



How to Talk About:
THE ELECTORAL COLLEGE

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Five Key Points

About The Electoral College

1

The Electoral College, like the baseball World Series, is about repeated success in a number of contests. In baseball, the world champion is the team that wins four out of seven individual games—not the team that scores the most runs overall. Similarly, the winner of the U.S. presidential election is the person who demonstrates repeated success in a number of state contests, not just deep support in one area of the nation.

2

The Electoral College ensures that no president can be elected without broad national appeal. A candidate cannot win in the Electoral College without assembling a geographically broad coalition. This reduces sectionalism, secures buy-in from all of the states, and knits together diverse communities into a single nation.

3

The Electoral College is the best way to protect Americans in the political minority. By requiring support from different constituencies in different parts of the country, the Electoral College seeks to prevent the majority from running roughshod over the minority. This is critically important in a country as large and diverse as ours.

4

The Electoral College protects the integrity of our elections. The Electoral College is a decentralized process that makes it difficult for any person or entity to rig the election's outcome and, thus, reduces the incentives for corruption and fraud.

5

The Electoral College encourages finality. The outcome in the Electoral College is usually decisive, even when the nationwide vote count is close (which is often). As a result, the outcome is rarely contested. Without the Electoral College losing candidates would be tempted to litigate the results until they have picked up enough votes to flip the outcome.

Misperceptions v. Facts

1. MISPERCEPTION: If not for the Electoral College, Hillary Clinton would have been president.

FACT: Although in 2016 Hillary Clinton received more votes nationwide than Donald Trump, Trump won a majority of votes in the Electoral College. He, thus, won the election legitimately based on the rules established by the U.S. Constitution. Both Clinton and Trump

understood the rules of the game and played by them. Had the rules been different, both Clinton and Trump would have adopted different campaign strategies. Therefore, it is simply not possible to know how a different set of rules might have affected the outcome.

2. MISPERCEPTION: With the Electoral College, the candidate who wins the most votes nationwide doesn't win the presidency.

FACT: The winner of the Electoral College is **almost always** the candidate who receives the most votes nationwide. On only four occasions—the 1876 election of Rutherford B. Hayes; the 1888 election of Benjamin Harrison; the 2000 election of George W. Bush; and the 2016 election of Donald J. Trump—has the person who

received the most votes nationwide lost in the Electoral College. (In 1824, John Quincy Adams received *neither* a majority of votes cast nationwide *nor* a majority of votes in the Electoral College, but was selected in a contingent election in the House of Representatives.)

3. MISPERCEPTION: With the Electoral College, only “swing states” (such as Florida, Colorado, New Hampshire and Wisconsin) matter.

FACT: While it is true that so-called swing states are important in U.S. presidential elections, the country's “swing” states (and “safe” states) change over time. California used to be a safe Republican state, but is now solidly Democratic; Virginia, once a Republican stronghold, is now a “swing

state” that leans Blue; West Virginia, once a safe Democratic state, also is now a “swing state.” Because state demographics and people's political leanings change, all states matter. And it is inadvisable for one party to repeatedly ignore any state.

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4. MISPERCEPTION: The Electoral College is undemocratic and does not count all votes equally.

FACT: The U.S. presidential election is not one national election but **51 separate democratic elections** held in each of the states and the District of Columbia. Every American citizen age 18 or above has a constitutional right to vote, and every vote counts *in the jurisdiction in which it is cast*. Consider an analogy from the

world of sports: In the **baseball World Series**, the champion is the team that wins four out of seven separate games—not the team that scores the most runs overall. Every run counts, of course, but each run counts only in the game in which it is scored.

5. MISPERCEPTION: Canada and Great Britain are more democratic than the United States because they do not have an Electoral College.

FACT: Canada and Great Britain have parliamentary systems where voters do not directly choose the head of state. In these countries, the party that wins the most seats in Parliament selects the Prime Minister. When Canadians or Brits go to the polls, they vote only for their representative in Parliament, although their vote influences which party controls Parliament and names the Prime Minister.

As in our system, parliamentary systems sometimes elect a Prime Minister whose party did not receive a majority of votes cast nationwide. For example, in 2019, Canadian Prime Minister Justin Trudeau won re-election because his Liberal Party won more seats in Parliament (157) than the Conservative Party (121)—even though the Liberal Party received **fewer votes nationwide** than the Conservative Party.

