of the United States of America is the most powerful person in the world. He is the head of the executive machinery in the United States. This position is of paramount importance not only for the U.S., but also for rest of the world due to U.S. role in international politics. Hence, it is integral that a fool proof process, devoid of any hurdle, is in place for the American people to elect their president in accordance with their hopes and aspirations. The election process for U.S. president also stands out due to its uniqueness, as it does not find an able companion across the world. Furthermore, some dichotomy in theory and practice has emerged in the election process, which makes it all the more intriguing to analyse and comprehend.

### (2) Salient features of the Election Process:

(a) U.S. Constitution provides for an electoral

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## College for indirect election:

The founding fathers envisaged the election of U.S. President to be an indirect one in Article II, Section I and clause 2 and 3 of the US Constitution. These provisions call for appointing of electors, in each state, which will then vote for U.S. President. This assortment of electors is known as the Electoral College.

### (b) Indirect in theory but direct in practice:

There is a dichotomy between theory and practice, when it comes to the election process for U.S. president. This dichotomy is a direct result of the emergence of political parties and mass media. Now, while voting for electors, voters know which candidate they are choosing for president.

### (c) Qualification of Electors:

Article III, Section I, clause 2 provides that following cannot be electors:

- Senator
- Representative

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- Person holding an office of trust or profit and U.S.

According to 14 amendment in the post civil war era:

- No official could be an elector who has engaged in insurrection against the U.S.

(d) Distribution of Electors - House of Representatives plus two rule:

According to Article II, Section 1 and clause 1 of U.S. Constitution:

Each State will get the number of electors equal to number of legislators to U.S. congress. As the number of senators for every state is two, the number of electors amount to number of House of Representatives plus two.

(e) Total number of Electors and number required to win:

The total number of electors is 538, while the number required to win the Presidential election is 270.

### (3) Qualifications for Presidential candidates

Any individual aspiring to the presidency must meet the following qualifications

- 1- The candidate must be of 35 years of age
- 2- The candidate must be a natural born citizen of the U.S.
- 3- The candidate must be a resident of the U.S for at least 14 years.

### (4) Electoral process:

The electoral process of the U.S. is carried out according to the following schedule and steps.

### (a) Fixed Schedule for U.S. Elections:

The election has a fixed schedule:

- 1- The election takes place every fourth year.
- 2- Election of Presidential electors: The electors are elected on Tuesday after first Monday in November of every leap year.
- 3- The elected electors meet in the capital of their state on first Monday after second Wednesday in December.

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4- Votes are conducted by the Congress on 6<sup>th</sup> January and President elect is declared.

5- President is sworn into office at noon on 20<sup>th</sup> January.

## (b) Steps of Presidential Election:

Step I: Aspiring candidates fulfil eligibility criteria and declare candidature.

Step II: Political parties select delegates:

There are two political parties in the US: the Republicans and the Democrats. These parties select delegates from each other that will go to conventions to select party's nominee for President.

### Delegate

Representatives that select final nominees of party of convention'

### Selection

#### Primaries

'Elections in which voters elect delegates via secret ballot'

#### Caucuses

'Election in which voters elect delegates through informal gathering or voting by raising hand'

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Political parties in each state conduct primaries or caucuses. They may conduct both.

Example:

Many states have primaries and caucuses on a Tuesday known as 'Super Tuesday'.

Step III: Nomination of party Nominee at National Convention:

It usually takes place in July. Delegates elect Presidential nominee who then announces 'Running Mate' for Vice President.

Step IV: Campaign Trail:

The party nominees of all major parties take to the campaign trail.

Following modes of campaigning are use.

- 1- State rallies
- 2- Televised debates
- 3- Support conventions.

Step V: Central Election to Elect Presidential Electors:

On the Tuesday falling next to the Monday of November, people take to the polls. On the ballot paper in

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each state, the list of electors chosen by the party is displayed. People vote for the electors announced by their Presidential candidate of their party.

(a)

### Winner takes all principle:

The Presidential candidate who gets more votes in a state takes all electoral votes of that state under this principle. This is applied to 48 out of 50 states of the U.S. with Maine and Nebraska following Proportional representation according to popular vote.

Step VI: Vote Casting by Electoral College

Step VII: Sending Casted votes to the Congress before 3rd January

Step VIII: Counting of Notes by Congress  
Congress declares a victor as per 'First Past the Post Policy'. Whoever crosses the 270 votes first is the President elect.

Step IX: Inauguration of President elect on 20th January

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## (5) Merits and Demerits of the Electoral Process of USA:

The merits and Demerits of U.S. electoral process are as follows.

### Merits

1) Electoral College ensures that candidates campaign for support across the whole country

Where the system of popular vote in place, candidates would have only focused on mass urban populated areas such as large metropolis.

2) Protects interests of small states

Smaller states have major say in Electoral College. In the case of popular vote larger states with large population take benefit.

3) Meant to safeguard president election from uneducated voters and

### Demerits

1) Electoral College gives too much power to the swing states

States such as Florida and Ohio take added prominence in race for electoral votes.

