



# The Electoral College

## How it hurts our democracy

Sunday, February 17, 2019  
Spring Lake Community Theater



Greater Red Bank Area  
Township of Ocean  
Western Monmouth County

# A national angst





# Too many Americans are sitting on the sidelines of our democracy

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“Texas is not a red state. It’s a ‘we-don’t vote’ state.”



*Beto O'Rourke (U.S. Senate candidate)*

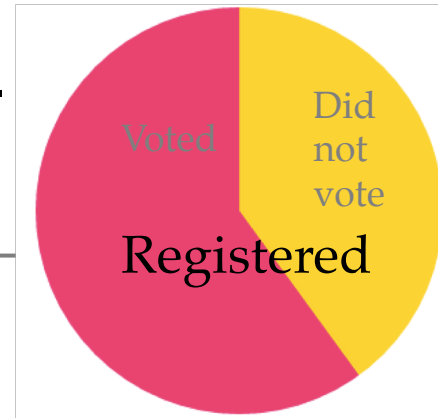
- 51.6% in 2016 election
- 49<sup>th</sup> in the nation

And it's not just Texas . . .



# In 2016, 4 out of 10 Americans who were registered to vote—didn't

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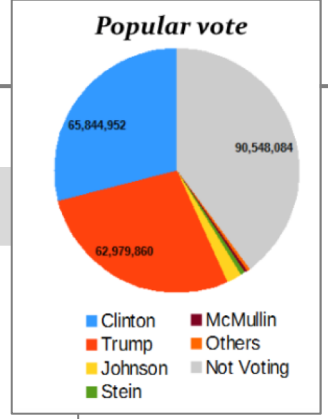
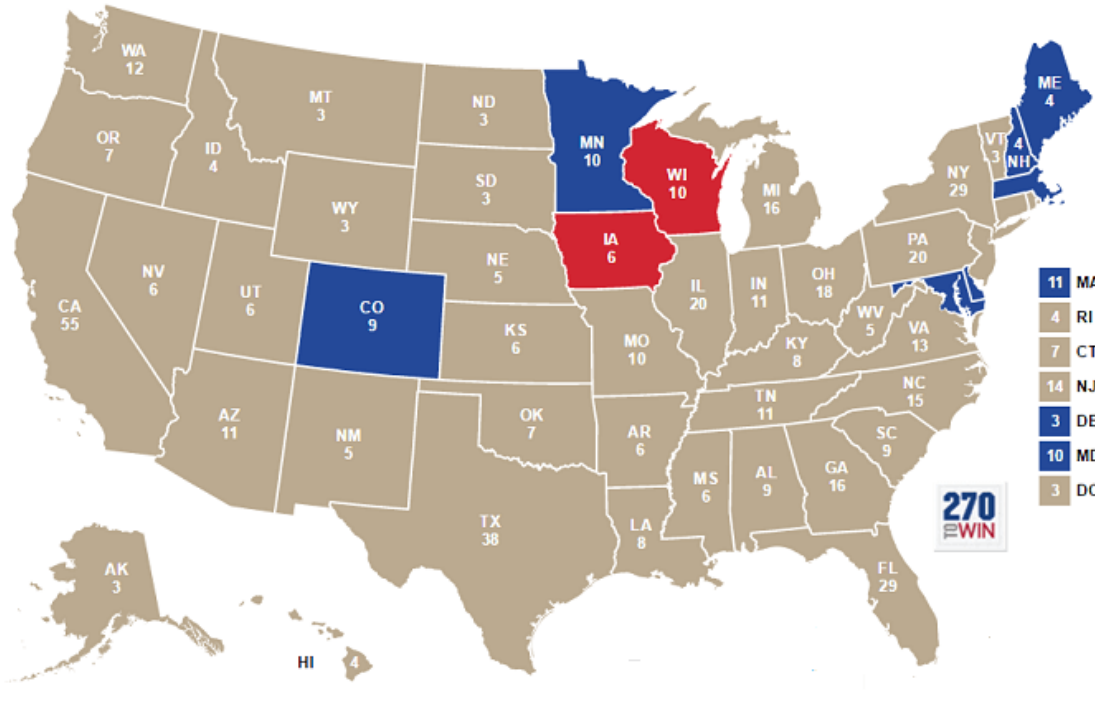
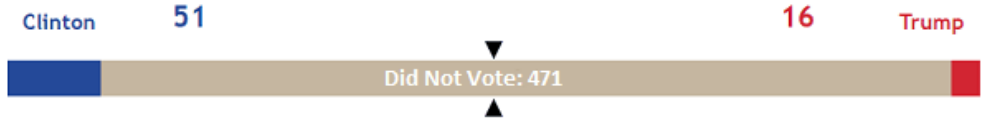


- National turnout of *eligible* voters was 60.2%
- More than 2012 (58.6%). Less than 2008.
- 91,740,015 votes not cast  
*230,585,915 eligible voters; 138,845,900 cast*

We're not blue states and red states.

# We're "we-don't-vote" states

If "Did Not Vote" were a candidate in 2016



# Voter-turnout varies significantly by state

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## HIGHEST

- Minnesota (**74.8%**)
- Maine (72.8%)
- New Hampshire (72.5%)
- Colorado (72.1%)
- Wisconsin (70.5%)
- Iowa (69%)

## LOWEST

- Hawaii (**43%**)
- West Virginia (50.8%)
- Texas (51.6%)
- Tennessee (52%)
- Arizona (53.1%)

**What explains the difference ?**

*Two critical variables*

## 1) Ease of registration 2) Swing state status

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### HIGHEST

- Minnesota (74.8%)
- Maine (72.8%)
- New Hampshire (72.5%)
- Colorado (72.1%)
- Wisconsin (70.5%)
- Iowa (69%)

1. All have same day registration.
2. 5 of 6 were swing states.

1. All cut off registration 3-4 weeks before Election Day.
2. None are swing states.

### LOWEST

- Hawaii (43%)
- West Virginia (50.8%)
- Texas (51.6%)
- Tennessee (52%)
- Arizona (53.1%)

# The Electoral College creates Swing States

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Here's how:

- States get electoral votes equal to their Congressional delegation
- **In all but two states, the winner takes all**  
*Votes cast for the loser are "wasted."*
- In states where a party has a comfortable margin, candidates have *no reason to campaign*—creating a two-tier system:

## SWING STATES

Colorado Florida Iowa  
Michigan Minnesota Ohio  
Nevada New Hampshire  
North Carolina Pennsylvania  
Virginia Maryland

## SPECTATOR STATES

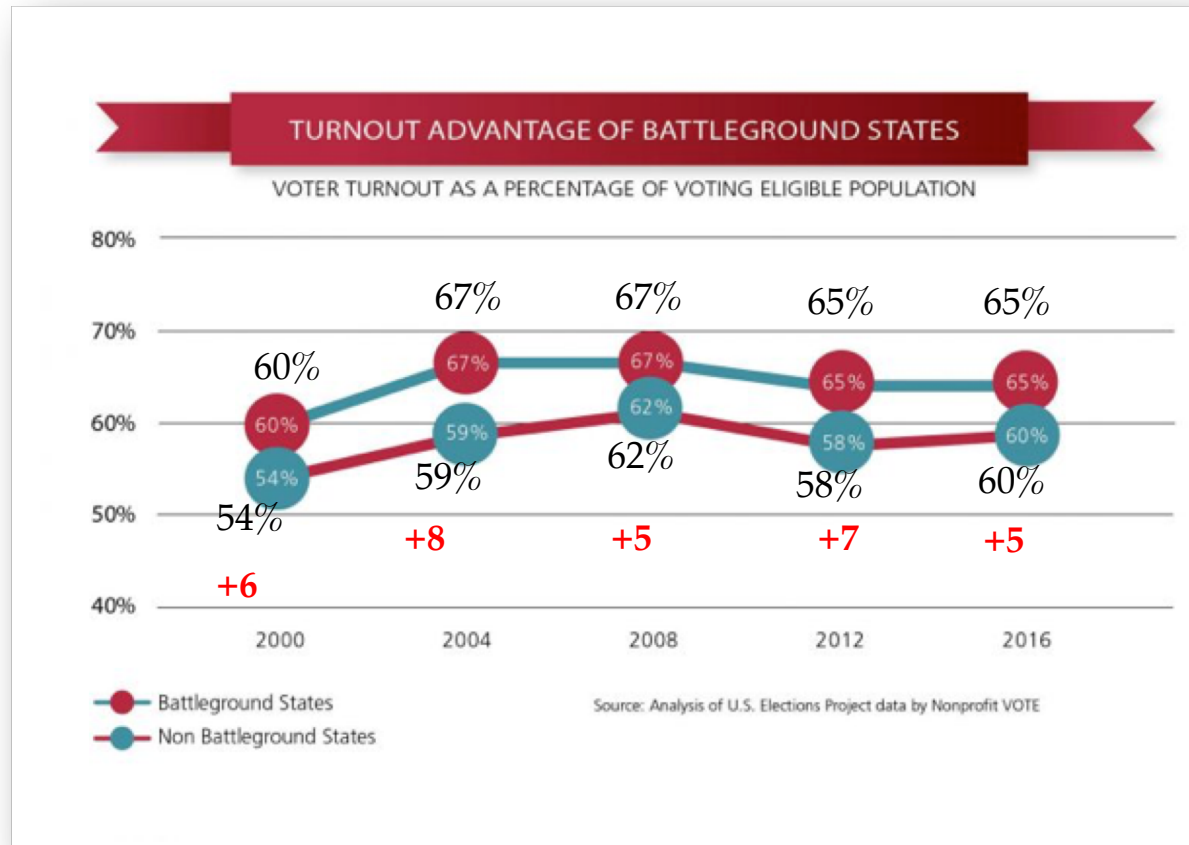
All the rest  
(38 states,  
65% VEP)



# Battleground status (swing v. spectator) matters



If you are a **DEMOCRAT** in the **RED** state or a **REPUBLICAN** in the **BLUE** state, you feel your vote is “wasted”—and you’re right.