6. MISPERCEPTION: A nationwide popular vote would increase voter turnout.

FACT: Although a national popular vote would encourage candidates to focus on increasing voter turnout in highly populous areas, it is unclear whether overall national voter turnout would increase, since candidates would inevitably focus less on turning out the vote in rural parts of all 50 states.

Currently, voters (particularly those in competitive states) may feel that their votes can make a difference. Were we to move to a national popular vote, many voters would feel that they are but one inconsequential vote among the approximately **246 million** nationwide.

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7. MISPERCEPTION: Eliminating the Electoral College will improve policy-making

FACT: It is true that moving to a nationwide popular vote would change political incentives, but it would not eliminate the pressure to cater to certain constituencies. Politics will always influence policy, no matter how elections are structured. For example, a nationwide popular vote would create an incentive for presidents to pander to voters in

Los Angeles, New York, Chicago, and other major metropolitan areas. While each system creates different political incentives, only the Electoral College ensures that candidates take into account a variety of constituencies and interests.

The Electoral College: Top Takeaways

THE ELECTORAL COLLEGE ENSURES THAT NO PRESIDENT IS ELECTED WITHOUT BROAD SUPPORT.

- With the Electoral College, it is not possible to become president without broad support from different regions of the country.
- Electing the president by nationwide popular vote would allow a candidate to win with deep support in a single region or in the large metropolitan areas alone.
- By creating an incentive for candidates to build coalitions from different areas of the country, the Electoral College reduces sectionalism and helps bind us together as a nation. This is critically important in a country as large and diverse as ours.

THE ELECTORAL COLLEGE SYSTEM ENCOURAGES FINALITY AND NATIONAL STABILITY.

- In U.S. presidential elections, the nationwide vote count is often close. But, so long as the outcome in the Electoral College is clear (and it almost always is), close elections aren't contested.
- The Electoral College discourages recounts, except in the rare

circumstance where the vote tally in a particular state could change the Electoral College outcome (such as Florida in 2000). But generally, Electoral College outcomes are clear, thus promoting finality and national stability.

- Without the Electoral College, losing candidates would have a strong incentive to litigate the results until they have picked up enough votes to flip the outcome.

ANY CHANGE TO OUR PRESIDENTIAL ELECTION SYSTEM MUST BE MADE BY CONSTITUTIONAL AMENDMENT.

- The U.S. Constitution prescribes the manner in which we elect our president. The Electoral College system can, therefore, be altered only by constitutional amendment.
- A group called National Popular Vote is attempting to do an end run around this requirement by convincing state lawmakers to pledge their state's electoral votes to the candidate who receives the most votes nationwide—*even if the voters of their state preferred someone else.*
- This system would undermine democracy in the states and render the amendment process meaningless.

Quiz: The Electoral College and Minorities

1 TRUE OR FALSE: The Constitution only counted Blacks as three-fifths of a person, rendering our electoral institutions racist.

ANSWER: FALSE The “three-fifths compromise” pertained to apportionment of seats in the House of Representatives and was only incidentally related to the Electoral College. Significantly, the purpose of the compromise was to *limit* the power of slave-holding states—not to protect slavery. Southern delegates had argued that slaves should be counted fully when determining how many representatives to Congress each state would receive (although, notably, they had no intention of allowing them to vote or giving them the rights of citizenship). This would have increased the South’s representation in the House of Representatives. Northern states worried that slave states would come to dominate free states and objected to the South inflating its power in this way. Ultimately, two Northern

delegates proposed a compromise to convince the slave states to join the Union, while at the same time at least partially *limiting* the influence of slavery in Congress. This **three-fifths compromise** allowed slave states to count some—but not all—of the slave population toward apportionment. The Electoral College system, **adopted subsequently**, was based, in part, on this formula for congressional representation. Most importantly, however, the three-fifths compromise was **wiped out entirely** by the Civil War and the adoption of the Reconstruction Amendments to the Constitution, which granted Blacks equal citizenship and the right to vote. The three-fifths compromise is, therefore, not relevant to the debate about the Electoral College today.

2 TRUE OR FALSE: The Electoral College was adopted to protect slave states and the institution of slavery.

ANSWER: FALSE The Electoral College was created to ensure that *all* of the states had a voice—irrespective of size and irrespective of whether they were free states or slave states. It was not created to boost slavery,

To the contrary, Oliver Ellsworth, the “Father of the Electoral College,” twice **proposed banning slavery** in the Constitution. Like the system for apportioning

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Quiz, cont.

representatives to Congress, the Electoral College system limited the power of the South to dominate the country. Perhaps

not surprisingly, every **free state** voted in support of the Electoral College; every slave state except Virginia voted against.

