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The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

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_ Submitted in partial fulfillment of the requirements for graduation
with honors in the Bryant University Honors Program
Qj | ã 2021

Table of Contents

Abstract	1
Introduction	2
Research Questions	3
Methodology	3
Literature Review	5
Introduction	5
What is the Electoral College?	6
History of the Electoral College	8
Accuracy of the Electoral College's Representation	9
Public Opinion on the Electoral College	11
Proposed Reform to the Electoral College	12
Conclusion	14
Analysis	15
Overview of Criteria	15
Proportionality	15
Legitimacy	18
Feasibility	20
Evaluation of Proposed Reform	20
Comparison of Proposed Reform Evaluation	30
Proposed Solution	31
Appendices	39
Appendix A – Electoral Vote Allocation by State, 2024	39
Appendix B – Electoral College Reversal of Popular Vote Winners	40
Appendix C – State or Congressional Districts Targeted by Party	41
Appendix D – Comparison of Proposed Reform Evaluation, Expanded Table	42
References	43

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform
Honors Thesis for Catherine Harris

ABSTRACT

In recent years, there has been a lot of criticism of the Electoral College coming from scholars, the public, and some politicians. This paper will investigate the creation and history of the Electoral College before analyzing the accuracy of its representation of voters and current public opinion of the Electoral College. The data collected for this research will assist in the analysis and comparison of proposed ideas to highlight reform that would be the most effective for the U.S. population and election cycles in the future. Qualitative research will be used to analyze the Electoral College and surrounding themes. Findings will include a clear evaluation of the Electoral College; the accuracy of its representation, the public's opinion of it, and existing ideas for reform. An analysis of the findings will then be conducted in order to create three criteria for evaluating the existing proposed reform. Ultimately this evaluation in addition to the analysis and comparison of seven proposed reform ideas will lead to suggestions on the best way for the United States to move forward. At the conclusion of the paper, the Proportional Plan will be determined as the proposed solution, or the best current option for implementation.

INTRODUCTION

There are many controversies currently surrounding the Electoral College. One of which is caused by when the Electoral College's result differs from that of the National Popular Vote. Since 2000, there have been two presidential election cycles in which the results of the Electoral College have differed from the results of the National Popular Vote. That is two of six election cycles or two-thirds of the presidential elections so far this century. Another controversy is caused by the fact that the deciding electoral ballots in presidential elections have been coming from fewer and fewer states. These states are typically ones that are considered swing states and change which party they lean towards each year. This means that the deciding ballots represent fewer voters as the voters in non-swing states might not have as much sway with their votes. With this lack of representation, there has been an increase in public upset with the system and its lack of representation for non-battleground states. With this upset, there is more of a desire for reform than ever, however this has become a partisan issue. The lack of representation has been benefitting the Republican Party since in the two elections this century where the results have differed, their candidate has won the presidency despite losing the National Popular Vote. It is evident that this issue is one that needs to be discussed as it impacts the entire country by affecting the outcome of presidential elections and the nation's leader for four years at a time. Not only is there an impact through the outcome of the election, but also the fact that the Electoral College has caused people to question the legitimacy of elections. In a democracy, a lack of legitimacy can be extremely dangerous.

By conducting research on the topic, including the history of the Electoral College, the recent level of representative accuracy it has, and the public's opinion on it, a clearer idea for reform that will benefit the majority of the country may be developed. A review of literature surrounding the Electoral College was conducted to gain a better understanding of the topic. This review helps to explain both how the Electoral College works and the history behind its creation. From the literature review, three themes will emerge about the Electoral College including the accuracy of the Electoral College's representation (or whether the representation is proportional to the nation), public opinion of the Electoral College, and existing proposed reform. This literature review will guide the analysis of the Electoral College and the formation of three

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

criteria that should be used when evaluating the Electoral College and proposed reform to it. The three criteria are proportionality, legitimacy, and feasibility, and each proposal found in the literature was evaluated based on the criteria. Following the evaluation of each proposal and a comparison of the evaluations, the top two ideas for reform will be further evaluated and compared. After comparing these top two ideas, the reform that will be the best solution to the problems of the Electoral College will be proposed to be the Proportional Plan.

RESEARCH QUESTIONS

The goal of this thesis is to research the Electoral College, starting from its creation, to see how it has been used in American politics throughout history. This thesis will also evaluate its representative accuracy by reviewing different sources that have evaluated this question. As a part of the research into its representative accuracy, I will also analyze different pieces of public opinion to find the general public's thoughts on this system. I hypothesize that from this, I will find that the Electoral College is not accurately representative of the nation and that many people want the system to be reformed. The ultimate goal of this thesis, and my contribution to the topic, will be to offer suggestions for how to reform the Electoral College system in order to more accurately represent the American people. Based on the goal of this thesis and the themes identified in the literature review below, my project will focus on answering the following question: *How accurate is the representation of voters through the Electoral College and if it is not representative, how might the Electoral College be reformed to be more representative of voters' preference?*

METHODOLOGY

This thesis project takes on an analytical approach to address issues with the Electoral College and both an analytical approach and theoretical approach to evaluate potential solutions regarding the accuracy of the representation of the Electoral College. This project takes into account various forms of qualitative data in order to build upon existing ideas and to come up with my own analysis. I utilized previous research on the Electoral College, including its history and representative accuracy to gain a base understanding of the topic and existing ideas. To aid

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

in the development of new ideas on this topic, I reviewed and analyzed opinion pieces and articles regarding public opinion on the Electoral College. I read a variety of articles, books, surveys of public opinion, and other scholarly sources in order to effectively conduct my research.

By compiling existing research and ideas, I was able to analyze the accuracy of the representation of the Electoral College, along with the public opinion about, and compare this to the Founders' reasons for creating it. Based on this research, I synthesized my findings into three main criteria I believe should be considered when evaluating the Electoral College and proposed reform to our electoral system. I analyzed each of these criteria based on the sources and information that I reviewed throughout my research.

I also evaluated different ideas for reform that already exist. I evaluated each proposal based on the three criteria I determined in my analysis and how well each proposal met each criterion. I then compared the evaluations of each proposal to one another to find which proposals best met all the criteria overall. I conducted the evaluation by creating a table in which I was able to grade and rank each proposal based on the individual criteria and overall. I used the results of these tables to find which solutions were best able to meet all of the criteria.