*Beyond discouraging turnout*

## **The Electoral College hurts our democracy in (at least) three other ways**

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1.

Discounts  
votes

2.

Fuels  
partisanship

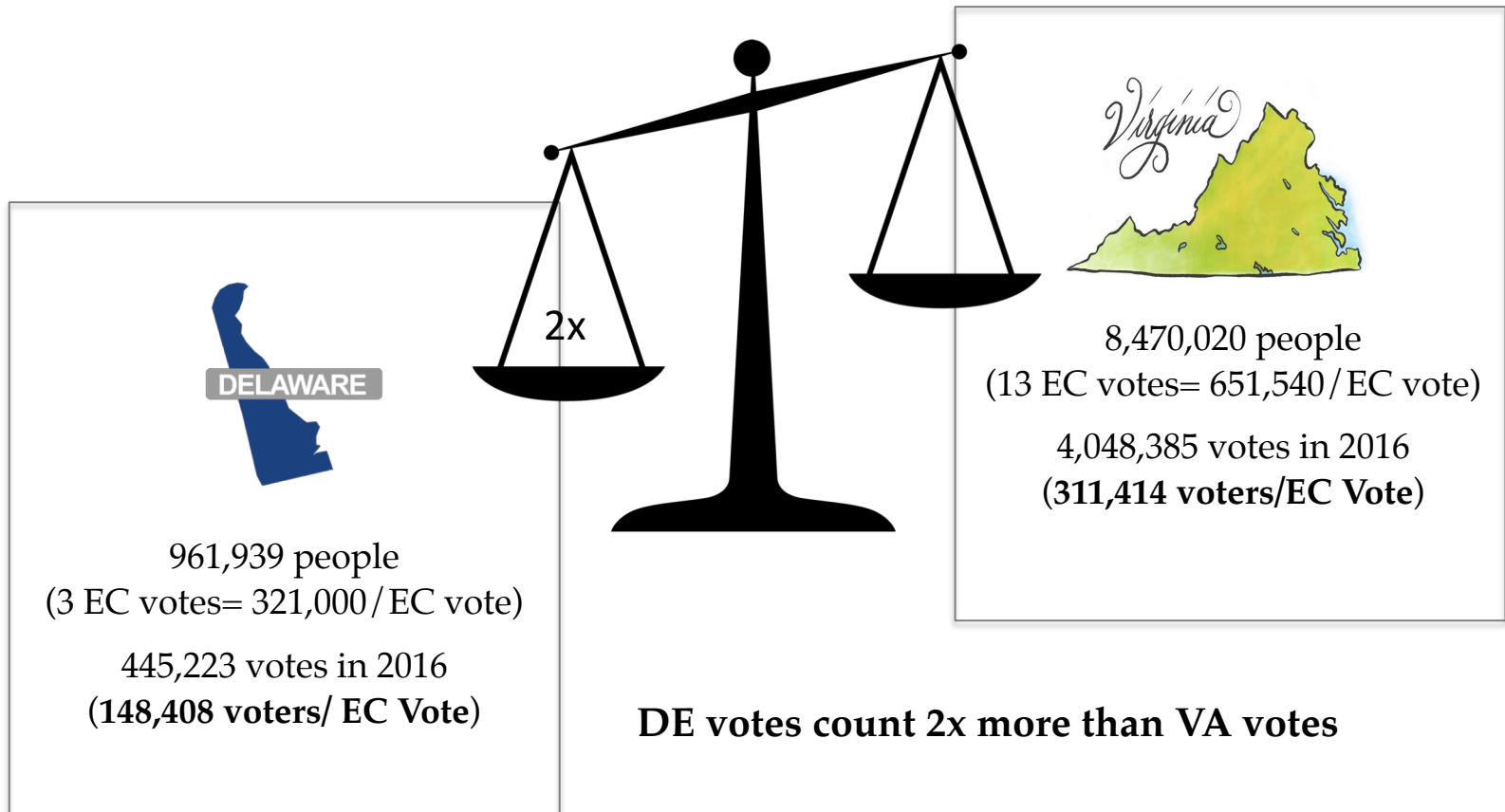
3.

Overrides  
the will of  
the people

1.

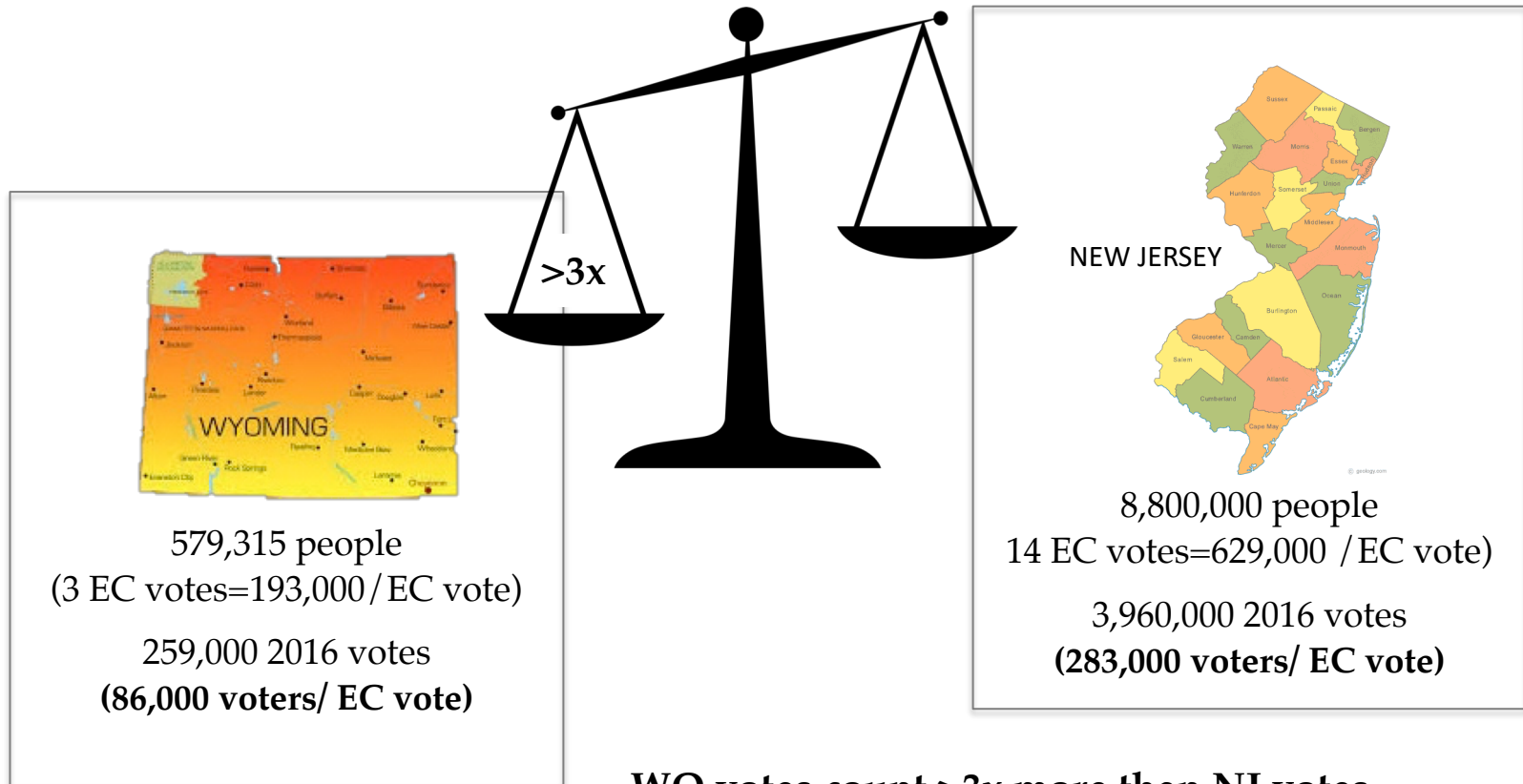
# The Electoral College discounts the votes of millions of citizens

*Because all states—regardless of their population—start with 2 electors and no state can have fewer than 3 electors, small states have disproportionate power.*



2.

