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# West Coast Publishing

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## Electoral College topic Public Forum April 2017

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## WEST COAST DEBATE

### Public Forum April 2017

### Electoral College topic

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Use the table of contents on the next pages to find the evidence you need or the navigation bar on the left. We have tried to make the table of contents as easy to use as possible.

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## **Resolved: The United States ought to replace the Electoral College with a direct national popular vote.**

After the 2000 election when President George Bush lost the popular vote but won the Electoral College, there began a set of debates about whether or not the Electoral College ought to be replaced by a direct national popular vote. In the years following, that debate lost its luster until President Trump won the 2016 election. A non-politician lost the popular vote by a substantial margin, but had a winning Electoral College strategy that garnered him the presidency. For the pro, you must win that the electoral college is a bad mechanism for selecting the presidency. One of the first considerations for the pro is how to frame the debate. It would be very wise to have an observation or some resolitional analysis that says that the con cannot win with advocating for an altered version of the Electoral College. It should be a debate about replacement of the system as is. If the pro wins that a replacement is better than the status quo, you should win. Remember – replacement, not alteration. After this discussion, there are many reasons the Electoral College is bad in and of itself. One of those reasons is that it is antiquated. When it was established, its goal for the founders was to account for slave populations living in the south. Clearly, slavery should not be a driving force of modern day election policy. Additionally, it still fosters racist implications as districts can be gerrymandered to suppress voter turnout and equality among districts. Additionally, there are several elections now in history, the most recent being the Trump election, that have had a different winner of the popular vote and in the electoral college. The winner of the popular vote should be the president elected. Even more antidemocratic is the ability of an elector to be a faithless elector, who can then vote for whomever candidate they please, even if their district did not make that decision. Another consideration for the pro is the type of replacement for which you advocate. You could say that an alteration to the current system through the National Interstate Vote Compact, which allocates Electoral Votes to the candidate that wins the popular vote in that district. This demonstrates the benefits of federalism and democracy simultaneously. Even if you don't advocate for this as the replacement, it is still evidence that states are telling the federal government that the current system is wrong and ought be abandoned. A president should be elected by the people, not by an antiquated system that is antidemocratic.

As the pro must do to win, the con also has to write a framing argument or some sort of resolitional analysis to determine the ground allocation for the pro and the con. For the con, you should be able to defend any sort of modified electoral college system, which means the pro must defend a direct popular vote, not some version of a direct popular vote, disallowing the pro to defend the National Voter Interstate Compact. First, there are many benefits to the Electoral College that are general to any ground you want to defend as the con. First, it is a democratic means of electing the president. It ensures that all states play a role in that decision, which was important to the founding fathers in drafting the constitution. The Electoral College ensures the tyranny of the majority does not rule the government. It does so by protecting small states. One of the things that is proven true this last election is that rural America wants to be heard. The Electoral College allowed that to happen. Small states don't have a voice without it because otherwise candidates would ignore rural areas, only focusing on urban centers. This is discrimination and disenfranchisement for the rural communities across the country. This also an important lead-in to a discussion of democracy. The Electoral College is the most democratic means to select the presidency that listens to a multitude of voices while providing checks and balances to the determination of the highest office in this country. In addition to discussing the benefits of the Electoral College, you also get to discuss why a direct voting system would be terrible for the United States. Much of the evidence below notes that a popular vote would cause more harm than good, as it would be difficult to count votes and determine a

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winner as recounts are more probable, there would be more litigation, and other similar issues. The Electoral College has a clear mechanism of determining the winner. Also, getting the states to agree on a direct popular vote may not be possible. The only way to replace the Electoral College is through a constitutional amendment ratified by the state legislatures. This is an unlikely strategy, as not enough states would let it occur, nor would much of congress even let it become an amendment. Its feasibility is bleak. As the con, if you do wish to defend an alteration to the system, you should defend the National Voter Interstate Compact. It is still a version of the Electoral College, as it simply reallocates the votes appropriately. It is a legitimate modification to garner some offense in the round to deem why the Electoral College is in fact good. It is also a means of promoting federalism. Many states have signed on to the compact, which shows the states should/ and are also playing a role in the election of the highest office in the United States.

In the rebuttal, you need to focus on the flaws of the Electoral College as you frame your responses to the con's case. The Con will attempt to point out the inevitability of the system, but constitutional amendments are indeed possible. Because now many states are showing their desire for a new system, it will mean that it's likely ratification of the amendment would be possible. Recent protests after the last election are also demonstrative of this claim, which shows the status quo is not inevitable.

In the con rebuttals, it is important for you to make sure that the status quo is fine and ought not be changed. If you can demonstrate that their case leads to more harm than good, then there is no reason to alter the Constitution. You next need to decide which framework argument you plan to defend. Either, you defend that the pro only gets to defend a direct popular vote or that no change is necessary and have arguments as to why both the direct vote and NVIC is a bad idea. All of these are necessary in the rebuttals depending on what the pro wants to defend. You also need to focus on the effectiveness debate. Questioning the effectiveness of the direct popular vote while contrasting that with the notion that the Electoral College is very effective is a good strategy to start to pull ahead of the pro in the debate.

At the end of the debate, the pro has history on its side. Not only has the historical relevance of the Electoral College deteriorated, but this last election is an important election to highlight the issues currently plaguing our presidential election system. Clinton won the popular vote by a substantial margin of votes, which is empirical evidence the system must be replaced. In the final focus, you should democracy as a framing argument for the debate. The Electoral College is anti-democratic, and it leads to many negative implications that threaten democracy: Trump is a demagogue, gerrymandering disproportionately hurts persons of color, corruption is imminent, and electors can be faithless. Democracy is the most important thing in the debate. Without preserving it, the most important facet of our government and the president is gone.

For the con, you also must frame democracy as the most important facet of government, but you need to talk about how the Electoral College is important for protecting minority voices. One of the things democracy is supposed to prevent is the tyranny of the majority. Without the Electoral College, rural areas will be perpetually ignored. It is clear from this election that they want to be heard, and the Electoral College gave them a voice. In addition to framing the debate over democracy in your favor, you need to make a decision about whether you'll focus on the remaining Electoral College good arguments or the flaws of a direct vote. You can still use one to serve as a warrant as to justify the other. For example, if most of your arguments are about the flaws about direct popular voting, you say those reasons are each justifications for maintaining the Electoral College. Why fix it if it isn't broken?





## **Definitions**

## United States

**A federation of states.**

**Merriam-Webster, 2017**, United States,

<https://www.merriam-webster.com/dictionary/United%20States>, (accessed 2/1/17)

**a federation of states especially when forming a nation in a usually specified territory**

**The United States contains all 50 federated states and territories.**

**Black's Law Dictionary, 2017**, United States, <http://thelawdictionary.org/united-states/> (accessed 2/1/17)

**Made up of the 50 federated states, American Samoa, District of Columbia, Johnston Island, Guam, Wake and Midway Islands, Northern Marianas and US Virgin Islands.**

**The United States is the 50 states in North America.**

**Cambridge Dictionary, 2017**, United States,

<http://dictionary.cambridge.org/us/dictionary/english/united-states?q=united+states+> (accessed 2/1/17)

**The United States of America, a nation consisting of 50 states, all but one (Hawaii) in North America.**

## Ought

**Ought is used to express duty, obligation, moral rightness, appropriateness, and probability.**

**Dictionary.com, 2017**, ought, <http://www.dictionary.com/browse/ought?s=t> (accessed 3/1/17)

1. (used to express duty or moral obligation): Every citizen ought to help. 2. (used to express justice, moral rightness, or the like): He ought to be punished. You ought to be ashamed. 3. (used to express propriety, appropriateness, etc.): You ought to be home early. We ought to bring her some flowers. 4. (used to express probability or natural consequence): That ought to be our train now.

**Ought is used to express obligation, natural expectation, or logical consequence.**

**Merriam-Webster, 2017**, Ought, <https://www.merriam-webster.com/dictionary/ought> (accessed 3/1/17)

used to express obligation, ought to pay our debts, advisability ought to take care of yourself, natural expectation ought to be here by now, or logical consequence the result ought to be infinity

**Ought is used to say what is necessary, desirable, probable, or expected.**

**Cambridge Dictionary, 2017**, Ought, <http://dictionary.cambridge.org/us/dictionary/english/ought> (accessed 3/1/17)

used to say that it is necessary or desirable to perform the action expressed in the verb: We ought to clean up before we go home. She really ought to apologize. used to say that the action expressed in the verb is probable or expected: He ought to be home by seven o'clock. The curtains ought to be ready on Monday. At his age, he ought to have known better.

