## NEG BLOCKS

### AT: Ethanol (JIC)

#### 1. Ethanol is losing its grip nationally

**Coral Davenport 2016.** (Coral Davenport, reporter for the New York Times. January 31, 2016. “Ethanol Mandate, a Boon to Iowa Alone, Faces Rising Resistance,” New York Times. DOA: April 8, 2017 <https://www.nytimes.com/2016/02/01/us/politics/ethanol-mandate-a-boon-to-iowa-alone-faces-rising-resistance.html?_r=2>) EL

But beyond the borders of a state with outsize importance in the selection of presidents, **ethanol may be losing its grip on the body politic. Energy policy experts, advocates in the fight on poverty and even other farmers say** a law that has been a boon for Iowa has been a boondoggle to the rest of the country. **The ethanol mandate has driven up food costs while failing to deliver its promised environmental benefits.** Rising domestic oil production and a global energy glut have all but nullified the pitch that ethanol would help wean the country off foreign oil.

### AT: Protectionism (JIC)

#### 1. No impact to protectionist campaigns – every candidate vies to be tough on China BUT it never materializes into policies that match the rhetoric AND China puts no stock in it.

Carpenter, Cato Institute senior fellow, 2012

[Ted Galen, “China Bashing: A U.S. Political Tradition” <https://www.cato.org/publications/commentary/china-bashing-us-political-tradition>, accessed 4-29-17, TAP]

In every U.S. presidential election, the major party candidates vie to see who can appear tougher on China. Once the election is over, however, the substance of U.S. policy toward China usually changes little and is far more pragmatic than the campaign rhetoric. There are ominous signs, though, that things could be different this time. The accusations have been among the most caustic ever. Republican presidential nominee Mitt Romney has denounced the Obama administration for being “a near-supplicant to Beijing” on trade matters, human rights and security issues. An Obama ad accuses Romney of shipping U.S. jobs to China through his activities at the Bain Capital financier group, and Democrats charge that Romney as president would not protect U.S. firms from China’s depredations. In large measure these jabs resemble a quadrennial political ritual. Ronald Reagan repeatedly criticized President Jimmy Carter for establishing diplomatic relations with Beijing. Bill Clinton excoriated the “butchers of Beijing” in the 1992 campaign and promised to stand up to the Chinese government on both trade and human rights issues. Candidate Barack Obama labeled President George W. Bush “a patsy” in dealing with China and promised to go “to the mat” over Beijing’s “unfair” trade practices. Obama highlighted his decision to impose tariffs on Chinese tires in a recent campaign speech. The administration, he said, had decided to file two complaints with the World Trade Organization over Beijing’s allegedly illegal subsidies to China’s automobile industries. It was no coincidence that Obama announced this in Ohio, a battleground state where the auto parts industry is a major component of the economy. Chinese leaders have learned to regard this quadrennial anti-China rhetoric with a mixture of patience and bemusement. They note that despite Clinton’s fiery comments, U.S.-China trade soared during his administration, and after the first year or so, criticism about Beijing’s human rights policies virtually disappeared. Bilateral relations during the Reagan administration were exceptionally good, as the two governments cooperated to contain the Soviet Union’s power.

#### 2. No impact – candidates always seem tough on trade – but the rhetoric calms after the election – scapegoating trade is just a way to appeal to voters – this election was the norm, not the exception.

Hakobyan et al, Fordham University economics professor, 6-13-16

[Shushanik, Ben Casselman, 538, Andrew Flowers, 538, and David Firestone, 538, “The Consequences: How Trade Became A Major Issue In 2016” <https://fivethirtyeight.com/features/the-consequences-how-trade-became-a-major-issue-in-2016/>, accessed 4-29-17, TAP]

David: International trade has emerged from wonky obscurity to become one of the most heated issues in this year’s presidential campaign. Given its complexity, were you surprised to see trade blamed for so many of the country’s economic woes, attacked from both right and left as the reason for slow job growth and stagnant wages? Shushanik: I was not at all surprised. Trade issues become hotly debated in every election season. The campaign rhetoric eventually gives way to a much calmer tone after the elections. Just recall the 2008 election season when Obama was campaigning against NAFTA. It was very similar in spirit to what we’ve seen this year, now with an added incentive to bash trade in the run up to the vote for the Trans-Pacific Partnership (TPP). Ben: I agree, Shushanik, but I do think there’s something a bit different this time. For one thing, you have both major-party nominees coming out against the TPP, and Donald Trump has built his whole campaign around protectionism, which is unusual for a GOP nominee. Andrew: It’s revealing the degree to which resentment about trade has been one of the driving issues in this election, at least in explaining Trump’s appeal. It’s an indication that the costs from trade have been very concentrated — more so than we thought. It’s hit a certain segment of American workers very hard. They’re angry and disaffected. For many of them, trade is to blame. Shushanik: I agree, Andrew, but much of the research, including mine on NAFTA, suggests that a very small share of the labor force is affected by trade. Yes, it is true the impact is very concentrated not only by sector, but also by location. Trade is an easy scapegoat for the economic situation and it is much more easily understandable by an average person.

### AT: Small States Prioritized

#### 1. Smaller states are still included amongst swing states, without the electoral college they wouldn’t matter

**Kevin Price 2012** (Kevin Price, syndicated columnist, publisher and managing editor of [US Daily Review](http://usdailyreview.com/" \t "_blank). October 24, 2012. “Why We Still Need The Electoral College,” CNS News. DOA: March 6, 2017. [http://www.cnsnews.com/blog/kevin-price/why-we-still-need-electoral-college) EL](http://www.cnsnews.com/blog/kevin-price/why-we-still-need-electoral-college)%20EL)

Now opponents of the Electoral College are complaining that the argument that all states deserve the attention of candidates is moot, since over 90 percent of all general election dollars are only spent on "swing states." These are states that are "too close to call" and politicians are putting almost all of their energies there. **What the opponents are missing, is where those "swing states" are. The** [**swing states are**](http://usdailyreview.com/update-on-the-swing-states) **as follows: Colorado, Florida, Iowa, Nevada, New Hampshire, North Carolina, Ohio, Virginia, and Wisconsin. When you look at this list, you see several small states on it. States that, without an Electoral College, would be totally ignored.** Very small states like New Hampshire, Iowa, and Nevada would be completely ignored without the Electoral College.

#### He continues,

**Kevin Price 2012** (Kevin Price, syndicated columnist, publisher and managing editor of [US Daily Review](http://usdailyreview.com/" \t "_blank). October 24, 2012. “Why We Still Need The Electoral College,” CNS News. DOA: March 6, 2017. [http://www.cnsnews.com/blog/kevin-price/why-we-still-need-electoral-college) EL](http://www.cnsnews.com/blog/kevin-price/why-we-still-need-electoral-college)%20EL)

Because of the Electoral College, a presidential candidate must garner a minimum of 270 votes in order to win. It takes a minimum of 11 states to win the White House, thanks to the Electoral College. **If it were pure popular vote, the voice of most of the states would not be heard. In fact, without the Electoral College several cities would only have a voice**. In 2008, for example, 138 million voted for President. In fact, urban areas would be the only ones that would matter to presidential candidates.

#### 2. Without the electoral colleges, the most populous regions of the country would dominate elections, leaving out sparsely populated areas

**John Samples 2000** (John Samples, Vice President and Publisher of Cato. November 10, 2000. “In Defense of the Electoral College,” Cato Institute. DOA: March 6, 2017. <https://www.cato.org/publications/commentary/defense-electoral-college>) EL

First, **we must keep in mind the likely effects of direct popular election of the president. We would probably see elections dominated by the most populous regions of the country or by several large metropolitan areas**. In the 2000 election, for example, Vice President Gore could have put together a plurality or majority in the Northeast, parts of the Midwest, and California. **The victims in such elections would be those regions too sparsely populated to merit the attention of presidential candidates**. Pure democrats would hardly regret that diminished status, but I wonder if a large and diverse nation should write off whole parts of its territory. We should keep in mind the regional conflicts that have plagued large and diverse nations like India, China, and Russia. **The Electoral College is a good antidote to the poison of regionalism because it forces presidential candidates to seek support throughout the nation. By making sure no state will be left behind, it provides a measure of coherence to our nation.**

#### 3. Small states don’t truly get a boost from the EC

**Paul Boudreaux, 2004** (Paul Boudreaux, assistant professor at the Stetson University College of Law. Fall 2004. “The Electoral College and Its Meager Federalism,” *Marquette Law Review*, <http://scholarship.law.marquette.edu/cgi/viewcontent.cgi?article=1019&context=mulr>. Accessed 6 April 2017. Page 223) ESG

Moreover, it is a matter of characterization to conclude that the college's small boost for small states gives individual voters in these states more influence than they would enjoy under a direct popular vote. **On a case-bycase basis, of course, voters in small states often have reason to disagree that the electoral college helps them. In 2000, for example, a majority of voters in Vermont, the nation's second-least-populous state, voted for Gore**. The Gore voters in Vermont presumably were not assuaged by the fact that Vermont cast its three electoral votes for Gore, which failed to get him elected. **Under a direct popular vote, the majority in Vermont would have been part of a nationwide Gore plurality victory.** 183 In most elections, the small state boost has not affected the outcome; as defenders point out, the college often provides comfortable victory margins. **Only five times since the rise of the modem two-party system in 1856 has the electoral college margin been thinner than the combined votes of the sixteen smallest states.**

#### 4. The Electoral College actually helps large states balance out small states’ disproportionate representation

**Richard Posner, 2012** (Richard A. Posner, judge on the U.S. Court of Appeals for the 7th Circuit, and senior lecturer at the University of Chicago Law School. November 12th 2012. “In Defense of the Electoral College,” *Slate,* [*http://www.slate.com/articles/news\_and\_politics/view\_from\_chicago/2012/11/defending\_the\_electoral\_college.html*](http://www.slate.com/articles/news_and_politics/view_from_chicago/2012/11/defending_the_electoral_college.html)*.* Accessed 9 March 2017) ESG

4) Big States **The Electoral College restores some of the weight in the political balance that large states (by population) lose by virtue of the mal-apportionment of the Senate decreed in the Constitution.** This may seem paradoxical, given that electoral votes are weighted in favor of less populous states. Wyoming, the least populous state, contains only about one-sixth of 1 percent of the U.S. population, but its three electors (of whom two are awarded only because Wyoming has two senators like every other state) give it slightly more than one-half of 1 percent of total electoral votes. But winner-take-all makes a slight increase in the popular vote have a much bigger electoral-vote payoff in a large state than in a small one. The popular vote was very close in Florida; nevertheless Obama, who won that vote, got 29 electoral votes. A victory by the same margin in Wyoming would net the winner only 3 electoral votes. So, **other things being equal, a large state gets more attention from presidential candidates in a campaign than a small states does. And since presidents and senators are often presidential candidates, large states are likely to get additional consideration in appropriations and appointments from presidents and senators before as well as during campaigns, offsetting to some extent the effects of the malapportioned Senate on the political influence of less populous states.**

### AT: Large States Prioritized

#### 1. Large state bias exists in a NPV

**Paul Boudreaux, 2004** (Paul Boudreaux, assistant professor at the Stetson University College of Law. Fall 2004. “The Electoral College and Its Meager Federalism,” *Marquette Law Review*, <http://scholarship.law.marquette.edu/cgi/viewcontent.cgi?article=1019&context=mulr>. Accessed 6 April 2017. Page 220-221) ESG

**The assumptions of a large-state advantage in the electoral college do not withstand scrutiny, however. Of course it is true that it is far better for a candidate to capture California's 55 electoral votes than Wyoming's 3 votes. However, a similar assertion could be made with a direct vote. It is far better to carry a certain majority among California's eleven million individual voters than among the 0.2 million voters in Wyoming**. 69 With a direct vote, a candidate is encouraged to try to collect any individual vote that he or she can across the nation; under the electoral college, the candidate is encouraged to gather any electoral vote available. It is true that the largest states-New York from 1812 through 1968, and California from 1972-have good historical records of agreeing with the nationwide electoral college tally. However, these states' votes also correlate with the nationwide popular vote.' 71 Other states have good records of agreeing with the national vote; it was a small state, not New York, that was referred to in the old saying, "As Maine goes, so goes the nation."'

### AT: Fairer to All States

#### 1. The Electoral College requires candidates to appeal to many states, the popular vote would neglect all but the largest

**James Ingram, 2017** (James Ingram, PhD in US politics, teaches about the American presidency at San Diego State University. January 13th 2017. “Electoral College is best way to choose U.S. president,” *The San Diego Union Tribune*, <http://www.sandiegouniontribune.com/opinion/commentary/sd-utbg-electoral-college-president-20170113-story.html>. Accessed 13 March 2017) ESG

Every presidential election which lacked a popular majority featured significant third-party candidates. Gary Johnson in 2016, Ralph Nader in 2000, and Ross Perot in 1992 and 1996 are prominent examples. Third-party candidates highlight neglected issues, but increase the probability nobody wins a majority. The problem with electing the candidate who achieves only a popular vote plurality is that someone supported by a small minority of people and states could win, provided everyone else has even fewer votes. **By mandating an Electoral College majority rather than a popular vote plurality, the Constitution requires a presidential candidate to win more states. Since over half of the U.S.’s population lives in the nine largest states, plurality rules would instead allow presidents to win with only a small minority of states. But since the nine most populous states have only 240 of the needed 270 electoral votes, the current system requires candidates to be competitive in more states.** Clinton won almost 3 million more votes than Trump, but she won merely 19.75 states and D.C., while Trump won 30.25 states (they split Maine).

#### 2. In the world of the popular vote, candidates who won fewer states might regularly win, but all states should be represented

**James Ingram, 2017** (James Ingram, PhD in US politics, teaches about the American presidency at San Diego State University. January 13th 2017. “Electoral College is best way to choose U.S. president,” *The San Diego Union Tribune*, <http://www.sandiegouniontribune.com/opinion/commentary/sd-utbg-electoral-college-president-20170113-story.html>. Accessed 13 March 2017) ESG

Our present system has only elected the candidate who won fewer states thrice, in 1824, 1960 and 1976. The two main candidates tied in the number of states won in 1848 and 1880, but both times the contestant with more popular support won the electoral vote. In every other presidential plebiscite, the winner carried a majority of states. **If presidents only needed plurality support, the victor might regularly be the candidate who won fewer states. This would weaken presidential leadership. The Electoral College prevents smaller states from being ignored in presidential elections. The states’ diversity should be just as fully represented as other dimensions of diversity in our multicultural republic.**

#### 3. A popular vote would take away the voice of more states rather than empower them

**Tara Ross, 2004** (Tara Ross, lawyer and author of Enlightened Democracy: The Case for the Electoral College. November 1st 2004. “The Electoral College: Enlightened Democracy,” *Legal Memorandum by the Heritage Foundation*, <http://www.heritage.org/the-constitution/report/the-electoral-college-enlightened-democracy?_ga=1.67231697.1937855222.1489431141>. Accessed 13 March 2017. Page 6) ESG

The result? **Democrats would almost certainly spend most of their time in the large population centers in California and New York. Republicans would campaign in the South and Midwest. Large cities would be focused on almost exclusively as the candidates seek to turn out as many votes as possible in “their” region of the country. Small states, rural areas, and sparsely populated regions would find themselves with little to no voice in presidential selection.** In this scenario, a handful of states (or heavily populated cities) win, while the remaining states and less-populated areas suffer significantly.38 Many critics dispute this description of the two types of elections. They contend that the current system does not encourage presidential candidates to tour the nation, but instead encourages a focus on mid-sized “swing” states. “Safe” states and small states, they allege, do not receive nearly as much attention on this national tour. There is an element of truth in this observation. **Yet to the degree that safe states do not receive a proportionate amount of attention during campaigns, the logical conclusion is that those states**, by and large, must **already feel that one of the two presidential candidates represents their interests fairly well. When a candidate ceases to adequately understand and represent one of “his” state’s interests, the discontent in that state is usually expressed pretty quickly.** Consider the situation in West Virginia in recent decades. Democrats considered West Virginia a safe state for years; thus, the state probably saw less post-nomination campaign activity from 1960–2000 than it might have otherwise. However, in 2000, the Bush campaign recognized an opportunity to gain a foothold in the state due to concern about the impact of Gore’s environmental policies on the coal-mining industry and his support for gun control.39 Bush took advantage of this discontent, and he spent more than $2 million communicating his message to West Virginia’s voters.40 When election results were tallied, Bush became the first Republican since 1928 to win an open race for the presidency in West Virginia.41 In 2004, West Virginia is no longer considered a safe state for Democrats.