## The Electoral College discounts the votes of millions of citizens



**WO votes count >3x more than NJ votes**

*Beyond discouraging turnout*

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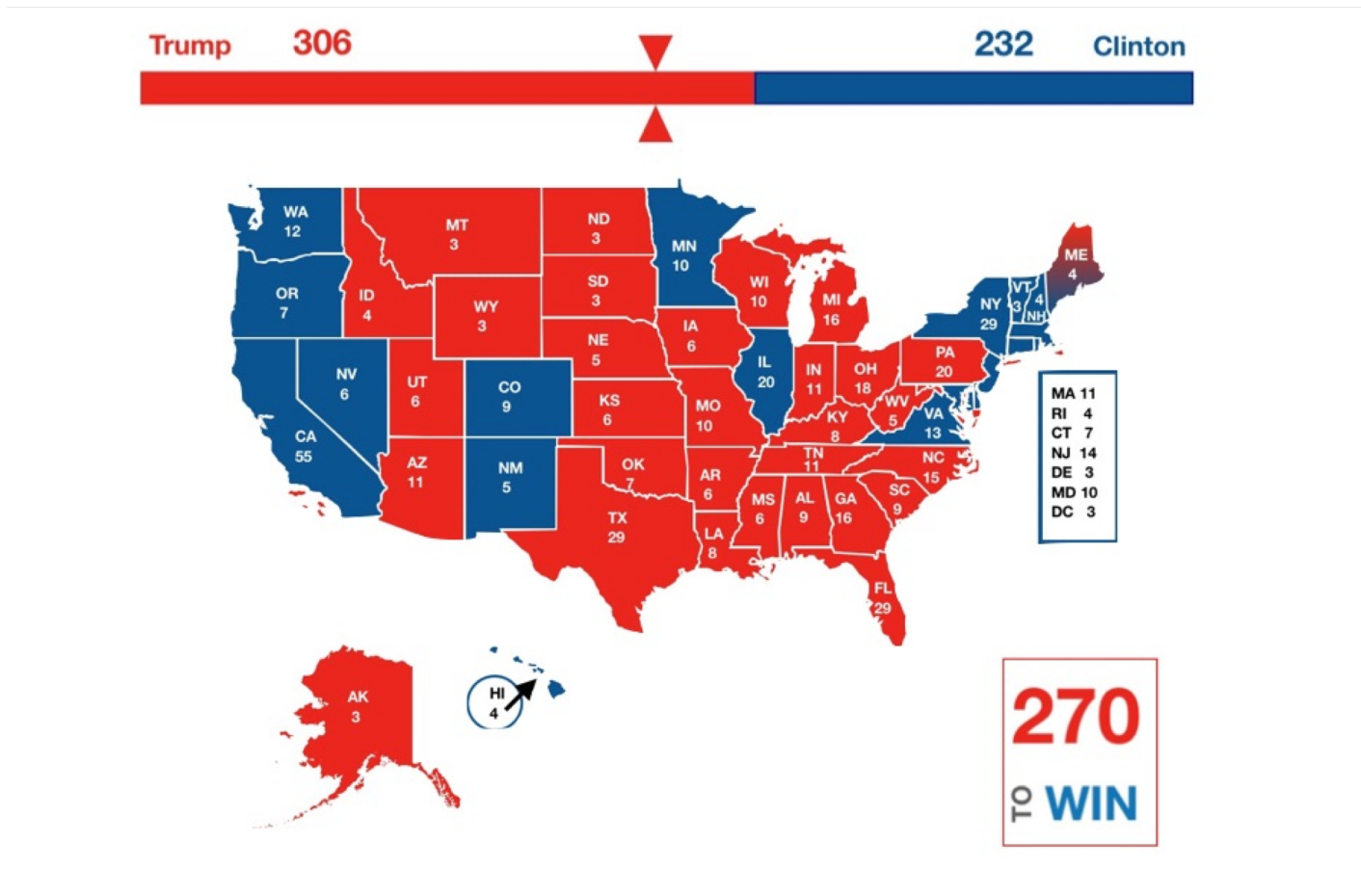
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*Beyond discouraging turnout*

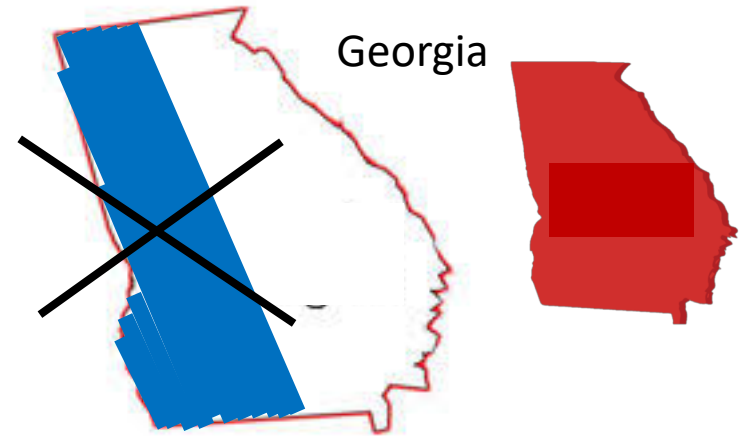
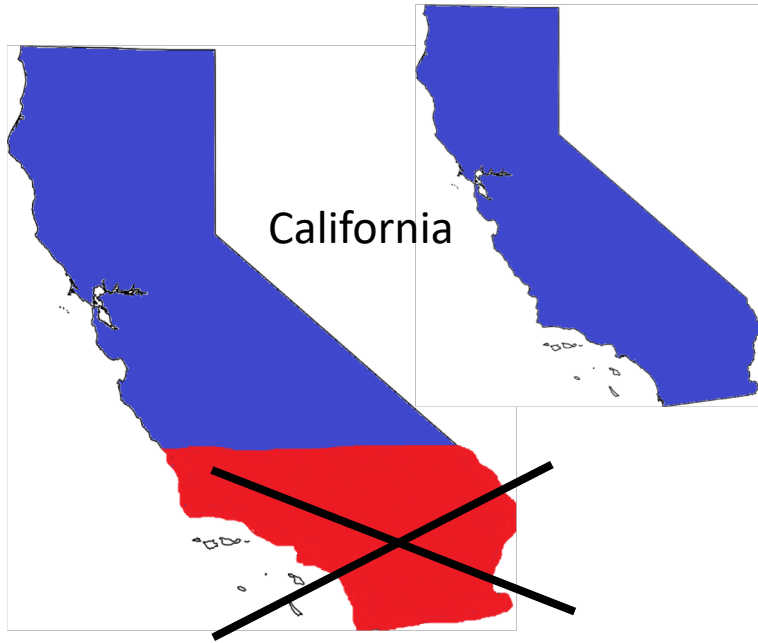
2.

# Fuels tribalism by exaggerating our differences and ignoring our diversity



# The diversity we don't see

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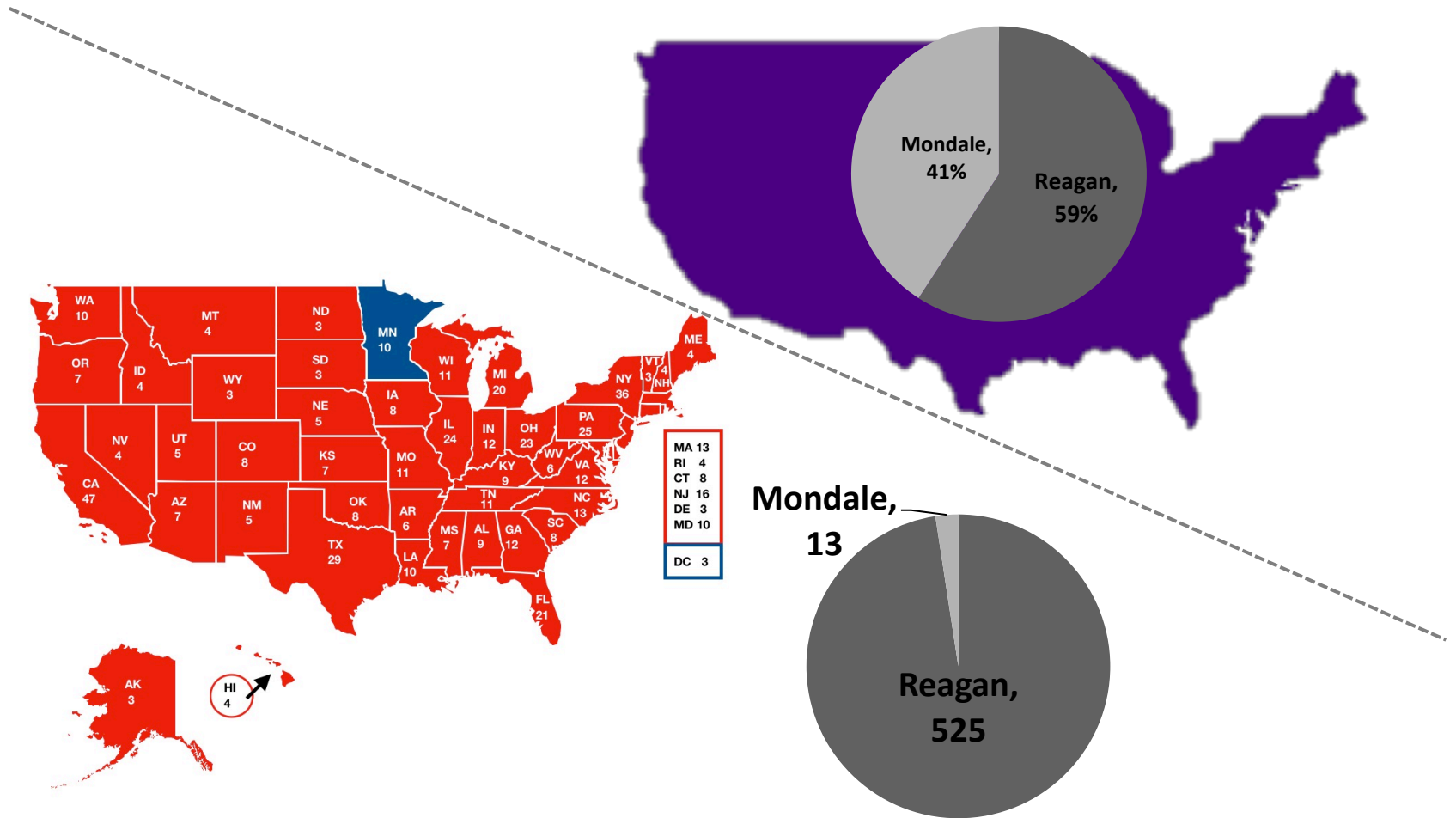


- 32% of **CA** voters for Trump—Map show the state **BLUE (4.5 million Trump voters)**
- 46% in **GA** for Clinton—Map show GA **RED (1.9 million Clinton voters)**
- 43% in **CO** for Trump—Map shows CO **BLUE (1.2 million Trump voters)**
- 35% in **AL** for Clinton—Map shows AL **RED (750,000 Clinton voters)**

2.