In order to offer my own contribution to the topic, I took the information that I had gathered to create a theoretical proposal for change that will best suit the country. Based on my comparison of the proposals and evaluation of how well they met each criterion, I was able to determine two proposals that I thought were the best overall fit to my criteria. I then discuss the pros and cons of each of these proposals before determining which proposal would be the best for the United States to implement in order to not only reform the Electoral College to be more representative of voter's preference, but also a proposal that has a higher chance of being implemented in today's political setting.

In the solution section of this thesis, I use maps and data to compare the results of the Electoral College, National Popular Vote, and Proportional Plan in both the 2000 and 2016 elections. The maps of the Electoral College results and tables for the National Popular Vote results came from

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

the website 270towin. Utilizing their interactive map feature and data outlining the percentage of each individual state's popular vote results from 2000 and 2016, I was able to recreate the results of these two elections, allocating the votes utilizing the Proportional Plan method. The only drawback to this method was that 270towin only allows you to allocate votes to the Democratic or Republican Party, they do not let you allocate third-party votes. Using the Proportional Plan allows for third parties to receive Electoral Votes. In most states, the percentage of votes that any third-party candidates received were too small for them to be allocated any votes. In some of the states with larger numbers of electoral votes, there were votes that should have been allocated to a third-party. In these cases, it was never more than one or two votes that should have been allocated. In cases where there were two electoral votes for third-party candidates, I split them in half giving one to Republicans and one to Democrats. In cases where there was only one third-party electoral vote, I gave it to the party that had won the majority of that state in order to keep the results of these maps as accurate as possible. These maps are not meant to be 100% accurate, but merely to provide a visual to the reader as to what the Proportional Plan would look like if it were used.

LITERATURE REVIEW

Introduction

A reasonable amount of literature exists on the Electoral College and themes surrounding the Electoral College. When reviewing literature related to the Electoral College there are a few themes that are consistently discussed. These include the accuracy of the Electoral College's representation, public opinion on the Electoral College, and ideas for reforming the Electoral College. From this literature, it becomes clear that there is concern that the Electoral College does not accurately represent the desires of the American people and therefore needs to be reformed.

Before reviewing the literature, it is important to understand a few key terms. For the purposes of this review, the Electoral College is defined as the voting system that allocates a given number of electoral votes to each state as determined by their number of representatives and senators. These electoral votes are distributed at the state's discretion and whichever candidate gets 270 or more

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

electoral votes is the next president. How the Electoral College works will be explained in more detail below. In the context of this review, “accurate representation” is defined as whether or not the results of the Electoral College match public opinion and the National Popular Vote results. There will be two specific types of representation that will be researched as a part of this review: proportional representation and population-based representation. “Proportional representation” is defined in the context of this review as when representation proportionally reflects the demographics of the country; or when everyone’s views are proportionally represented. “Proportional representation” can also be defined as when representation proportionally reflects the demographics of the state when used in the context of individual state’s elections. “Population-based representation is defined in the context of this review as when representation of a certain state is weighted based on their population. Also, in the context of this review, “proposed reform” to the Electoral College is any type of change to the current system.

What is the Electoral College?

Before discussing the themes of literature surrounding the Electoral College, it is necessary to understand what the Electoral College is and how it works. In their respective books, Streb (2016) and Edwards (2024) both explain how the Electoral College works. Streb (2016) explains that every state has a set number of electoral votes that are allocated based on the representation they have in Congress, as is outlined in the Constitution. Simply put, each state’s number of electoral votes is equal to their number of Representatives plus two for their Senators. As further described by Edwards (2024), describes how the number of Representatives each state has, and therefore their electoral votes, are reallocated following each census (See Appendix A- Electoral Vote Allocation by State, 2024). Each state then selects electors to cast each of their electoral votes. As outlined in the Constitution, this is done at the discretion of the state for how they wish to choose their electors. The methods used by each state range from letting the state convention nominate electors, to governors nominating the electors based on party committee recommendations, to a primary election. The electors then meet on the “first Monday after the second Wednesday in December” (Edwards, 2024) to cast their votes after the nation votes in the National Popular Vote. They complete separate ballots for the president and vice-president before sending signed Certificates of Vote and Certificates of Ascertainment to the Senate

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

president in Washington. The Electoral College then adjourns until the next presidential election. All that being said, most people today do not pay attention to who their electors are, however most states do live-stream their Electoral College meetings (Edwards, 2024).

Not only are electors chosen at the state's discretion, but the way in which a state allocates their electoral votes is also done at their discretion. Throughout history, the methods states use to allocate their votes have varied, but as Edwards (2024) explains, the majority of states currently use a winner-take-all method. With the winner-take-all method, the state's electors are chosen at large and all of the state's electoral votes are given to the candidate from the party who wins that state's popular vote. All but two states use this method to allocate their votes. The two exceptions are Maine and Nebraska. Maine and Nebraska both use a district division method. Maine adopted the district division method in 1969, using it for the first time in the 1972 presidential election. In 1992, Nebraska followed in Maine's footsteps and adopted the district division method as well. With this method, these states allocate their electoral votes based on the popular votes in each of their congressional districts as well as the state-wide popular vote. The vote for each of their congressional districts is given to the candidate that wins the popular vote in that specific district and then the two extra electoral votes based on the two senators of each state are allocated to the candidate that wins the state-wide popular vote (Edwards, 2024).

The national presidential election occurs on the "first Tuesday after the first Monday in November" (Edwards, 2016). Once the election is underway and states start reporting their results, the first candidate to reach a bare majority, or 270 electoral votes, wins the election and becomes the president-elect. There is also a failsafe in the Constitution in case no candidate receives 270 votes. If this happens, then the election is sent to the House of Representatives, where each state gets to cast one vote for the candidate they prefer (Streb, 2016). Despite the number of Representatives that a state has, they can only cast one vote per state if the election reaches this point; something that would give smaller states even more power than the Electoral College already does. This failsafe was more needed in the past when the two-party system did not exist because it was more difficult to get a majority of votes when there were multiple parties and many people running. The last time it had to be done was in 1824 when Andrew Jackson

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

won the popular and electoral votes, however failed to win a majority. The House then chose John Quincy Adams to be the next president. Although this failsafe election has not had to be used since, some worried that it might have to be used following the closeness of the 2000 election (Streb, 2016).