## Replace

**To assume a former role, a substitute, to restore to a former or the proper place.**

**Dictionary.com, 2017**, Replace, <http://www.dictionary.com/browse/replace?s=t> (accessed 3/1/17)

1. to assume the former role, position, or function of; substitute for (a person or thing): Electricity has replaced gas in lighting. 2. to provide a substitute or equivalent in the place of: to replace a broken dish. 3. to restore; return; make good: to replace a sum of money borrowed. 4. to restore to a former or the proper place: to replace the vase on the table.

**To replace is to restore to former place or position, take place of.**

**Merriam-Webster, 2017**, Replace, CITE (accessed 3/1/17)

**1: to restore to a former place or position** replace cards in a file. **2 : to take the place of especially as a substitute or successor.** **3 : to put something new in the place of** replace a worn carpet

**To replace is to take the place of something or put something back.**

**Cambridge Dictionary, 2017**, Replace, <http://dictionary.cambridge.org/us/dictionary/english/replace> (accessed 3/1/17)

**to take the place of something or put in the place of something or someone else:** We replaced our old air conditioners. The ailing actress was replaced by her understudy. **to put something back where it was before:** After dusting the vase, she replaced it on the shelf.

## Electoral College

The Electoral college is a body of electors chosen to elect the president.

**Dictionary.com, 2017**, Electoral College, <http://www.dictionary.com/browse/electoral-college?s=tTE> (accessed 3/1/17)

**A body of electors chosen by the voters in each state to elect the president and vice president of the U.S.**

The Electoral College is a process where the US President is not chosen by voters but by electors in each state and D.C.

Harriett **Agerholm, 2016**, "Electoral College: What it is, and is it really the best system?" The Independent, <http://www.independent.co.uk/news/world/americas/us-elections/electoral-college-how-does-it-work-us-election-day-2016-states-votes-donald-trump-hilalry-clinton-a7404086.html> (accessed 3/5/17)

**The US president is not directly chosen by voters, but by 'electors' that people in a state vote for. The more people in a state, the more electors an area has.** For example, Texas has a population of 25 million and is afforded 38 Electoral College votes, while Delaware has a population of 936,000 and has only three votes. **There are 538 electors in total, corresponding to 435 members of Congress, 100 Senators and three additional electors for the District of Columbia. They will meet in their respective states on 19 December to ultimately elect the President. Almost every state chooses to allocate all its Electoral College votes to whoever comes in first place statewide, regardless of their margin of victory**

The Electoral College is a process that consists on the selection of the electors to vote for President and Vice President through the voting of 538 electors.

**Office of the Federal Registrar, 2017**, "What is the Electoral College?" National Archives and Records Administration, <https://www.archives.gov/federal-register/electoral-college/about.html> (accessed 3/5/17)

**The Electoral College is a process, not a place. The founding fathers established it in the Constitution as a compromise between election of the President by a vote in Congress and election of the President by a popular vote of qualified citizens. The Electoral College process consists of the selection of the electors, the meeting of the electors where they vote for President and Vice President, and the counting of the electoral votes by Congress. The Electoral College consists of 538 electors. A majority of 270 electoral votes is required to elect the President. Your state's entitled allotment of electors equals the number of members in its Congressional delegation: one for each member in the House of Representatives plus two for your Senators. Read more about the allocation of electoral votes.**

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## Direct National Popular Vote

The Popular Vote is made by the voters as opposed to the electoral college.

**Dictionary.com, 2017**, Popular Vote, <http://www.dictionary.com/browse/popular-vote> (accessed 3/1/17)

**1. the vote for a U.S. presidential candidate made by the qualified voters, as opposed to that made by the electoral college. Compare electoral vote. 2. the vote for a candidate, issue, etc., made by the qualified voters, as opposed to a vote made by elected representatives.**

The National Popular vote guarantees the presidency to the candidate who receives the most votes.

**National Popular Vote, 2017**, <http://www.nationalpopularvote.com/> (accessed 3/1/17)

**The National Popular Vote bill would guarantee the Presidency to the candidate who receives the most popular votes in all 50 states and the District of Columbia.**

The National Popular Vote Plan is a state-based means to ensure a popular vote would replace the electoral college system.

**Fair Vote.Org, 2017**, “National Popular Vote,”

[http://www.fairvote.org/national\\_popular\\_vote#endorsers\\_of\\_the\\_npv\\_plan](http://www.fairvote.org/national_popular_vote#endorsers_of_the_npv_plan) (accessed 3/1/17)

**All voters should be valued equally in presidential elections, no matter where they live.** Our current Electoral College system, grounded in state laws which allocate electoral votes on a winner-take-all basis, leads presidential candidates to concentrate their resources on voters in a handful of swing states, relegating the vast majority of the country to spectator status. Instead, **we should elect the president by a national popular vote—and there's a state-based, constitutional way to do so: The National Popular Vote interstate compact.** The Constitution gives states full control over how they allocate their electoral votes. The current winner-take-all method, in which the winner of the statewide popular vote wins all of that state's electoral votes, is a choice—and states can choose differently. **Under the National Popular Vote interstate compact, states choose to allocate their electoral votes to the candidate who wins the most popular votes in all 50 states and DC.** This compact takes effect only when enough states sign on to guarantee that the national popular vote winner wins the presidency. **That means states with a combined total of 270 electoral votes—a majority of the Electoral College—must join the compact for it to take effect. The National Popular Vote plan has bipartisan support and has been introduced in all 50 state legislatures. To date, 10 states and DC have passed legislation to enter the compact for a combined total of 165 electoral votes, meaning the compact is over 60% of the way to activation.**

## **PRO Case**

**It is because the Electoral College is an antiquated system of elections that promotes gerrymandering and anti-democratic outcomes, we stand in affirmation of the resolved: the United States ought to replace the Electoral College with a direct national popular vote.**

We define Electoral College as:

**The Electoral College is a process where the US President is not chosen by voters but by electors in each state and D.C.**

Harriett **Agerholm, 2016**, "Electoral College: What it is, and is it really the best system?" The Independent,

<http://www.independent.co.uk/news/world/americas/us-elections/electoral-college-how-does-it-work-us-election-day-2016-states-votes-donald-trump-hilary-clinton-a7404086.html> (accessed 3/5/17)

**The US president is not directly chosen by voters, but by 'electors' that people in a state vote for. The more people in a state, the more electors an area has.** For example, Texas has a population of 25 million and is afforded 38 Electoral College votes, while Delaware has a population of 936,000 and has only three votes. **There are 538 electors in total, corresponding to 435 members of Congress, 100 Senators and three additional electors for the District of Columbia. They will meet in their respective states on 19 December to ultimately elect the President. Almost every state chooses to allocate all its Electoral College votes to whoever comes in first place statewide, regardless of their margin of victory**

And

The direct national popular vote as:

**The Popular Vote is made by the voters as opposed to the electoral college.**

**Dictionary.com, 2017**, Popular Vote, <http://www.dictionary.com/browse/popular-vote> (accessed 3/1/17)

**1. the vote for a U.S. presidential candidate made by the qualified voters, as opposed to that made by the electoral college. Compare electoral vote. 2. the vote for a candidate, issue, etc., made by the qualified voters, as opposed to a vote made by elected representatives.**

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## **Contention 1: The Electoral College was meant to protect the nation from tyranny, yet it has created a demagogue like Trump the leader of the nation.**

**The Electoral College was supposed to prevent demagogues from becoming president.**

Michael **Signer**, Mayor of Charlottesville NC, Attorney and lecturer at the University of Virginia, **November 17, 2016**, "The Electoral College Was Created to Stop Demagogues Like Trump," TIME Magazine, <http://time.com/4575119/electoral-college-demagogues/> (accessed 3/4/17)  
It's these electors who actually hold power under the Constitution to select Donald Trump as president. They should take that responsibility very seriously. They owe it to all Americans to deliberate on their choice in the manner required by the Constitution. **The fact is that the Electoral College was primarily designed to stop a demagogue—a tyrannical mass leader who preys on our prejudices—from becoming President. Consider what Alexander Hamilton wrote in Federalist Paper Number 68. The Electors were supposed to stop a candidate with "Talents for low intrigue, and the little arts of popularity" from becoming President. The Electors were supposed to be "men most capable of analyzing the qualities adapted to the station, and acting under circumstances favorable to deliberation, and to a judicious combination of all the reasons and inducements which were proper to govern their choice."**

**Donald Trump is a demagogue who postures as a mirror of the masses, triggers emotion for political benefit and threatens rules of governance.**