*Fuels tribalism ignores diversity of opinion*

# Consider 1984, the most lopsided electoral college victory in modern history



*Beyond discouraging turnout*

## **The Electoral College hurts our democracy in (at least) three other ways**

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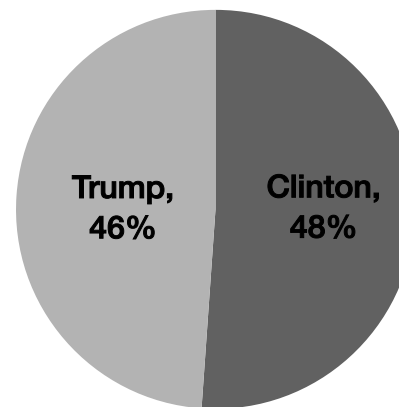
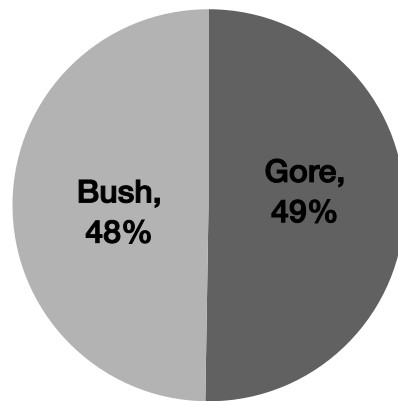
Overrides  
the will of  
the people

### 3.

## The Electoral College has elected the loser of the popular vote in 5 elections

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- 1824: Adams over Jackson
- 1876: Hayes over Tilden
- 1888: Harrison over Cleveland
- 2000: Bush 50,456,000 over Gore 51,000,000
- 2016: Trump 62,980,000 over Clinton 65,845,000





*If it's such a bad idea ...*

# What *were* the Founding Fathers thinking?

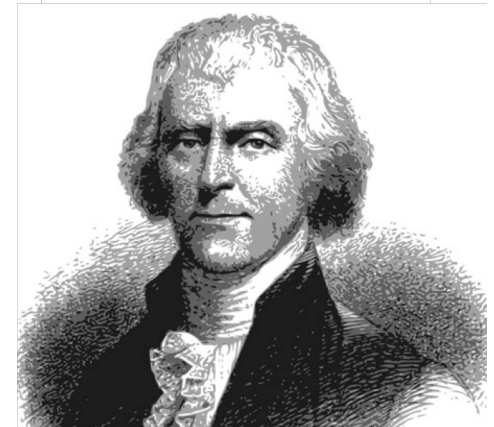
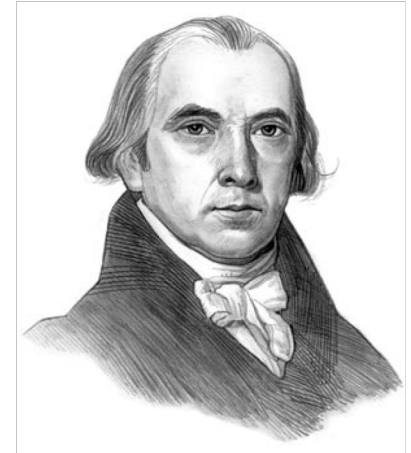
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## **Knew what they DIDN'T want**

- Rejected the parliamentary system—  
*Wanted to separate executive and legislative branches*
- Rejected direct vote by people—
  - Concern that poor communication would make for an ill-formed voter
  - Southern states would lose clout
  - Administrative/logistical obstacles

## **Electoral College was a compromise**

- Appeased southern states  
*Slaves counted as 3/5 person in calculating number of electors*
- Expected the Electors to exercise their discretion

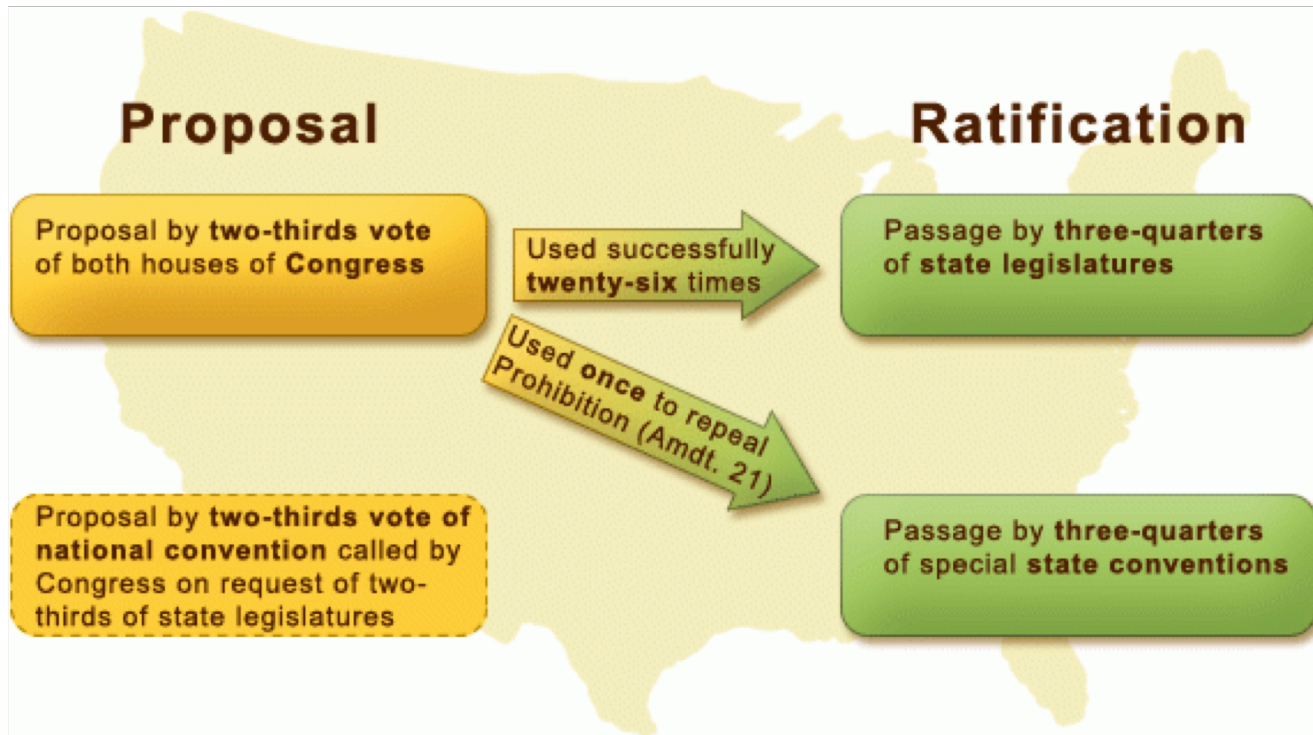


These concerns no longer apply.

*What's the answer?*

## Long-term: A Constitutional Amendment

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*What's the answer?*

## **Interim: National Popular Vote Interstate Compact**

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**National Popular  Vote!**

An agreement among states to elect the  
President by national popular vote

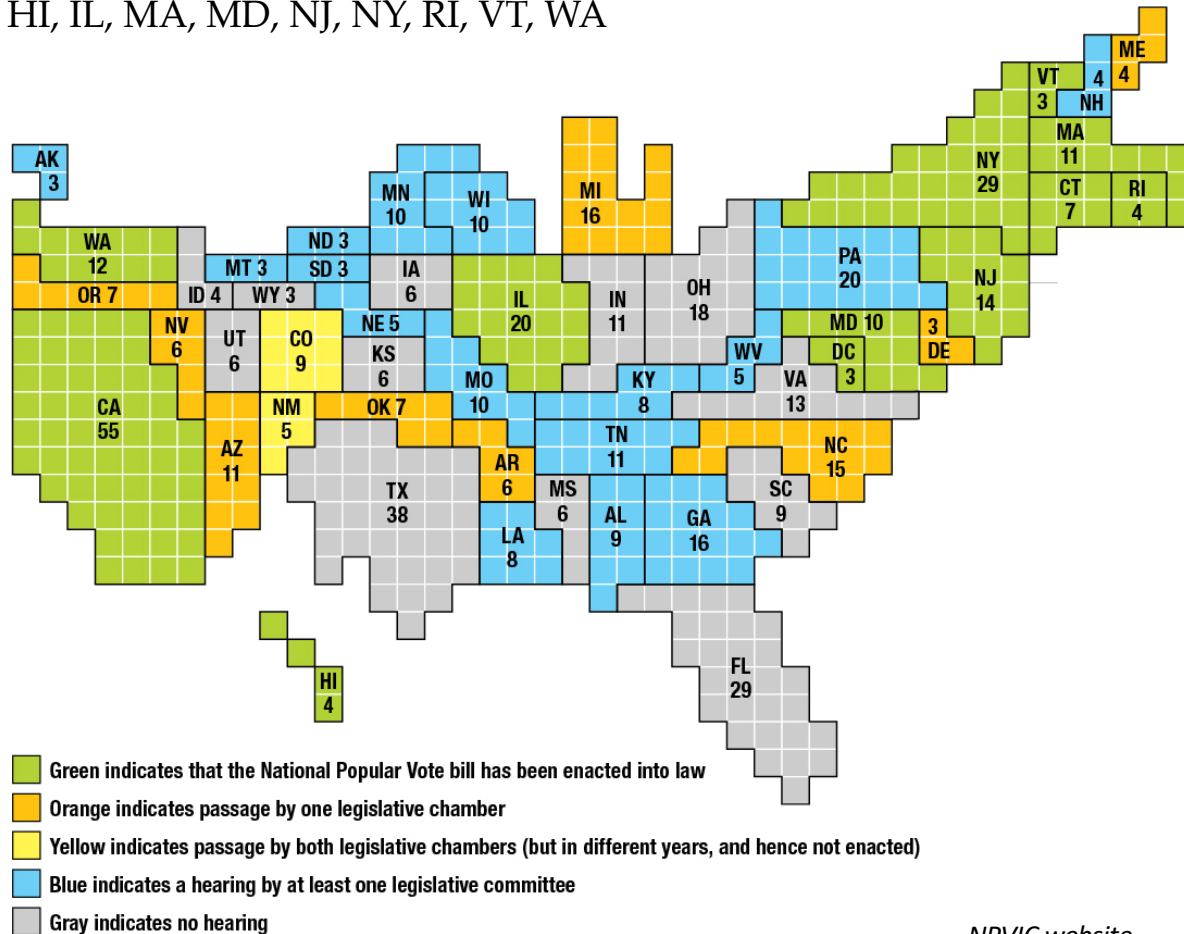
- Guarantees that the candidate who wins the most votes in all 50 states and the DC wins.
- Takes effect when states with electoral votes adding up to 270 (the number needed to win) have signed on

Where does it stand?