Overall, the Electoral College is a confusing system. To put it simply, each state has a set number of electoral votes which equate to the number of Representatives they have in the House plus their two senators. Following the national presidential election, all of the state's electoral votes are allocated to the candidate that wins their state's popular vote with the exception of Maine and Nebraska who allocate their votes based on their district's popular votes with their extra two votes going to the state's overall winner. After the national presidential election in November, nominated electors from each state meet in December to confirm the results through signed ballots that are then sent to Washington. The winning candidate is inaugurated the following January and becomes the next president.

History of the Electoral College

One theme that emerges in literature surrounding the Electoral College is its history and why it was created. This background emerges through a variety of literature which discusses the history of the creation of the Electoral College and how this connects to its function today. As staff researchers from Supreme Court Debates (2017) discuss, the Electoral College was established as a compromise between states when creating the United States Constitution. Byas (2021) adds to this idea as he describes the process that the Founders went through to create the Electoral College to create the best system that they could at the time to get approval from the most people. Furthermore, Villegas (2019) explains how the Electoral College was created with the primary objective of preserving federalism and the power of the states. From these three articles, it is shown that the Electoral College was created in an effort to appease the majority of the country and give voting weight to the differing populations in each state.

In addition to this compromise, Richardson (2017) explains how the Electoral College was created to give more voting power to Southern states by taking population into account since slaves made the Southern population higher. Adding to this, Kazin (2020) discusses the

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

problematic creation of the Electoral College and how the decision to give more voting power to Southern states was rooted in racial fears. Codrington (2020) further examines the racist background of the Electoral College and emphasizes that the Electoral College ignores Americans in many states by putting more weight on others. From these three articles, it is clear that the Electoral College lacked accurate representation from its start. It was created as a compromise between states in order for Southern states to have more voting power per their population despite the fact that slaves did not have the right to vote.

Moreover, McColleston (2007) talks about how the Electoral College has survived since it was created and that it helps to preserve the two-party system that we have in the United States. This contradicts other literature on the topic as she believes the Electoral College should be maintained while most other literature that discusses the creation and function of the Electoral College believe it has an unjust and racial background and does not function well in our society. While these sources are similar in the sense that they all describe the history of the Electoral College, they differ in the light in which they see this background.

Accuracy of the Electoral College's Representation

A second theme that emerges in literature about the Electoral College is the accuracy of representation by the Electoral College. As Feerick (1997) explains, the population and voter turnout in each state cause a variation in the weight of an individual's vote depending on the state in which they vote. Furthermore, the Electoral College is unfair in the sense that by giving some states votes more weight than others, the Republican Party currently has an advantage in presidential elections (Liasson, 2021). With this discrepancy in the weight of votes, it allows for states with smaller populations to have a greater influence on elections thereby wasting millions of votes each election cycle (Thompson, 2021). As Kilgore (2022) describes, this leads to small state bias by giving them more power than other, more populous leaning states. Typically, these smaller states are more rural and tend to lean right which is why small state bias also creates a Republican advantage. From these four sources, it is illustrated that the representation of the Electoral College is inaccurate and allows for some voters to have more of a say in elections than others do. This lack of representation can affect future elections and their voter turnout.

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

In addition to this, Brownstein (2022) claims that every election cycle, the president is chosen by a shrinking number of states. She predicts that in the 2024 election, it will come down to four states to decide who becomes president. From this study, it is seen that the small number of states that end up determining the outcome of the election have more of a say than others. A more recent article from the Washington Post backs up Brownstein's claims. In Scherer, Morse, Dawsey, and LeVine's (2023) article, they describe how in the upcoming 2024 election, the presidential campaign will likely target the smallest number of states in the modern era. It is expected that people who live in these states will receive immense communication, while the rest of the country will see nothing more than the occasional news clip. Not only will the majority of the country be watching from the sidelines, but it is also unlikely that their vote will have much, if any, weight in deciding the next president (Scherer, et al., 2023). All of this literature that discusses the representative accuracy of the Electoral College is similar in the sense that the authors' findings agree that the Electoral College is an unfair system and many of the sources discuss the influence this system can have on the election and its results. Many sources also discuss the ways in which the Electoral College can be manipulated which increases the unfairness of this system and the undue influence that it has on the outcome of elections.

Not only does the Electoral College system itself lack accurate representation, but there are ways to manipulate other voting systems in the United States which can negatively impact voters and therefore the representative accuracy of elections. Two main factors of manipulation that appear in literature are gerrymandering and voting rights. Kirschenbaum and Li (2023) write about how gerrymandering is a tactic used to draw district maps in a way that creates election results that do not match voters' preferences. Gerrymandering allows for politicians to manipulate the demographics in given districts in order to influence the outcome of an election in their favor (Kirschenbaum & Li, 2023). On the other hand, Singh and Carter (2023) write about restrictive voting rights laws that have been enacted in the past ten years. Many of these laws are discriminatory and all of them target aspects of voting, including making the registration process more difficult, shortening the hours of polls, limiting early or mail in voting options, limiting voter assistance, and even completely closing polling locations (Singh & Carter, 2023). Barriers to voting such as restrictions and gerrymandering can deter Americans from voting which further

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

decreases the accuracy of representation. Many Americans feel as though voting is not worth their time since they do not feel as though one singular vote can change the result (Thomson-DeVeaux, et al., 2020). While these sources do not directly refer to the Electoral College, nor its direct representative accuracy, they all discuss barriers to voting and the effects that these barriers have on voter turnout. These articles all agree that barriers to voting exist and furthermore that they have a negative impact on voter turnout and in turn the representative accuracy of elections as not everyone in the country's voice is being heard.