Michael **Signer**, Mayor of Charlottesville NC, Attorney and lecturer at the University of Virginia, **November 17, 2016**, "The Electoral College Was Created to Stop Demagogues Like Trump," TIME Magazine, <http://time.com/4575119/electoral-college-demagogues/> (accessed 3/4/17)  
I define **demagogues as meeting four criteria: first, they posture as a mirror of the masses, attacking elites. Second, they trigger great waves of emotion. Third, they use that emotion for political benefit. Fourth, they threaten or break established rules of governance. Demagogues tend to turn democracy against itself, from within,** as we have vividly seen in recent years with the tyrannical Hugo Chavez in Venezuela (who imprisoned political opponents), the corrupt Silvio Berlusconi in Italy (who was convicted for corruption and for sex parties with underage women), and the brutal Alexander Lukashenko in Belarus (who runs a violent, oppressive regime). For a long time, I believed that **Trump** was not a demagogue because he didn't mirror the masses and because he didn't threaten governance. But when he **began openly posturing as a mirror of the masses and courting unlawfulness and even violence, I concluded that he had, in fact, become a demagogue, which meant that he also crossed the line into a clear Constitutional danger zone, according to the Founding Fathers.**

**It's failed; The Trump presidency and populism proves.**

Rachel **Tropp**, Writer and Columnist , **February 21, 2017**, "The Case Against the Electoral College," Harvard Political Review,

<http://harvardpolitics.com/united-states/the-case-against-the-electoral-college/> (accessed 3/4/17)

**While one of the original purposes of the college, to prevent uneducated voters from electing a poor leader, was wise in theory, it hasn't played out in practice. Indeed, our two-party system, which the founders failed to foresee, makes an Electoral College override almost impossible. Instead of filtering and refining the people's will, the Electoral College has become solely a reflection of the popular vote in each given state. Furthermore, Trump's election is arguably the exact kind of populist movement the Electoral College was designed to protect against, meaning it has failed in its designated purpose.**

**The Trump Administration's win is indicative of a need for Electoral College reform, especially with the threat of reform roll back.**

Kaitlyn **Quistgaard**, Write for Wired, **December 8, 2016**, "The Electoral College is Great for Whiter States, Lousy for Cities," Wired.com,

<https://www.wired.com/2016/12/electoral-college-great-whiter-states-lousy-cities/> (accessed 3/6/17)

**With the political likelihood of any real Electoral College reform virtually nil, cities are trying to take power into their own hands in other ways. While the Electoral College system works against cities in terms of value per presidential vote, their burgeoning populations give them a greater cultural influence that some hope will act as a counterweight to a Trump administration pledging to roll back progressive gains.**

## **Contention 2: The Electoral College is undemocratic; only a direct national popular vote can ensure the will of the people is heard.**

**The Electoral College is truly undemocratic.**

John **Conyers Jr.**, Michigan's 13th Congressional District in the U.S. House of Representatives, **December 19, 2016**, "Electoral College Belongs in 1787: John Conyers Jr.," USA Today, <http://www.usatoday.com/story/opinion/2016/12/19/electoral-college-trump-democracy-states-column/95587592/> (accessed 3/4/17)

Several serious concerns were raised at a forum I organized earlier this month featuring leading experts in history, constitutional law and political science. Most obviously, we learned that the Electoral College is anti-democratic. Democratic presidential nominee Hillary Clinton has so far received over 2.8 million more votes nationwide than Trump — the largest divergence between the popular and electoral votes in history. This is the second time there has been a divergence between the popular vote and the Electoral College in the last five elections, and the fifth time that a popular-vote loser won the White House.

**Historically, this country has sought to have one person, one vote; our democracy deserves this notion.**

John **Conyers Jr.**, Michigan's 13th Congressional District in the U.S. House of Representatives, **December 19, 2016**, "Electoral College Belongs in 1787: John Conyers Jr.," USA Today, <http://www.usatoday.com/story/opinion/2016/12/19/electoral-college-trump-democracy-states-column/95587592/> (accessed 3/4/17)

The Supreme Court has long held that the “conception of political equality from the Declaration of Independence, to Lincoln’s Gettysburg Address, to the 15th, 17th, and 19th Amendments can only mean one thing — one person, one vote.” It is time that the election of our nation’s president and vice president reflect those principles as well. The greatest democracy on Earth deserves no less.

**Traditional candidates cannot be replaced due to the Electoral College and the current two-party system.**

Rob **Richie**, CATO Contributor, **December 5, 2016**, "Hacking America's Antiquated Elections," CATO Institute, <https://www.cato-unbound.org/2016/12/05/rob-richie/hacking-americas-antiquated-elections> (accessed 3/4/17)

American democracy today is working more poorly than it has in generations. Even as the toxic 2016 presidential campaign featured the two most unpopular major party candidates in modern history and Congress has historic lows in approval, minor party presidential challengers were marginalized, and nearly 98% of congressional incumbents won re-election. New voices are demeaned as spoilers, which suppresses debate about innovative ideas and shoehorns our diverse political views into two fiercely partisan camps. With the overwhelming majority of elections predictably going to a district or state’s partisan majority, most voters lack meaningful choice even among two candidates. In conflict with the spirit of the Constitution, our electoral rules punish representatives who seek to govern outside their party boxes, blocking sensible changes that have majority support.

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**The national popular vote has had momentum since the 2000 election as a way to ensure one person, one vote; this is now feasible through the National Popular Vote Interstate Compact.**

Lucy **Gellman**, New Haven Independent Journalist, **February 24, 2017**, "Electoral college in the crosshairs," The Connecticut Mirror,

<https://ctmirror.org/2017/02/24/electoral-college-in-the-crosshairs/> (accessed 3/4/17)

**The movement for the National Popular Vote has existed since 2000**, when Yale Law Professor Akhil Amar and two other authors published an article in Slate arguing **for a “one person, one vote” system to replace the Electoral College. In 2005, states began the process of discussing the National Popular Vote Interstate Compact, which would ultimately elect the president and vice president by popular vote, instead of by the Electoral College. And in 2012 — the same time that the Connecticut legislature started talking about it — it gained momentum** as writer and pollster Nate Silver wrote about it for the political website Five Thirty Eight.

## Rebuttal to The National Popular Vote Interstate Compact is an Ineffective Solution

Proponents of the Electoral College say that its intent is to benefit the states in addition to the argument that there is not a real and effective alternative. Contrary to those arguments, the National Popular Vote Interstate Compact is a state initiative to enact the popular vote at the state level as an alternative to the Electoral College.

**An elite group of people shouldn't vote for president, it should be the people, as proven in the National Popular Vote Interstate Compact.**

Elizabeth **Charash**, Staff Writer for the Daily Campus, **February 15, 2017**, "Bye-Bye Electoral College?" The Daily Campus, <http://dailycampus.com/stories/2017/2/15/bye-bye-electoral-college> (accessed 3/4/17)

"Our view is that there should not be some elite group of people who make the decision for the people." **Perloe said. "The president should be the one who got the most votes. Period."** There are currently ten states and Washington D.C. who have ratified, which totals over 160 electoral votes. "The National Popular Vote Interstate Compact is an attempt to get around the Electoral College without amending the Constitution," Spencer said. "And while a state legislature is free to appoint electors however it wants, one state cannot enforce the Interstate Compact against another state unless Congress endorses the Compact. No Republican Congress will endorse this compact so it won't be able to be enforced."

**The National Popular Vote Interstate Compact is supported by 10 states as an alternative to the Electoral College to award the state's popular vote.**

Sten **Spinella**, University of Connecticut, **March 1, 2017**, "Efforts to Diminish Electoral College Must Persist in Connecticut, Nationwide," The Daily Campus (accessed 3/4/17) <http://dailycampus.com/stories/2017/3/1/efforts-to-diminish-electoral-college-must-persist-in-connecticut-nationwide>

In last week's column I wrote about my support for the National Popular Vote Interstate Compact (NPVC), which, if states accounting for 270 electoral votes adopted, would essentially circumvent the Electoral College and award the state's electoral votes to the winner of the popular vote. The Connecticut Legislature held a hearing on the matter, and its accompanying proposed bill – H.B. 5434 – the day my column was published, last Wednesday, Feb. 22.

So far, ten states and the District of Columbia have passed the NPVC into law, accumulating 165 electoral votes in favor of more democratic elections. Connecticut could be next. According to people in attendance that day, the preliminary press conference, called by Senate President Pro-Tempore Martin Looney, D-New Haven, and the period of testimony before the Government Administration and Elections Committee (GAEC), was encouraging for the cause.

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**Legislators in Connecticut have argued that the time has come to embrace the popular vote.**

Lucy **Gellman**, New Haven Independent Journalist, **February 24, 2017**, "Electoral college in the crosshairs," The Connecticut Mirror,

<https://ctmirror.org/2017/02/24/electoral-college-in-the-crosshairs/> (accessed 3/4/17)

The hearing followed a press conference where several New Haveners voiced their support for the bills.