# National Popular Vote Interstate Compact

Enacted in 11 states and the District of Columbia (172 electoral votes)

CA, CT, DC, HI, IL, MA, MD, NJ, NY, RI, VT, WA



NPVIC website

*National Popular Vote Interstate Compact*  
**What the Constitution says**

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**Article II, Section 1**

- Sets up the Electoral College
- Gives states exclusive control over how the Electors cast their votes

*Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors . . .”*

State legislatures decide how their electoral votes will be cast.

“Winner-take-all” was the choice of half the states in 1828.  
Today, it is the system for all but two.



# What you can do

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**Push for a Constitutional Amendment.  
Safeguard NJ's VPVIC decision.**

- Spread the word to family and friends
- Host or give this presentation to groups you belong to
- Urge Senators Booker and Menendez to support a Constitutional Amendment
- Talk to state legislators about their views and urge their continued support of the National Popular Vote Interstate Compact
- If you haven't already, join the League of Women Voters
- Follow NPVIC on Facebook:  
<https://www.facebook.com/nationalpopularvoteinc>

More to come



**Hot Topics Series**  
Informed, nonpartisan explorations of  
topics critical to our democracy.

## **THE 2020 CENSUS WHY IT MATTERS SO MUCH**

**3 to 4:30, Sunday, January 27, 2019**  
The Shrewsbury Historical Society Building  
419 Shrewsbury Avenue, Shrewsbury

The Census is an every-ten-year count of the nation's population. The results can change a state's congressional representation and shift how and where federal monies are spent. Learn the fiscal, operational, and policy threats to the 2020 Census and what you can do about it.

## **FAIR REDISTRICTING FIXING A BROKEN SYSTEM**

**3 to 4:30, Sunday, March 24, 2019**  
Turner Gallery, adjacent to the Ocean Township Library  
701 Deal Road, Ocean Township

In 2021, New Jersey will redraw its Legislative and Congressional Districts—a process plagued by back-room deal-making that has given us non-competitive races and unresponsive representatives. The system is broken. Come find out what it takes to fix it.



Presented by the League of Women Voters of the Greater Red Bank Area, the Township of Ocean, and Western Monmouth County

lwvgrba.org  
lwvto.org  
lwwesternmonmouth.org

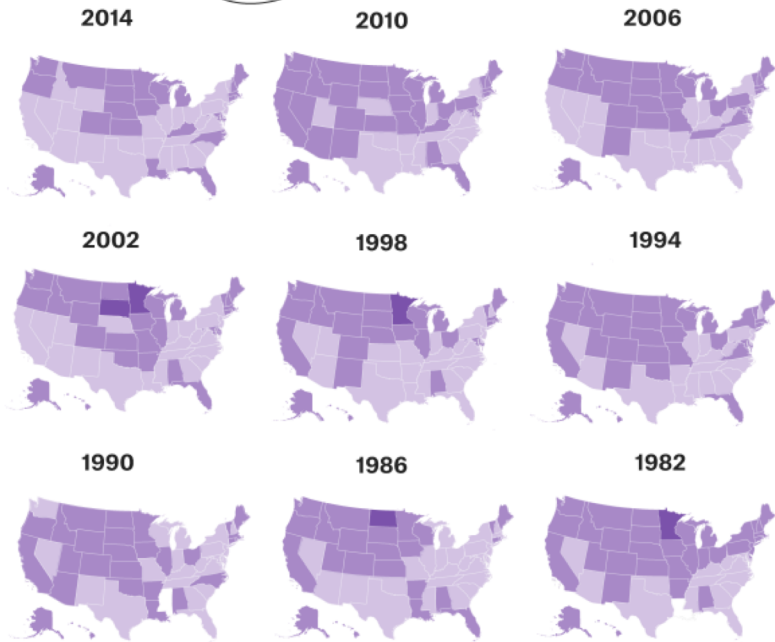
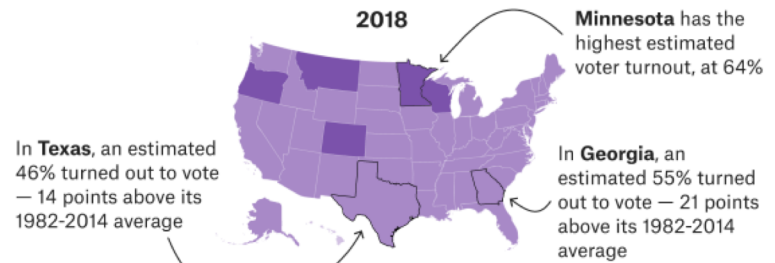
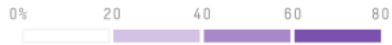
**Empowering Voters. Defending Democracy.**

Video available at  
[LWVTO.ORG](http://LWVTO.ORG)



## Midterm voter turnout in 2018 is unprecedented

Share of eligible-voter population that voted in midterm elections

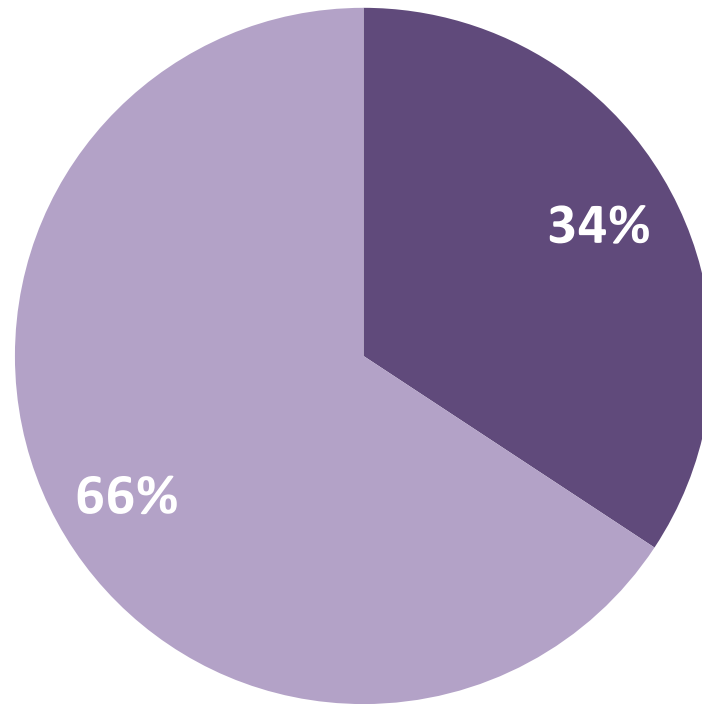


Turnout figures from the U.S. Elections Project for years before 2018 are based on the vote total for the office that received the most votes in an election. For 2018, the estimates are based on the total number of ballots counted and are subject to change until election results are certified.

# Myth #1

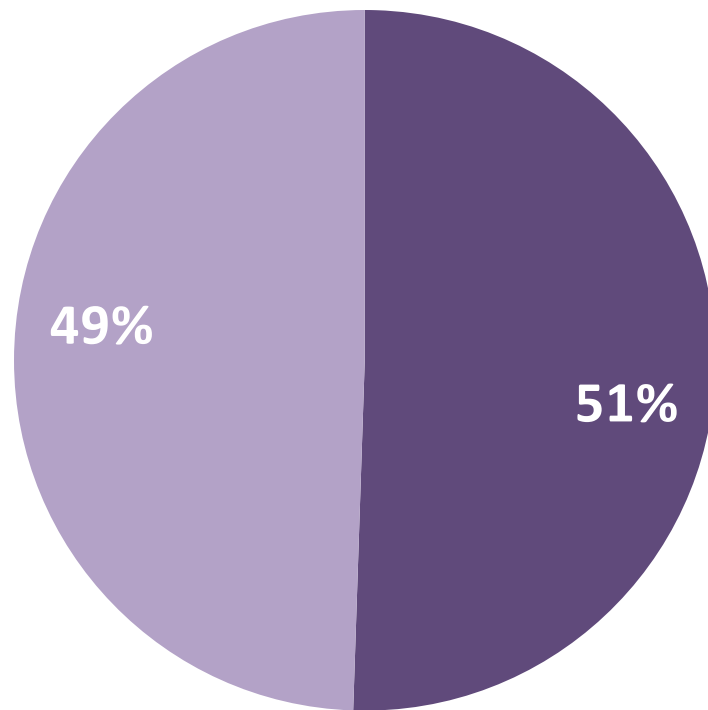
Without the Electoral College, our presidents would all be chosen by a couple of big states like California, New York, and Texas.

Contribution to the total vote if each state voted 60-40%  
all for the same candidate and we elected the president by national  
popular vote



CA  
TX  
FL  
NY  
PA  
IL  
OH  
MI  
NC  
GA  
NJ  
VA

Contribution to the total vote if each state voted 60-40%  
all for the same candidate and we elected the president by national  
popular vote



CA WA  
TX TN  
FL IN  
NY AZ  
PA MO  
IL WI  
OH MD  
MI CO  
NC MN  
GA SC  
NJ AL  
VA LA  
KY OR

Would need 30 states to get to 51%  
IF they all voted for the SAME candidate  
by a 20-POINT margin!