Public Opinion on the Electoral College

A third theme that emerges is public opinion on the Electoral College system. As Jorgenson and Saavedra (2018) discuss, voters are more likely to participate when the benefit of voting outweighs the cost of it. One way the benefit of voting can be amplified is through a calculation of efficacy, meaning those living in battleground states are more likely to go vote since they feel like their vote matters more (Jorgenson & Saavedra, 2018). As mentioned by Brownstein (2022), fewer states than ever are determining the outcome of the election, and that fact can discourage people from voting and add to the problem. This theme emerges a lot from opinion pieces in news sources as well. An example of an opinion piece that sees the Electoral College as a problem comes from Jamelle Bouie, published in the New York Times, and claims that after the 2020 Election, it is clear that the Electoral College is giving the Republican Party an advantage. The article further explains the belief that with the National Popular Vote it would have been clearer that Biden won the presidency much earlier on (Bouie, 2020). This can have a negative effect on voters as the focus on battleground states could discourage voters in other states.

To gain further information from the public, Salzer and Kiley (2022) surveyed over 6,000 adults to find their thoughts on the Electoral College. From this survey, it was found that 63% of Americans support replacing the Electoral College with a National Popular Vote while only 35% of Americans want to keep the Electoral College. In national polls conducted after the 2000 election, it was found that the majority of Americans were in favor of either amending the Electoral College in some way, switching to use the National Popular Vote, or creating regulations so that all states use the same voting procedures (Wagner, 2000). Another study was conducted into Americans' views of their elected officials. This Pew Research (2023) study

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

focused their study on members of Congress, though found that the sentiment can be applied across all elected officials (Doherty, et al., 2023). This study found that the majority of Americans do not believe that their elected officials care about the people that they represent and that they are not focused on the right people or the right issues (Doherty, et al., 2023). Not only do the majority of Americans have a negative view of the Electoral College, but they also have a negative view of their elected officials in general exemplifying the overall negative public opinion of the governmental system currently in place. While these sources have similar ideas about the problems with the Electoral College, some of the sources are just identifying the issues without offering any solutions, while others offer insight for possible solutions and what the majority of the country might favor.

Proposed Reform to the Electoral College

The fourth theme that emerges most frequently in literature is the idea that the Electoral College should either be abolished or reformed and suggestions for how to go about this. The article “Electoral College Reform” explains the three basic options the United States has when it comes to reforming the Electoral College: ending it, mending it, or leaving it alone (“Electoral College Reform”). When reviewing literature that discusses ideas for changing the Electoral College, they all fall into one of these three categories.

Abolishing the Electoral College

First, with the idea of ending the Electoral College, Bolinger (2007) argues that the Electoral College does not accurately represent the desires of the people because some states are overrepresented due to a disproportionate number of electoral votes to population. Due to this uneven representation, the Electoral College should therefore be abolished and replaced with the Approval-Based Voting System (Bolinger, 2007). Further literature backs up the sentiment that the Electoral College should be abolished due to the disproportionate weight it gives to voters who live in smaller states (Keyssar, 2003). Keyssar further argues that this disproportionate weight is a direct contradiction to the “one person, one vote” principle that makes up modern democracy and that the Electoral College should be replaced with a National Popular Vote. Feerick (1997), who was previously mentioned for talking about the weight of an individual's vote, also calls for the Electoral College to be reformed and replaced with the National Popular

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

Vote. The National Popular Vote campaign has been growing in recent years and many Americans believe this is the best system to replace the Electoral College with (Congressional Digest, 2020). In addition, Florey (2017) states that the current winner-takes-all aspect of the Electoral College is dangerous to the electoral process and should be abolished. All of these articles discuss the first option of changing the voting system of the Electoral College: abolition. While all the sources agree that in order to abolish the Electoral College, a constitutional amendment would be necessary, they vary on what that amendment should look like.

Reforming the Electoral College

On the other hand, Fon (2004) goes into depth about the misalignment between the Electoral College and the National Popular Vote and calls for the Electoral College to be replaced with either a Perfect Proportional System or an Integral Proportional System. Thompson (2021) adds to these ideas of reforming the Electoral College by explaining that reforming the Electoral College can benefit everyone regardless of political affiliation and that there is currently a National Popular Vote Interstate Compact where 17 jurisdictions (“National Popular Vote Interstate Compact”) have agreed to cast their electoral votes to the candidate that wins the National Popular Vote, an unofficial method of reform. These ideas for reform date back many election cycles. In 1960, Tyler outlined three ideas for Electoral College reform. These ideas were a Direct Popular Election, a Proportional Plan where electoral votes are allocated in proportion to a state’s popular vote, and the District Plan where each district gets one electoral vote and then the two additional electoral votes for each state go to the popular vote winner (Tyler, 1960). In 1981, Weinhagan re-emphasized these ideas of three proposals for a direct popular election, the Proportional Plan, and the District Plan. In addition to re-emphasizing these plans he also added a fourth, the automatic electoral vote plan which retains the Electoral College as is but abolishes the office of elector so that the electoral votes automatically go to the candidate who wins the majority of votes in a given state (Weinhagan, 1981) The automatic electoral vote plan stems from the fact that sometimes electors do not vote the way that they pledge, meaning they do not follow the method of allocation outlined by their state. Jensen (2022) further discusses these options for reform outlined by previous literature. He argues that the best option for reform is to allocate a state's electoral votes proportionally based on the

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

percentage of the popular vote that a candidate won in that state. He argues that among other benefits, this proposal has the best chance of being adopted. In these articles, the authors all agree that reform should be made and that it can benefit the country. The articles differ by discussing varying ideas for the best way to reform the system.

Maintaining the Electoral College

Conversely, Bresler (2019) argues that although the Electoral College is unfair, reforming the Electoral College might not have the benefits that many think it will because many ideas from reform come from Democratic politicians and will benefit that party. This could cause a liberal majority in the government which may displease some Americans, so reform should be done with caution. Moreover, an article from *Congressional Digest* (2020) explains that critics of abolishing the Electoral College argue that doing so would weaken the role of small states. An article from *The New American* (2017) further argues that the Electoral College should be maintained because it is better than a National Popular Vote for many reasons. Some of these reasons include limiting the effects of voter fraud, requiring less national control over elections, and avoiding close elections that cannot establish a winner. Furthermore, some believe that since the Electoral College has managed to produce a president since 1789, that there is no reason to change the system (Weinhagan, 1981). In this literature discussing the abolition or reform of the Electoral College, many of the authors agree that the Electoral College is a broken system and that something should be done. However, the sources all have varying ideas for how that can best be accomplished and think that abolishing or reforming the Electoral College would have more of a negative impact than a positive one.