#### 4. DPV cause regionalism and misrepresentation

Tara Ross 2012 (Tara Ross, JD and Author of Enlightened Democracy: The Case for the Electoral College, 2012, *Enlightened Democracy: The Case for the Electoral College 2nd Ed.*, [https://www.amazon.com/Enlightened-Democracy-Case-Electoral-College/dp/0977072223 DoA 3/9/17](https://www.amazon.com/Enlightened-Democracy-Case-Electoral-College/dp/0977072223%20DoA%203/9/17)) CJV

A direct popular vote procedure would reverse this situation. Winning 100 percent of the votes in a state would be infinitely preferable to winning 50.1 percent of the votes. In fact, it may be easier to rack up votes in a friendly state than to gain 50.1 percent of votes in each of two states of similar size, although the pay-off would be essentially the same. The result? Ronald Reagan concluded his radio broadcast in 1977 by describing the likely consequences of such a change: “Presidential candidates would be tempted to aim their campaigns and their promises at a cluster of metropolitan areas in a few states and the smaller states would be without a voice.”[[238]](https://calibre-internal.invalid/text/part0000_split_037.html#_ftn238) Democrats would almost certainly spend most of their time in the large population centers in California and New York. Republicans would campaign in the South and Midwest. Each candidate would promise anything and everything to the regions in which he is strong, ignoring the needs of the rest of the country. Large cities would be focused on almost exclusively as the candidates seek to turn-out as many votes as possible in “their” region of the country. Small states, rural areas and sparsely populated regions would find themselves with little to no voice in presidential selection. The parties would not be able to risk selecting candidates from small states. By the time a President got himself elected under such a system, he would be indebted to—and would essentially represent—isolated regions, not the country as a whole. In this scenario, a handful of states (or heavily populated cities) win, while the remaining states suffer significantly.

#### 5. Under a direct vote, states’ influence is equal to their turnout, so representation still isn’t equal

**Brett Gordon and Wesley Hartmann, 2013** (Brett Gordon, Associate Professor of Marketing in the Kellogg School of Management at Northwestern University, and Wesley Hartmann, professor of marketing at the Stanford Graduate School of Business. April 29th 2013. “Advertising Competition in Presidential Elections,” Hosted by *UCLA Economics*, <http://www.econ.ucla.edu/alumniconf/Hartmann.pdf>. Accessed 13 April 2017. Page 39) ESG

**In contrast, in a direct vote, a state’s relative influence in the election outcome is** endogenous—it is **proportional to the percent of its population that turns out to vote relative to national voter turnout.** Figure 8 depicts the difference in representation of a state between each electoral mechanism and the representation that their population constitutes as percentage of the US population over age 18. States are ordered on the left axis by increasing size of their voting age population. On the top, the series of positive bars reflect the electoral college’s protection of small states. On the bottom, large states such as California, Texas and Florida are under-represented in both the electoral college and a direct vote. **Under-representation in the direct vote arises from a smaller fraction of the state’s voting age population actually voting. Other states such as Georgia, Arizona and Nevada also are under-represented in a direct vote. Minnesota, Wisconsin, Michigan and Ohio are however over-represented in a direct vote.** A direct vote therefore eliminates both the electoral college’s protection of small states and the tie in to state population size, as a state is now represented only by its voters turning out for the election.

### AT: Power Numbers

#### 1. Using mathematical modeling, proportional voting systems are basically fair.

**Andrew Gelman et al 2004** (Andrew Gelman, director of the Applied Statistics Center at Columbia University, Jonathan N. Katz, Professor of Social Sciences and Statistics at Cal Tech, and Joseph Bafumi, Associate Professor of Government at Dartmouth College. 2004. “Standard Voting Power Indexes Do Not Work: An Empirical Analysis,” *Cambridge University Press*

<http://www.jstor.org/stable/4092294?seq=1#page_scan_tab_contents>) AK

Voting power indexes such as that of Banzhaf are derived, explicitly or implicitly, from the assumption that all votes are equally likely (i.e., random voting). That assumption implies that the probability of a vote being decisive in a jurisdiction with n voters is proportional to 1/iV'. In this article the authors show how this hypothesis has been empirically tested and rejected using data from various US and European elections. **They find that the probability of a decisive vote is approximately proportional to 1/n. The random voting model (and, more generally, the square-root rule) overestimates the probability of close elections in larger jurisdictions. As a result, classical voting power indexes make voters in large jurisdictions appear more powerful than they really are. The most important political implication of their result is that proportionally weighted voting systems (that is, each jurisdiction gets a number of votes proportional to n) are basically fair.** This contradicts the claim in the voting power literature that weights should be approximately**It is often claimed that, in a proportionally weighted electoral system, voters in large jurisdictions have disproportionate 'voting power'. This statement is only correct if elections in large jurisdictions are much closer than in small jurisdictions: the 'square root rule'. Empirically, this rule does not hold** - in several electoral systems for which we have gathered data, the probability that an election is close is much more like a constant than proportional to 1/ j. **From a theoretical perspective, our result - that large elections are not appreciably closer than small elections - makes sense because election results are characterized by national and regional swings.** Voting power measures go wrong by assuming that the nj voters are acting independently (or, more generally, that they are divided into independent groups, where the number of groups is prop

#### 2. AT: Smaller state voters have more mathematical power in an election

Tara Ross 2012 (Tara Ross, JD and Author of Enlightened Democracy: The Case for the Electoral College, 2012, *Enlightened Democracy: The Case for the Electoral College 2nd Ed.*, [https://www.amazon.com/Enlightened-Democracy-Case-Electoral-College/dp/0977072223 DoA 3/9/17](https://www.amazon.com/Enlightened-Democracy-Case-Electoral-College/dp/0977072223%20DoA%203/9/17)) CJV

The Electoral College, its detractors argue, violates the principle of “one person, one vote” and creates a disparity in individual voting power. Worse, from their point of view, the disparity in individual voting power sways in favor of voters who happen to reside in large states. This complaint can be confusing at first because it sounds like the opposite of another complaint—that the two vote add-on for small states (giving all a “guaranteed minimum” of three electoral votes) creates a bias in their favor. The two extra electoral votes given to all states, regardless of population, do create an advantage for those states. As a statistical matter, however, the advantage plays in favor of the state as a whole, rather than the individual voter. By contrast, the mathematical advantage granted by the winner-take-all system plays in favor of individual voters in the larger states.[[253]](https://calibre-internal.invalid/text/part0000_split_037.html#_ftn253) These voters have a statistically higher probability of materially affecting the outcome of the election. An example may help to explain this phenomenon. If a citizen resides in California, with its electoral bloc of 55 votes, then the mathematical probability that his vote will affect the outcome of the election is greater than if he lived in Montana, which has more citizens than some of the smallest states, but only three electoral votes.[[254]](https://calibre-internal.invalid/text/part0000_split_037.html#_ftn254) Electoral College critics Lawrence Longley and Neal Peirce conclude that citizens in California during the 2000 election had “2.663 times the potential for determining the outcome of the presidential election of a citizen voting in the most disadvantaged state—Montana.”[[255]](https://calibre-internal.invalid/text/part0000_split_037.html#_ftn255) Most of the time, one vote by one citizen will not determine which way the state’s popular vote comes out. However, in the event that it does so, this mathematical model says that voters in large states have more power than those in small states. If a California citizen votes for Obama in the 2012 election and that one vote determines that Obama, not Mitt Romney, wins the state’s slate of electors, then that one voter’s ballot has determined the outcome of 55 electoral votes. A voter faced with the same situation in Montana does not have this much power. If his one vote determines that Romney, not Obama, gets Montana’s vote, he has determined the outcome of only three electoral votes.

### AT: Wasted Votes

#### 1. “Wasted” votes are not wasted – they simply lost

**Tara Ross, 2004** (Tara Ross, lawyer and author of Enlightened Democracy: The Case for the Electoral College. November 1st 2004. “The Electoral College: Enlightened Democracy,” *Legal Memorandum by the Heritage Foundation*, <http://www.heritage.org/the-constitution/report/the-electoral-college-enlightened-democracy?_ga=1.67231697.1937855222.1489431141>. Accessed 13 March 2017. Page 5) ESG

The Benefits of Federalism. Critics of the Electoral College allege that the country’s presidential election process does more to trample the rights of individuals than to protect federalism. In this context, they often cite the “winner-take-all” method employed by most states, claiming that it causes the votes of some individuals to be “wasted.”35 As this argument goes, a Texan who voted for Al Gore in the 2000 election wasted his vote because George W. Bush was awarded the state’s entire slate of electors under the winnertake-all method. Gore did not win so much as one electoral vote from Texas, despite winning nearly 2.5 million of that state’s popular votes during the election.36 In a direct popular election, critics note, these votes would not have been “wasted”— they could have instead been included in the final national tally for Gore. Such arguments, however, are a bit disingenuous. **These votes were not wasted. They were simply cast on the losing side of a popular vote within the state. If the 2000 election had been conducted based on nationwide popular vote totals only, would people claim that any vote for George W. Bush was “wasted” because Al Gore won the popular vote? Of course not. The votes for Bush were cast in an effort to win. In the event of a loss, they would simply have been votes for the losing candidate—just as in any other election** (such as an election for Governor or Senator).

#### 2. no

Tara Ross 2012 (Tara Ross, JD and Author of Enlightened Democracy: The Case for the Electoral College, 2012, *Enlightened Democracy: The Case for the Electoral College 2nd Ed.*, [https://www.amazon.com/Enlightened-Democracy-Case-Electoral-College/dp/0977072223 DoA 3/9/17](https://www.amazon.com/Enlightened-Democracy-Case-Electoral-College/dp/0977072223%20DoA%203/9/17)) CJV

These criticisms are unconvincing for two reasons. First, the critics forget that the winner-take-all system is not mandated by the Constitution. Indeed, the NPV alternative now under consideration in many state legislatures relies heavily on the fact that any state may change its method of allocating electoral votes at any time.[[227]](https://calibre-internal.invalid/text/part0000_split_037.html#_ftn227) The Constitution mandates that each state, through its state legislature, decide for itself how to allocate its votes.[[228]](https://calibre-internal.invalid/text/part0000_split_037.html#_ftn228) States may cast their electoral votes as a bloc, divide them among multiple candidates, or even cast them according to a lottery system (if they really want to do so). Each state legislature has “plenary” power when choosing a manner of allocating its state’s electoral votes[[229]](https://calibre-internal.invalid/text/part0000_split_037.html#_ftn229)—and it does not have to agree with neighboring state legislatures on the best method. Each state legislature determines how its state and citizens can best be served in the electoral vote and adopts a method accordingly. If a state’s citizens disagree with the chosen method, then they simply need to appeal to their state legislators to change the rules. Texans are free to elect state representatives who are willing to make this change—if, in fact, they feel that such a change would serve the state’s best interests. Some might dismiss this point, arguing instead that the small states are essentially bullied into adopting a “winner-take-all” system once large states, such as California and Texas, have already done so.

#### 3. Non-competitive states are important – just in a different way than swing states

**Steven J. Brams 2016** (Professor in the Department of Politics, New York University. October 17, 2016. “Paths to victory in presidential elections: the setup power of noncompetitive states,” Springer. <http://www.politics.as.nyu.edu/docs/IO/2578/Paths4.pdf> PAGE: DOA: 4/29/17) CDY

Contrary to conventional wisdom, **the noncompetitive states in a US presidential election do count, but in a way different from the competitive states.** **Because it is the competitive states that determine the outcome in most presidential elections, the major-party candidates target, almost exclusively, voters in them. But the paths to victory of the winners in** the last four **presidential elections were paved by their leads in the noncompetitive states. The setup power of these states was always substantial**—and decisive in one case (2008)—**so it is not surprising that the four candidates ahead in the noncompetitive states all won.** But it was a close call for George Bush in 2000, because Al Gore’s popular-vote victory gave Gore almost enough electoral votes in the competitive states to win. In 2012, 42 states, plus the District of Columbia, were noncompetitive. They structured the final contest to give Barack Obama a big head start over Mitt Romney. More specifically, they afforded Obama 4.22 times as many ways to win the election, and rendered Romney’s winning coalitions 2.09 times more vulnerable and 4.22 times more fragile than Obama’s. Our assumptions that (i) each competitive state is equally likely to support either candidate, and (ii) their choices are independent, are both consistent with our data in 2004 and 2008, but less so in 2000 and 2012. However, if the 6 % window for competitive states is narrowed to 3 %—which may be appropriate given the greater accuracy of state pre- election polls nowadays—these assumptions are consistent with the election results. It is true that our calculations are based on information available only after the election. But insofar as state polls before an election mirror the post-election results, these polls foretell which states will be competitive and which will not be, enabling us to estimate the setup power of the noncompetitive states, and therefore the advantage enjoyed by one candidate over the other. By our three component measures of this power, the winner in each of the four elections benefited substantially from his electoral-vote lead in the non- competitive states, which increased his winningness and reduced his vulnerability and fragility. Our measures describe the situation facing the candidates when the identity of the competitive and noncompetitive states becomes known. We have not attempted to model the responses of the candidates to such information, which would be to allocate their campaign resources to the competitive states in some form of deterministic or probabilistic asymmetric Colonel Blotto game (Roberson 2006). There have been several attempts to use games related to Colonel Blotto to study electoral strategy, including Brams and Davis (1974) and Myerson (1993), but none has specifically addressed the fundamental asym- metry on which we have focused: The noncompetitive states typically give one candidate a substantial advantage. To conclude, **the head start that the noncompetitive states usually give one candidate or the other does matter**, even if the voters in these one-sided states cannot change the outcome. **In 2012, they gave Barack Obama a big advantage, putting Mitt Romney in a catch-up position which he could not overcome even if he had won as many electoral votes as Obama did in the competitive states.**

### AT: Illegitimacy (Gen)

#### 1. NPV would create even more illegitimate presidencies

Tara Ross 2012 (Tara Ross, JD and Author of Enlightened Democracy: The Case for the Electoral College, 2012, *Enlightened Democracy: The Case for the Electoral College 2nd Ed.*, [https://www.amazon.com/Enlightened-Democracy-Case-Electoral-College/dp/0977072223 DoA 3/9/17](https://www.amazon.com/Enlightened-Democracy-Case-Electoral-College/dp/0977072223%20DoA%203/9/17)) CJV

These legitimacy arguments are perhaps the silliest raised by Electoral College opponents. If a President is elected by a majority of electoral votes but a minority of popular votes, why should he be considered less legitimate than a President who won a runoff election, but squeaked his way into that runoff by earning, say, 30 percent of the vote in a general election? Or why is he less legitimate than a President elected under NPV’s plan, which awards the White House to candidates who obtain any minimal plurality? None of these Presidents would govern with a majority of the individual popular vote. But at least the President elected through the Electoral College must win one type of endorsement that the others do not: He must win concurrent victories across many states in order to obtain a federal majority. The President elected in a direct election system could easily be a default winner who was opposed by the majority of Americans in the general election. The rules that govern the presidential election process exist for a strong and valid reason: to ensure that Presidents represent national coalitions, rather than isolated segments of the country. A President is legitimately elected if he campaigned and won under these rules. To the small degree that voters do not perceive the election outcome as legitimate, this minor problem can and should be cured by educating voters on the important rationales underlying our Electoral College system.