# Fact:

Votes from ALL states would be necessary to win the presidency.

Election by popular vote means all votes count.



# National Popular Vote by *Person*, Not by *State*



# Myth #2

Smaller, less populated states need the protection of the Electoral College to ensure their interests are represented by the President.

# Fact:

There is no coherent “small state” or “large state” interest that needs protecting. All of our states have diverse interests.

# All of our states have diverse interests



Natalie Maynor

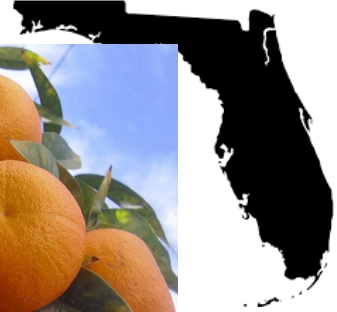




# Most farmers live in large states



Billy Hathorn



Mohamed Amarochoan



Terrie Miller



Jakec



# Our political interests cross state lines.



Rob87438

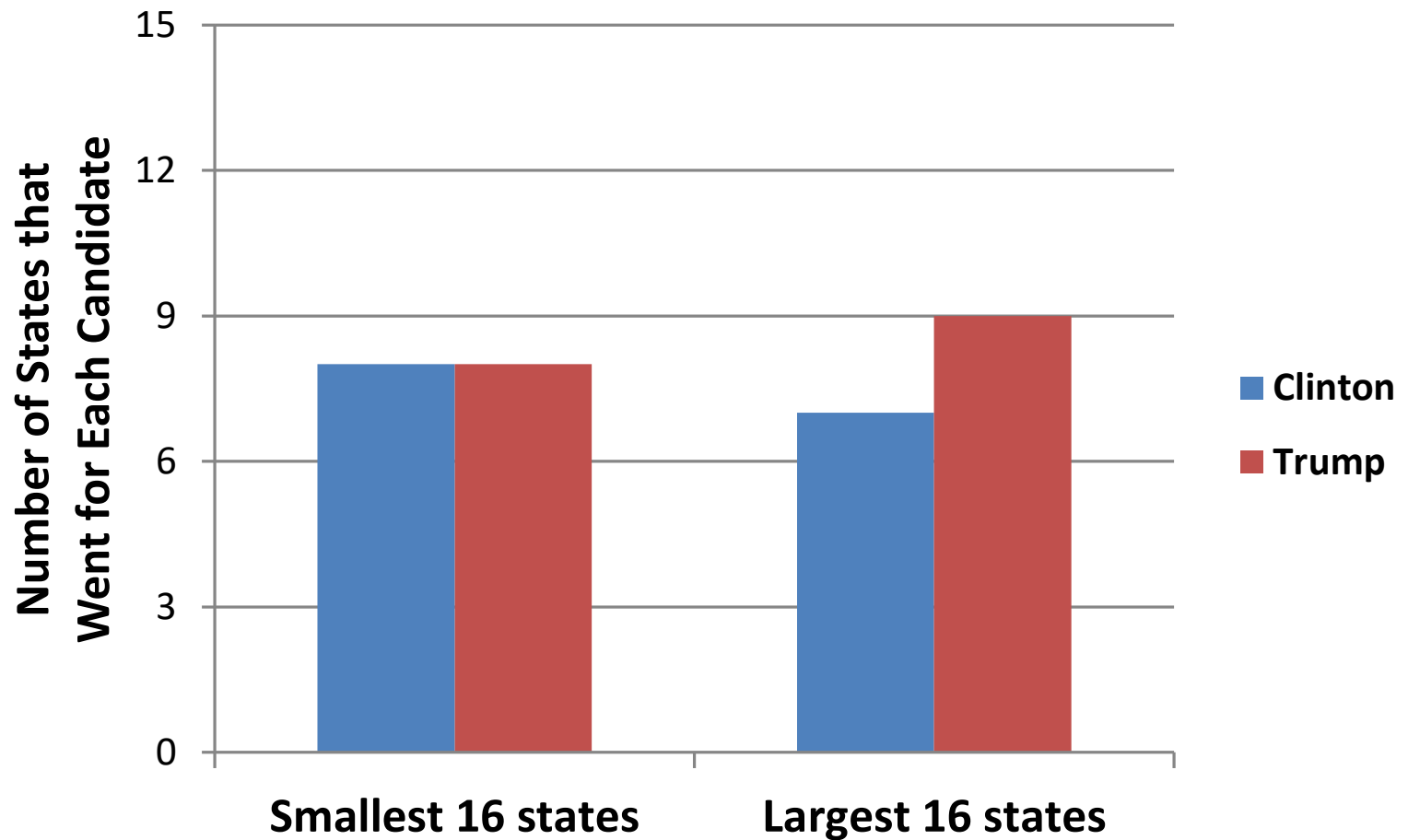


Justin Ormont



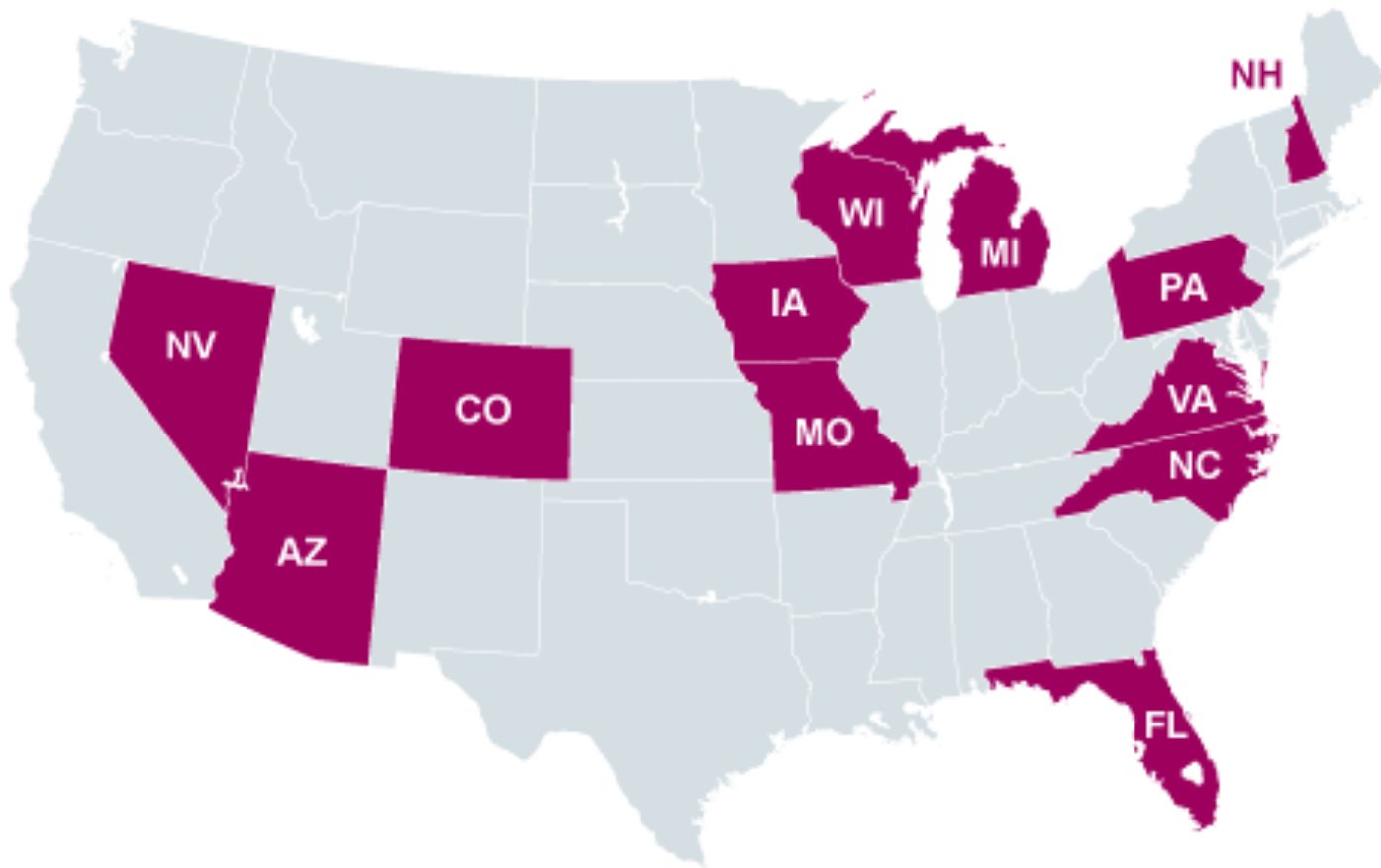
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8 Marion S. Trikosko, U.S. News & World Report Magazine