**"The time has come to acknowledge that our system is an anachronism," said state Senate President Pro Tempore Martin Looney. "More than 100 years after the 17th Amendment and suffrage, the time has come" to embrace the popular vote.** Looney handed the microphone off to Winfield, who spoke from a personal and legislative angle on the bills.

## Rebuttal to The Electoral College Protects Rural America

The Electoral College was meant to help protect rural populations, but in fact, it is more antidemocratic, still making small states obsolete. Candidates focus on urban centers inevitably.

### The Electoral College's focus on rural is antidemocratic.

Rachel **Tropp**, Writer and Columnist , **February 21, 2017**, "The Case Against the Electoral College," Harvard Political Review,

<http://harvardpolitics.com/united-states/the-case-against-the-electoral-college/> (accessed 3/4/17)

Many fear a popular vote system would leave the presidency up to the decisions of big cities, disenfranchising most voters in rural states. This is a legitimate concern, but **it is blatantly undemocratic to make the best interests of millions subservient to those of a much smaller number of people, or to unduly amplify some voices over others just because they come from certain states. Moreover, this theory doesn't hold up in reality. According to the National Popular Vote campaign, the 100 largest cities in America make up only about one sixth of the population, the same as the percent of the population in rural areas. Both vote about 60 percent blue or red, respectively, so they roughly balance out, and are not nearly the deciding factor critics of the popular vote argue they are.**

### The Electoral College does not protect small states as it was intended, making it obsolete.

Rachel **Tropp**, Writer and Columnist , **February 21, 2017**, "The Case Against the Electoral College," Harvard Political Review,

<http://harvardpolitics.com/united-states/the-case-against-the-electoral-college/> (accessed 3/4/17)

Some also argue that the Electoral College allows small states like New Hampshire to gain critical importance in the electoral process, but this ignores the fact that **under the current system, the other 12 smallest states are entirely ignored. In 2012, these states received no significant campaign events due to their safely partisan leanings. In fact, only 12 states received any significant events, lessening Electoral College proponents' claim of fairness. There is no good reason why winning by a slim margin within a few states' boundaries should override the will of a majority of the people in the country, especially when the margins of victory in many states are so slim they hardly represent a mandate or clear preference at all.**

## Rebuttal to The Electoral College Does not Support Slavery

When the Electoral College was created, it was a mechanism to deal with the notion that many people living in the south were slaves. Now, though, this intent is clearly not relevant anymore. Instead, maintaining the electoral college gives way to promoting white supremacy, which ought to be avoided.

**The Electoral College has run its course, as slave states no longer play a role in modern day politics; Connecticut senator proves.**

Lucy **Gellman**, New Haven Independent Journalist, **February 24, 2017**, "Electoral college in the crosshairs," The Connecticut Mirror,

<https://ctmirror.org/2017/02/24/electoral-college-in-the-crosshairs/> (accessed 3/4/17)

**"We've been talking about this for a long time," Sen. Winfield said. "This is an issue that has been important to the people in our state for a long time. The Electoral College was designed to give small states ... small states that owned slaves, power that they didn't have. So for a person like me this has been an issue for a particularly long time because it has something to do with a part of my history that we have done a lot to move away from, and Connecticut is trying to move away from."**

**Even historically, the founders thought a presidential election system based on popular vote but only decided on the Electoral College because of slavery.**

Rachel **Tropp**, Writer and Columnist , **February 21, 2017**, "The Case Against the Electoral College," Harvard Political Review,

<http://harvardpolitics.com/united-states/the-case-against-the-electoral-college/> (accessed 3/4/17)

In fact, **while the founders originally considered a presidential election system based solely on the popular vote, they were largely swayed to the Electoral College, according to constitutional scholar Akhil Reed Amar, by the desire to balance between free states and slave states in the election of a president. Despite popular belief, the Founding Fathers were not magnanimously imagining a balance between small states and large states. Their aim was to put off the slavery problem that plagued them in the creation of the Constitution, because they knew the North would win the popular vote every time**

**The Electoral College is historically based on slave ownership and white supremacy.**

Ian **Schwartz**, CNN Contributor, **December 22, 2016**, "CNN's Sellers: O'Reilly's Take on Electoral College Sounds Like a Clip From 1968 or Apartheid South Africa," Real Clear Politics,

[http://www.realclearpolitics.com/video/2016/12/22/cnns\\_sellers\\_oreillys\\_take\\_on\\_electoral\\_college\\_sounds\\_like\\_a\\_clip\\_from\\_1968\\_or\\_apartheid\\_south\\_africa.html](http://www.realclearpolitics.com/video/2016/12/22/cnns_sellers_oreillys_take_on_electoral_college_sounds_like_a_clip_from_1968_or_apartheid_south_africa.html) (accessed 3/4/17)

So I think that **we have to have this conversation in the context of history. It's important because we continue to ignore the fact that the electoral college itself was founded upon this same white supremacy that Bakari just referenced. James Madison who was known as the father of the Constitution, himself a slave owner, himself pushing the idea of three-fifths of a person being a slave counted so that the master class could have authority and have a voting power that was as strong as the north. That is what this is about. That is why people are frustrated. People are just now really learning about this and understanding that, hey, this electoral college system doesn't really represent us.**

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## Rebuttal to The Electoral College Alleviates Racism

The Electoral College promotes the notion of gerrymandering in Congress. Legislators can draw electoral districts to promote a particular party to win that district. Many of these lines are falling into racist tendencies, disallowing people of color to vote. This delegitimizes elections. A Direct popular vote can be a great alternative.

**Republicans are using the system to pander to certain states and gerrymandering districts, which delegitimizes the Electoral College, 2000 and 2016 prove.**

Juliegrace **Brufke**, Capital Hill Reporter for the Daily Caller, **February 9, 2017**, "Raskin: Republicans are clinging to the electoral college , gerrymandering," The Daily Caller, <http://dailycaller.com/2017/02/09/raskin-republicans-are-clinging-to-the-electoral-college-gerrymandering/> (accessed 3/4/17)

**In the wake of former Democratic presidential nominee Hillary Clinton losing the election to President Donald Trump, a number of Democrats are calling for changes to the system.** Rep. Jamie Raskin of Maryland alleged **the electoral college isn't reflective of the county's views, arguing Republicans have been taking advantage of the system by pandering to certain states. "In a partisan sense, I believe that the Republicans are hiding behind a wall of gerrymandered districts and clinging to the electoral college, which they have used to win in two of the last five elections despite the fact that Democrats won big popular victories both in 2000 and especially in 2016 with Hillary Clinton getting 2.9 million votes more,"** he told reporters at the Democratic policy retreat Wednesday.

**The Electoral College undermines the votes of people of color.**

Kaitlyn Quistgaard, Write for Wired, **December 8, 2016**, "The Electoral College is Great for Whiter States, Lousy for Cities," Wired.com, <https://www.wired.com/2016/12/electoral-college-great-whiter-states-lousy-cities/> (accessed 3/6/17)

**Finally, because urban centers and their suburbs are where the majority of nonwhite Americans live, that disparity means the Electoral College system undervalues the votes of people of color. That imbalance will only increase as migration away from rural areas to cities continues.**

**The Electoral College does not represent the demographics of the majority.**

Kaitlyn **Quistgaard**, Write for Wired, **December 8, 2016**, “The Electoral College is Great for Whiter States, Lousy for Cities,” Wired.com,

<https://www.wired.com/2016/12/electoral-college-great-whiter-states-lousy-cities/> (accessed 3/6/17)

**More than half US cities are majority nonwhite, and Latinos represent the largest group of nonwhite urban residents, according to the Brookings Institute. Slightly more African-Americans, meanwhile, live in the suburbs than in city centers. Overall, the US population is becoming less white and population growth in cities outpaces that of rural areas. As a result of these demographic trends, political scientists say the urban vote will increasingly carry less proportional weight in the Electoral College. By that same math, whiter states will become more disproportionately powerful in presidential elections. In practice, that means votes from large states with sizable nonwhite populations like California count less in presidential elections than those from small, predominantly white states like New Hampshire.** “If you’re a person of color in California, you’re screwed,” says Stanford University political scientist David Brady.

## Rebuttal to The Historical Roots of the Electoral College Matter

When the Electoral College was created, it was a very different time than it is today. Issues and policies like slavery and the 3/5 compromise are nonexistent, which means there must be an alternative to the ways in which our president is elected. Additionally, its system is only related to the presidency, not any other office that is elected today. It is antiquated and needs to go.