#### 2. Electoral College prevents pluralities, ensuring legitimacy and a mandate to lead

**Peter Wallison, 2016** (Peter Wallison, senior fellow at the American Enterprise Institute. December 6th 2016. “Why We Need the Electoral College,” *RealClear Politics*, <http://www.realclearpolitics.com/articles/2016/12/06/why_we_need_the_electoral_college_132499.html>. Accessed 29 April 2017) ESG

**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. **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. 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. 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.**

#### He continues,

**Peter Wallison, 2016** (Peter Wallison, senior fellow at the American Enterprise Institute. December 6th 2016. “Why We Need the Electoral College,” *RealClear Politics*, <http://www.realclearpolitics.com/articles/2016/12/06/why_we_need_the_electoral_college_132499.html>. Accessed 29 April 2017) ESG

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.**

#### 3. The EC is KEY to legitimacy

**Tara Ross, 2004** (Tara Ross, lawyer and author of Enlightened Democracy: The Case for the Electoral College. November 1st 2004. “The Electoral College: Enlightened Democracy,” *Legal Memorandum by the Heritage Foundation*, <http://www.heritage.org/the-constitution/report/the-electoral-college-enlightened-democracy?_ga=1.67231697.1937855222.1489431141>. Accessed 13 March 2017. Page 8-9) ESG

Stability and Certainty in Elections. Historically, most elections have not been close in the Electoral College, even when the popular vote is close. **The Electoral College system, when combined with the winner-take-all rule, tends to magnify the margin of victory, giving the victor a certain and demonstrable election outcome. The magnification of the electoral vote can work to solidify the country behind the new President by bestowing an aura of legitimacy.** The election of 1960 was one such close election. John Kennedy won only 49.7 percent of the popular vote, compared to Nixon’s 49.5 percent. However, Kennedy won 56.4 percent of the electoral vote, compared to Nixon’s 40.8 percent. Eight years later, this magnification effect worked in favor of Nixon. Although he won the popular vote by less than one percent, he won 55.9 percent of the electoral vote to Hubert Humphrey’s 35.5 percent. This magnification effect increases dramatically as popular vote totals spread apart. For instance, in 1952, the winning candidate won 55.1 percent of the popular vote, but a much larger 83.2 percent of the Electoral College vote. In 1956, the difference was 57.4 percent (popular vote) to 86.1 percent (electoral vote). In 1964, it was 61.1 percent (popular vote) to 90.3 percent (electoral vote). Presidential elections since 1804 have generally seen wide margins of victory in the Electoral College. These margins have gotten wider, on average, through the years as the winner-take-all rule has been adopted by more states and the two-party system has solidified. Since 1804, only two elections—those in 1876 and 2000—were won by fewer than 20 electoral votes. Six elections were won by fewer than 50 electoral votes: Four of these were held in the 1800s. Of the 26 elections held between 1900 and 2000, 17 Presidents have been elected after winning the electoral vote by a margin of 200 votes or more. These consistently wide margins of victory in the Electoral College have come about despite the fact that the margin between the top two candidates in the popular vote was less than 10 percent in 14 of the 26 elections held since 1900. This margin exceeded 20 percent only five times since 1900. **A direct popular election, by contrast, would not grant certainty nearly as often. Close popular votes, such as those discussed above, could easily result in demands for recounts on a national scale.** America rarely has close electoral votes. It does, however, have close popular votes fairly consistently. **Do Americans really want a presidential election system that could result in hotly contested recounts nearly every election?**

### AT: Trump ☹

#### 1. Can’t say Clinton or Trump would have won if there was a popular vote because the campaigns would be different

[**Jason Linkins**](http://www.huffingtonpost.com/author/jason-linkins) **2016** (Jason Linkins is a Huffington post editor writing about politics and the election. 11/15/2016 “So, You Say You Want To Get Rid Of The Electoral College, Eh?,” Huffington Post. <http://www.huffingtonpost.com/entry/electoral-college_us_582b66bee4b0aa8910bd3ca5> DOA: 6/3/17) CDY

**That being said, a fully popular-vote election would have changed the nature of both campaigns and the way they were covered, and it’s in this realm where you’ll find most of the virtues of getting rid of the Electoral College system.** Right now, at the outset of every presidential election, the Electoral College means the states immediately are sorted into two pots ― battlegrounds and monoliths. And if your state ends up in the second pot, you get to spend 16 months being entirely written off, while the battlegrounds effectively get shoved into a bubble. That’s too bad, because states like Massachusetts and Mississippi are fascinating places. Their residents deserve the opportunity to get up-close-and-personal with the presidential campaigns, too. And you never know what insights we’re losing by shunting entire states off into the phantom zone. Immigration was a huge issue this year. In Alabama, [residents have some lived-in experiences](http://www.vice.com/read/what-alabamas-failed-anti-immigration-law-can-teach-us-about-donald-trump" \t "_blank) that might have added a healthy dose of introspection to the campaign. But that opportunity was lost because no one cares what Alabama thinks during a presidential election.

#### 2. Disingenuous to say the Electoral College produces the wrong result – the election rules are not set up to create a popular vote winner – it is impossible to say who would win under a different set of rules because the rules determine the outcome.

Michael Herz, 2002 [Michael Herz, Yeshiva University Cardozo School of Law professor. 23 Cardozo L. Rev. 1191, “SYMPOSIUM: VOTES AND VOICES: REEVALUATIONS IN THE AFTERMATH OF THE 2000 PRESIDENTIAL ELECTION:HOW THE ELECTORAL COLLEGE IMITATES THE WORLD SERIES” Lexis, accessed 4-4-17, TAP]

The popular vote result has no electoral meaning because the candidates were not in a contest for the popular vote. If they had been seeking the highest popular vote, they would have campaigned entirely differently. George Bush would have campaigned more in Texas to run up his vote and Al Gore would have campaigned more in California. Both would have campaigned more in urban areas because it is easier to turn out the vote there. They would have run their television advertisements in different places and perhaps even run different advertisements altogether. Given the less than four tenths of a percentage point difference between Bush and Gore, we cannot be certain who would have won the popular vote… . Accordingly, it is not entirely coherent to label those instances in which the college winner loses the popular vote as "misfirings" of the electoral college. 15Link to the text of the note Speaking before the 2000 election, and anticipating a possible Gore victory in the electoral college and loss of the popular vote, Walter Dellinger made precisely the same argument in rejecting the claim that such an outcome would undermine the winner's legitimacy: "There's no real legitimacy argument. If the presidency was decided by the popular vote, the two candidates would have run different races. We simply don't know who would have won." 16Link to the text of the note This is inescapably true, at least for a relatively close election such as that of 2000 (or 1888 or 1876). This is not to say that the campaign incentives that the electoral college creates are the right [\*1197] ones. But the system creates certain incentives, and given those incentives we cannot know what the outcome would have been under a different set of rules; therefore the inconsistency between electoral and popular vote outcomes should bother us less than it otherwise would. 17Link to the text of the note The analogy to the World Series is useful because it helps make all this clear by invoking a setting where exactly the same dynamic operates and is understood and accepted.

#### 3. Counterexample

Michael Herz, 2002 [Michael Herz, Yeshiva University Cardozo School of Law professor. 23 Cardozo L. Rev. 1191, “SYMPOSIUM: VOTES AND VOICES: REEVALUATIONS IN THE AFTERMATH OF THE 2000 PRESIDENTIAL ELECTION:HOW THE ELECTORAL COLLEGE IMITATES THE WORLD SERIES” Lexis, accessed 4-4-17, TAP]

One reason to count games is that to sum total runs would give too much weight to a team's overwhelming success in a single game. Many have invoked the World Series or other sports analogies to argue that direct election of the President would similarly overvalue a candidate's enormous success in his home state or elsewhere where that candidate is unusually popular. They make three overlapping points. 1. Overcounting Narrow Talents or Support In baseball, overwhelming victories are misleading. Maybe a team is just "on" one day, or it is beating up on the other team's only bad pitcher, or, the game having been lost, the losing manager takes out his best players to avoid injury. Counting a blowout equally with a squeaker avoids overvaluing this isolated and misleading triumph. That a team had a particular advantage on a given day does not mean it is a better team altogether. Proceeding [\*1206] game by game minimizes the advantage resulting from that momentary edge. By the same token, if a candidate is overwhelmingly but uniquely popular in a single state, that does not mean he is a "better" candidate overall. In 2000, for example, George Bush surely could have done better in Texas than he did. Because the state was comfortably his, he did not need to campaign extensively there. Had he paid more attention to his home state because what counted was total votes, we might be unimpressed that he won a national election on the strength of intense local popularity. This point turns the usual complaint about the non-national character of the electoral college on its head, suggesting that the electoral college ensures broad national appeal by discounting intense local popularity. One author makes the point this way: In sports, we accept that a true champion should be more consistent than the 1960 Yankees. A champion should be able to win at least some of the tough, close contests by every means available - bunting, stealing, brilliant pitching, dazzling plays in the field - and not just smack home runs against second-best pitchers. A presidential candidate worthy of office, by the same logic, should have broad appeal across the whole nation, and not just play strongly on a single issue to isolated blocs of voters. 35Link to the text of the note For supporters of the electoral college, this is the moral of Benjamin Harrison's victory over Grover Cleveland in 1888, the last time, before 2000, that the winner of the popular vote lost the presidency. The standard account is that Cleveland ran a one-issue campaign, supporting a reduction in tariffs that was extremely popular in the South but nowhere else. Cleveland beat Harrison so emphatically in the South that he prevailed in the popular vote, but Harrison, with broader appeal, won everywhere else, handily taking the electoral college 233-168. 36Link to the text of the note For supporters of the electoral college, 1888 shows the strength of the system, not [\*1207] its weakness. Of course, the real impact of the system is seen not in the isolated instance viewed ex post, but in the constant ex ante incentives it creates for the parties in selecting candidates, for the candidates in campaigning, and for the President in governing. The system selects for those with broad geographic appeal, just as the World Series tends to select for team with a range of skills and strength through the lineup. Indeed, there is a direct "geographic" aspect to the World Series. Teams are sometimes built to take advantage of peculiarities of the home ballpark. Also, most teams enjoy a home field advantage unrelated to talent. The World Series is set up to minimize these advantages; the team with three games (assuming a seven-game series) at home must win at least one game in its opponent's park; the team with four games at home might conceivably only prevail at home, but it is impossible, given the need for an odd number of total games, to avoid that. As a result, the winning team must have some success away from its home field. Spectacular success at home - which might reflect only a narrow set of talents or factors other than talent (fan support, being able to sleep in one's own bed, psychological comfort, etc.) - does not amount to more than it should. Obviously, there's no precise equation for determining how much success at home "should" count, but the win-games approach is a rough proxy for that idea. 2. Not Running Up the Score The second reason to minimize the potential gain from a single contest that might be applicable to both the World Series and the electoral college concerns the incentives that the total games approach creates. Candidates focus on the states that are in play; they do not waste time and resources in states where victory is safe or impossible. Using football rather than baseball (but the point is the same), Judith Best explains: Football coaches don't try to run up the score in a game they have good reason to believe they have already won … [and] they don't leave in their starting quarterback and great fullback when they are ahead late in the fourth quarter by at least three touchdowns. These essential players might get hurt for nothing, and thus running up the score in this game may cost them victory in other games. It is more important to win other games than to boast of beating this team by five touchdowns. Coaches know the rules for getting into the Super Bowl; they know that trying to run up the score in this game could result in hurting [\*1208] their chances to win in other games. Candidates and political parties know the same kind of thing in presidential elections; they do know the rules of the electoral vote system; they will try to win the most states rather than a few states by overwhelming margins. 37Link to the text of the note As discussed above, because no one is trying to maximize the popular vote, tabulations of the popular votes are far from a conclusive indicator of whom a majority of American voters prefers. But here the point is normative: the system should prevent candidates from capitalizing on local advantages. Breadth of support, or talent, is as important as depth. Knowing nothing was to be gained in Texas, George Bush directed his attention elsewhere and became President only because he was able to find sufficient support when he did so.

#### 4. Many reasons Trump was an outlier: he rode a wave of American populism, he was already a celebrity so he automatically had the publicity and money, and people simply *hated* Hillary

### AT: Undemocratic

#### 1. The Electoral College avoids messy runoffs – it is quite democratic

**Richard Posner, 2012** (Richard A. Posner, judge on the U.S. Court of Appeals for the 7th Circuit, and senior lecturer at the University of Chicago Law School. November 12th 2012. “In Defense of the Electoral College,” *Slate,* [*http://www.slate.com/articles/news\_and\_politics/view\_from\_chicago/2012/11/defending\_the\_electoral\_college.html*](http://www.slate.com/articles/news_and_politics/view_from_chicago/2012/11/defending_the_electoral_college.html)*.* Accessed 9 March 2017) ESG

5) Avoid Run-Off Elections **The Electoral College avoids the problem of elections in which no candidate receives a majority of the votes cast. For example, Nixon in 1968 and Clinton in 1992 both had only a 43 percent plurality of the popular votes, while winning a majority in the Electoral College** (301 and 370 electoral votes, respectively). **There is pressure for run-off elections when no candidate wins a majority of the votes cast; that pressure, which would greatly complicate the presidential election process, is reduced by the Electoral College, which invariably produces a clear winner. Against these reasons to retain the Electoral College the argument that it is undemocratic falls flat.** No form of representative democracy, as distinct from direct democracy, is or aspires to be perfectly democratic. Certainly not our federal government. In the entire executive and judicial branches, only two officials are elected—the president and vice president. All the rest are appointed—federal Article III judges for life. It can be argued that the Electoral College method of selecting the president may turn off potential voters for a candidate who has no hope of carrying their state—Democrats in Texas, for example, or Republicans in California. Knowing their vote will have no effect, they have less incentive to pay attention to the campaign than they would have if the president were picked by popular vote, for then the state of a voter’s residence would be irrelevant to the weight of his vote. But of course no voter’s vote swings a national election, and in spite of that, about one-half the eligible American population did vote in last week’s election. Voters in presidential elections are people who want to express a political preference rather than people who think that a single vote may decide an election. Even in one-sided states, there are plenty of votes in favor of the candidate who is sure not to carry the state. So I doubt that the Electoral College has much of a turn-off effect. And if it does, that is outweighed by the reasons for retaining this seemingly archaic institution.