# Small States Do Not Vote as a Bloc



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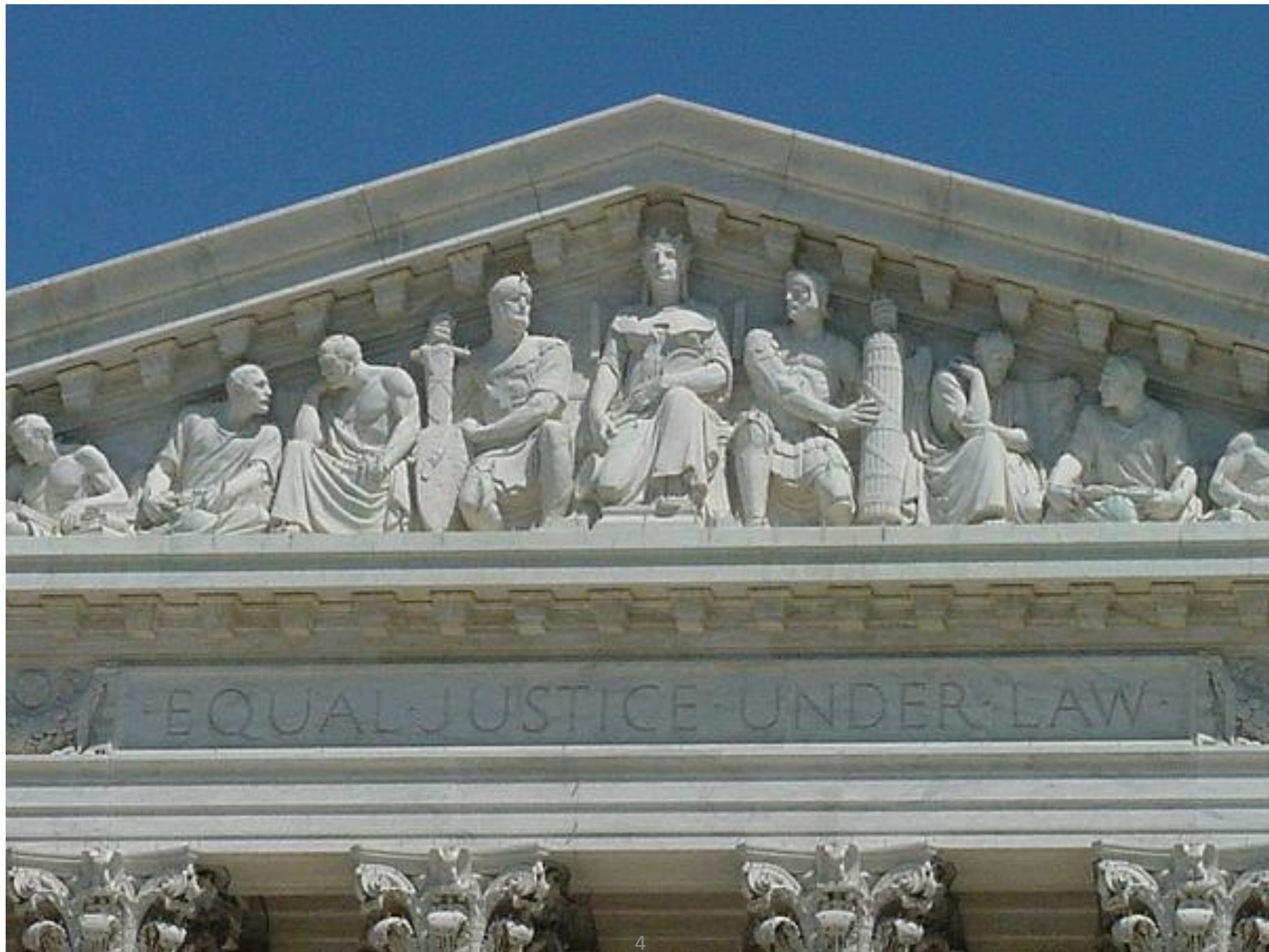
Candidates focus their time in “swing states,”  
not small states.





# Myth #3

The Electoral College protects the rights of the minority from the tyranny of the majority.





# Fact:

The rights of minority groups are protected by the Courts and the Senate.

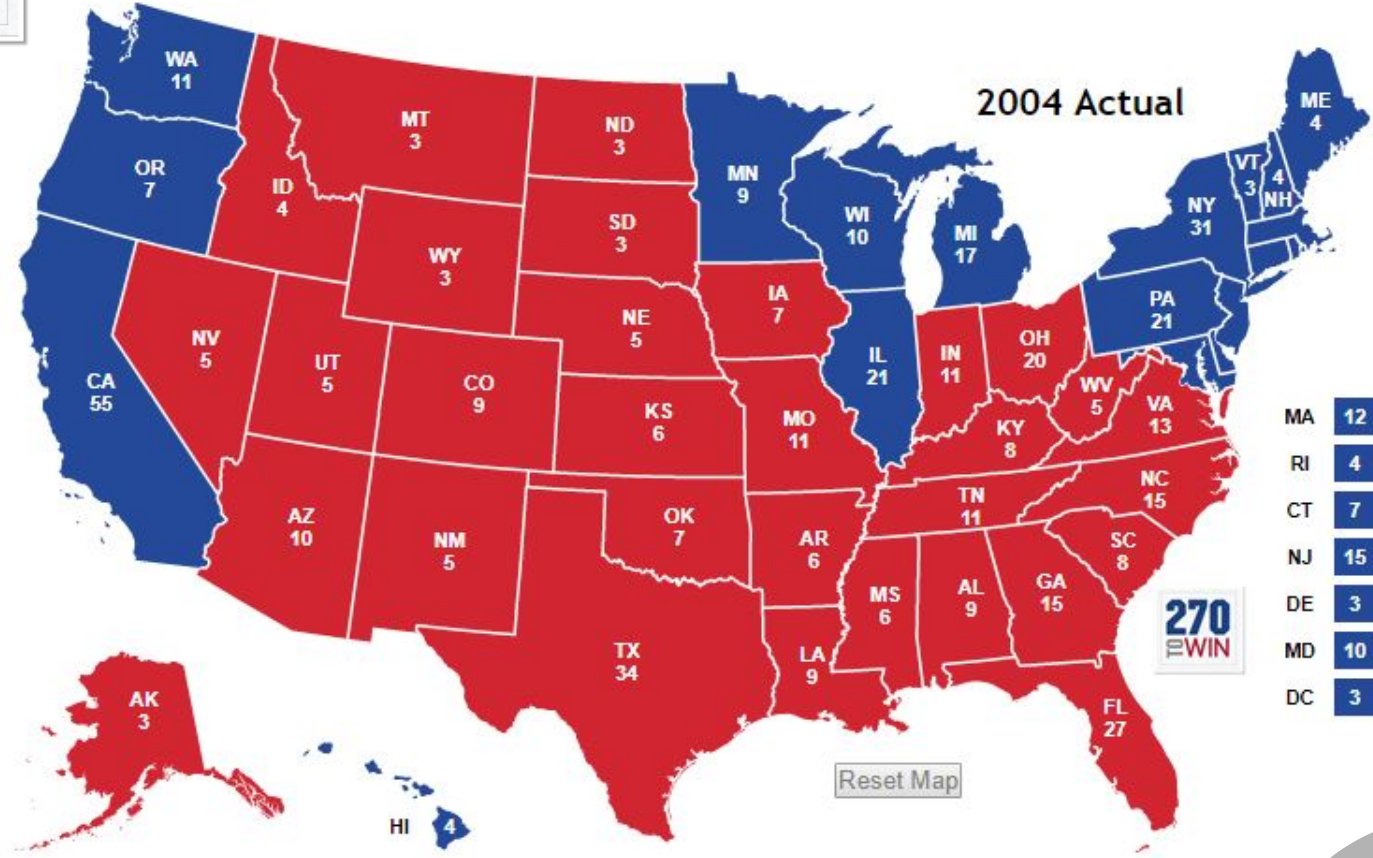
# Myth #4

Abolishing the Electoral College will mostly benefit Democratic candidates.





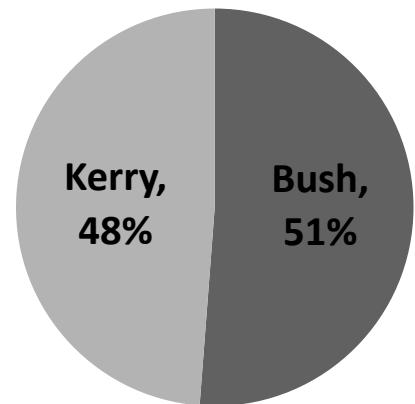
**286** ✓ Bush (R)    **251** Kerry (D)    Undecided 0