**The original intent of the Electoral College is no longer a reason to maintain it; the popular vote is better now.**

Elizabeth **Charash**, Staff Writer for the Daily Campus, **February 15, 2017**, "Bye-Bye Electoral College?" The Daily Campus, <http://dailycampus.com/stories/2017/2/15/bye-bye-electoral-college> (accessed 3/4/17)

**The Electoral College was initially created as a way to appease the South to ratifying the Constitution. The South had feared their votes would not be equally represented because slaves were not counted in their population size and there would be misrepresentation in Congress. It was a compromise between a direct vote, like the popular vote, and an election by representative, more similar to the Electoral College. The number of electors a state gets depends on their population, which is why states like California will have 55 and Connecticut will have seven, according to the New York Times.**

**The Electoral college is only innate to the presidency, not other countries nor any other election in the U.S.**

John **Nichols**, National Affairs Correspondent for The Nation, **December 20, 2016**, "The Electoral College Desecrates Democracy – Especially This Time," The Nation, <https://www.thenation.com/article/the-electoral-college-desecrates-democracy-especially-this-time/> (accessed 3/6/17)

**It does not work that way in other countries. It does not work that way in contests in states across the United States, where the candidates who secure the most votes win governorships and mayoralties, seats in the US Senate and House of Representatives, and positions on city councils, county boards, village boards, town boards, school boards, and drainage commissions.**

## Rebuttal to the Electoral College is Effective

The United States is perhaps the only country that has any sort of system like the Electoral College. This should speak to how antiquated and ineffective this system is. Especially when electors can vote for whomever they want, it demonstrates that it is not the best system to determine the presidency. The people's choice should be granted, and electors shouldn't be able to cast protest votes that undermine democracy.

### **Electoral college votes may not go to the candidate that won the state anyway.**

Stephen **Ohlemacher**, Writer for Real Clear Politics, **December 20, 2016**, "Trump Wins Electoral College as Protest Votes Fizzle," Real Clear Politics, [http://www.realclearpolitics.com/articles/2016/12/20/trump\\_wins\\_electoral\\_college\\_vote\\_as\\_protests\\_fizzle\\_132608.html](http://www.realclearpolitics.com/articles/2016/12/20/trump_wins_electoral_college_vote_as_protests_fizzle_132608.html) (accessed 3/5/17)

In Madison, Wisconsin, protesters shouted, cried and sang "Silent Night." In Augusta, Maine, they banged on drums and held signs that said, "Don't let Putin Pick Our President," referring to Russian President Vladimir Putin. **Among the Republican electors in Texas who cast protest votes, one voted for Ohio Gov. John Kasich; the other voted for former Texas Rep. Ron Paul. Clinton lost four electors in Washington state - three voted for former Secretary of State Colin Powell and one voted for Native American tribal leader Faith Spotted Eagle. She also lost an elector in Hawaii to Vermont Sen. Bernie Sanders. Clinton beat Sanders in the Democratic primaries. Several Democratic electors in other states tried to vote for protest candidates but they either changed their votes to Clinton or were replaced.**

## **Rebuttal to Direct Popular Vote Leads to Corruption**

Corruption and disenfranchising votes should not be the norm of a presidential campaign. A candidate should not be able to ignore voters and disallow their voice. Ignoring voters is more corruption than any direct system could foster.

### **A national popular vote is the better alternative.**

Clifton B. **Parker**, Stanford News Service, **April 8, 2016**, "National popular vote far better than Electoral College system for choosing presidents, Stanford professors say," Stanford News, <http://news.stanford.edu/2016/04/08/electoral-college-bad-040816/> (accessed 3/6/17)

**The Electoral College is responsible for disenfranchising, in effect, huge swaths of American voters, said Doug McAdam, a professor of sociology who studies American politics. A single national popular or "constituency" vote would determine the president based on who won the most votes total across the country. Otherwise, McAdam said, "The great majority of American voters exercise no real political voice in the outcome of presidential elections."**

## Rebuttal to The Direct Vote is Ineffective

It isn't the direct vote that is ineffective, it is instead the Electoral College that holds that burden. Certain people do not have a voice, which is antithetical to the system's intent.

**The current system is inefficient because it causes some voters to be powerless.**

Clifton B. **Parker**, Stanford News Service, **April 8, 2016**, "National popular vote far better than Electoral College system for choosing presidents, Stanford professors say," Stanford News, <http://news.stanford.edu/2016/04/08/electoral-college-bad-040816/> (accessed 3/6/17)

**The current system violates this principle, McAdam said, due to its winner-take-all nature. In a close election, voters in one or more of the battleground states may determine the outcome of the contest, he said. "What about all those citizens who reside in non-competitive states? Consider the loyal Republican who lives in California or the stalwart Mississippi Democrat? Every four years, voting for them is an exercise in political powerlessness, at least when it comes to the presidential race," he said.**

## Rebuttal to The Electoral College fosters national unity

The Electoral College does not foster national unity; instead, it pits large states against small states. Every person should receive the same vote, no matter their state population. Then their vote will truly matter. The nation is divided until every person receives their political voice legitimately.

### The Electoral College forces a divide among partisan lines which disallows national unity.

Emily **Badger**, writer for the Upshot, **November 20, 2016**, "As American as Apple Pie? The Rural Vote Disproportionate Slice of Power," NY Times, [https://www.nytimes.com/2016/11/21/upshot/as-american-as-apple-pie-the-rural-votes-disproportionate-slice-of-power.html?\\_r=0](https://www.nytimes.com/2016/11/21/upshot/as-american-as-apple-pie-the-rural-votes-disproportionate-slice-of-power.html?_r=0) (accessed 3/6/17)

Rural America, even as it laments its economic weakness, retains vastly disproportionate electoral strength. Rural voters were able to nudge Donald J. Trump to power despite Hillary Clinton's large margins in cities like New York. In a House of Representatives that structurally disadvantages Democrats because of their tight urban clustering, rural voters helped Republicans hold their cushion. In the Senate, the least populous states are now more overrepresented than ever before. And the growing unity of rural Americans as a voting bloc has converted the rural bias in national politics into a potent Republican advantage.

There exists an overwhelming amount of support to eliminate or drastically alter the electoral college to avoid wrong way elections and ensure fair elections.

John **Koza**, Contributor to US News and World Report, **October 1, 2012**, "We Need a National Popular Vote," U.S. News and World Report, <https://www.usnews.com/opinion/articles/2012/10/01/we-need-a-national-popular-vote> (accessed 3/6/17)

With the electorate becoming more and more polarized, close elections are becoming the norm. That means the potential for these "wrong way" elections is increasing. This is yet another disturbing trend. This is why about 75 percent of voters tell pollsters that they want to move to a national popular vote. Under the National Popular Vote plan, states commit to awarding their electoral votes to the winner of the popular vote in all 50 states and D.C. The plan would preserve the Electoral College and state control of elections without unnecessarily amending our Constitution. The National Popular Vote plan would only go into effect once states representing the majority of the Electoral College (270 of 538 electoral votes) have enacted the bill.

## CON Case

**It is because a direct national vote is improbable and antidemocratic, that we stand in negation of the resolved: the United States ought to replace the Electoral College with a direct national popular vote.**

We define Electoral College as:

**The Electoral College is a process that consists on the selection of the electors to vote for President and Vice President through the voting of 538 electors.**

**Office of the Federal Registrar, 2017**, "What is the Electoral College?" National Archives and Records Administration, <https://www.archives.gov/federal-register/electoral-college/about.html> (accessed 3/5/17)

**The Electoral College is a process, not a place. The founding fathers established it in the Constitution as a compromise between election of the President by a vote in Congress and election of the President by a popular vote of qualified citizens. The Electoral College process consists of the selection of the electors, the meeting of the electors where they vote for President and Vice President, and the counting of the electoral votes by Congress. The Electoral College consists of 538 electors. A majority of 270 electoral votes is required to elect the President. Your state's entitled allotment of electors equals the number of members in its Congressional delegation: one for each member in the House of Representatives plus two for your Senators. Read more about the allocation of electoral votes.**



And National Direct Popular Vote as:

**The National Popular Vote Plan is a state-based means to ensure a popular vote would replace the electoral college system.**

**Fair Vote.Org, 2017, “National Popular Vote,”**

[http://www.fairvote.org/national\\_popular\\_vote#endorsers\\_of\\_the\\_npv\\_plan](http://www.fairvote.org/national_popular_vote#endorsers_of_the_npv_plan) (accessed 3/1/17)

