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AFTER THE PEOPLE VOTE

A Guide to the Electoral College

THIRD EDITION

Edited by John C. Fortier

In 2000, Americans waited thirty-six days to learn who won the presidential election. And for the first time in over one hundred years, the winner of the popular vote did not get a majority vote in the electoral college. Could it happen again? Possibly. A closely divided electorate could again face election disputes, recounts, objections from Congress, and a tie in the electoral college.

A Bush-Edwards presidency? It could happen. If Kerry wins every state won by Gore in 2000, plus West Virginia and New Hampshire, Bush and Kerry would each have 269 votes. The new House of Representatives would then have to choose the president and would likely select Bush. The new Senate would select the vice president, and only if the Democrats have a majority would John Edwards be selected.

A terrorist attack on inauguration day could also elevate to the presidency someone far removed from the line of succession. A John Kerry win could end up as a John Ashcroft administration.

The 2000 election taught us that much can happen between election day, after the people vote, and the inauguration. A new edition of *After the People Vote: A Guide to the Electoral College* (AEI Press, September 2, 2004), edited by AEI research fellow John C. Fortier, provides a step-by-step guide to the process of electing the U.S. president. After the people vote, the electors vote—but who are these electors? Why does the electoral college exist? How are the electors selected? When do they meet? Do they have to vote according to the popular vote of the state they represent? How would an electoral tie be resolved? These and other questions are answered in *After the People Vote*.

More than a handbook, *After the People Vote* also features several essays by eminent scholars of political science and election law. AEI scholar Norman J. Ornstein provides a short history of disputed elections prior to the 2000 election, and John C. Fortier explains what happened in the 2000 election and the significance of *Bush v. Gore*. In addition, AEI scholar Walter Berns, the late University of Chicago professor Martin Diamond, Yale law professor Akhil Amar, and University of California–Berkeley law professor Vikram Amar present arguments for and against the electoral college.

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