Conclusion

Overall, the literature in this field adds background information to the issue of the Electoral College, including public opinion about the system and its accuracy of representation. It also aids in understanding the importance of this topic as well as potential solutions to it. The majority of the literature adds to the idea that the Electoral College does not accurately represent the desires of the American people and that it should be reformed or abolished. The inaccurate representation comes from the fact that each election cycle, fewer and fewer states are ultimately the states deciding the election and where most of the campaign efforts are focused. As a result

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

of this the majority of the country is somewhat forgotten, and their votes do not hold as much weight in determining the next president. This lack of representation has been noticed by the public, and the data shows that the majority of Americans do not support the Electoral College and feel discouraged to vote since they do not think that their vote matters. Many ideas exist for potential reform and even abolishing the Electoral College. Different scholars have different ideas on what needs to happen, though there is an understanding between them and the American public that some sort of change is necessary.

ANALYSIS

Overview of Criteria

Based on the research conducted, I analyzed the main concerns with the Electoral College as well as many current ideas for reform and found that the ideas and sentiments from them could be boiled down into three main criteria. These criteria were proportionality, legitimacy, and feasibility, and they are important criteria to look at when evaluating what will be the most successful solution to the problem that is the Electoral College.

Before getting further into the analysis of each of these criteria and how they relate to the Electoral College it is important to understand what each of them mean. Proportionality has to do with ensuring that the new system is proportionally representative of the American people to make sure that everyone's views are heard and represented. Legitimacy has to do with the American people believing in this system and the result it produces which is necessary in order to maintain a democratic government system. Feasibility has to do with what would need to be done in order to implement changes and the likelihood of the changes taking effect.

Proportionality

A common sentiment that was found in my research into the Electoral College was the variance in the weight of certain votes based on the state the voter lives in. Since electoral votes are distributed based on total representation in Congress, this gives each state two extra electoral votes without considering the size of their population. There are a lot of concerns about this distribution system and the problems it causes with representation. One reason for concern is that the ratio of a state's population to the number of electoral votes they receive is not proportional

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

from state to state (Feerick, 1977). An example of this can be seen in the 1976 election. In this election, Alaska had one electoral vote for every 41,182 votes, while Florida had one electoral vote for every 185,331 votes, and Minnesota had one electoral vote for every 194,958 votes (Feerick, 1977). This allows for voters in certain states to have more of a say in the election than other voters, which leads to another reason for concern with the distribution process of electoral votes. The disproportionate ratios of population to electoral votes causes votes in different states to be weighed differently in the outcome of the election. A drastic example of this issue can be seen between Wyoming and California after the 2000 census. After the distribution of votes, Wyoming had one electoral vote for every 164,594 residents while California had one electoral vote for every 615,848 residents (Bolinger, 2007). This means that voters in Wyoming have approximately four times as much power in determining the outcome of the election than voters in California (Liasson, 2021). This allows for voters in certain states to be represented more than voters in other states as they are more likely to influence the results.

The variance in voter weight caused by the distribution of electoral votes leads to another issue with the representation, or lack thereof, caused by the Electoral College. Each state receives a minimum of three electoral votes (Kilgore, 2022) and as seen in the examples above, this causes votes in some states to weigh more than others. This creates a small state bias since the states with smaller populations are the ones with more weight giving them undue power in the outcome of presidential elections (Liasson, 2021) (Keyssar, 2003). These small states are “grossly overrepresented” in the Electoral College (Bolinger, 2007). This greater influence that small states have on elections in turn causes millions of votes to be wasted every election cycle since they are simply not weighed the same and have a lesser influence on the election (Thompson, 2021). The existence of small state bias within the current Electoral College system creates disproportionate representation since living in a less populous state gives a single person’s vote more influence over the election than someone living in a more populous state.

Another aspect of the Electoral College that causes it to disproportionately represent the American people is the method in which the majority of states allocate their electoral votes. In every state with the exception of Maine and Nevada, electoral votes are allocated on a winner-take-all basis.

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

That means that whichever candidate wins the popular vote in a given state, that state allocates all of their electoral votes to that candidate, no matter how close the vote was. This method of allocation is dangerous to the election process as it contradicts the democratic idea that all votes should count equally (Florey, 2017). The winner-take-all method is the least defensible aspect of the Electoral College because it was adopted at the state level without any consideration of the national consequences it could have (Florey, 2017). One of these national consequences caused by the winner-take-all method is the possibility of a split between the National Popular Vote and Electoral College where different candidates win each one (Florey, 2017). This split demonstrates how the Electoral College does not accurately represent the country as the candidate who wins the most votes does not win the presidency in this case. Since 1867 there have been five elections where this has happened, and the loser of the National Popular Vote has become the next president (See Appendix B for the details of these elections) (Edwards, 2024). The winner-take-all system not only can cause discrepancies with the results of the election, but it also disenfranchises millions of voters each year. An example of this can be seen in Florida in the 2000 election. In this election, nearly three million people voted for Al Gore, but there were 537 more people who voted for Bush, so he took all 25 of the state's electoral votes (Edwards, 2024). Overall, the winner-take-all aspect of the Electoral College is the most dangerous aspect towards the proportionality of the Electoral College's representation of voters.

These issues with the proportionality of the Electoral College lead to the reason why proportionality needs to be considered as a criterion for reform. Streb (2016) outlines four criteria that he argues are necessary for a model democracy. One of these criteria is "one person, one vote", which means that citizens should have equal opportunities to vote and that their votes should be weighed the same (Streb, 2016). This idea of "one person, one vote" is clear throughout a lot of the research conducted, being described as a principle that "makes up modern democracy (Keyssar, 2003). With the way the Electoral College currently works, not every vote counts the same (Thompson, 2021), directly contradicting this principle. This clear contradiction is what makes proportionality an important criterion. It is important that reform to the Electoral College keeps proportionality in mind and more accurately represents the American people and their votes.