3 TRUE OR FALSE: The Electoral College protects the minority from the passions of the mob.

ANSWER: TRUE The Electoral College protects all minorities—whether political or racial—from the passions of the mob. By forcing candidates for president to build broad coalitions, rather than just run up the vote total in one area, the Electoral College ensures that candidates listen to diverse perspectives. Racial and ethnic minorities are, by definition, always outnumbered in the general electorate. They can, however, exert considerable political influence in jurisdictions where

they comprise an appreciable percentage of the population. Nobody understood this better than civil rights activist Vernon Jordan, who noted in 1977 that, without the electoral college, “the **importance of that black vote** melts away... Blacks, instead of being crucial to victory in major states, simply become ten percent of the total electorate, with reduced impact.” (Blacks comprise about 12 percent of the 2020 electorate.)

4 TRUE OR FALSE: Under the Electoral College system, white votes count more than minority votes.

ANSWER: FALSE Within each state, all votes count equally, **regardless of race or ethnicity**. The Electoral College prevents densely populated states from dominating less populated states. It is true that some of the less populous states (such as the Dakotas, Montana, Vermont, and Wyoming) are predominantly

white. But other less populous states (Alaska, Delaware, Hawaii, New Mexico, and Washington, DC, for example) have racially diverse populations. Without the Electoral College, the voters of D.C., New Mexico, Hawaii, Delaware, and Alaska (minority and otherwise) would have little influence in presidential politics.

Social Media Kit

WHAT YOU CAN DO

Speak up! Post the below messages, videos, and graphics to social media and make your voice heard.

Hashtags to include:

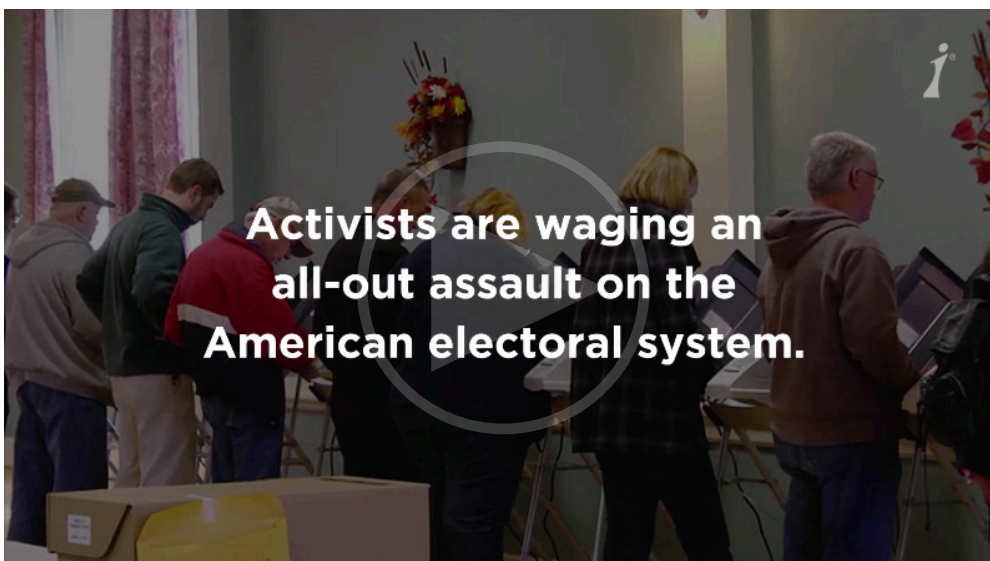
#ARepublicIfYouCanKeepIt
#ProDemocracyProElectoralCollege
#TyrannyOfTheMajoritySpellsTroubleForMinorities
#SaveTheElectoralCollege

Tag us so we can RT/Share your post:

- @IWV (Twitter)
- @IndependentWomensVoice (Facebook)
- @IndependentWomensVoice (Instagram)

VISUALS: Include these visuals with any Twitter, Facebook or Instagram posts.

Video: [Why We Need the Electoral College](#)



Graphics: Download and include with any Twitter, Facebook or Instagram posts.