#### 2. Without the Electoral College, numerous elections would be decided by the House, which would be even less legitimate

**James Ingram, 2017** (James Ingram, PhD in US politics, teaches about the American presidency at San Diego State University. January 13th 2017. “Electoral College is best way to choose U.S. president,” *The San Diego Union Tribune*, <http://www.sandiegouniontribune.com/opinion/commentary/sd-utbg-electoral-college-president-20170113-story.html>. Accessed 13 March 2017) ESG

Of the 49 presidential elections the United States has held since 1824, when many states began allowing the public to choose electors, a full 18 contests have not given any candidate a popular vote majority. The electoral vote has only reversed a popular vote majority once, in 1876, an election called into question by vote fraud. In 1888, when the person who won the electoral vote had a smaller share of the popular vote, no candidate won a popular majority. Likewise in 2000 and 2016, the most recent elections in which critics claim the Electoral College subverted the people’s will, neither Hillary Clinton nor Al Gore won popular vote majorities. Clinton won 48 percent compared to Donald Trump’s 46 percent; Gore won 48.4 percent to George W. Bush’s 47.9 percent. Clinton and Gore outpolled their opponents, but the majority supported someone else for president. The Electoral College usually amplifies the people’s voice, electing the candidate who wins most states and votes. This allows the winner to claim a mandate and lead the country. **Had the founders required presidents to gain a majority of the popular vote rather than of the Electoral College, over 30 percent of our presidential elections would have been decided by the U.S. House. In both 2000 and 2016, the Republican House majorities surely would have chosen the Republican candidate, the same one who won the electoral vote. The problem with House selection is that this raises questions of legitimacy. In 1824, no one won an Electoral College or a popular vote majority. When the House chose John Quincy Adams over plurality winner Andrew Jackson, the latter denounced the “corrupt bargain,” undermining Adams’ presidency.**

#### 3. DPV cause regionalism and misrepresentation

Ross 12(Tara Ross, JD and Author of Enlightened Democracy: The Case for the Electoral College, 2012, *Enlightened Democracy: The Case for the Electoral College 2nd Ed.*, [https://www.amazon.com/Enlightened-Democracy-Case-Electoral-College/dp/0977072223 DoA 3/9/17](https://www.amazon.com/Enlightened-Democracy-Case-Electoral-College/dp/0977072223%20DoA%203/9/17)) CJV

A direct popular vote procedure would reverse this situation. Winning 100 percent of the votes in a state would be infinitely preferable to winning 50.1 percent of the votes. In fact, it may be easier to rack up votes in a friendly state than to gain 50.1 percent of votes in each of two states of similar size, although the pay-off would be essentially the same. The result? Ronald Reagan concluded his radio broadcast in 1977 by describing the likely consequences of such a change: “Presidential candidates would be tempted to aim their campaigns and their promises at a cluster of metropolitan areas in a few states and the smaller states would be without a voice.”[[238]](https://calibre-internal.invalid/text/part0000_split_037.html#_ftn238) Democrats would almost certainly spend most of their time in the large population centers in California and New York. Republicans would campaign in the South and Midwest. Each candidate would promise anything and everything to the regions in which he is strong, ignoring the needs of the rest of the country. Large cities would be focused on almost exclusively as the candidates seek to turn-out as many votes as possible in “their” region of the country. Small states, rural areas and sparsely populated regions would find themselves with little to no voice in presidential selection. The parties would not be able to risk selecting candidates from small states. By the time a President got himself elected under such a system, he would be indebted to—and would essentially represent—isolated regions, not the country as a whole. In this scenario, a handful of states (or heavily populated cities) win, while the remaining states suffer significantly.

### AT: Hurts Turnout

#### 1. Replacing interaction with advertising kills turnout

**Curtis Gans, 2012** (Curtis Gans, political activist and organizer, with Leslie Francis, former executive director of the Democratic National Committee. March 7th 2012. “Why National Popular Vote Is a Bad Idea,” *The Huffington Post*, <http://www.huffingtonpost.com/curtis-gans/national-popular-vote_b_1189390.html>. Accessed 7 April 2017) ESG

The horror of a potential national recount is only one of the dangers direct presidential elections poses. Among the others: • By its very size and scope, a national direct election will lead to nothing more than a national media campaign, which would propel the parties’ media consultants to inflict upon the entire nation what has been heretofore limited to the so-called battleground states: an ever-escalating, distorted arms race of tit-for-tat unanswerable attack advertising polluting the airwaves, denigrating every candidate and eroding citizen faith in their leaders and the political process as a whole. • **Because a direct election would be, by definition, national and resource allocation would be overwhelmingly dominated by paid television advertising, there would be little impetus for grass-roots activity. That, in turn, would likely diminish voter turnout.**

#### 2. **The increase in turnout is very small, but the impact has already happened in the status quo**

Ryan Enos and Anthony Fowler 2016 (Ryan D. Enos, Associate Professor, Department of Government, Harvard University. Anthony Fowler, Assistant Professor, Harris School of Public Policy Studies, University of Chicago 2016 “Aggregate Effects of Large-Scale Campaigns on Voter Turnout” The European Political Science Association DOA: 5/1/17 <https://static1.squarespace.com/static/521abb79e4b0ee5879077f61/t/58c9e1615016e14ed2a447cb/1489625443183/EnosFowler_AggregateGOTV.pdf>) ESM

Campaigns can influence the size and shape of the voting population, and the advent of the modern, scientifically driven campaign may increase the depth and scope of this influence. However, rigorous evidence has been lacking. Experiments show that individual voter contacts increase turnout, but the substantive size of these effects is small. To our knowledge, the 2012 presidential campaign offers the best available opportunity to assess the effects of modern, large-scale campaigns, because these methods were deployed at a larger scale than ever before, because these efforts varied idiosyncratically across states, and because we have unprecedented information about the activities of the presidential campaigns. According to our estimates, the 2012 presidential campaign increased average levels of turnout by ~7 percentage points in the most heavily targeted states, mobilizing 2.6 million individuals who would have otherwise not turned out. In short, large-scale campaigns can significantly increase political participation. Furthermore, our graphical analysis in Figure 2 and back-of-the-envelope calculations suggest that the effects of many mobilization efforts may be approximately additive. In this paper, we have offered the first systematic assessment of the cumulative mobilization effect of a large-scale campaign. Contrary to some expectations, large-scale campaigns can significantly increase the size and composition of the voting population, rather than simply mobilizing a small fraction of voters on the margin. This phenomenon, in conjunction with recent increases in the use of ground campaigning, marks a significant change in the American electoral landscape, with millions of otherwise non-participating voters going to the polls. These findings may also lend insights for increasing participation in general, as the returns to multiple campaign efforts may be greater than previously expected.

#### 3. The Electoral College is unlikely to actually deter voters, and it is net good regardless

**Richard Posner, 2012** (Richard A. Posner, judge on the U.S. Court of Appeals for the 7th Circuit, and senior lecturer at the University of Chicago Law School. November 12th 2012. “In Defense of the Electoral College,” *Slate,* <http://www.slate.com/articles/news_and_politics/view_from_chicago/2012/11/defending_the_electoral_college.html>.Accessed 9 March 2017) ESG

5) Avoid Run-Off Elections The Electoral College avoids the problem of elections in which no candidate receives a majority of the votes cast. For example, Nixon in 1968 and Clinton in 1992 both had only a 43 percent plurality of the popular votes, while winning a majority in the Electoral College (301 and 370 electoral votes, respectively). There is pressure for run-off elections when no candidate wins a majority of the votes cast; that pressure, which would greatly complicate the presidential election process, is reduced by the Electoral College, which invariably produces a clear winner. Against these reasons to retain the Electoral College the argument that it is undemocratic falls flat. No form of representative democracy, as distinct from direct democracy, is or aspires to be perfectly democratic. Certainly not our federal government. In the entire executive and judicial branches, only two officials are elected—the president and vice president. All the rest are appointed—federal Article III judges for life. **It can be argued that the Electoral College method of selecting the president may turn off potential voters for a candidate who has no hope of carrying their state**—Democrats in Texas, for example, or Republicans in California. Knowing their vote will have no effect, they have less incentive to pay attention to the campaign than they would have if the president were picked by popular vote, for then the state of a voter’s residence would be irrelevant to the weight of his vote. **But of course no voter’s vote swings a national election, and in spite of that, about one-half the eligible American population did vote in last week’s election. Voters in presidential elections are people who want to express a political preference rather than people who think that a single vote may decide an election. Even in one-sided states, there are plenty of votes in favor of the candidate who is sure not to carry the state. So I doubt that the Electoral College has much of a turn-off effect. And if it does, that is outweighed by the reasons for retaining this seemingly archaic institution.**

#### 4. Current methods to increase turnout are effective

Susan Page 2012 (Susan Page, journalist Dec. 23, 2012 “Voter turnout higher in swing states than elsewhere” from USA Today DOA: 3/20/17 <http://www.usatoday.com/story/news/politics/2012/12/23/voter-turnout-swing-states/1787693/>) ESM

The conclusion by citizens in non-battleground states that their vote doesn't really matter could "add to the sense that some voters feel left out of politics," Democratic pollster Margie Omero says. calculates the turnout gap is likely to hurt Democratic candidates more than Republican ones because the people most easily discouraged from voting include such Democratic-leaning groups as racial minorities and young people. "The good news is some of the new efforts at increasing turnout seem to be working: The ads, the person-to-person contact, the early voting," Omero says. Although residents in swing states in 2012 often decried the onslaught of TV ads, most of them negative, the **commercials apparently did more to boost turnout than to turn off voters.** Gans says the findings strengthen the case for modifying the nation's unique political system so candidates have a reason to contest more states — perhaps by distributing Electoral College votes proportionately rather than winner-take-all in a state, or by allocating the votes by congressional district rather than statewide. Maine and Nebraska already do that.

#### 5. Turnout is lower in the primaries, which uses a direct popular vote

**Mark Wattier, 2005** (Mark Wattier, professor of political science at Murray State University. 2005. “Presidential Primaries and Frontloading: An Empirical Polemic,” *State of the Party: 2004 and Beyond*, <https://www.uakron.edu/bliss/docs/state-of-the-parties-documents/Wattier.pdf>. Page 9-10) ESG

**Patterson’s study of the 1976 election—a panel study in Erie, Pennsylvania, and Los Angeles, California—found that interest increased over the course of the nomination campaign and remained at a moderately high level into the summer and fall** (Patterson 1980). “With the primaries,” observed Patterson, “there came a surge in voters’ interest” (68). As interest in the campaign increased, citizens were more likely to seek information about the candidates from the news media**. Patterson’s national panel study of the 2000 election found that interest “rose during the period of the Iowa caucuses and the New Hampshire primary, and it continued to grow through early March’s decisive Super Tuesday primaries”** (Patterson 2002, 17). Interest levels decreased dramatically after the March primaries. Citizens are more likely to remain interested when the race is competitive. Because a front-loaded schedule makes an early victory more likely, interest levels may decline as the competition ends. This decline in interest does not appear to be permanent. Patterson (2002, 124) found that **campaign interest rebounded during the national conventions and continued increasing into the fall**. Other studies of the 2000 contest have reported that political discussions increased among citizens in Iowa, New Hampshire, and the Super Tuesday states (Waldman 2000) and that awareness and knowledge of the candidates also increased (Dutwin 2000). Awareness and knowledge of the candidates also increased among citizens in other regions (Jamieson, Johnston, and Hagen 2000).

#### 6. Additionally, turnout has increases in contentious states

**Danielle Kurtzleben 2016** (Danielle Kurtzleben, political reporter for NPR. November 26, 2016. **“**CHARTS: Is The Electoral College Dragging Down Voter Turnout In Your State?” NPR. DOA: March 9, 2017. <http://www.npr.org/2016/11/26/503170280/charts-is-the-electoral-college-dragging-down-voter-turnout-in-your-state>) EL

It's a bit of a "duh" trend, but no less striking. And while in a comparison like this we always must acknowledge that — say it with us — correlation does not imply causation, **living in a battleground state encourages turnout,** says Michael McDonald, associate professor of political science at the University of Florida, and who runs the [U.S. Elections Project](http://www.electproject.org/2016g) website. "**What's happening there in a state like in these battleground states it's the perception that the election is going to be close that's going to drive them to have a higher turnout**," he said. **Not only that, but campaigns generally run robust get-out-the-vote operations in battleground states**. So when door-knockers in Florida are encouraging people to get to the polls, it would make sense that the state would have a much higher turnout than Wyoming, where it doesn't really make much sense for either party to be too aggressive (Trump won it by more than 46 points).

### AT: Racist

#### 1. The Electoral can empower racial minorities in swing states

**James Whitson, 2008** (James Whitson, creator of *President Elect* who has written about the election and Electoral College for around 20 years. November 4th 2008. “Why the Electoral College is better for America than direct elections,” *President Elect*, <http://presidentelect.org/art_whyec.html>. Accessed 16 March 2017) ESG

The current electoral system protects minority interests and opinions from being overpowered by a simple majority, or worse, what the founders called a "tyrannical majority". In a direct election, if 55% of voters are pro-choice no candidate needs to worry about the other 45% in the minority since he can win without them. However, in the Electoral College system even if the nation at large is 55% for an issue the one state a candidate may need to win could be 55% against it. Therefore candidates must at least acknowledge the concerns of the minority rather than run roughshod over them. **This can apply to other types of minorities as well**, such as racial or vocational. **About 13% of the country is black.** Less than 2% of the country are farmers. **Can you discard their opinions and needs in a popular vote election? Maybe. But that is even less possible under our current system. African-Americans make up 25% or more of the population in several states.** And farmers are an important constituency in certain parts of the country. **You ignore them at your own peril in the Electoral College as a minority's influence can be greater within the smaller pool of voters in individual states.**

#### 2. Electoral College guarantees minority influence in large states

Tara Ross 2012 (Tara Ross, JD and Author of Enlightened Democracy: The Case for the Electoral College, 2012, *Enlightened Democracy: The Case for the Electoral College 2nd Ed.*, [https://www.amazon.com/Enlightened-Democracy-Case-Electoral-College/dp/0977072223 DoA 3/9/17](https://www.amazon.com/Enlightened-Democracy-Case-Electoral-College/dp/0977072223%20DoA%203/9/17)) CJV

For instance, minority groups that congregate in one state or region of the country may increase their impact in the presidential election. The Hispanic vote has greater weight than it might otherwise have, as it can be influential in determining the outcome of the vote in Texas, California, or Florida.[[82]](bibi://Enlightened%20Democracy:%20The%20Case%20for%20the%20Electoral%20College/part0000_split_037.html#_ftn82) The Jewish vote in New York carries similar influence.[[83]](bibi://Enlightened%20Democracy:%20The%20Case%20for%20the%20Electoral%20College/part0000_split_037.html#_ftn83) Farmers in the Midwest have the ability to make a statement as well because they can affect the votes of several states. Vernon Jordan, former president of the Urban League, similarly noted how elections might change for black Americans without the Electoral College. “Instead of being crucial to victory in major states,” he observed, “blacks would simply become 10% of the total electorate.”

#### 3. For this reason, it makes the wishes of minority groups factor into policy

**Ronald Rotunda 2000** (Ronald D. Rotunda, visiting senior fellow in constitutional studies at the Cato Institute. November 13, 2000. “How the Electoral College Works — And Why It Works Well,” Cato Institute. DOA: April 4, 2017. <https://www.cato.org/publications/commentary/how-electoral-college-works-why-it-works-well>) EL

**The Electoral College, in practice, gives a little more electoral power to racial minorities, such as blacks and Hispanics, and thus is important in helping to achieve racial justice**. Because these minorities tend to live in the large cities of the bigger states, **their votes are important in tilting all the electoral votes of their state, thus encouraging candidates of both parties to appeal for their votes.** Some of Vice President Gore’s supporters claim he won a majority of the votes and that should make him president. Actually, he has won 49 percent of the votes cast, which is greater than the 43 percent President Clinton won in 1992, but may be less than Gov. Bush’s total once all absentee votes have been counted. Of course, if the total vote is what matters, we would have to recount the entire nation, not just Florida. The Electoral College system saves us from that. If there are allegations of fraud, the investigation is limited to states where the electoral votes matter and the race is close. A purely popular vote would encourage some states (particularly one-party states) to change their voting requirements to increase that state’s influence nationwide. For example, a state could drop the voting age to 17 or 16, because more people voting would allow that state affect the national vote, not just the electoral vote. Indeed, if a simple majority governed, both the candidates and the voters would have acted differently. Gov. Bush would have spent more time in Texas, racking up huge majorities, because an extra vote in Texas would counterbalance a Gore vote in California.