|    |    |
|----|----|
| MA | 12 |
| RI | 4  |
| CT | 7  |
| NJ | 15 |
| DE | 3  |
| MD | 10 |
| DC | 3  |

**Winner: George Bush**

Bush received 3.01 million more votes than Kerry



**270**  
TO WIN

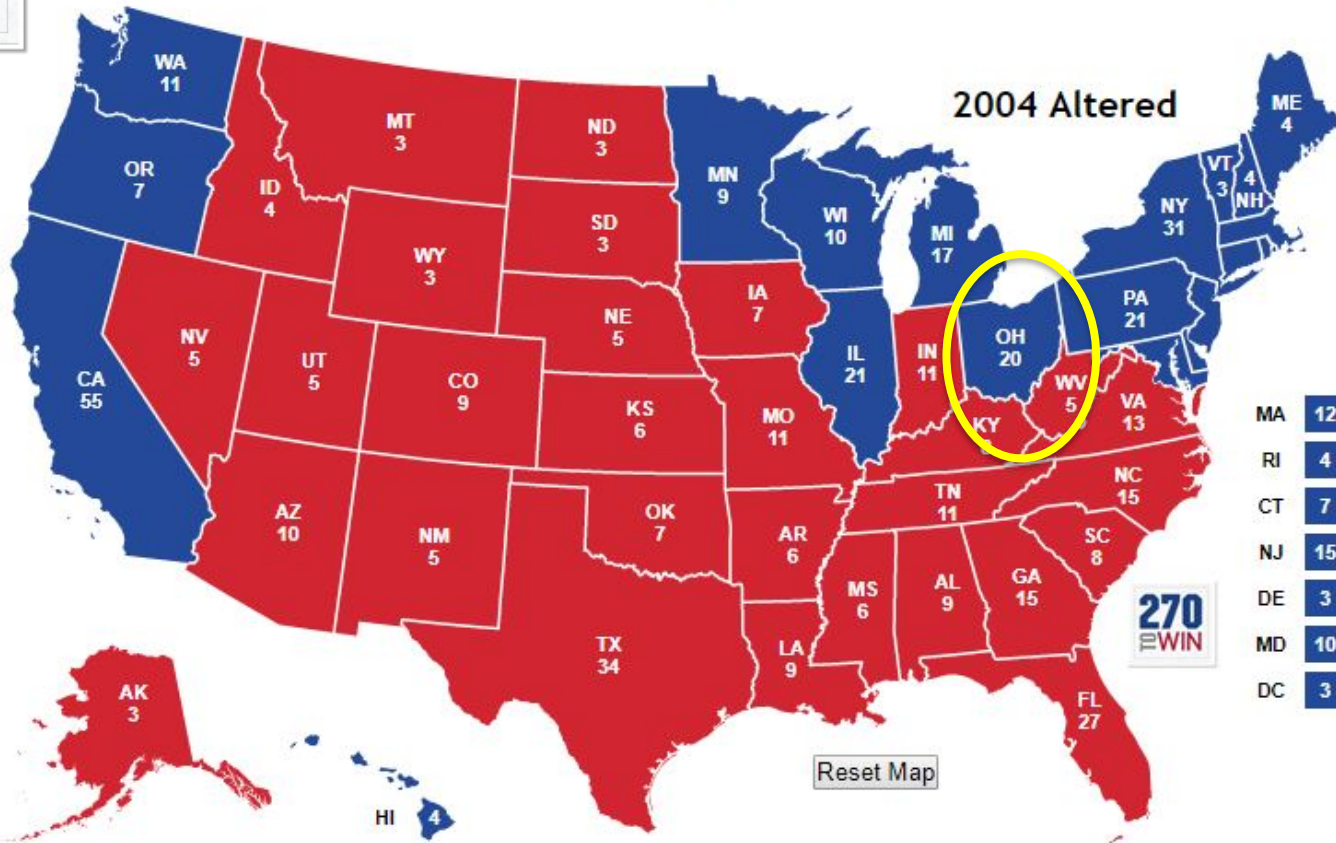
**266**

Bush (R)

**271**

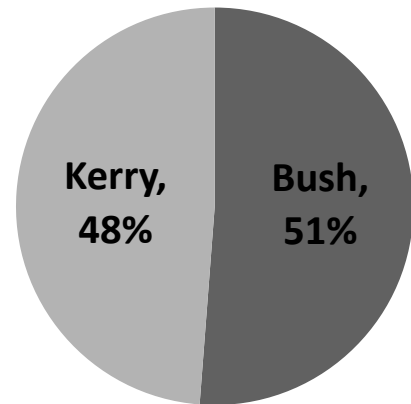
✓ Kerry (D)

Undecided 0



Winner:  
John Kerry

Bush received 2.95 million more votes than Kerry



Voters of both parties feel their votes do not count.



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# Fact:

The Electoral College can, and has, hurt Republicans and well as Democrats.

This is a non-partisan issue.

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# **How do we abolish the Electoral College?**

**Urge our legislators to introduce and co-sponsor a constitutional amendment.**

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Proposing an amendment to the Constitution of the United States to abolish the electoral college and to provide for the direct popular election of the President and Vice President of the United States.

## Senate Joint Resolution 41

INTRODUCED BY SEN. BARBARA BOXER OF CALIFORNIA NOV 15, 2016

## House Joint Resolution 103

INTRODUCED BY REP. CHARLES RANGEL OF NEW YORK NOV 17, 2016

Introduced, referred to Committee, no action taken.

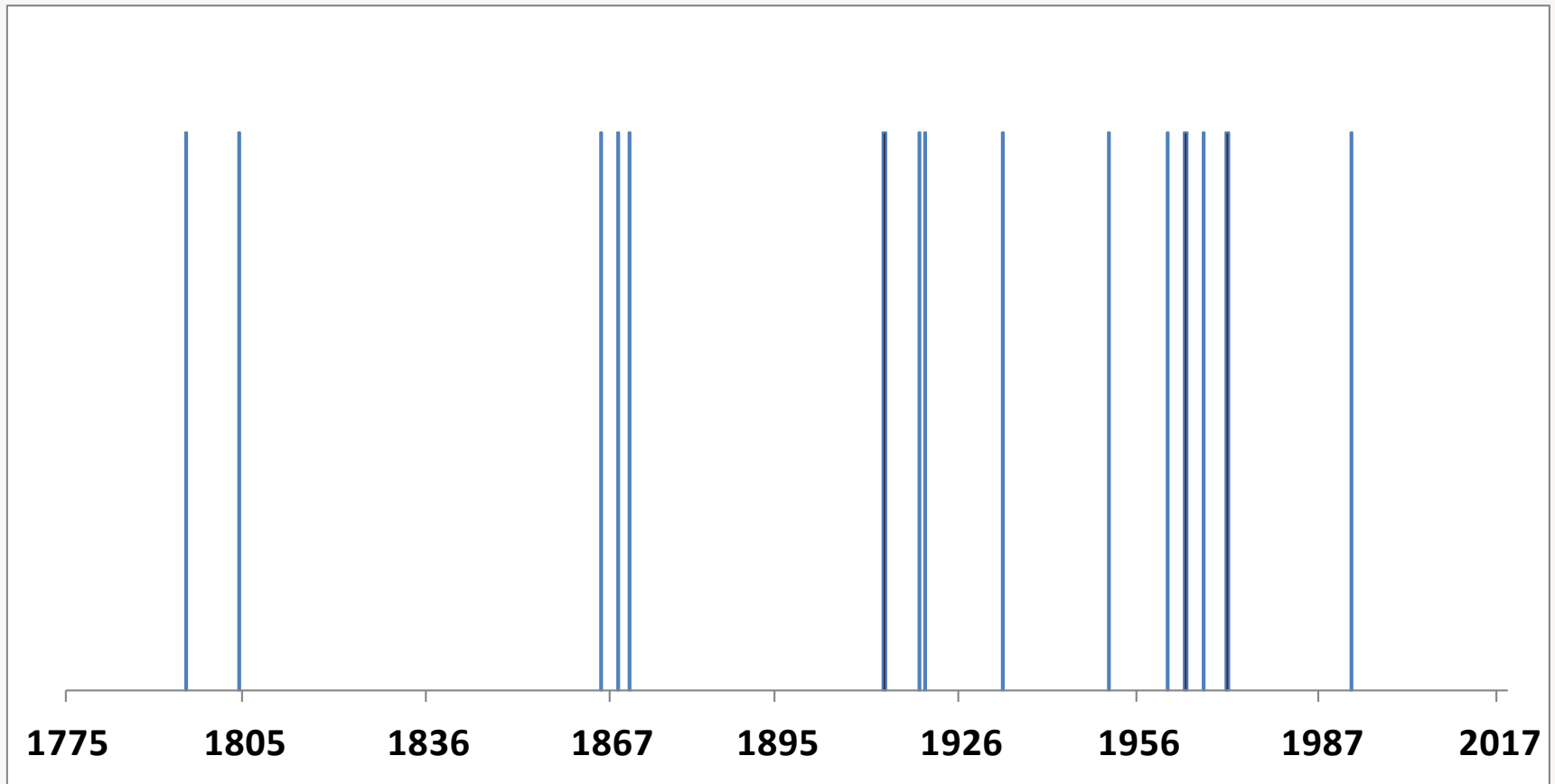


### What Can We Do?

- Urge your federal legislators to introduce and co-sponsor a Constitutional amendment in Congress.
- If not already signed on, urge your state legislators to sign the NPVI Compact. ALSO work on the constitutional amendment.
- Share this presentation with them!



# Timeline of Constitutional Amendments

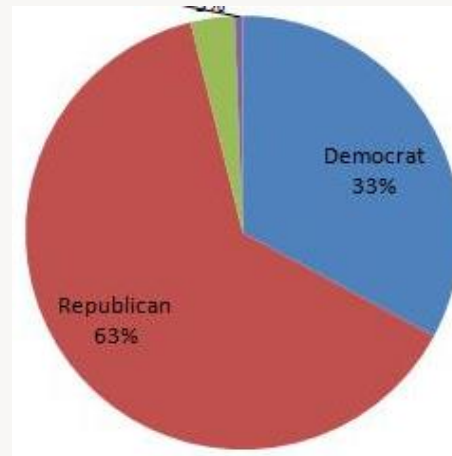






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# What about proportional representation by state?







# Third Parties Make it Hard for One Candidate to Reach 270 Electoral Votes with Proportional System



*Won 13.63% of popular vote  
Carried 5 states—45 electoral votes*

|     | Total Electoral Votes | Percent For Clinton | Percent For Trump | Percent For Other | Electoral Votes for Clinton | Electoral Votes for Trump | Electoral Votes for Other |
|-----|-----------------------|---------------------|-------------------|-------------------|-----------------------------|---------------------------|---------------------------|
| AZ  | 11                    | 45%                 | 50%               | 5%                | 5.0                         | 5.5                       | 0.5                       |
| CO  | 9                     | 47%                 | 44%               | 9%                | 4.2                         | 4.0                       | 0.8                       |
| All | 538                   |                     |                   |                   | <b>257</b>                  | <b>253</b>                | 27                        |

*Beyond discouraging turnout*

2.

## The Electoral College discounts the votes of millions of citizens

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39,500,000 people  
(55 EC votes=718,000 / EC vote)

15,000,000 2016 votes  
(273,000 voters/ EC vote)

**WO votes count 3x  
as much as CA  
votes**



579,315 people  
(3 EC votes=193,000 / EC vote)

259,000 2016 votes  
(86,000 voters/ EC vote)