2) Democracy should function on will of people, allowing one person one vote principle.



and impulse of the masses.

At the time of foundation,

-there was no mass media.

Hence the founding fathers wanted to make sure that educated and able men elect the president.

"The Electoral College protects state sovereignty. It actually is one of the most brilliantly conceived electoral mechanisms ever."

- Rush Limbaugh - American Conservative Political Commentator.

3) candidate may win popular vote but lose election.

This happened in 2016 when Hilary Clinton won more votes than Donald Trump but lost in Electoral college.

4) This system is redundant, confusing and ineffective.

## 6.) Impeachment Process:

The impeachment process in U.S. Constitution has been deliberately made cumbersome and difficult to ensure political stability and relative independence of the Executive.

1- Initiating power:

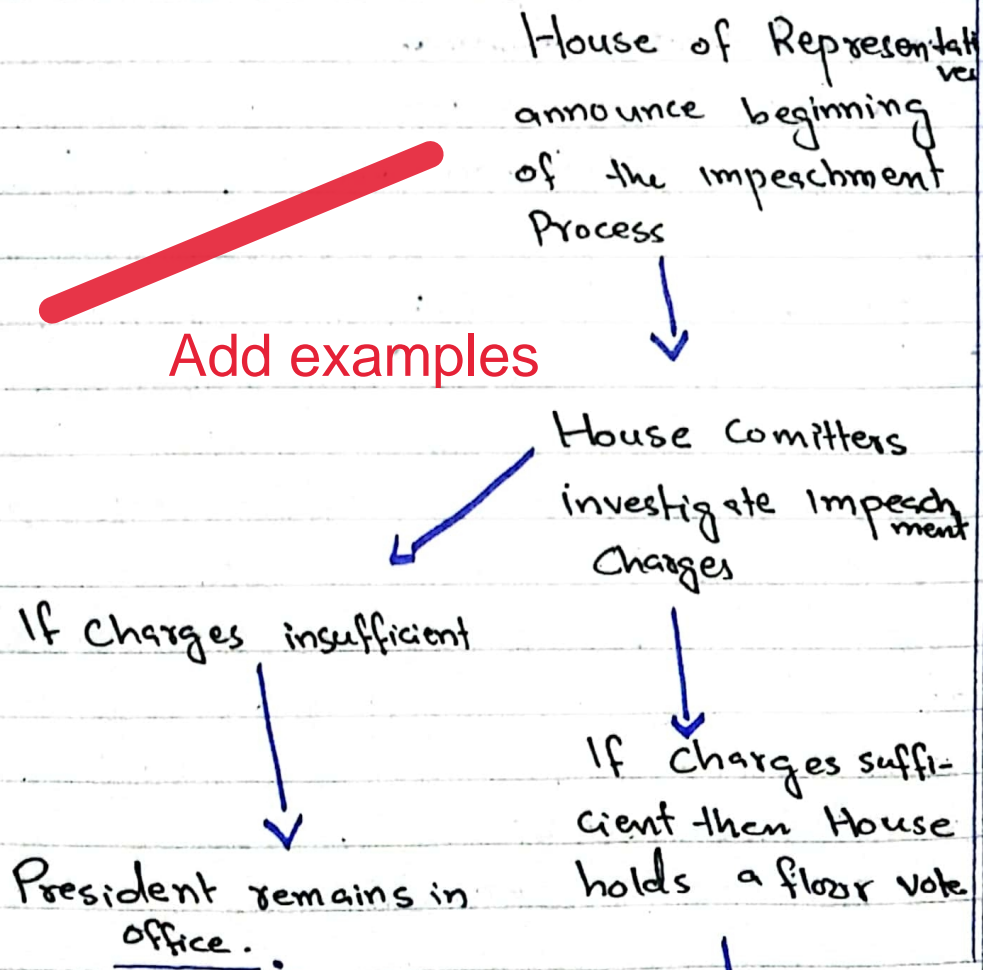
- House of Representatives

## 2- offences Lable to Impeachment:

According to Article II, Section 4 of U.S. constitution, U.S. president may be impeached due to

- 1- Treason
- 2- Bribery
- 3- High crimes and misdemeanors

### (a) Process of Impeachment:



Add examples

IF floor votes to  
Impeach

Articles of impeachment  
move to Senate

Senate Judiciary Committee  
holds a trial with Chief Justice  
of Supreme Court as the head  
of Committee members as the Jury

Senate holds a vote to convict

IF president disqualified  
from holding any public  
office for life.

Vice president takes  
over.

IF less than a  
majority vote to  
impeach

Remains in  
office.

IF less than 2/3rd  
majority

President remains  
in office.

Very good  
Add examples and  
references of books  
where required  
Keep revising, keep  
learning, keep practicing,  
you have got potential,  
good luck!

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## Conclusion :

Election process of U.S.A is a lengthy and complex process which takes months to complete and elect President. Masses vote for electors of Electoral College which further elects president of the country. The Constitution of U.S.A provides detailed clauses for election, qualification and impeachment of president. The nominee after passing certain litmus tests reaches at the position of supreme leader of the Super Power Country.

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