#### 4. The popular vote would allow the white majority to win every time (for WTA arguments)

**Matthew Hoffman 1996** [Matthew Hoffman, Yale Law School Juris Doctor, 1996. 105 Yale L.J. 935, “Article: The Illegitimate President: Minority Vote Dilution and the Electoral College” Lexis, accessed 4-1-17, TAP]

No electoral system, however, is perfect. Many arguments against the direct-vote scheme have been made, and they need not be repeated here. 367Link to the text of the note But one point requires special emphasis because it relates directly to the question of minority vote dilution. As a result of the strong patterns of racially polarized voting in presidential elections, a direct vote could work to minimize minority voting strength almost as severely as the winner-take-all system. This problem is illustrated by the facts of Holder v. Hall, 368Link to the text of the note the recent Supreme Court case involving a challenge to a single-member-commissioner form of government in a rural Georgia county. 369Link to the text of the note In Holder, the Eleventh Circuit found that racially polarized voting prevented African-Americans from having any significant voice in the selection of their sole local governmental officer. Direct election of the President could have similar consequences. If voting continued to be polarized along racial lines, the white majority would always be able to choose the President. A direct vote might simply be a winner-take-all scheme on a national scale, in which African-Americans would be able to vote, but their votes would never affect the outcome.

#### 5. Small states don’t truly get a boost from the EC

**Paul Boudreaux, 2004** (Paul Boudreaux, assistant professor at the Stetson University College of Law. Fall 2004. “The Electoral College and Its Meager Federalism,” *Marquette Law Review*, <http://scholarship.law.marquette.edu/cgi/viewcontent.cgi?article=1019&context=mulr>. Accessed 6 April 2017. Page 223) ESG

Moreover, it is a matter of characterization to conclude that the college's small boost for small states gives individual voters in these states more influence than they would enjoy under a direct popular vote. **On a case-bycase basis, of course, voters in small states often have reason to disagree that the electoral college helps them. In 2000, for example, a majority of voters in Vermont, the nation's second-least-populous state, voted for Gore**. The Gore voters in Vermont presumably were not assuaged by the fact that Vermont cast its three electoral votes for Gore, which failed to get him elected. **Under a direct popular vote, the majority in Vermont would have been part of a nationwide Gore plurality victory.** 183 In most elections, the small state boost has not affected the outcome; as defenders point out, the college often provides comfortable victory margins. **Only five times since the rise of the modem two-party system in 1856 has the electoral college margin been thinner than the combined votes of the sixteen smallest states.**

#### 6. Popular vote hurts minority voting power

Thomas Neale 2014 [Thomas Neale, Congressional Research Service American National Government specialist, 2014. 12-12-14, “Electoral College Reform: Contemporary Issues for Congress” <https://fas.org/sgp/crs/misc/R43824.pdf>, accessed 4-4-17, TAP]

One critic asserts the National Popular Vote compact might violate Section 2 of the Voting Rights Act (VRA) because moving from “a state-based [vote] to a national popular vote dilutes the voting strength of a given state’s minority population by reducing its [voting power] ability to influence the outcome of presidential elections.”148 The same author asserts that the NPV compact may also violate Section 5 of the act.149 In 2013, however, the U.S. Supreme Court invalidated Section 4(b) of the VRA;150 as a result, Section 5 has been rendered currently inoperable.

#### 7. The Electoral College was not due to slavery!!!

**Allen Guelzo and James Hulme, 2016** (Allen Guelzo, Henry R. Luce Professor of the Civil War Era and Director of the Civil War Era Studies at Gettysburg College, and James Hulme, practicing attorney in Washington, D.C. November 15th 2016. “In defense of the electoral college,” *The Washington Post*, <https://www.washingtonpost.com/posteverything/wp/2016/11/15/in-defense-of-the-electoral-college/?utm_term=.2459419779d4>. Accessed 16 March 2017) ESG

**Above all, the electoral college had nothing to do with slavery.** Some historians have branded the electoral college this way because each state’s electoral votes are based on that “whole Number of Senators and Representatives” from each State, and in 1787 the number of those representatives was calculated on the basis of the infamous 3/5ths clause. **But the electoral college merely reflected the numbers, not any bias about slavery** (and in any case, the 3/5ths clause was not quite as proslavery a compromise as it seems, since Southern slaveholders wanted their slaves counted as 5/5ths for determining representation in Congress, and had to settle for a whittled-down fraction). As much as the abolitionists before the Civil War liked to talk about the “proslavery Constitution,” this was more of a rhetorical posture than a serious historical argument. **And the simple fact remains, from the record of the Constitutional Convention’s proceedings** (James Madison’s famous Notes), **that the discussions of the electoral college and the method of electing a president never occur in the context of any of the convention’s two climactic debates over slavery. If anything, it was the electoral college that made it possible to end slavery, since Abraham Lincoln earned only 39 percent of the popular vote in the election of 1860, but won a crushing victory in the electoral college.** This, in large measure, was why Southern slaveholders stampeded to secession in 1860-61. They could do the numbers as well as anyone, and realized that the electoral college would only produce more anti-slavery Northern presidents.

### AT: More Moderate

#### 1. The Electoral College produces democratic outcomes – it ensures that a candidate have a broad breadth of support which is as important as depth.

Michael Herz, 2002 [Michael Herz, Yeshiva University Cardozo School of Law professor. 23 Cardozo L. Rev. 1191, “SYMPOSIUM: VOTES AND VOICES: REEVALUATIONS IN THE AFTERMATH OF THE 2000 PRESIDENTIAL ELECTION:HOW THE ELECTORAL COLLEGE IMITATES THE WORLD SERIES” Lexis, accessed 4-4-17, TAP]

One reason to count games is that to sum total runs would give too much weight to a team's overwhelming success in a single game. Many have invoked the World Series or other sports analogies to argue that direct election of the President would similarly overvalue a candidate's enormous success in his home state or elsewhere where that candidate is unusually popular. They make three overlapping points. 1. Overcounting Narrow Talents or Support In baseball, overwhelming victories are misleading. Maybe a team is just "on" one day, or it is beating up on the other team's only bad pitcher, or, the game having been lost, the losing manager takes out his best players to avoid injury. Counting a blowout equally with a squeaker avoids overvaluing this isolated and misleading triumph. That a team had a particular advantage on a given day does not mean it is a better team altogether. Proceeding [\*1206] game by game minimizes the advantage resulting from that momentary edge. By the same token, if a candidate is overwhelmingly but uniquely popular in a single state, that does not mean he is a "better" candidate overall. In 2000, for example, George Bush surely could have done better in Texas than he did. Because the state was comfortably his, he did not need to campaign extensively there. Had he paid more attention to his home state because what counted was total votes, we might be unimpressed that he won a national election on the strength of intense local popularity. This point turns the usual complaint about the non-national character of the electoral college on its head, suggesting that the electoral college ensures broad national appeal by discounting intense local popularity. One author makes the point this way: In sports, we accept that a true champion should be more consistent than the 1960 Yankees. A champion should be able to win at least some of the tough, close contests by every means available - bunting, stealing, brilliant pitching, dazzling plays in the field - and not just smack home runs against second-best pitchers. A presidential candidate worthy of office, by the same logic, should have broad appeal across the whole nation, and not just play strongly on a single issue to isolated blocs of voters. 35Link to the text of the note For supporters of the electoral college, this is the moral of Benjamin Harrison's victory over Grover Cleveland in 1888, the last time, before 2000, that the winner of the popular vote lost the presidency. The standard account is that Cleveland ran a one-issue campaign, supporting a reduction in tariffs that was extremely popular in the South but nowhere else. Cleveland beat Harrison so emphatically in the South that he prevailed in the popular vote, but Harrison, with broader appeal, won everywhere else, handily taking the electoral college 233-168. 36Link to the text of the note For supporters of the electoral college, 1888 shows the strength of the system, not [\*1207] its weakness. Of course, the real impact of the system is seen not in the isolated instance viewed ex post, but in the constant ex ante incentives it creates for the parties in selecting candidates, for the candidates in campaigning, and for the President in governing. The system selects for those with broad geographic appeal, just as the World Series tends to select for team with a range of skills and strength through the lineup. Indeed, there is a direct "geographic" aspect to the World Series. Teams are sometimes built to take advantage of peculiarities of the home ballpark. Also, most teams enjoy a home field advantage unrelated to talent. The World Series is set up to minimize these advantages; the team with three games (assuming a seven-game series) at home must win at least one game in its opponent's park; the team with four games at home might conceivably only prevail at home, but it is impossible, given the need for an odd number of total games, to avoid that. As a result, the winning team must have some success away from its home field. Spectacular success at home - which might reflect only a narrow set of talents or factors other than talent (fan support, being able to sleep in one's own bed, psychological comfort, etc.) - does not amount to more than it should. Obviously, there's no precise equation for determining how much success at home "should" count, but the win-games approach is a rough proxy for that idea. 2. Not Running Up the Score The second reason to minimize the potential gain from a single contest that might be applicable to both the World Series and the electoral college concerns the incentives that the total games approach creates. Candidates focus on the states that are in play; they do not waste time and resources in states where victory is safe or impossible. Using football rather than baseball (but the point is the same), Judith Best explains: Football coaches don't try to run up the score in a game they have good reason to believe they have already won … [and] they don't leave in their starting quarterback and great fullback when they are ahead late in the fourth quarter by at least three touchdowns. These essential players might get hurt for nothing, and thus running up the score in this game may cost them victory in other games. It is more important to win other games than to boast of beating this team by five touchdowns. Coaches know the rules for getting into the Super Bowl; they know that trying to run up the score in this game could result in hurting [\*1208] their chances to win in other games. Candidates and political parties know the same kind of thing in presidential elections; they do know the rules of the electoral vote system; they will try to win the most states rather than a few states by overwhelming margins. 37Link to the text of the note As discussed above, because no one is trying to maximize the popular vote, tabulations of the popular votes are far from a conclusive indicator of whom a majority of American voters prefers. But here the point is normative: the system should prevent candidates from capitalizing on local advantages. Breadth of support, or talent, is as important as depth. Knowing nothing was to be gained in Texas, George Bush directed his attention elsewhere and became President only because he was able to find sufficient support when he did so.

#### 2. A national campaign would discourage compromise and coalition building

**Curtis Gans, 2012** (Curtis Gans, political activist and organizer, with Leslie Francis, former executive director of the Democratic National Committee. March 7th 2012. “Why National Popular Vote Is a Bad Idea,” *The Huffington Post*, <http://www.huffingtonpost.com/curtis-gans/national-popular-vote_b_1189390.html>. Accessed 7 April 2017) ESG

• Because a direct election would be, by definition, national and resource allocation would be overwhelmingly dominated by paid television advertising, there would be little impetus for grass-roots activity. That, in turn, would likely diminish voter turnout. • **Similarly, because a national campaign mandates a national message, there would also be a smaller incentive for coalition-building or taking into account the characteristics, needs and desires of citizens in differing states and regions.**

#### 3. A popular vote would encourage candidates to play to their bases instead of reaching out to independent voters

**Emily Schultheis 2016.** (Emily Schultheis, reporter for CBS. November 24, 2016. “No more Electoral College? Here's how campaigning might change,” CBS. <http://www.cbsnews.com/news/no-more-electoral-college-heres-how-campaigning-might-change/> DOA: April 27, 2017.) EL

In fact, **an electoral system based on the popular vote would also encourage candidates to further play to their respective bases rather than actually trying to persuade new voters**. The reason “battleground states” have earned that term is because they really are often very evenly split between parties -- and **the winner-take-all nature of the Electoral College gives candidates incentives to work to reach out to undecided voters and tip the scales in their favor in those states.**

### AT: Runoffs Good

#### 1. Change to NPV means the collapse of the two party system

Tara Ross 2012 (Tara Ross, JD and Author of Enlightened Democracy: The Case for the Electoral College, 2012, *Enlightened Democracy: The Case for the Electoral College 2nd Ed.*, [https://www.amazon.com/Enlightened-Democracy-Case-Electoral-College/dp/0977072223 DoA 3/9/17](https://www.amazon.com/Enlightened-Democracy-Case-Electoral-College/dp/0977072223%20DoA%203/9/17)) CJV

The likely consequence of a change to a direct popular vote is the breakdown of the two-party system (discussed more in the next chapter) and a general election among many candidates. Dr. Judith Best has hypothesized that a straightforward change to direct popular elections at the national level would result in multi-candidate races and the constant necessity for runoff elections.[[251]](https://calibre-internal.invalid/text/part0000_split_037.html#_ftn251) Without a strong two-party system in place, candidates would crop up for every special interest conceivable: the “feminist candidate, the Hispanic candidate, the moral majority candidate, the environmental candidate, the gay rights candidate, the military candidate.”[[252]](https://calibre-internal.invalid/text/part0000_split_037.html#_ftn252) These candidates won’t garner many votes, but they will each obtain some. The more divided the vote, the fewer votes are needed to get into a runoff election. (Note that runoffs are not possible through the more circuitous route to change proposed by groups such as NPV. Instead, the presidency is awarded to the candidate obtaining any plurality, even a very small one. The ramifications of direct elections without runoffs will be discussed in the next chapter.) California may not have the ability to deliver 40 percent of the nationwide vote (the minimum plurality sometimes suggested for a straightforward change to a direct popular election), but it does have the ability to help a candidate win the 15 to 20 percent of the vote potentially needed to qualify for a nationwide runoff—or, in the case of NPV, the 15 or 20 percent that could be the final winning plurality. Absent the two-party system, a special interest group such as a union or the National Rifle Association may also find itself able to help deliver this critical mass of votes. As multi-candidate races become the norm, presidential candidates would find themselves with more and more incentive to promise “their” voters anything and everything to get this much smaller percent of the vote needed to win.

