# Kant AC V2

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

# Part 1: Framework 2:15

#### Analytical Kant Framework [Omitted]

#### Also Reject Consequentialism—2 warrants

#### A) Induction fails. Induction assumes that things will always happen the same way in the future as they have in the past. But this begs the question of how we know what happened in the past will happen in the future. Thus, induction is logically fallacious.

#### B) Consequentialism cannot guide action without some other external framework. Morality must be action guiding, but saying a certain action is bad requires a reason for it, which exists external to consequences since reason must be grounded in a priori truth.

#### Kant writes:

**The** civil **state**[bürgliche Zustand], regarded purely as a lawful state [rechtlicher Zustand], **is based on the following a priori principle**s:

**The equality of each with all the others as a subject**

Man’s equality as a subject might be formulated as follows. **Each member of the commonwealth has rights of coercion in relation to all** the [75] **others**, except in relation to the head of state. For he alone is not a member of the commonwealth, but its creator or preserver, and he alone is authorised to coerce others without being subject to any coercive law himself. But **all who are subject to laws are the subjects of a state, and** are **thus subject to the right of coercion along with all other members of the commonwealth**; the only exception is a single person (in either the physical or the moral sense of the word), the head of state, through whom alone the rightful coercion of all others can be exercised. For if he too could be coerced, he would not be the head of state, and the hierarchy of sub­ordination would ascend infinitely. But if there were two persons exempt from coercion, neither would be subject to coercive laws, and neither could do to the other anything contrary to right, which is impossible.

**This** uniform **equality of human beings as subjects of a state is**, however, **perfectly consistent with the** utmost **inequality** of the mass **in the degree of its possessions, whether these take the form of** physical or mental superiority over others, or of fortuitous **external property and** ofparticular **rights** (of which there may be many) with respect to others. Thus the welfare of the one depends very much on the will of the other (the poor depending on the rich), the one must obey the other (as the child its parents or the wife her husband), the one serves (the labourer) while the other pays, etc. **Nevertheless, they are all equal as subjects before the law, which**, as the pronouncement of the general will, **can only be single in form**, and which concerns the form of right and not the material or object in relation to which I possess rights. **For no-one can coerce anyone else other than through the public law and its executor, the head of state, while everyone else can resist the others in the same way and to the same degree.** No-one, however, can lose this authority to coerce others and to have rights towards them except through committing a crime. And no-one can voluntarily renounce his rights by a contract or legal [rechtliche] transaction to the effect that he has no rights but only duties, for such a contract would de­prive him of the right to make a contract, and would thus invalidate the one he had already made.

#### Thus, the standard is respecting the maxims of political equality. To clarify, this does not deal with representation because observations of disparities in representation fall under a posteriori truth because those stem from human experience, but instead this deals with voting power since Kant contextualizes members of the state as equal subjects before the law.

#### Christiano contextualizes “political equality” Christiano 96:

**Political Equality** implies equality among citizens in the process of decision-making. Of course there are different kinds of equality here. Political equality **assigns each citizen an equal vote and requires that decision be made by a majority. In addition political equality includes the** more robust **requirement that citizens be equal in the control they exercise over the decision-making process**. Third, each citizen has the right to an opportunity to express his or her opinions and supporting reasons to every other citizen as well as a right and duty to hear a wide spectrum of views on subjects of public concern. Each has a right, as well as a duty to participate in open and fair discussion. These are the ideals of democracy.

# Offense

#### I contend that the Electoral College violates the maxims of political equality.

#### Electoral College violates one-person, one-vote. HLR 01:

Although many viable reasons in support of **the electoral college** remain, the chief objection to the system is generally that it **violates the one-person, one-vote principle.** Simply stated, this principle asserts that, within a given voting scheme, each person should possess one equally weighted vote. **This principle is important** for two reasons: first, **[as] it promotes an equal voice for all citizens in the political process**; second, it promotes transparency in both the operation of and rationale underlying the electoral system. **An electoral college system that weighs votes in some states more heavily than others and** obfuscates **[obscures]the precise effects of and justifications for the present voting system violates the values of** both **equality** and transparency.

#### Electoral College also gives different values to each vote—multiple warrants.

#### A. Swing-States; Gelman 16:

After running the numbers, we estimate that, per voter, **whites have 16 percent more power than blacks** once **[under] the Electoral College** is taken into consideration, **28 percent more** power **than Latin[x]s, and 57 percent more** power **than** those who fall into the **other[s]** category.

Based on our calculations before the election, the five states with the highest voting power per voter were New Hampshire, Colorado, Nevada, Wisconsin, and Pennsylvania. According to exit polls, the voters in these states were 80 percent white, compared with 70 [61% Source: US Census] percent in the country as a whole. Or, to take a slightly different tack, after the election the five closest states in percentage vote margin were Michigan, New Hampshire, Wisconsin, Pennsylvania, and Florida. Voters in those states were 73 percent white — again, higher than the nationwide figure.