**All voters should be valued equally in presidential elections, no matter where they live.** Our current Electoral College system, grounded in state laws which allocate electoral votes on a winner-take-all basis, leads presidential candidates to concentrate their resources on voters in a handful of swing states, relegating the vast majority of the country to spectator status. Instead, **we should elect the president by a national popular vote—and there's a state-based, constitutional way to do so: The National Popular Vote interstate compact.** The Constitution gives states full control over how they allocate their electoral votes. The current winner-take-all method, in which the winner of the statewide popular vote wins all of that state's electoral votes, is a choice—and states can choose differently. **Under the National Popular Vote interstate compact, states choose to allocate their electoral votes to the candidate who wins the most popular votes in all 50 states and DC.** This compact takes effect only when enough states sign on to guarantee that the national popular vote winner wins the presidency. **That means states with a combined total of 270 electoral votes—a majority of the Electoral College—must join the compact for it to take effect.** **The National Popular Vote plan has bipartisan support and has been introduced in all 50 state legislatures. To date, 10 states and DC have passed legislation to enter the compact for a combined total of 165 electoral votes, meaning the compact is over 60% of the way to activation.**

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## **Contention 1: The Electoral College promotes awareness of rural areas and underrepresented states all the while fostering state collaboration and federalism.**

**The Electoral College ensures broad electoral support, ensuring all states have a voice.**

Tara **Ross**, J.D. University of Texas School of Law, **and** Robert M. **Hardaway**, Professor of Law at University of Denver Sturm College of Law, **2014** "The Compact Clause and National Popular Vote: Implications for the 'Federal Structure,'" NMLR, <http://lawschool.unm.edu/nmlr/volumes/44/2/4-RossHardaway.pdf> (accessed 3/5/17)

**The Electoral College has served one of the primary objectives of the Founders—namely, to assure that support for a winning presidential candidate be broad, not only deep. The Constitution requires a majority of states' electoral—not individual—votes to win. Multiple, concurrent victories are required if a candidate is to obtain this required majority of electoral votes. In other words, candidates not only need to obtain the votes of many individuals, but they must also ensure that these votes are distributed across the country in an efficient manner. The White House can be won only by candidates who have obtained the support of many people, across state and regional lines. The system has built-in incentives, ensuring that candidates and political parties work to build and maintain national coalitions of voters. Such coalitions are needed for victory.**

**Only the Electoral College can provide incentives for candidates to focus on rural areas and build coalitions.**

Tara **Ross**, J.D. University of Texas School of Law, **and** Robert M. **Hardaway**, Professor of Law at University of Denver Sturm College of Law, **2014** "The Compact Clause and National Popular Vote: Implications for the 'Federal Structure,'" NMLR, <http://lawschool.unm.edu/nmlr/volumes/44/2/4-RossHardaway.pdf> (accessed 3/5/17)

**The Electoral College provides candidates with incentives to include rural areas and smaller states in their campaigns. These states benefit from their two extra Senate "add-on" votes, which they receive regardless of size. In today's federalist system, as discussed above, candidates must distribute their votes efficiently and build national coalitions. With a direct election system in place, there is no need for such coalition-building and cross-regional appeal. The sparsely populated regions of the country would suffer the most from these changed incentives.**

**States and localities matter too, which is a benefit of the Electoral College.**

Jarrett **Stepman**, Editor for the Daily Signal, **November 7, 2016**, "Why We Use the Electoral College, Not The Popular Vote," The Daily Signal, <http://dailysignal.com/2016/11/07/why-the-founders-created-the-electoral-college/> (accessed 3/6/17)

**In addition to balancing the protection of individual rights and majority rule, the Founding Fathers attempted to create a "federalist" system that would keep most of policymaking power reserved to states and localities. America's presidential election system also was designed to empower the states, not just the American people as an undifferentiated mass.**

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**If the Electoral College was replaced, urban centers would be the only things that matter in elections.**

Tim **Haines**, Contributor to Real Clear Politics, **December 21, 2016**, "O'Reilly: Will to abolish the electoral college is about taking power from rural white voters," Real Clear Politics, [http://www.realclearpolitics.com/video/2016/12/21/oreilly\\_abolishing\\_the\\_electoral\\_college\\_will\\_marginalize\\_rural\\_white\\_voters.html](http://www.realclearpolitics.com/video/2016/12/21/oreilly_abolishing_the_electoral_college_will_marginalize_rural_white_voters.html) (accessed 3/4/17)

**So, if the Electoral College were abolished, presidential candidates could simply campaign in the nation's largest states and cities - New York, LA, Chicago, Houston - and rack up enough votes to pretty much win any election. That's what the left wants - because in the large urban areas and blue states like New York and California, minorities are substantial. Look at the landscape - Philadelphia, Dallas - Fort Worth, Miami - in all of these places the minority vote usually goes heavily to the Democrats. Add that to New York City, LA, Chicago, and San Francisco and you don't really have a national election anymore, you have targeted populations.**

## **Contention 2: The popular vote would be so disastrous that abandoning the Electoral College would be ill advised for the U.S.**

**Plurality is not a legitimate means for determining the presidency; the Clinton election in 1992 proves.**

Peter J. **Wallison**, senior fellow at the American Enterprise Institute, **December 6, 2016**, "Why We Need the Electoral College," Real Clear Politics, [http://www.realclearpolitics.com/articles/2016/12/06/why\\_we\\_need\\_the\\_electoral\\_college\\_132499.html](http://www.realclearpolitics.com/articles/2016/12/06/why_we_need_the_electoral_college_132499.html)

(accessed 3/5/17)

**In the election of 1992, Bill Clinton received a majority of electoral votes and was the duly elected president, despite the fact that he received only a plurality (43 percent) of the popular votes. A third party candidate, Ross Perot, received almost 19 percent. In fact, Bill Clinton did not win a majority of the popular vote in either of his elections, yet there was never any doubt—because he won an Electoral College majority—that he had the legitimacy to speak for the American people.**

**The Electoral College guarantees stable outcomes with increased margins of victory.**

Tara **Ross**, J.D. University of Texas School of Law, **and** Robert M. **Hardaway**, Professor of Law at University of Denver Sturm College of Law, **2014** "The Compact Clause and National Popular Vote: Implications for the 'Federal Structure,'" NMLR,

<http://lawschool.unm.edu/nmlr/volumes/44/2/4-RossHardaway.pdf> (accessed 3/5/17)

**A direct election system would be more likely to result in post-election disputes, uncertainty, and even litigation. Worse, fraud would be more difficult to prevent. The Electoral College creates these quick and undisputed election outcomes for two reasons: First, the state-by-state nature of the election, combined with the winner-take-all allocation of votes, tends to magnify margins of victory. Over the years, these margins have given winning candidates certain and demonstrable victories. Such certainty can't be provided in a direct popular election system. Popular vote totals tend to be closer, and these narrow margins can easily result in election challenges and recounts.**

**The Electoral College gives legitimacy in elections.**

Michael C. **Maibach**, former president and CEO of the European-American Business Council and contributor to The Globalist, **July 31, 2016**, "In Praise of the Electoral College," The Globalist, <http://www.theglobalist.com/in-praise-of-the-electoral-college/> (accessed 3/5/17)

**The Electoral College creates a national majority for new Presidents, regardless of the popular vote margin and without requiring a run-off system. Reflecting the will of majorities in the 50 states, the College legitimizes the result. History proves - A sharply divided America gave Lincoln only 39.7% of the vote in 1860. However, Lincoln won 180 electoral votes – more than double the second place finisher, Breckinridge. This gave his election legitimacy at a critical moment in American history.**

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**The Electoral College was designed to prevent demagogues from becoming president by giving small states power and leaders can deliberate to ensure the Constitution is not at risk.**

Michael **Signer**, Mayor of Charlottesville NC, Attorney and lecturer at the University of Virginia, **November 17, 2016**, "The Electoral College Was Created to Stop Demagogues Like Trump," TIME Magazine, <http://time.com/4575119/electoral-college-demagogues/> (accessed 3/4/17)

**For that reason, the Electoral College was designed to prevent a demagogue from becoming president. It serves two purposes. One of them is to give small states power as well as big states and the cities. The other is to provide a mechanism where intelligent, thoughtful and statesmanlike leaders could deliberate on the winner of the popular vote and, if necessary, choose another candidate who would not put Constitutional values and practices at risk. In other words, the electors are not supposed to rubber-stamp the popular vote. They're supposed to do the opposite—to take their responsibility gravely, to subject the winning popular vote candidate to exhaustive scrutiny, and, if the candidate does not meet Hamilton's standards, to elect an alternative.**

## Rebuttal to The National Popular Vote Interstate Compact is an Effective Solution

Opponents of the Electoral College say that there is an alternative solution that is state based. The National Popular Vote Interstate Compact is not a good solution. It is a way to pit states against each other, disenfranchising small states and ultimately resulting in the Electoral College anyway, as states will vote for the Electoral College based on the state's popular vote.