### AT: Cheaper (Link)

#### 1. A direct election would be all ads, no grassroots organizing

**Curtis Gans, 2012** (Curtis Gans, political activist and organizer, with Leslie Francis, former executive director of the Democratic National Committee. March 7th 2012. “Why National Popular Vote Is a Bad Idea,” *The Huffington Post*, <http://www.huffingtonpost.com/curtis-gans/national-popular-vote_b_1189390.html>. Accessed 7 April 2017) ESG

The horror of a potential national recount is only one of the dangers direct presidential elections poses. Among the others: • By its very size and scope, **a national direct election will lead to nothing more than a national media campaign, which would propel the parties’ media consultants to inflict upon the entire nation what has been heretofore limited to the so-called battleground states: an ever-escalating, distorted arms race of tit-for-tat unanswerable attack advertising** polluting the airwaves, denigrating every candidate and eroding citizen faith in their leaders and the political process as a whole. • Because a direct election would be, by definition, **national and resource allocation would be overwhelmingly dominated by paid television advertising, there would be little impetus for grass-roots activity. That, in turn, would likely diminish voter turnout.**

#### 2. National campaign would be net more expensive

**Ryan Teague Beckwith 2016** (Ryan Teague Beckwith, senior editor at *Time* magazine. November 17th 2016. “Here’s How Campaigns Would Work if We Abolished the Electoral College,” *Time*, <http://time.com/4573821/electoral-college-popular-vote-campaigns/>. Accessed 8th April 2017) ESG

There would be less incentive to make 10 stops a day in 10 different states and instead you would just hunker down in TV studios in New York and L.A. and talk to the biggest audiences that you could," said Alex Conant, who advised Republican Marco Rubio this year. That would exacerbate a trend that reached new heights this year, with Republican Donald Trump getting as much as $5 billion in free publicity on TV, according to mediaQuant, which tracked media coverage of both candidates and came up with a dollar value based on advertising rates. To compete, strategists **say candidates would need to raise a lot more money to air ads in more expensive media markets in the country's top urban areas**, instead of just the handful of battleground states each cycle. **Fundraising would also have to increase to pay for more campaign offices across the country, especially in big cities with higher average rents, as well as direct mail and even online outreach for the entire country.** That, too, would exacerbate a trend that accelerated this year, with the team backing Democratic nominee Hillary Clinton raising more than $1 billion for her campaign, party and joint fundraising committees and super PACs supporting her.

#### 3. A direct vote would increase the costs of the election significantly

**Brett Gordon and Wesley Hartmann, 2013** (Brett Gordon, Associate Professor of Marketing in the Kellogg School of Management at Northwestern University, and Wesley Hartmann, professor of marketing at the Stanford Graduate School of Business. April 29th 2013. “Advertising Competition in Presidential Elections,” Hosted by *UCLA Economics*, <http://www.econ.ucla.edu/alumniconf/Hartmann.pdf>. Accessed 13 April 2017) ESG

Presidential candidates in the U.S. compete by strategically placing their advertisements across markets based on each state’s potential to tip the election. **The winner-take-all nature of the Electoral College concentrates most advertising in battleground states**, thereby ignoring the majority of voters. We evaluate the alternative of a direct vote which removes state-level contests and counts each vote equally in determining the president. Using data from 2000, we estimate an equilibrium model of advertising competition between presidential candidates. **We solve for the equilibrium distribution of advertising under the direct vote to better evaluate the distortions of the Electoral College.** We find that while states’ political preferences drive competition in the Electoral College, competition in a direct vote focuses on finding the cheapest advertising targets. Nevertheless, **the inclusion of less contentious states in the direct vote increases total expenditures by 25%** and turnout by two million voters.

#### 4. National popular vote would ramp up election costs – and the federal government would pass those costs off onto the states.

Neale, Congressional Research Service American National Government specialist, 2014

[Thomas, 12-12-14, “Electoral College Reform: Contemporary Issues for Congress” <https://fas.org/sgp/crs/misc/R43824.pdf>, accessed 4-4-17, TAP]

The second trend is that recent proposed amendments not only provided for direct popular election, but also included provisions to enhance and extend federal authority in such areas as residence standards, definition of citizenship, national voter registration, inclusion of U.S. territories and other associated jurisdictions in the presidential election process, establishment of an election day holiday, and ballot access standards for parties and candidates. If approved and ratified, provisions such as these would provide Congress with enhanced authority to establish broad national election standards, potentially superseding current state and political party practices and requirements, at least with respect to federal elections.79 The prospect of increased federal involvement in the administration of presidential elections raises two potential issues. The first is whether such federal involvement in traditionally state and local practices would impose additional responsibilities and uncompensated costs on state and local governments. If so, such requirements might be considered to be unfunded mandates, as they could impose additional costs on sub-federal governments, and as such would be subject to points of order on the floor of both the House and Senate.80 One response by the affected state and local governments might be to call for federal funding to meet the increased expenses imposed by federal requirements. Precedent for this exists in the grant program incorporated in the Help American Vote Act of 2002 (HAVA).81 An additional issue centers on perceptions that such an amendment and resultant legislation might be regarded as federal intrusion in state and local responsibilities. For instance, a far-reaching scenario could include the gradual assumption of the election administration structure by the federal government. In this hypothetical case, questions could be raised as to (1) the costs involved; (2) whether a national election administration system could efficiently manage all the varying nuances of state and local conditions; and (3) what would be the long-term implications for federalism. Conversely, it could be asserted that (1) a national or federal election administration structure is appropriate for national elections; (2) state or local concerns are counterbalanced by the urgent requirement that every citizen be enabled and encouraged to vote; and (3) every vote should be accurately counted.

### AT: Fraud/Suppression

#### 1. Popular vote = more fraud

**Hans von Spakovsky, 2016** (Hans von Spakovsky, Senior Legal Fellow at The Heritage Foundation's Center for Legal and Judicial Studies. April 22nd 2016. “What’s Wrong with Directly Electing the President of the United States?” *CNS News*, <http://www.cnsnews.com/commentary/hans-von-spakovsky/plan-destroy-electoral-college>. Accessed 8 April 2017) ESG

**The NPV would encourage voter fraud. After all, every bogus vote could make the difference in changing the outcome of a national race, not just the results in one state. This would be particularly dangerous in one-party towns where there is no opposition party to supply election officials or poll watchers. There is little incentive to engage in such partisan fraud where it is most possible now, since the dominant party is likely to win in that county or district anyway**, but under the NPV scheme, there is an increased incentive to engage in fraud in places that are the most corrupt and one-sided since, after all, every fraudulent vote would offset a legitimate vote for the opposing candidate.

#### 2. States would suppress under a national vote because every vote counts

**Richard Lempert 2016** (Richard O. Lempert is the Eric Stein Distinguished University Professor of Law and Sociology, emeritus, University of Michigan. 11-29-2016. "Two cheers for the Electoral College: Reasons not to abolish it," Brookings. https://www.brookings.edu/blog/fixgov/2016/11/29/two-cheers-for-electoral-college/ 4-25-2017) CDY

**The other great service that the Electoral College provides is to remove incentives to rig elections.** Imagine that you are a partisan, passionate, and not completely ethical election official in, say, Maryland or Mississippi. In neither state do you have reason to tamper with the electoral process because it is the state-wide winner and not the winner’s majority that matters. **In Maryland the Republican candidate will have no chance to win while the opposite is true in Mississippi. If, however, the national popular vote winner became President, the most passionate partisans would have reason to stuff the ballot boxes for their favored candidate while illegally misreporting or suppressing votes they do not want to count.** Moreover, local election management could mean that in some areas the task might not be that difficult because one party might have a stranglehold on voting procedures and vote counting. Even if a split between the Electoral College and popular majorities leaves many feeling an election outcome is not fully legitimate, threats to the perceived legitimacy of election outcomes, and claims of illegitimacy might, in close elections, be far greater if the Electoral College did not exist.

#### 3. NPV creates unique incentives for states to suppress votes – those target black communities from turning out.

Gaughan, Drake University law professor, 2016

[Anthony, 85 Fordham L. Rev. 1021, “FORUM: RAMSHACKLE FEDERALISM: AMERICA'S ARCHAIC AND DYSFUNCTIONAL PRESIDENTIAL ELECTION SYSTEM” Lexis, accessed 5-1-17, TAP]

But uniform standards are not possible until the country resolves the debate over voter ID laws. Republican-controlled states, such as Kansas, Georgia, and Mississippi, have adopted strict photo ID laws that contrast sharply with the less burdensome voter identification policies employed in Democratic-controlled states, such as New York, Minnesota, and California. 144Link to the text of the note The diversity in state laws would be particularly dangerous during a nationwide popular vote for President. As Derek Muller has warned, in a direct election, states could manipulate their voting laws to promote a partisan advantage in the presidential race. 145Link to the text of the note Accordingly, any move to a direct election must be made contingent upon nationwide voting standards that reject strict voter ID laws. The argument that photo ID requirements prevent fraud in any significant way is simply no longer sustainable. In the most comprehensive study ever undertaken of in-person voter fraud, Justin Levitt found only thirty-one credible cases nationwide out of one billion votes cast since 2000. 146Link to the text of the note The evidence is increasingly compelling that the drive for strict voter ID laws by Republican legislatures was not inspired by an effort to preserve electoral integrity but rather by the indefensible and unconstitutional goal of [\*1041] disenfranchising the Democratic Party's minority constituencies. 147Link to the text of the note Indeed, a federal judge in Wisconsin reached exactly that conclusion in a July 2016 case, holding that the Republican legislature's "objective was to suppress the reliably Democratic vote of Milwaukee's African-Americans." 148Link to the text of the note Accordingly, the judicial tide is moving sharply against strict voter ID laws. In the summer of 2016, restrictive voter registration laws were struck down or blocked by the Fourth and Fifth Circuits, as well as by district courts in North Dakota, Kansas, and Wisconsin. 149Link to the text of the note Although the Supreme Court upheld the constitutionality of strict photo ID requirements in the 2008 case of Crawford v. Marion County Election Board, 150Link to the text of the note the long-term viability of that opinion seems highly questionable in light of growing evidence of the racially discriminatory motivations for such laws. Crawford's reversal should be welcomed by advocates of a direct presidential election because it would clear the way for the standardization of voting procedures nationwide. In the end, whether abolition of racially discriminatory voting laws occurs through the courts or the legislatures, the universal adoption of sensible and nonpartisan voting laws is essential before a nationwide popular vote can be effectively implemented.

### AT: Heg Good

#### 1. Unipolarity is destroying the bipartisan compact needed to sustain support for multilateralism—makes our policies erratic and incoherent.

Kupchan, Georgetown University International Affairs Professor, and Trubowitz, University of Texas at Austin Government Professor, 2007

[Charles, International Security, Vol. 32, No. 2, Fall 2007, “Dead Center: The Demise of Liberal Internationalism in the United States” http://belfercenter.hks.harvard.edu/files/IS3202\_pp007-044\_Kupchan\_Trubowitz.pdf, accessed 12-17-16, TAP]

The conditions that sustained liberal internationalism have of late been rapidly disappearing, dramatically weakening its grip on the nation's politics. Since the demise of the Soviet Union, U.S. primacy has reduced the incentives [End Page 8] for Republicans and Democrats alike to adhere to the liberal internationalist compact. Unipolarity has heightened the geopolitical appeal of unilateralism, a trend that even the threat of transnational terrorism has not reversed. Unipolarity has also loosened the political discipline engendered by the Cold War threat, leaving U.S. foreign policy more vulnerable to growing partisanship at home. "Red" and "Blue" America disagree about the nature of U.S. engagement in the world; growing disparities in wealth have reawakened class tensions; and political pragmatism has been losing ground to ideological extremism.¶ The polarization of the United States has dealt a severe blow to the bipartisan compact between power and cooperation. Instead of adhering to the vital center, the country's elected officials, along with the public, are backing away from the liberal internationalist compact, supporting either U.S. power or international cooperation, but rarely both. President Bush and many Republicans have abandoned one side of the liberal internationalist compact: multilateralism has received little but contempt on their watch. Meanwhile, the Democrats have neglected the other side: many party stalwarts are uneasy with the assertive use of U.S. power. As the partisan gyre in Washington widens, the political center is dying out, and support for liberal internationalism is dying with it. According to Jim Leach, one of the Republican moderates to lose his House seat in the 2006 midterm elections, "[The United States'] middle has virtually collapsed. And how to reconstruct a principled center, a center of gravity in American politics, may be the hardest single thing at this particular time."5¶ Prominent voices from across the political spectrum have called for the restoration of a robust bipartisan center that can put U.S. grand strategy back on track.6 According to Democratic Senator Hillary Clinton, "For more than a half a century, we know that we prospered because of a bipartisan consensus on defense and foreign policy. We must do more than return to that sensible, cooperative approach." Republican presidential candidate Mitt Romney echoes this sentiment: "It seems that concern about Washington's divisiveness and capability to meet today's challenges is the one thing that unites us all. We need [End Page 9] new thinking on foreign policy and an overarching strategy that can unite the United States and its allies."7¶ These exhortations are in vain. The halcyon era of liberal internationalism is over; the bipartisan compact between power and partnership has been effectively dismantled. If left unattended, the political foundations of U.S. statecraft will continue to disintegrate, exposing the country to the dangers of an erratic and incoherent foreign policy. To avoid this fate, U.S. leaders will have to fashion a new brand of internationalism—one that will necessarily entail less power and less partnership if it is to have a chance of securing broad domestic support. To find a new equilibrium between the nation's commitments abroad and its polarized politics at home, the United States will need a grand strategy that is as selective and judicious as it is purposeful.

#### 2. Stats prove heg doesn’t solve war.

**Nuno Monteiro 2012** [Nuno P. Monteiro, Assistant Professor of Political Science at Yale University, International Security, volume 36, issue 3, Winter 2011/2012, “Unrest Assured: Why Unipolarity Is Not Peaceful” http://belfercenter.ksg.harvard.edu/publication/21648/unrest\_assured.htm**l**, accessed 12-17-16, TAP]

How well, then, does the argument that unipolar systems are peaceful ac- count for the arst two decades of unipolarity since the end of the Cold War? Table 1 presents a list of great powers divided into three periods: 1816 to 1945, multipolarity; 1946 to 1989, bipolarity; and since 1990, unipolarity.46 Table 2 presents summary data about the incidence of war during each of these peri- ods. Unipolarity is the most conflict prone of all the systems, according to at least two important criteria: the percentage of years that great powers spend at war and the incidence of war involving great powers. In multipolarity, 18 percent of great power years were spent at war. In bipolarity, the ratio is 16 percent. In unipolarity, however, a remarkable 59 percent of great power years until now were spent at war. This is by far the highest percentage in all three systems. Furthermore, during periods of multipolarity and bipolarity, the probability that war involving a great power would break out in any given year was, respectively, 4.2 percent and 3.4 percent. Under unipolarity, it is 18.2 percent—or more than four times higher.47 These figures provide no evi- dence that unipolarity is peaceful.48

#### 3. Military power fails to translate to desired outcomes.

Richard Maher 2011 [Richard Maher, Brown University political science Ph.D. candidate. Winter 2011. “The Paradox of American Unipolarity: Why the United States May Be Better Off in a Post-Unipolar World,” Science Direct, accessed 12-17-16, TAP]

And yet, despite this material preeminence, the United States sees its political and strategic influence diminishing around the world. It is involved in two costly and destructive wars, in Iraq and Afghanistan, where success has been elusive and the end remains out of sight. China has adopted a new assertiveness recently, on everything from U.S. arms sales to Taiwan, currency convertibility, and America’s growing debt (which China largely finances). Pakistan, one of America’s closest strategic allies, is facing the threat of social and political collapse. Russia is using its vast energy resources to reassert its dominance in what it views as its historical sphere of influence. Negotiations with North Korea and Iran have gone nowhere in dismantling their nuclear programs. Brazil’s growing economic and political influence offer another option for partnership and investment for countries in the Western Hemi- sphere. And relations with Japan, following the election that brought the opposition Democratic Party into power, are at their frostiest in decades. To many observers, it seems that America’s vast power is not translating into America’s preferred outcomes. As the United States has come to learn, raw power does not auto- matically translate into the realization of one’s preferences, nor is it necessarily easy to maintain one’s predominant position in world politics. There are many costs that come with predominance – material, political, and reputational. Vast imbalances of power create apprehension and anxiety in others, in one’s friends just as much as in one’s rivals. In this view, it is not necessarily *American* predominance that produces unease but rather American *predo- minance*. Predominance also makes one a tempting target, and a scapegoat for other countries’ own problems and unrealized ambitions. Many a Third World autocrat has blamed his country’s economic and social woes on an ostensible U.S. conspiracy to keep the country fractured, underdeveloped, and subser- vient to America’s own interests. Predominant power likewise breeds envy, resentment, and alienation. How is it possible for one country to be so rich and powerful when so many others are weak, divided, and poor? Legitimacy—the perception that one’s role and purpose is acceptable and one’s power is used justly—is indispensable for maintaining power and influence in world politics.