#### B. Small State Power

#### Because every state is guaranteed 3 electoral votes, this makes some votes count much more than others. Miller 16:

One of the myriad of issues with the Electoral College is that the states with **larger populations**, for the most part, **have much larger percentages of minorities and are under-represented**. Let’s look at California and New York which are large, safely democratic states, as examples. California has 55 Electors for 39.15 million people. New York has 29 Electors for 19.8 million people. **California gets one elector per every 711[000]**, 818 **people**. New York gets one per every 682,758 people. Let’s compare this to smaller, Republican states like Nevada and Wyoming. Nevada has 6 Electors for 2.9 million people. Wyoming has 3 Electors for 586,100 people. Nevada gets one Elector per every 483,334 people. Wyoming is much worse. Despite being the smallest state in America, in term of population, they by far get the most representation. **Wyoming gets one Elector for every [200,000]** 195,333 **people**. In fact, Wyoming is the reddest state in the country. **The small red states, which contain the majority white Republicans, are overly represented in the Electoral College**. Meanwhile, the states with a larger population that contains a higher percentage of minorities are grossly underrepresented.

**Under the** current **Electoral College** system, 79.6 **[80%] percent of nonwhites are not accounted for** in one of the most diverse states in America. Meanwhile, 76.58 percent of white voters are accounted for. **The Electoral College makes states with** virtually **no minorities, have a larger voice** and more representation than states with a big minority population. States with a large percentage of minorities are nearly completely unaccounted for. The Electoral College allows the reddest states with a very small percentage of minorities, matter nearly 1.9 times more than New York, a state with a relatively high percentage of minorities. This is much worse for states like Maryland, which has a larger

percentage of nonwhite minorities.

#### Badger 16 furthers

The Electoral College then allocates votes according to a state’s congressional delegation: **Wyoming** (with one House representative and two senators) **gets three votes**; **California** (53 representatives and two senators) **gets 55**. Those two senators effectively give **Wyoming [has] three times more power** in the Electoral College than its population would suggest. Apply the same math to **California** and it **would have 159** Electoral College **votes [under the same math]**. And the entire state of Wyoming already has fewer residents than the average California congressional district.

#### C. Geographical Distribution—Dreyfuss 16:

**More than half [of] US cities are majority nonwhite**, and Latinos represent the largest group of nonwhite urban residents, according to the Brookings Institute. Slightly more African-Americans, meanwhile, live in the suburbs than in city centers. Overall, **the US population is**[**becoming less white**](http://www.usnews.com/news/articles/2015/07/06/its-official-the-us-is-becoming-a-minority-majority-nation) **and** population **growth in cities**[**outpaces**](http://www.usatoday.com/story/news/2016/05/19/census-shows-big-us-cities-continue-grow/84552378/) that of **rural areas.**

As a result of these demographic trends, political scientists say **the urban vote will** increasingly **carry less** proportional **weight in the Electoral College**. By that same math, **whiter states will become more** disproportionately **powerful** in presidential elections. In practice, that means **votes from large states with sizable nonwhite populations** like California **count less** in presidential elections than those from small, predominantly white states like New Hampshire. “If you’re a person of color in California, you’re screwed,” says Stanford University political scientist David Brady.

#### All of this offense is about voting power, which means that turns about representation are non-responsive.

# Solvency

#### A Popular Vote solves by Definition—This is not consequentialism, but it is still a form of a priori truth since it will be forever true. Fullerton 01:

**Only a direct election system gives individual votes equal weight**. In Gray v. Sanders, the Supreme Court stated: "The conception of political equality from the Declaration of Independence, to Lincoln's Gettysburg Address, to the Fifteenth, Seventeenth, and Nineteenth Amendments can mean only one thing - one person, one vote." Gray involved a challenge to Georgia's indirect primary system, where candidates for statewide offices were elected by county unit vote rather than direct popular vote. Georgia attempted to analogize its unit voting system to the Electoral College, but the Court dismissed the analogy as "inapposite" and struck down the statute as unconstitutional. The Court's only justification for this conclusion was that the text of the Constitution explicitly provides for the Electoral College. Reconciling the Court's holding in Gray, which required an equal dispersal of votes among a candidate's constituency, with the winner-take-all system of the Electoral College is difficult at best. Unless mere mention of the Electoral College in the text of the Constitution "exempts all of its various nontextual facets from scrutiny, the Court too quickly dismissed Georgia's analogy." The disparity in state voting power that results from the Electoral College significantly enhances the possibility that a single state will determine the outcome of an election, regardless of the reliability of its vote results or the methods used to select presidential electors. To witness this effect, one need go no farther than the 2000 presidential election between Bush and Gore. Despite the controversies surrounding inconsistent vote-counting standards, antiquated equipment, and confusing ballots, the results in Florida effectively decided the 2000 presidential election. **Only direct election of the President, with each person having one vote**, **remedies these** unequal **effects of the[Electoral College]** winner-take-all system.

#### Bayh 11 furthers

In the final analysis, the most compelling reason for directly electing our president and vice president is one of principle. In the United States **every vote must count equally.** One person, one vote is more than a clever phrase, it’s the cornerstone of justice and equality. We can and must see that our electoral system awards victory to the candidates chosen by the most voters. In this day and age of computers, television, rapidly available news, and a nationwide public school system, we don’t need nameless electors to cast our votes for president. The voters should cast them directly, themselves. **Direct election is the only system that counts every vote equally and where the voters cast their ballots directly for the candidates of their choice**. It has the additional virtue of operating in the way most Americans think the electoral process operates—and is expected to operate.

# Frontlines

### AT: Representation Arguments

#### A. Representation is a form of a posteriori truth. If I win my framework, that means that you should

# Overview

#### This debate functions of two levels. The first is the Aff framework which is about