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

Legitimacy

The next criterion that is important to consider when reforming the United States electoral process is legitimacy. This criterion stems from three common ideas that I found throughout my research. The first aspect of legitimacy has to do with the results of the Electoral College. As previously mentioned, the winner-take-all aspect of the Electoral College increases the risk of a split in the results between the Electoral College and National Popular Vote (Florey, 2017). Since the beginning of the century, two of the six presidential elections have resulted in a split (See Appendix B for the details of these elections). The split in 2016 specifically might suggest that if reform does not happen, these splits will start to occur more frequently and more arbitrarily due to increased partisanship and increased focus on battleground states (Florey, 2017). These disparities have the ability to be frequent and substantial (Thompson, 2021). Splits in the results of the election hurt the legitimacy of the results since it makes the winner of the election less clear. Furthermore, it can discourage and confuse the American people when the candidate that the majority of people voted for does not win the election due to the Electoral College.

The second aspect of legitimacy is the lack of competitiveness in presidential elections caused by the Electoral College. Every four years, the presidential election is decided by a smaller number of states. In 2020, the five swing states that decided the election were Arizona, Georgia, Michigan, Pennsylvania, and Wisconsin (Brownstein, 2022). In 2024, this number is expected to shrink even further to only four states. These states are Wisconsin, Nevada, Georgia, and Arizona (Brownstein, 2022). Whether this number remains at four or ends up being slightly different, the number of states with competitive elections are shrinking. This means that a smaller number of states have more say in determining the results of the presidential election than other states (Brownstein, 2022). The effect of having less competitive elections spans beyond the ability for certain states to play a role in deciding the election. This effect can also be seen in the inclusion of states in campaign efforts. During the 2020 election, only a quarter of Americans lived in areas that were targeted by campaign efforts, a percentage that will shrink in 2024 as the presidential campaigns will likely target the smallest number of states than they ever have in the modern era (Scherer, et al., 2023). When only a small percentage of Americans are

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

targeted with campaign efforts, the rest of the country is left on the sidelines. While some people will receive masses of communication, others will receive maybe a mere news clip (Scherer, et al., 2023). It is clear from that the number of swing states have been shrinking, causing less people to be included in campaign efforts and allowing less people to be influential in the outcome (See Appendix C for a map of the states targeted by campaign efforts since 1952).

The third aspect of legitimacy concerns the negative public opinion of the Electoral College and the sentiment that their vote does not matter. This is a feeling that is caused by the lack of competitive elections and conflicting results. Many Americans feel as though voting either does not matter, is a waste of their time, or both (Thompson, 2021). There is a sentiment that their one singular vote will not be able to change anything, so voting does not feel worth it to them (Thompson-DeVeaux, 2020). This is a common thought that I noticed both in my research, but in my day-to-day life too; hearing that friends were planning to not vote in the upcoming election because they feel as though it doesn't matter and that they won't be able to change anything. This feeling that their vote doesn't matter causes a decrease in voter turnout. Voting requires a sense of motivation that is difficult for Americans lacking a belief in the importance of voting to muster causing approximately 35-60% of eligible voters each election not to cast a ballot (Thompson-DeVeaux, 2020). People who live in battleground states are more likely to vote because to them, the benefit of voting outweighs the cost of it (Jorgenson, et al., 2018). For the people living in these states, the benefit of voting that they have is the knowledge that their vote will matter (Jorgenson, et al., 2018). Since people in battleground states are more likely to go vote, it is clear that when people feel as though their vote and their voice matters, then they are more likely to turnout to the polls and cast their ballot. Increased turnout would not only impact the results of the presidential election, but the other elections on the ballot as well, since people would already be going out to vote.

This increased turnout is exactly why legitimacy should be considered as a criterion. As previously mentioned, Streb (2016) outlined four criteria for a model democracy. A second one of these criteria is competitive elections. When elections aren't competitive, less people go out to vote which decreases voter turnout and with it the legitimacy of the government (Streb, 2016).

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

An increase in voter turnout will lead to better representation of the desires of the people. As described above, a more legitimate electoral system will help increase voter turnout. It will also provide the certainty that voters can influence the results and that those results will reflect the majority of the country. It is important to keep these ideas of legitimacy in mind when evaluating ways to reform the Electoral College so that Americans will feel more confident in our electoral system and the results it produces.

Feasibility

In order for change to occur, it has to be feasible. Otherwise, the change will never occur and therefore the problem won't be resolved. For that reason, feasibility is the third criterion. Overall, research into the Electoral College shows that some form of change to the system could be feasible. In numerous polls it was found that the majority of Americans support amending the Electoral College. In 2000, between 56-61% of Americans wanted to amend the constitution to change the Electoral College (Wagner, 2000). In 2020, the percentage of Americans who supported amending the Electoral College rose to 63% (Salzar, et al., n.d.). From these surveys, it is clear that the general idea of changing the Electoral College could be feasible.

Amending the Constitution is difficult to do. In order to amend the Constitution, a proposed amendment must be supported by either two-thirds of Congress, or two-thirds of state legislatures. The amendment must then be ratified by three-fourths of the states in order for it to take effect ("The Constitution"). This difficulty is exactly why feasibility should be considered when evaluating potential changes to the Electoral College. When looking for ways to solve the issue that is the Electoral College, it will be necessary to look at things like what needs to happen to implement the change, how likely are people to agree with this change, and where are places that compromise might need to happen in order to effectively implement change that can improve the current system.

Evaluation of Proposed Reform

From the literature review, numerous existing ideas for proposed reform were found. Below each proposal is explained in more detail and evaluated per the criteria above.

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

Approval-Based Voting System

As suggested by Bolinger (2007), the Approval-Based Voting System is a voting system that could replace the Electoral College should it be abolished. With Approval-Based Voting, voters mark down either “yes” or “no” for each candidate on their ballot. Voters can mark “yes” for as many candidates as they would be okay with winning the election. Once voting is over, the candidate who receives the most “yes” votes wins and becomes the next president. This system does not guarantee that the winning candidate receives the majority of votes, but it does select a candidate who is at least acceptable to most voters.

Approval-Based Voting is a more proportional system than the current Electoral College because it weighs every vote the same amount. Without electoral votes, every person’s vote has the same weight so no one is being overrepresented or underrepresented. In addition, the candidate who wins is theoretically the most acceptable nationwide since people can vote yes for as many candidates as they would like, and third-party candidates could be more represented as well.