### AT: Warming

#### 1. Climate policies can cause countries to exit to “carbon havens,” meaning the environment is hurt the same but economies are damaged

**Frederic Branger, 2015.** (Frederic Branger, PhD in climate economics and Philippe Quirion, director of research for French National Centre for Scientific Research. March 31st 2015. “Climate policy and the ‘carbon haven’ effect,” *WIREs Climate Change*, <https://halshs.archives-ouvertes.fr/hal-01137895/document>. Page 2) ESG

**In a world with uneven climate policies, the carbon price differentials across regions modify production costs and may shift the production of energy-intensive goods from carbon-constrained countries to “carbon havens”, or countries with laxer climate policy.** Since a decrease in emissions in one part of the world leads to an increase in emissions in the rest of the world, this phenomenon is referred to as carbon leakage. **The Pollution Haven effect, that is, the migration of dirty industries to countries with less stringent regulations, is one of the most contentious debates in international economics (Taylor 2005).** A major difference exists between local pollutants, which constitute the overwhelming part of studies in the pollution haven literature, and CO2. **CO2 is a global stock pollutant: the geographic location of emissions does not matter (Siikamäki 2012). A production shift would then reduce the environmental benefits of the policy while potentially damaging the economy.** In the context of growing globalisation, environmental policies can also have a strategic role. The fierce competition to attract foreign direct investment or the threat of industrial relocation could lead to a “regulatory chill” or even a “race-to-the bottom”, depending on the willingness of countries to downgrade environmental standards.

#### 2. Even if we were to be successful, it does not matter in a global context.

Lee Lane 2014 (Lee Lane, a Visiting Fellow at the Hudson Institute, he co-directed the American Enterprise Institute’s Geoengineering Project, and he consults on a range of energy issues); July 17 2014; “The Risky Business of a Carbon Tax,” *Forbes*, <http://www.forbes.com/sites/realspin/2014/07/17/the-risky-business-of-a-carbon-tax/#52f044da48b0> ) AM

Mr. Paulson also maintains that the carbon tax is vital to persuading China to curb its emissions. This claim is crucial, because **U.S. emission controls can have only a trivial direct effect on global climate.** **Since 2005, U.S. emissions have fallen while those of the developing countries have soared. Developing country emissions now exceed those of the entire industrialized world. China is by far the world’s biggest emitter. This new reality implies that nothing Washington can do domestically will stop climate change.** Nor, despite Mr. Paulson’s claims, is there much reason to think that adopting a U.S. carbon tax would cause Beijing to do the same. China’s Communist Party, after all, flouts Western norms on human rights, on intellectual property, and even on market-based exchange rates. Why should climate be different? To the contrary, that high Party officials are extracting fortunes from the massively polluting state owned enterprises would seem to cast an especially dark shadow of doubt over hopes for change in this area. Yet Mr. Paulson, a self-proclaimed expert on avoiding needless risks, urges the United States to incur the costs of a carbon tax based mainly on the rather far-fetched hope that it will induce Beijing to change its behavior.

#### 3. If we used less fossil fuels, other countries would just consume more

**Carolyn Fischer, 2015.** (Carolyn Fischer, senior fellow at Resources for the Future and currently a Marie Skłodowska–Curie Fellow of the European Commission. May 27th – May 28th 2015. “The challenge of achieving participation and compliance,” *Yale Center for the Study of Globalization*. <http://www.ycsg.yale.edu/assets/downloads/carbon_pricing/session-4.pdf>. Page 6-7) ESG

This is a session on participation and compliance. I’m going to talk about border carbon adjustments and why they’re not just for participation and compliance. I think fundamentally, the big reason we’re here is the problem of carbon leakage. When countries take actions unilaterally or sell globally it’s like squeezing on a balloon. If you price carbon when not everyone else is, you may be sending emissions elsewhere. There are several channels for carbon leakage. I think the one that pops up in most people’s minds, especially politicians’ minds, is the competitiveness angle: the concerns that economic activity manufacturing in energy intensive industries is going to shift abroad where it’s cheaper because they don’t have to pay the carbon penalty. But actually, modeling shows the bigger effect is through global energy markets. **If some countries, the U.S.,** Europe, **would draw our demand for fossil fuels and we run down that supply curve, the prices fall, and that just makes it cheaper for India to pay for oil and consume more, even without moving any manufacturing plants.**

## NEG EXTENSIONS

### EXT: Multiparties Bad

#### 1. Multiparty systems tend to be more extreme

**Ajay Rathore** (Ajay Rathore, Indian Instute of Management. ND. “Comparison between two party and multiparty systems,” *Preserve Articles*, http://www.preservearticles.com/2012031026106/comparison-between-two-party-and-multi-party-system.html) ESG

Not surprisingly, the government does not find enough time to devote attention to the task of governance as it remains busy with keeping its partners in good humour even at the cost of national interest. The major party is also forced to abandon its electoral pledge to cobble a majority in the lower house of legislature. The Cabinet in consequence comes to represent, not a general body of opinions, but a patchwork of doctrines leading to a gap between the electorate and the government. On the other hand, **the supporters of two-party system argue that is enables the people to choose their government directly at the polls as voter is not perplexed by a multiplicity of candidates and he can simply opt between the two.** Secondly, it providers unity of policy in the government since the party in power does not have to depend upon any other. This facilitates effectiveness of the government. Thirdly, **two parties hold each other in check and prevent either from being too extreme, since each party shall try to win over the supporters of the other and to appeal to independent voters.** Fourthly, as democracy is supposed to be guided by the public opinion, the two-party system provides an ideal condition for debating the issues between two opposite camps.

#### 2. Two parties are more transparent

**Zlatica Hoke, 2009** (Zlatica Hoke, writer for *Voice of America*. October 28th 2009. “Only Two Parties Have Dominated the US Political History,” *Voice of America*, <http://www.voanews.com/a/a-13-a-2004-10-01-30-1-66870022/260278.html>) ESG

James Reichley, author of the book The Life of the Parties, says a multi-party system is not suitable for a diverse country like the United States and it often does not work in small homogeneous countries: “The Italians have had a hard time since the Second World War in putting together coalitions. At times the French also. It creates a more unstable situation. And those are relatively small countries. I think in a country like the United States, the two-party system works well. There are some people who don’t agree with that.” James Reichley says **the major parties are trying to reach the average voter so their platforms are not radically different. But they are distinctive enough to motivate their core supporters. Furthermore**, according to Mr. Reichley, **the two-party system is more transparent because coalitions are formed before elections. It also allows major parties to disregard uncommon or undesirable ideas, such as extremism** and racism.

#### 3. These parties can become a huge part of the governing coalition

**William Downs, 2013** (William Downs, author for the World Politics Review. January 22nd 2013. “Democracy’s New Normal: The Impact of Extremist Parties,” *World Politics Review*, <http://www.worldpoliticsreview.com/articles/12652/democracy-s-new-normal-the-impact-of-extremist-parties>. Accessed 1 May 2017) ESG

Given the prevalence of extremist pariah parties, it is essential that their actual impact be better understood. Too frequently, **public discourse is dominated by laments and calls for countermobilizations, with their own risks of disproportionate -- or extreme -- response, rather than by neutral assessments of risk.** Assessments of impact and risk must obviously take contextual considerations into account. History matters in important ways. A national past blemished by instances of democracy having been defeated or significantly compromised by political extremism may increase incentives to respond aggressively to contemporary threats from pariah parties. Where, instead, historical memories are not marked by crises of upstart parties using liberal institutions and processes against the democratic order, there is less pressure to respond defensively, or even militantly, to challengers on democracy’s outer edges. Salience and severity are also shaped in part by the rules of the political game, primarily those governing electoral competition. A simple, but crucial, intervening factor here is whether a country’s elections follow majoritarian principles, such as first past the post and winner take all, or those guided by proportionality. Political systems characterized by even a modicum of proportional representation tend to be multiparty systems, with views across the full ideological spectrum having a reasonable chance to gain legislative seats. Proportional representation reduces the importance of party size, and even the smallest fringe parties can wield disproportionate political power and become kingmakers when none of the other legislative parties constitutes a majority. For pariah parties, achieving a “critical mass” in such systems may simply mean securing one or two seats in parliament. **In multiparty systems** that frequently rely on coalition government, **parties once deemed untouchable may become the indispensible, if unsavory, partners that determine who governs -- and who does not.** Access to ballots, media time and state funds to support campaigns are additional facilitating conditions that help embolden extremist movements to contest elections as parties. **Where emboldened, and then where electorally successful, these parties pose vexing challenges for the traditional party establishments on whose flanks they have emerged.**

#### 4. The popular vote would more easily enable candidates to win on clear pluralities

**Walter Hickey 2012** (Walter Hickey, reporter for Business Insider covering politics and finance with a degree in applied mathematics, formerly a research intern for the Center for Responsive Politics. “The Electoral College Is Brilliant, And We Would Be Insane To Abolish It,” *Business Insider,* <http://www.businessinsider.com/the-electoral-college-is-brilliant-2012-10>. Accessed 9 March 2017) ESG

Forces a majority Still, here's the most important part. **Without the electoral college system, a President could be elected with a plurality rather than an outright majority. The Electoral college forces a winner who has a majority of the electoral votes. Without it — and with a compelling third party — someone could become president with only 34 percent of the vote.** When 66 percent of the country voted against the president, that doesn't scream stability. How many governments has Italy had in the past fifty years? Either way, it comes down to this. Americans live in a geographically immense, wildly diverse nation where people who live in highly depopulated regions grow most of the food**. Without the electoral college** forcing candidates to focus on these areas, **the American president would fail to represent a group of united states, but would instead represent whichever city-based candidate could generate a mere plurality.**

### EXT: Reform, not Abolition

#### 1. America doesn’t need to abolish the Electoral College, it needs to restructure it

**Peter Beinart 2016** (Peter Beinart is a contributing editor at *The Atlantic* and an associate professor of journalism and political science at the City University of New York. November 21, 2016. “The Electoral College Was Meant to Stop Men Like Trump From Being President,” The Atlantic. <https://www.theatlantic.com/politics/archive/2016/11/the-electoral-college-was-meant-to-stop-men-like-trump-from-being-president/508310/> DOA: 3/6/18) CDY

**Democracy is a crucial component of American government.** But, as [Fareed Zakaria has argued](https://www.amazon.com/Future-Freedom-Illiberal-Democracy-Revised/dp/0393331520), more democracy isn’t always better. For most of American history, political parties were not internally democratic. They aren’t in most democracies around the world. Yet during the primaries, when GOP elites sought to block Trump’s nomination, the media generally described their efforts as undemocratic. Which made them almost impossible to publicly defend. I didn’t defend them either. I was wrong. Before this election, I supported abolishing the Electoral College. Now I think **America needs electors who, in times of national emergency, can prevent demagogues from taking power**. Go ahead and call me an elitist; Donald Trump has changed the way I view American government. Before this year, I would have considered Hamilton’s demand for independent-minded electors who could prevent candidates with “talents for low intrigue, and the little arts of popularity” from winning the presidency to be antiquated and retrograde. Now I think the framers were prescient and I was naïve. Eighteen months ago, I could never have imagined President Donald Trump. Now I’m grateful that, two hundred and twenty-seven years ago, they did.

#### 2. The Electoral College provides a way to prevent demagogues from getting into power

Lawrence Lessig 2016 (Lawrence Lessig is a professor at Harvard Law School, and a 2015 democratic primary candidate. 11/24/2016 “The Constitution lets the electoral college choose the winner. They should choose Clinton.,” The Washington Posts. <https://www.washingtonpost.com/opinions/the-constitution-lets-the-electoral-college-choose-the-winner-they-should-choose-clinton/2016/11/24/0f431828-b0f7-11e6-8616-52b15787add0_story.html?utm_term=.4b0e39673069> DOA: 3/6/17) DIB

The framers believed, as Alexander Hamilton put it, that “the sense of the people should operate in the choice of the [president].” But no nation had ever tried that idea before. So the framers created a safety valve on the people’s choice. Like a judge reviewing a jury verdict, where the people voted, the electoral college was intended to confirm — or not — the people’s choice. Electors were to apply, in Hamilton’s words, “a judicious combination of all the reasons and inducements which were proper to govern their choice” — and then decide. The Constitution says nothing about “winner take all.” It says nothing to suggest that electors’ freedom should be constrained in any way. Instead, **their wisdom — about whether to overrule “the people” or not — was to be free of political control yet guided by democratic values. They were to be citizens exercising judgment**,  not cogs turning a wheel.

### EXT: EC avoids runoffs

#### 1. The Electoral College avoids messy runoffs – it is quite democratic

**Richard Posner, 2012** (Richard A. Posner, judge on the U.S. Court of Appeals for the 7th Circuit, and senior lecturer at the University of Chicago Law School. November 12th 2012. “In Defense of the Electoral College,” *Slate,* [*http://www.slate.com/articles/news\_and\_politics/view\_from\_chicago/2012/11/defending\_the\_electoral\_college.html*](http://www.slate.com/articles/news_and_politics/view_from_chicago/2012/11/defending_the_electoral_college.html)*.* Accessed 9 March 2017) ESG

5) Avoid Run-Off Elections **The Electoral College avoids the problem of elections in which no candidate receives a majority of the votes cast. For example, Nixon in 1968 and Clinton in 1992 both had only a 43 percent plurality of the popular votes, while winning a majority in the Electoral College** (301 and 370 electoral votes, respectively). **There is pressure for run-off elections when no candidate wins a majority of the votes cast; that pressure, which would greatly complicate the presidential election process, is reduced by the Electoral College, which invariably produces a clear winner. Against these reasons to retain the Electoral College the argument that it is undemocratic falls flat.** No form of representative democracy, as distinct from direct democracy, is or aspires to be perfectly democratic. Certainly not our federal government. In the entire executive and judicial branches, only two officials are elected—the president and vice president. All the rest are appointed—federal Article III judges for life. It can be argued that the Electoral College method of selecting the president may turn off potential voters for a candidate who has no hope of carrying their state—Democrats in Texas, for example, or Republicans in California. Knowing their vote will have no effect, they have less incentive to pay attention to the campaign than they would have if the president were picked by popular vote, for then the state of a voter’s residence would be irrelevant to the weight of his vote. But of course no voter’s vote swings a national election, and in spite of that, about one-half the eligible American population did vote in last week’s election. Voters in presidential elections are people who want to express a political preference rather than people who think that a single vote may decide an election. Even in one-sided states, there are plenty of votes in favor of the candidate who is sure not to carry the state. So I doubt that the Electoral College has much of a turn-off effect. And if it does, that is outweighed by the reasons for retaining this seemingly archaic institution.