### **NVIC a bad alternative because swing states can change from election to election.**

Jarrett **Stepman**, Editor for the Daily Signal, **November 7, 2016**, "Why We Use the Electoral College, Not The Popular Vote," The Daily Signal, <http://dailysignal.com/2016/11/07/why-the-founders-created-the-electoral-college/> (accessed 3/6/17)

One organization, National Popular Vote, has worked toward eliminating the Electoral College through an amendment to the Constitution or a state compact. National Popular Vote argues that the current system encourages presidential candidates to spend most of their time in "swing states" rather than campaigning for votes across the entire country. This plan for a national popular vote has received a moderate level of support, but Heritage's von Spakovsky has called it bad policy, based on mistaken assumptions. Swing states, he wrote, "can change from election to election, and many states that are today considered to be reliably 'blue' or 'red' in the presidential race were recently unpredictable."

## Rebuttal to The Electoral College Does Not Protect Rural Populations

The Electoral College was put in place to protect small states, and it is still serving that purpose today. Because states like Wyoming and Montana have small populations, the Electoral College allows these states to still have a voice in the elections, as they must be accounted for during the general election. Without the Electoral College, candidates will only focus on urban centers, disenfranchising rural populations.

### **Campaigns have an incentive to focus on rural areas when a direct popular vote is in place.**

Tara **Ross**, J.D. University of Texas School of Law, **and** Robert M. **Hardaway**, Professor of Law at University of Denver Sturm College of Law, **2014** "The Compact Clause and National Popular Vote: Implications for the 'Federal Structure,'" NMLR, <http://lawschool.unm.edu/nmlr/volumes/44/2/4-RossHardaway.pdf> (accessed 3/5/17)

**Campaigns can get the biggest bang for their buck if they spend their time and resources on these densely populated areas. After all, these candidates are simply going for a majority of individual votes; they do not care where those individuals reside. Rural areas, even in large states such as Texas and California, would inevitably receive diminished attention from candidates. These less densely populated areas would be in danger of being tyrannized by the majority in the large cities—exactly the dynamic that the Founders strove to avoid.**

### **A direct popular vote means candidates have less incentive to reach out to a variety of voters.**

Tara **Ross**, J.D. University of Texas School of Law, **and** Robert M. **Hardaway**, Professor of Law at University of Denver Sturm College of Law, **2014** "The Compact Clause and National Popular Vote: Implications for the 'Federal Structure,'" NMLR, <http://lawschool.unm.edu/nmlr/volumes/44/2/4-RossHardaway.pdf> (accessed 3/5/17)

**A direct election system, by contrast, would not require any efficiency in the distribution of votes. A majority of individuals' votes—no matter where those individuals reside—would be sufficient for victory. Candidates would thus have less motivation to reach out to such a wide variety of voters.**

## Rebuttal to The Electoral College Supports Notions of Slavery

The Electoral College, though, originally created to protect the south in the wake of slavery, has run past that purpose to protect rural populations throughout the entirety of the country. The Electoral College does not support slavery, it in fact protects minority populations.

**Critics of the Electoral College fail to recognize that their issue is with the way votes were counted, not why the Electoral College was created.**

Kayleigh **Mcenany**, JD from Harvard Law School and Contributor to the Hill, **December 27, 2016**, "Liberals who claim the Electoral College is 'racist' need a history lesson," The Hill, <http://thehill.com/blogs/pundits-blog/presidential-campaign/311882-liberals-who-claim-electoral-college-is-racist-need> (accessed 3/6/17)

To remedy these concerns, it was decided that a "small number of persons ... most capable of analyzing the qualities adapted to (the presidency)" would select the president while taking into consideration "the sense of the people," according to Alexander Hamilton in Federalist No. 68. Hamilton argued that this system: "Affords a moral certainty, that the office of president will never fall to the lot of any man who is not in an eminent degree endowed with the requisite qualifications." Rather than acknowledging the historical reasoning for the Electoral College and debating its merit, the left simply cries "racism." They do so, not by referring to the reason why the Electoral College was adopted, but rather the way the Electoral College was initially counted.



## Rebuttal to The Electoral College Promotes Racism

The Electoral College works to protect minority populations, not disenfranchise them. It can also work to protect groups of people that a direct popular vote can ignore. Issues like gerrymandering are not because of the electoral College but because of Congress.

### **The Electoral College actually enhances the status of minority groups.**

William C. **Kimberling**, Deputy Director FEC National Clearinghouse on Election Administration, **2008**, "The Pro's and Con's of the Electoral College System," United States Election Atlas, [http://uselectionatlas.org/INFORMATION/INFORMATION/electcollege\\_procon.php](http://uselectionatlas.org/INFORMATION/INFORMATION/electcollege_procon.php) (accessed 3/5/17)

**This is so because the voters of even small minorities in a State may make the difference between winning all of that State's electoral votes or none of that State's electoral votes. And since ethnic minority groups in the United States happen to concentrate in those States with the most electoral votes, they assume an importance to presidential candidates well out of proportion to their number. The same principle applies to other special interest groups such as labor unions, farmers, environmentalists, and so forth.**

## Rebuttal to The Electoral College's Historical Roots Don't Matter

When the Electoral College became U.S. law, the founding fathers had an intent for it throughout the history of our government. It has a purpose, which is being met today. As a result, these historical roots demonstrate that the Electoral College is not only meeting its burden but ought to be kept around as well.

**The electoral college is meant to keep the federal government in check.**

**League of Women Voters, 2011** "Who Will Elect the President? The Electoral College System," League of Women Voters, <http://lwv.org/content/who-will-elect-president-electoral-college-system> (accessed 3/5/17)

According to a pamphlet from the League of Women Voters, supporters argue that the principle of one-person, one-vote should not pertain to the Electoral College, just as it does not pertain to the U.S. Senate. They point out that the college was designed to underscore the federal nature of the U.S. government. The college recognizes and embodies the delicate balance between the powers of the states and the powers of the central government

**The Electoral College guarantees stable outcomes with increased margins of victory.**

Tara **Ross**, J.D. University of Texas School of Law, **and** Robert M. **Hardaway**, Professor of Law at University of Denver Sturm College of Law, **2014** "The Compact Clause and National Popular Vote: Implications for the 'Federal Structure,'" NMLR, <http://lawschool.unm.edu/nmlr/volumes/44/2/4-RossHardaway.pdf> (accessed 3/5/17)

A direct election system would be more likely to result in post-election disputes, uncertainty, and even litigation. Worse, fraud would be more difficult to prevent. The Electoral College creates these quick and undisputed election outcomes for two reasons: First, the state-by-state nature of the election, combined with the winner-take-all allocation of votes, tends to magnify margins of victory. Over the years, these margins have given winning candidates certain and demonstrable victories. Such certainty can't be provided in a direct popular election system. Popular vote totals tend to be closer, and these narrow margins can easily result in election challenges and recounts.

## Rebuttal to The Electoral College is Ineffective

The Electoral College is not ineffective. On the contrary, it is a legitimate means to determine the presidency as it fosters democracy and accountability. These are important factors for the highest office in the United States.

### **The Electoral College is the most legitimate way to determine the presidency.**

Peter J. **Wallison**, senior fellow at the American Enterprise Institute, **December 6, 2016**, "Why We Need the Electoral College," Real Clear Politics, [http://www.realclearpolitics.com/articles/2016/12/06/why\\_we\\_need\\_the\\_electoral\\_college\\_132499.html](http://www.realclearpolitics.com/articles/2016/12/06/why_we_need_the_electoral_college_132499.html) (accessed 3/5/17)

Leaving aside the fact that a deal is a deal, there are very practical reasons why we will always need the Electoral College under our current constitutional system. The most important is that we want the presidential election to settle the question of legitimacy—who is entitled carry on the office of the president. Under the Constitution, the person who receives the most electoral votes becomes the president, even if he or she does not receive either a plurality or a majority of the popular vote.

### **Without the Electoral College, there is no accountability for the highest office in the U.S.**

Nick **Stilwell**, Contributor, **February 7, 2017**, "Electoral College Does its Job," Iowa City Press Citizen, <http://www.press-citizen.com/story/opinion/letters-to-the-editor/2017/02/07/electoral-college-does-its-job/96446938/> (accessed 3/4/17)

Should the Electoral College be abolished, presidential candidates would never have to visit smaller cities and low population areas, much less feel the need to represent the people there. There would be no accountability for a politician from those parts of the United States. This can be seen with how Clinton lost traditionally blue states in the Rust Belt through her own negligence by hardly visiting key states there. Clearly the people in those areas felt that their needs were not represented by Hillary, and had she won as she would have without the Electoral College, the people of those states would have gone on unrepresented, as the big cities with different economic problems decided the election.