Since every person’s vote is weighed the same, this helps increase legitimacy since candidates have to campaign to all states. People will feel as though their vote matters more and they will also have more of a say since they can mark “yes” for as many candidates as they are okay with. That being said, this could reduce the legitimacy of the government overall since it would hurt the two-party system by giving a better chance for third-party candidates to win the election. In addition, some people may complain that certain people might vote for more candidates than others making it unfair for those who select “yes”, even when every person has the chance to vote for as many candidates as they would like to. Complaining citizens and even complaining candidates can hurt the legitimacy of the election results, as was seen when Donald Trump and his supporters complained following the 2020 election.

The Approval-Based Voting System is not a very feasible option. Implementing Approval-Based Voting would require a constitutional amendment that both abolishes the Electoral College and replaces it with this system. Constitutional amendments are difficult to get passed as is. Not only would this amendment be required to abolish the Electoral College, but Approval-Based Voting would also require the appearance of ballots and the manner in which votes are cast to change.

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

Instead of the current ballots where you circle your preferred candidate, there would be a list of candidates and you would circle all the “yes” or “no” bubbles. It is clear to see in politics that the United States is not a country that handles major change well. With the country as polarized as it currently is, implementing a change as radical as this proposal would be extremely difficult to get passed.

Instant Runoff Vote

Streb (2016), suggests an Instant Runoff Vote to be the best option. With the Instant Runoff Vote, voters submit a rank-choice ballot where they rank their preferences of candidates from first to last. When the votes are counted the candidate in last place is eliminated and their votes are reallocated to the candidate listed as the voters second choice on each ballot. This process continues until there is one candidate who has the majority of the votes.

The Instant Runoff Vote system is more proportional than the current Electoral College because every person’s vote is weighed the same. Furthermore, since voters can rank all the candidates, the winning candidate will be the overall most desired candidate since they theoretically received the most first and second choice votes. This system allows for voters to have more of a say when ranking their candidates so that the winning candidate is more representative of the desires of the majority of the country.

Not only does the Instant Runoff Vote increase proportionality, but it also increases legitimacy as well. Since there are no electoral votes, with the Instant Runoff Vote every vote is weighed equally, therefore candidates must campaign to all states. Furthermore, candidates may campaign to groups they wouldn’t otherwise in the attempt to not only gain first place votes, but second place as well. With ranked choice, people may feel as though they have more of a say in the election which would also help legitimacy. However, the ranked choice system is very different from our current system and people would not be as familiar with how it works. This could cause confusion among the American people as they learn this new system which could in turn decrease voter turnout. Furthermore, it would give the opportunity for third-party candidates, so the public would have to pay more attention to the candidates and what they stand for in order to make educated rankings. This extra effort could also deter voter turnout, further reducing

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

legitimacy. In addition, it might take a while to figure out the winner of the election since the election might have to be recounted with the reallocated votes.

In order to switch to an Instant Runoff Vote, a constitutional amendment would be necessary. As mentioned previously, constitutional amendments are difficult to get passed. Establishing the Instant Runoff Vote would also change the appearance of ballots since you would now have to rank candidates rather than just circling one of them. With a change as radical as completely abolishing the Electoral College and establishing a new system, it is unlikely that this amendment would go through. Due to the difficulty of implementation, the Instant Runoff Vote option is not feasible.

National Popular Vote

Multiple scholars propose that a National Popular Vote is the best option to replace the Electoral College. Keyssar (2003), Thompson (2021), Tyler (1960), and Weinhagan (1981), all suggest that the National Popular Vote should be used to determine the next president. The National Popular Vote is currently counted, though it is not the determining count. With this system, every person's vote would be counted once, and the candidate who wins the most votes nationwide would become the next president.

A National Popular Vote is the most proportional of all of the proposed ideas for reform. With this election system, the sentiment of "one person, one vote" is followed. Each person's vote counts once and holds the same weight as any other person in the country. This allows for every voter to have an equal say in who becomes the next president of the United States.

Since a National Popular Vote would eliminate the Electoral College, candidates would theoretically have to campaign towards all states. While they would likely focus on more populous areas first, this would help increase legitimacy as more voters would feel like their vote matters. Furthermore, a National Popular Vote would be a direct system meaning that the American people directly choose who the next president is going to be. That being said there would never be a discrepancy between the National Popular Vote and a secondary voting system like the ones we have seen before. This would help increase the legitimacy of the results of the

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

election. The only time where legitimacy could potentially be an issue is if the election is determined by a small margin. With an election determined by a small margin of votes, some people may argue for a recount or a mistake in the results. However, the current Electoral College system has a much higher possibility of discrepancies than a National Popular Vote would since results splits would not occur with a National Popular Vote. That being said, it would be much more difficult to run a national recount than it would be to run a state-by-state recount.

In order to determine the president using a National Popular Vote, a constitutional amendment is necessary to abolish the Electoral College. As mentioned before, constitutional amendments are difficult to get passed, especially with a change as radical as abolishing the electoral system that has been used since the country began. Therefore, it would be unlikely for the National Popular Vote to be used to determine future presidents.

That being said, there is a way to potentially use the results of the National Popular Vote as the determining count without a constitutional amendment. Thompson (2021) describes the National Popular Vote Interstate Compact. With this Compact, the Electoral College remains in place, but the states that adopt the Compact agree to allocate all of their electoral votes to the candidate that wins the National Popular Vote. Following the Compact, states can decide to allocate all their electoral votes to the candidate who wins the National Popular Vote. Currently 17 states, along with Washington D.C., have signed on to this compact. Theoretically more states could sign on to the Compact and that would be a way for the National Popular Vote to indirectly take effect without any changes to the Constitution. Once enough states to add up to 270 electoral votes sign on to the Compact, then the winner of the Electoral College will be the candidate who wins the National Popular Vote as well. In addition, if more states were to sign on to the Compact, then in the future it would make it more likely for a constitutional amendment requiring the use of this system to pass. With the existence of the National Popular Vote Interstate Compact, it makes the option of the National Popular Vote more feasible than it otherwise would be.