"[Abolition of the electoral college... would probably have the effect of reducing the significance of the black vote [and]... ultimately become a modern-day version of de facto disenfranchisement.]"

-Eddie N. Williams,
President of the Joint Center for Political Studies, 1977

"Take away the electoral college, and the importance of that black vote melts away... Blacks, instead of being crucial to victory in major states, simply become ten percent of the total electorate, with reduced impact."

-Vernon Jordan, civil rights leader, 1977

the situation | UNDERSTANDING THE ELECTORAL COLLEGE

- 1 Alison is a voter in Colorado who plans to vote in the next presidential election.
- 2 Under the Electoral College system, Colorado gives its 9 electoral votes to the candidate who wins the most votes in Colorado.
- 3 Recently, however, Colorado lawmakers adopted the National Popular Vote Interstate Compact.
- 4 As a signatory to the NPVIC, Colorado pledges to give all of its electoral votes to the candidate who wins the nationwide popular vote....
- 5 ... even if Alison and a majority of Coloradans vote for somebody else!

The National Popular Vote Interstate Compact threatens to override democratic elections in the separate states whenever the results of those elections conflict with the desires of a majority of voters in other parts of the country.

visit IWF.ORG for more information on the electoral college

the situation | UNDERSTANDING THE ELECTORAL COLLEGE

- 1 Senator Garcia is running for President.
- 2 Under the Electoral College system, Senator Garcia can only win by garnering a majority of electoral votes from a cross-section of states.
- 3 Senator Garcia, therefore, has an incentive to listen to voters and seek support in a wide variety of states, including less populous states like Colorado.
- 4 If the United States eliminates the Electoral College and switches to a nationwide popular vote, Senator Garcia will need only a plurality of votes nationwide, regardless of where they are cast.
- 5 This would encourage Senator Garcia to campaign primarily in large urban centers and major media markets.
- 6 Campaigning in less populous states like Colorado would be a waste of Senator Garcia's time and money.

Selecting our President based on the results of 51 separate democratic elections ensures that the President is elected with broad support from different parts of the country, not just deep support in one region or the major metropolitan areas.

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UNDERSTANDING THE ELECTORAL COLLEGE

This map shows the portion of FLY-OVER COUNTRY with a population equal to that of the east and west coasts of the United States.

If the U.S. were to scrap the Electoral College in favor of a nationwide popular vote for president, the preferences of COASTAL ELITES would OVERWHELM the preferences of voters from LESS POPULOUS AREAS.

That's the very definition of MOB RULE.

WHY THE ELECTORAL COLLEGE MATTERS

With 4.3 million registered voters, Los Angeles County has the power to drown out the voices of all 3.4 million registered Coloradans. Still wonder why we need the Electoral College? Make Colorado relevant again.

REPEAL THE NATIONAL POPULAR VOTE INTERSTATE COMPACT.

The state of Colorado has 3.4 million registered voters

Los Angeles County has 4.3M registered voters

WHY THE ELECTORAL COLLEGE MATTERS

There are more registered voters in Los Angeles County (4.3 million) than in the entire state of New Hampshire (977,369). Without the Electoral College, Los Angeles County has the power to drown out New Hampshire's unique voice. Keep New Hampshire relevant in presidential elections.

PRESERVE THE ELECTORAL COLLEGE

The state of New Hampshire has 977,369 registered voters

Los Angeles County has 4.3 million registered voters

WHY THE ELECTORAL COLLEGE MATTERS

There are more registered voters in Los Angeles County (4.3 million) than in the entire state of Maine (996,853). Without the Electoral College, Los Angeles County has the power to drown out Maine's unique voice. Keep Maine relevant in presidential politics.

KEEP THE ELECTORAL COLLEGE.

The state of Maine has 996,853 registered voters

Los Angeles County has 4.3M registered voters

Other:

- **Legal Policy Focus: The Electoral College.** In this policy paper, Jennifer C. Bracer, director of Independent Women's Law Center, debunks some of the myths surrounding the Electoral College.
- **Is the Electoral College Really Necessary?** In this podcast interview, expert Tara Ross explains why we should be concerned about efforts to ditch the Electoral College.
- **The Electoral College: Should it Stay or Should it Go?** In this Facebook Live event, Jennifer C. Bracer talks with Tara Ross about the rationale behind the Electoral College, the Supreme Court's "faithless electors" decision, and whether the Electoral College hurts or helps minority groups.