### **Plurality is not a legitimate means for determining the presidency; the Clinton election in 1992 proves.**

Peter J. **Wallison**, senior fellow at the American Enterprise Institute, **December 6, 2016**, "Why We Need the Electoral College," Real Clear Politics, [http://www.realclearpolitics.com/articles/2016/12/06/why\\_we\\_need\\_the\\_electoral\\_college\\_132499.html](http://www.realclearpolitics.com/articles/2016/12/06/why_we_need_the_electoral_college_132499.html) (accessed 3/5/17)

In the election of 1992, Bill Clinton received a majority of electoral votes and was the duly elected president, despite the fact that he received only a plurality (43 percent) of the popular votes. A third party candidate, Ross Perot, received almost 19 percent. In fact, Bill Clinton did not win a majority of the popular vote in either of his elections, yet there was never any doubt—because he won an Electoral College majority—that he had the legitimacy to speak for the American people.

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## **Rebuttal to Direct Popular Vote Key to Reduce Corruption.**

Despite critics saying the Electoral College has run its course, it is truly the best mechanism to keep the government in line. It also is a way to ensure corruption doesn't occur in elections, particularly as popular votes could risk issues during tabulation in determining the presidency.

**The electoral college is meant to keep the federal government in check.**

**League of Women Voters, 2011** "Who Will Elect the President? The Electoral College System," League of Women Voters, <http://lwv.org/content/who-will-elect-president-electoral-college-system> (accessed 3/5/17)

**According to a pamphlet from the League of Women Voters, supporters argue that the principle of one-person, one-vote should not pertain to the Electoral College, just as it does not pertain to the U.S. Senate. They point out that the college was designed to underscore the federal nature of the U.S. government. The college recognizes and embodies the delicate balance between the powers of the states and the powers of the central government**

**A popular vote risks problems when tabulating a winner.**

Michael C. **Maibach**, former president and CEO of the European-American Business Council and contributor to The Globalist, **July 31, 2016**, "In Praise of the Electoral College," The Globalist, <http://www.theglobalist.com/in-praise-of-the-electoral-college/> (accessed 3/5/17)

**History would look very differently if presidential elections were determined by popular vote. In the 57 presidential elections since 1789, no candidate received 50% of the popular vote on 18 occasions, including Lincoln, Wilson, Truman, Kennedy and Clinton – to name the most famous "minority Presidents." However, they did win a majority of the states' Electoral College votes. These presidents were instrumental in the success of our country in history.**

**A direct popular vote can result in disputes, uncertainty, and litigation, encouraging more fraud than under the Electoral College.**

Tara **Ross**, J.D. University of Texas School of Law, **and** Robert M. **Hardaway**, Professor of Law at University of Denver Sturm College of Law, **2014** "The Compact Clause and National Popular Vote: Implications for the 'Federal Structure,'" NMLR, <http://lawschool.unm.edu/nmlr/volumes/44/2/4-RossHardaway.pdf> (accessed 3/5/17)

**The Constitution's federalist presidential election process provides Americans with one indisputable benefit: Certain and stable electoral outcomes. A direct election system would be more likely to result in post-election disputes, uncertainty, and even litigation. Worse, fraud would be more difficult to prevent. The Electoral College creates these quick and undisputed election outcomes for two reasons: First, the state-by-state nature of the election, combined with the winner-take-all allocation of votes, tends to magnify margins of victory. Over the years, these margins have given winning candidates certain and demonstrable victories. Such certainty can't be provided in a direct popular election system. Popular vote totals tend to be closer, and these narrow margins can easily result in election challenges and recounts**

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## Rebuttal to The Direct Popular Vote is Effective

The Electoral College is a more effective system for the nation than the direct popular vote. Changing the mechanism for the presidency would make third-party candidates become more relevant, which would in fact be a bad thing, disallowing a candidate the ability to garner a majority of the votes; our leader should be at the will of the majority, not the minority.

**Too many third party candidates would flood the pool of candidates, making it difficult for our two-party system to survive, making candidates issue-candidates that only win 20-25% of the vote.**

Peter J. **Wallison**, senior fellow at the American Enterprise Institute, **December 6, 2016**, "Why We Need the Electoral College," Real Clear Politics, [http://www.realclearpolitics.com/articles/2016/12/06/why\\_we\\_need\\_the\\_electoral\\_college\\_132499.html](http://www.realclearpolitics.com/articles/2016/12/06/why_we_need_the_electoral_college_132499.html) (accessed 3/5/17)

**If we abandoned the Electoral College, and adopted a system in which a person could win the presidency with only a plurality of the popular votes we would be swamped with candidates. Every group with an ideological or major policy interest would field a candidate, hoping that their candidate would win a plurality and become the president. There would candidates of the pro-life and pro-choice parties; free trade and anti-trade parties; pro-immigration and anti-immigration parties; and parties favoring or opposing gun control—just to use the hot issues of today as examples.** We see this effect in parliamentary systems, where the party with the most votes after an election has to put together a coalition of many parties in order to create a governing majority in the Parliament. **Unless we were to scrap the constitutional system we have today and adopt a parliamentary structure, we could easily end up with a president elected with only 20 percent-25 percent of the vote.** Of course, we could graft a run-off system onto our Constitution; the two top candidates in, say, a 10-person race, would then run against one another for the presidency. **But that could easily mean that the American people would have a choice between a candidate of the pro-choice party and a candidate of the pro-gun party. If you thought the choice was bad this year, it could be far worse.**

**A direct popular vote could allow a demagogue who is not preferred by a majority of the country to win.**

Tara **Ross**, J.D. University of Texas School of Law, and Robert M. **Hardaway**, Professor of Law at University of Denver Sturm College of Law, **2014** "The Compact Clause and National Popular Vote: Implications for the 'Federal Structure,'" NMLR, <http://lawschool.unm.edu/nmlr/volumes/44/2/4-RossHardaway.pdf> (accessed 3/5/17)

**To the contrary, candidates might find it easier and more efficient to tailor a message to one type of voter. With such a direct election system in place, for instance, a popular regional demagogue could strive for an overwhelming popular vote advantage in his region. If he successfully ekes out a narrow, national popular vote plurality, he wins a spot in the runoff—or perhaps the presidency itself<sup>60</sup>—despite being opposed in all other regions of the country.**

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**A pure popular vote system would not be feasible because of third party candidates and plurality.**

Peter J. **Wallison**, senior fellow at the American Enterprise Institute, **December 6, 2016**, "Why We Need the Electoral College," Real Clear Politics,  
[http://www.realclearpolitics.com/articles/2016/12/06/why\\_we\\_need\\_the\\_electoral\\_college\\_132499.html](http://www.realclearpolitics.com/articles/2016/12/06/why_we_need_the_electoral_college_132499.html) (accessed 3/5/17)

**This points to the reason why the Electoral College should remain as an important element of our governmental structure. If we had a pure popular vote system, as many people who are disappointed with the 2016 outcome are now proposing, it would not be feasible—because of third party candidates—to ensure that any candidate would win a popular majority. Even in 2016, for example, although Hillary Clinton won the popular vote, she only received a plurality (48 percent)—not a majority; third party candidates took the rest.**

## Rebuttal to The Electoral College Does Not Foster National Unity

A plurality vote is not the only way to foster national unity. Through its innate processes, the Electoral College fosters unity both nationally and between states.

### The Electoral College contributes to national unity.

William C. **Kimberling**, Deputy Director FEC National Clearinghouse on Election Administration, **2008**, "The Pro's and Con's of the Electoral College System," United States Election Atlas, [http://uselectionatlas.org/INFORMATION/INFORMATION/electcollege\\_procon.php](http://uselectionatlas.org/INFORMATION/INFORMATION/electcollege_procon.php) (accessed 3/5/17)

The Electoral College system contributes to the cohesiveness of the country by requiring a distribution of popular support to be elected president, without such a mechanism, the president would be selected either through the domination of one populous region over the others or through the domination of large metropolitan areas over the rural ones. Indeed, it is principally because of the Electoral College that presidential nominees are inclined to select vice presidential running mates from a region other than their own.

### Electoral college unifies the nation

William C. **Kimberling**, Deputy Director FEC National Clearinghouse on Election Administration, **2008**, "The Pro's and Con's of the Electoral College System," United States Election Atlas, [http://uselectionatlas.org/INFORMATION/INFORMATION/electcollege\\_procon.php](http://uselectionatlas.org/INFORMATION/INFORMATION/electcollege_procon.php) (accessed 3/5/17)

For as things stand now, no one region contains the absolute majority (270) of electoral votes required to elect a president. Thus, there is an incentive for presidential candidates to pull together coalitions of States and regions rather than to exacerbate regional differences. Such a unifying mechanism seems especially prudent in view of the severe regional problems that have typically plagued geographically large nations such as China, India, the Soviet Union, and even, in its time, the Roman Empire.