#### 2. The popular vote would more easily enable candidates to win on clear pluralities

**Walter Hickey 2012** (Walter Hickey, reporter for Business Insider covering politics and finance with a degree in applied mathematics, formerly a research intern for the Center for Responsive Politics. “The Electoral College Is Brilliant, And We Would Be Insane To Abolish It,” *Business Insider,* <http://www.businessinsider.com/the-electoral-college-is-brilliant-2012-10>. Accessed 9 March 2017) ESG

Forces a majority Still, here's the most important part. **Without the electoral college system, a President could be elected with a plurality rather than an outright majority. The Electoral college forces a winner who has a majority of the electoral votes. Without it — and with a compelling third party — someone could become president with only 34 percent of the vote.** When 66 percent of the country voted against the president, that doesn't scream stability. How many governments has Italy had in the past fifty years? Either way, it comes down to this. Americans live in a geographically immense, wildly diverse nation where people who live in highly depopulated regions grow most of the food**. Without the electoral college** forcing candidates to focus on these areas, **the American president would fail to represent a group of united states, but would instead represent whichever city-based candidate could generate a mere plurality.**

#### 3. Pluralities enable a weak candidate to win

**Cathy Le, 2010** (Cathy Le, writer for *FairVote*, a nonprofit electoral reform organization. August 18th 2010. “Reasons to Reconsider Plurality Voting,” *FairVote*, <http://www.fairvote.org/reasons-to-reconsider-plurality-voting>. Accessed 13 March 2017) ESG

Nominating contests for congressional and gubernatorial races often attract many candidates running to be the nominee for their respective party. **When** more than two **candidates compete under a plurality voting system, elections can be won with only a minority percent of the vote and top contenders or ‘spoilers’ can end up splitting the vote, handing the election to a weak nominee.** My recent blog on the Michigan primary further discusses the problems of potentially unrepresentative, low plurality winners.

### EXT: More Democratic

#### 1. The Electoral College creates a compromise candidate and reduces political extremism

**Tara Ross, 2004** (Tara Ross, lawyer and author of Enlightened Democracy: The Case for the Electoral College. November 1st 2004. “The Electoral College: Enlightened Democracy,” *Legal Memorandum by the Heritage Foundation*, <http://www.heritage.org/the-constitution/report/the-electoral-college-enlightened-democracy?_ga=1.67231697.1937855222.1489431141>. Accessed 13 March 2017. Page 8) ESG

As such a situation became the norm, more and more candidates would be motivated to enter presidential contests. Support from a smaller and smaller percentage of the population would be needed to qualify for the runoff. Over time, candidates would become more and more extreme and uncompromising. **Professor Judith Best explains this dynamic: [T]he splintering of the vote works against the moderate candidates and works to the advantage of the immoderate, extreme candidates. It does this because the middle is where the inclusive coalitions can be built. By undermining coalition building prior to the general election, a runoff fragments the middle, not the extremes; the extremes are rarely fragmented— fanatics have solidarity.**46 Direct popular election proponents sound plausible when they argue for election of the President by a “majority” of the people. In reality, however, **a President elected by the majority of citizens will rarely be achievable.** A majority, after all, will never agree on an ideal candidate. Given an open choice, **individuals would fracture their votes across many candidates. Runoffs would proliferate, and Presidents would essentially be elected by the initial 20 or 25 percent of voters who got them into the runoff.** Presidents would always know that at least 75 to 80 percent of the people originally voted for someone else. Given the general inability to obtain majority consensus, the Electoral College provides the country with the next best alternative. **Electing Presidents by states’ votes, rather than individuals’ votes, creates a method of electing a President who is a good compromise candidate for the majority of Americans.**47 The Electoral College requires moderation, compromise, and coalition building from any candidate before he can be successful. Direct elections and a system of runoffs discourage such behavior.

#### 2. The Electoral College reduces error and fraud

**Tara Ross, 2004** (Tara Ross, lawyer and author of Enlightened Democracy: The Case for the Electoral College. November 1st 2004. “The Electoral College: Enlightened Democracy,” *Legal Memorandum by the Heritage Foundation*, <http://www.heritage.org/the-constitution/report/the-electoral-college-enlightened-democracy?_ga=1.67231697.1937855222.1489431141>. Accessed 13 March 2017. Page 9) ESG

The Electoral College provides yet another benefit: It reduces the incidence of fraud and error. Obviously, no system can completely eliminate the element of human error. Neither can any system eradicate the tendency of some dishonest individuals to cheat. An election system can, however, minimize the extent to which these factors affect elections.49 **The Electoral College defends against fraudulent behavior and human error in two ways: First, the system makes it difficult to predict where stolen votes will make a difference. Second, to the degree that fraud and errors do occur, the Electoral College makes it possible to isolate the problem to one state or a handful of states.** The country is given a clear set of problems to resolve one way or another before moving on to a definitive election outcome—much as it knew in 2000 that the election would be certain once Florida’s disputes were resolved.50 Today, both the electoral and the popular votes must be extremely close before voting disputes and recounts are threatened. By contrast, a direct popular election would require only a close popular vote before these scenarios became possible. National recounts and legal challenges would be a constant possibility, particularly because of the increasing likelihood of multiple candidacies, lower individual vote totals, and smaller margins among candidates. **Moreover, a direct popular vote system would increase, rather than decrease, the incentive for fraud. Any stolen vote would have at least some effect, regardless of its location. Party officials and supporters in states in which that party clearly dominates have the greatest ability to rig election rules and get away with cheating on behalf of their party’s candidate. Under the Electoral College system, however, they have the least incentive or need to cheat for their presidential candidate.** Using a direct election system, dishonest officials in oneparty states have both the ability and incentive to cheat, creating potential resentment, suspicion, and hatred from other states and from the citizens of their own state. **The Electoral College minimizes the impact of fraud, isolating it to the one or two states where the vote was close, disputed, and relevant to the Electoral College balance.**

#### 3. EC protects and upholds federalism

Tara Ross 2012 (Tara Ross, JD and Author of Enlightened Democracy: The Case for the Electoral College, 2012, *Enlightened Democracy: The Case for the Electoral College 2nd Ed.*, [https://www.amazon.com/Enlightened-Democracy-Case-Electoral-College/dp/0977072223 DoA 3/9/17](https://www.amazon.com/Enlightened-Democracy-Case-Electoral-College/dp/0977072223%20DoA%203/9/17)) CJV

The Electoral College solved the problem by creating a federalist system that incorporated the principles of the “Great Compromise” struck earlier in the Convention. The presidential election process settled upon by the Founders is both a national and a local process. The states determine how to appoint their own electors, but these electors must vote for both national and local candidates (see Chapter Three).[[119]](bibi://Enlightened%20Democracy:%20The%20Case%20for%20the%20Electoral%20College/part0000_split_037.html#_ftn119)The President is elected through a series of local election processes, yet he is a national President dependent upon a national people. The election requires the active involvement of each state, yet support from a regional constituency alone is insufficient to win the Electoral College. The President must win local support across the nation to be elected. “[T]he genius of the present [Electoral College] system,” a Senate report concluded in 1970, “is the genius of a popular democracy organized on the federal principle.”

#### She continues,

Tara Ross 2012 (Tara Ross, JD and Author of Enlightened Democracy: The Case for the Electoral College, 2012, *Enlightened Democracy: The Case for the Electoral College 2nd Ed.*, [https://www.amazon.com/Enlightened-Democracy-Case-Electoral-College/dp/0977072223 DoA 3/9/17](https://www.amazon.com/Enlightened-Democracy-Case-Electoral-College/dp/0977072223%20DoA%203/9/17)) CJV

Professor Judith Best of the State University of New York has explained one last benefit of federalism—a benefit that has particular importance in a presidential election process. A federalist presidential election system, she explains, allows the country to reap the benefits of “safe” factions (or special interest groups) without succumbing to the hazards of “dangerous” factions.[[133]](bibi://Enlightened%20Democracy:%20The%20Case%20for%20the%20Electoral%20College/part0000_split_037.html#_ftn133) Special interest groups in America are based on such public policy issues as gun control, affirmative action, or other social and family issues. These groups, of course, should and do have a voice in America’s republican democracy; however, they are best able to contribute to society when they check and control each other. Left to their own devices, these factions could tend toward the extremes of their public policy positions and endanger the freedoms of those who disagree with them.

#### 4. Electoral College Requires Moderate Coalition Building

Ross 12(Tara Ross, JD and Author of Enlightened Democracy: The Case for the Electoral College, 2012, *Enlightened Democracy: The Case for the Electoral College 2nd Ed.*, [https://www.amazon.com/Enlightened-Democracy-Case-Electoral-College/dp/0977072223 DoA 3/9/17](https://www.amazon.com/Enlightened-Democracy-Case-Electoral-College/dp/0977072223%20DoA%203/9/17)) CJV

Perhaps the best method of demonstrating the benefits of a federalist presidential election process is to expose the evils suffered without it. As it stands today, presidential candidates have no incentive to poll large margins in any one state. Winning 50.1 percent of the votes in a state is as effective as winning 100 percent of the votes. Either way, the winner is awarded the entire slate of electors for that state—except, of course, in Maine and Nebraska. Presidential candidates therefore tour the nation, campaigning in all states and seeking to build a national coalition of voters that will enable them to win in most states.[[232]](https://calibre-internal.invalid/text/part0000_split_037.html#_ftn232) They cannot focus on one or a handful of states to the exclusion of others. Doing so causes them to risk losing the election. Polling large margins in isolated regions of the country will not help their cause. Instead, their support must have a national component if they are to win a majority of the states’ electoral votes in the election. Presidential biographer James MacGregor Burns has described this phenomenon as “the immense widening of the electorate.”[[233]](https://calibre-internal.invalid/text/part0000_split_037.html#_ftn233) Presidential candidates are motivated “to widen and ‘flatten out’ their vote, [and] to win states by dependable but not wasteful popular majorities.”[[234]](https://calibre-internal.invalid/text/part0000_split_037.html#_ftn234) The campaigns of presidential candidates stand in sharp contrast to the campaigns of congressional candidates, who are often campaigning in a district that has been specifically drawn to be “safe” for one of the parties.[[235]](https://calibre-internal.invalid/text/part0000_split_037.html#_ftn235) The different campaign strategies required causes many Congressmen (particularly those in safe districts) to be more ideological than the typical Senator or President, who instead tend to be (or must at least appear to be) more moderate. The former are often able to aim their campaigns at individuals who are similar to themselves; the latter must build coalitions, either at the state or national level. Without coalitions, Presidents and Senators are unable to win. The Electoral College serves the nation well to the extent that it encourages presidential candidates to build coalitions, rather than to aim their campaign solely at one group of voters.

### EXT: Two Parties Good

#### 1. Multiparty systems would diminish minority votes

**George Cheung, 2016** (George Cheung, program director for the Joyce Foundation’s Democracy Program. February 4th 2016. “Strengthening Democracy by Embracing a Multi-Party System,” *Stanford Social Innovation Review,* <https://ssir.org/articles/entry/strengthening_democracy_by_embracing_a_multi_party_system>.Accessed 16 March 2017) ESG

What’s more, the increase in competitiveness would not come at the expense of voting rights. **Since voters who support Democratic congressional and state legislative candidates are more concentrated in urban areas, more competitive races would mean splitting up these communities and combining them with predominantly Republican suburbs. Given that these urban communities are disproportionately composed of people of color, such a change could have a detrimental impact on minority voting rights—a difficult tradeoff.** A multi-member district system could resolve the tension by offering meaningful competition but also providing a method for communities of color to elect someone of their choice. In fact, for Asian Americans, who do not have the same history of racial segregation as African Americans, a multi-member district system offers an opportunity to more easily elect their preferred candidate. Modernizing our system of election administration is critical to removing barriers to participation and instilling confidence that each vote will be counted. But if voters do not have meaningful choices at the ballot box, why should they bother to show up?

### EXT: Negative Ads Bad

#### 1. Negative ads disenchant voters and depress turnout

**Stephen Ansolabehere and Shanto Iyengar, 1996** (Stephen Ansolabehere, professor of government from Harvard University, and Shanto Iyengar, professor of political science at Stanford University. 1996. “Winning, but losing: How negative campaigns shrink electoral, manipulate news media,” *Going Negative: How Political Advertisements Shrink and Polarize the Electorate,* <http://pcl.stanford.edu/common/docs/research/iyengar/1996/goingneg.html>. Accessed 28 April 2017) ESG

Negative campaigning may keep people away from the polls for three different reasons. **First, negative advertising may discourage supporters of the candidate who is attacked, Attack advertising might defuse partisan support for the opposition**, just as advertising in general reinforces partisan preferences. For a supporter reacting to negative information, dropping out may be easier than switching to the attacker. **An alternative explanation is that negative advertising makes the public disenchanted with both candidates. The electorate may curse a "plague on both houses."** By this account, candidates unintentionally depress turnout among their own supporters by using negative advertising. If this were true, the effects of negative advertising would set in equally among the ranks of both the candidates� supporters and nonpartisans**. Finally, negative campaigning may diminish the power of civic duty and may undermine the legitimacy of the entire electoral proccess. Campaigns that generate more negative than positive messages may leave voters embittered toward the candidates and the rules of the game.**

#### As an example, looking at 34 Senate campaigns in a year, positive campaigns had much higher turnout than negative ones

**Stephen Ansolabehere and Shanto Iyengar, 1996** (Stephen Ansolabehere, professor of government from Harvard University, and Shanto Iyengar, professor of political science at Stanford University. 1996. “Winning, but losing: How negative campaigns shrink electoral, manipulate news media,” *Going Negative: How Political Advertisements Shrink and Polarize the Electorate,* <http://pcl.stanford.edu/common/docs/research/iyengar/1996/goingneg.html>. Accessed 28 April 2017) ESG

We monitored each of the 34 U.S. Senate campaigns in 1992. Senate elections provide an especially good test of our claims, since Senate candidates rely heavily on advertising and since many of our experiments dealt with the two California Senate campaigns during the 1992 elections. We recorded whether the tone of the overall campaign in the state was negative, mixed, or positive. A race was negative if both candidates in the general election relied heavily on attack advertisements. A race was positive if both candidates largely avoided personal or issue-based attacks and, instead, focused on reasons to vote for the candidates. A race had mixed tone if one candidate relied on positive and the other on negative messages or if both candidates used a fairly even mix of positive and negative messages. **Although 1992 was "the year of hope and change," the tenor of the Senate campaigns was overwhelmingly negative.** Positive campaigns occurred in 12 states: Alaska, Hawaii, Idaho, Iowa, Kansas, Maryland, Nevada, North Dakota, South Dakota, Utah, Vermont, and Wisconsin. While these states accounted for a third of the Senate races, they contained only 13 percent of the nation�s voting-age population. The rest of the electorate feasted on negative advertising. **Six states, containing a quarter of the electorate, had mixed campaigns: Alabama, Arizona, Florida, Illinois, Missouri, and Oklahoma. Fifteen states, with 62 percent of the voting-age population, had full-blown negative campaigns: Arkansas, California (two Senate seats), Colorado, Connecticut, Georgia, Indiana, Kentucky, New Hampshire, New York, North Carolina, Ohio, Oregon, Pennsylvania, South Carolina, and Washington.** The best single predictor of campaign tone, it turns out, is the closeness of the race. The tighter the contest, the meaner the campaign. The hostility of the 1992 Senate campaigns drained the electorate as much as it wore down the opposition. **The positive Senate campaigns averaged high turnout rates–57 percent of the voting-age population. Turnout in the mixed tone races was almost five percentage points lower, 52.4 percent, and turnout in the negative races was down even further, to 49.7. After removing the effects of other factors, the difference in turnout between the positive and negative races was 4.5 percentage points–strikingly similar to the size of the effect produced by our experiments.** An even more stringent test of the demobilizing effects of negative campaigning in 1992 is ballot rolloff. Ballot rolloff occurs when people vote for offices high up on the ticket, but ignore less important elections. In the positive Senate races in 1992, 3.3 percent of those who voted for president did not vote for senator. In the negative Senate races, the rate of ballot rolloff was 6 percent.