



Written by [Joe Wolverton, II, J.D.](#) on March 19, 2019

## Colorado Joins States Committed to Circumventing Electoral College

Colorado Governor Jared Polis signed into law a measure adding his state's name to the list of those attempting to legislatively abolish the Electoral College, leaving the election of the president of the United States up to the popular vote.

Counting Colorado, there are now 12 states that have joined together in bloc calling itself the National Popular Vote Interstate Compact. In each of these states, the electoral votes are awarded to the candidate winning the national, rather than merely the state, popular vote. The bill signed into law by Polis was passed by both houses of the state's legislature, with members of the Democratic Party pushing hardest for enactment.



"It is important to understand that the National Popular Vote bill significantly amplifies Colorado's voice in choosing the president of the United States," John Koza, chairman of National Popular Vote, claimed in a press release issued concurrently with the signing of the new law in Colorado.

Several other states are considering bills that would effect a de facto destruction of the Constitution's mandate regarding the method for election of the president.

Despite minor differences in the various NPV bills, there are a few aspects common to all of them.

First, a member state shall hold presidential elections by statewide popular vote.

Second, the chief election official of the state is required to certify the results of the election and report the final vote tally to his colleagues in the other members of the compact.

Third, an official shall determine the "national popular vote totals" for each candidate in each state (even those not participating in the scheme). Finally, the electoral votes of each signatory state are awarded to the candidate who wins the popular vote count.

The compact specifies that it shall take effect only after enactment of NPV legislation has occurred in states with a combined number of electoral votes equal to a controlling majority (currently 270). Should this occur, it would mean that whoever wins the national popular vote would become president.

Counting Colorado's nine electoral votes, there is now a total of 181 electoral votes counted in the NPV calculation.

In a document entitled "Every Vote Equal," published by National Popular Vote, Inc., the authors proclaim their supposed plan for dealing with the Electoral College:

The Electoral College would remain intact under the proposed compact. The compact would simply



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change the Electoral College from an institution that reflects the voters' state-by-state choices (or, in the case of Maine and Nebraska, district-wide choices) into a body that reflects the voters' nationwide choice. Specifically, the proposed compact would require that each member state award its electoral votes to the presidential candidate who received the largest number of popular votes in all 50 states and the District of Columbia.

Despite these well-worded assurances, however, should the NPV compact become the method by which the president is elected, the Electoral College will effectively be dead. Although, strictly speaking, the Electoral College would remain intact, it would exist in name only. Its republican, anti-democratic essence would be removed, and it would be left as a mere Potemkin structure. That is to say, it would maintain the appearance of constitutional republicanism, but be bereft of any such workings and as such unable to provide any of the protections against tyranny for which it was originally designed.

Put simply, the National Popular Vote initiative would radically alter the constitutional process for picking a president and would do so without following the method provided in the Constitution for changing that document.

I could list the names of politicians and academics who support the election of the president by national popular vote, but, there are times when one name gives insight into what the true motivation for a movement might be.

In December 2008, Jonathan Soros, son of globalist financier George Soros, wrote a *Wall Street Journal* op-ed piece insisting that the election of the U.S. president by the method established by the Constitution of 1787 is "antidemocratic by design."

"The Constitution is no longer in line with our expectations regarding the role of the people in selecting the President," he added.

Paradoxically — almost certainly unintentionally — Soros is right, but for the wrong reasons. The prevailing spirit of the Constitution is antidemocratic, and is so by the very deliberate and express design of the framers thereof.

The Founding Fathers were students of history and they knew that democracies were doomed to chaos and violence.

In *The Federalist*, No. 10, James Madison wrote that a republic is able to "refine and enlarge the public views, by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of their country, and whose patriotism and love of justice, will be least likely to sacrifice it to temporary or partial considerations."

But "democracies," he added, "have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security, or the rights of property; and have, in general, been as short in their lives as they have been violent in their deaths."

A very vital aspect of the republican frame upon which our federal government is built is the so-called Electoral College. Article II, Section 1 of the Constitution sets forth the manner by which the president is to be chosen: "Each State shall appoint, in such manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress."

The men who constructed our federal government zealously guarded against permitting the harmful influence of democracy to infect the inner workings of our nation. In the case of the Electoral College,



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the Founders intended the body of electors to be a deliberative convention of wise men brought together for the sole purpose of soberly choosing a president from among the available candidates.

In *The Federalist*, No. 68, Alexander Hamilton explained how the method chosen by him and his colleagues of electing the president was still influenced by the will of the people.

The Founders wanted the sense of the people to be reflected in the choice of the individuals — the electors — in whom so important a trust was to be confided.

Regarding the decision to rely on such a body to make such an important decision, Hamilton wrote:

It was equally desirable, that the immediate election should be made by men most capable of analyzing the qualities adapted to the station, and acting under circumstances favourable to deliberation, and to a judicious combination of all the reasons and inducements that were proper to govern their choice. A small number of persons, selected by their fellow citizens from the general mass, will be most likely to possess the information and discernment requisite to so complicated an investigation.

It was peculiarly desirable, to afford as little opportunity as possible to tumult and disorder. This evil was not least to be dreaded in the election of a magistrate, who was to have so important an agency in the administration of government. But the precautions which have been so happily concerted in the system under consideration, promise an effectual security against this mischief.

With the addition of Colorado to the NPVIC, the abolition of our Constitution's historically conscious method for electing the president is under direct attack. With every state that adopts the National Popular Vote method of allotting its electoral votes, the Constitution's precautions so "happily concerted" to avoid the "tumult and disorder" of democracy are putting our nation on the path to the violent death that always follows that form of government.

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