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

Perfect Proportional System (Proportional Plan)

As discussed by Fon (2004), Tyler (1960), Weinhagan (1981), and Jensen (2022), the Perfect Proportional System is a potential option for reform to the existing Electoral College. The Perfect Proportional System, also called the Proportional Plan, would allocate a fraction of each state's electoral votes to each candidate that reflects the fraction of the popular vote each candidate won in that state. For example, if a state had 10 electoral votes and the Democratic candidate won 60% of the vote, while the Republican candidate only won 40%, then the Democratic candidate would get six of that state's electoral votes while the Republican candidate gets four. In real life, the proportion of votes would rarely be as exact as that example, but the math would be applied the same way.

The Proportional Plan is not fully proportional to the nation. That being said, it is much more proportional than the current Electoral College system. Despite not being proportional to the nation, the Proportional Plan is proportional to each state's results, which is where it gets its name. Using this option, the electoral votes from each state would be distributed proportionally based on that state's popular vote results. The aspect of this system that makes it not proportional to the nation is the two extra electoral votes that every state gets despite their population size. These two votes would continue to give smaller states a little bit more weight in the election, although it would not be as dramatic of a weight as what currently exists since the votes would be divided rather than allocated using the winner-takes-all method.

If the Proportional Plan were to be implemented, it would help with the legitimacy of the election. Since electoral votes are allocated proportionally, people would feel as though their vote matters more since they can help increase the percentage their preferred candidate receives no matter who wins that state's popular vote. Since candidates can win percentages of a state's vote, this system would eliminate swing states and cause candidates to campaign towards all states since they want as many people as possible to vote for them so that they can get the greatest number of votes and the highest percentage. The only downside to the legitimacy of the Proportional Plan is that with it the Electoral College would still exist. Although this system

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

would reduce the risk of a discrepancy between the Electoral College and National Popular Vote, that risk still exists.

In order to make the Proportional Plan a requirement across all states, a constitutional amendment to the Electoral College would be needed. However, states are currently allowed to allocate their votes at their own discretion so states could begin allocating their votes using the Proportional Plan before it is officially in the Constitution. Furthermore, this proposal would be more likely to pass as a constitutional amendment than the others discussed so far because it does not fully abolish the Electoral College, it simply amends it. The Electoral College was created as a compromise with the smaller states, and by implementing the Proportional Plan, that compromise remains since the number of electoral votes a state receives stays the same. By maintaining this compromise so that smaller states have more power, it would be easier to pass an amendment changing the method of allocation since more states are likely to agree to it.

Integral Proportional System

In addition to the Perfect Proportional System, Fon (2004) also describes the Integral Proportional System. This proposal is very similar to that of the Proportional System, the only difference is that the electoral votes in each state are allocated proportionally based on the state's popular vote, however the candidate that wins the state's popular vote is given the next higher integer of votes than their actual result. Despite not being completely proportional, this system is meant to magnify the margin of victory for the state's popular vote winner that would not be magnified with the Proportional Plan. Furthermore, this method is intended to ensure that the minority voters in each state are not forgotten.

Similarly to the Proportional Plan, the Integral Proportional Plan is more proportional than the current Electoral College system. Despite that, it is not accurately proportional to the nation since every state still receives two extra electoral votes. Furthermore, it is not fully proportional to the state's popular vote since they add one vote to the winning candidate to help magnify the margin of their victory.

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

The Integral Proportional Plan's legitimacy is again very similar to that of the Proportional Plan. Like the Proportional Plan, it would eliminate the idea of swing states, so candidates would have to campaign to all states. This would also help people feel as though their vote matters more since it is somewhat proportionally allocated. In addition, the drawback to legitimacy faced by this proposal is the fact that there would still be a second method for counting votes and this could lead to a discrepancy between the Electoral College and National Popular Vote as has been seen before. By increasing the margin of victory in each state, it is unclear how this would affect the results, and if it would make it more likely for a discrepancy to occur or not.

As much of the Integral Proportional Plan is, its feasibility is similar to the feasibility of the Proportional Plan. In order to require states to allocate their votes using this plan, a constitutional amendment would be necessary in order to change the language of the Electoral College. That being said, states are able to allocate votes at their own discretion, so they can choose to allocate their electoral votes using the Integral Proportional Plan at any time. This plan would be a slight change to the current system, so would be a more likely constitutional amendment to be adopted since it is not a radical change and maintains the compromise of how many electoral votes each state has.

District Plan

Weinhagan (1981) and Tyler (1960) also explain the District Plan. When using the District Plan, each congressional district in a state receives an electoral vote. The electoral vote is then allocated to the candidate that wins that district's popular vote. The extra two electoral votes for each state are allocated to the candidate that wins the state's overall popular vote. This method is currently used by Maine and Nebraska to determine who they allocate their electoral votes to.

Of all of the options for reform to the Electoral College, the District Plan is the least proportional. It is more proportional than the current Electoral College because it allows each congressional district to be represented proportionally, however it is not completely proportional to each state like the Proportional Plan is. With the District Plan, the two extra votes are allocated to the state's overall winner, and it is these two extra votes that take away from the proportionality because the votes that lead to those results will be weighed differently depending

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

on the different populations of different states. Furthermore, each district is determined by winner-takes-all, so that same disenfranchisement seen at the state level with the current Electoral College would be seen at the district level in the District Plan.

The District Plan increases legitimacy in the sense that each congressional district is represented so it will help people feel as though their vote matters more than the current Electoral College system. It will also make the elections more competitive since candidates can focus on different districts and win some votes from states they might not have with the current system. That being said, this method has similar legitimacy issues to the Electoral College due to the two extra votes being allocated to the winning candidate of each state. This would allow for the sentiment of swing states to remain in a sense and could cause candidates to focus on those states more in order to get the extra two votes. Furthermore, the District Plan would encourage gerrymandering as it would now have an effect on the outcome of the presidential election. Gerrymandering is dangerous to our democracy because it allows politicians to try and manipulate congressional districts in order to benefit their party. The practice of gerrymandering already disenfranchises so many. If its practice increased and affected the presidential election, this disenfranchisement would continue, further endangering legitimacy.

In order to require that all states use the District Plan to allocate their electoral votes, a constitutional amendment would be required. The District Plan keeps in place that compromise between larger and smaller states better than any of the other proposals by allocating the extra two electoral votes to the overall winner of each state. This continued compromise and relatively small change in comparison to abolishing the Electoral College would make it a more likely amendment to pass than other proposals. Moreover, states currently have the ability to allocate their electoral votes however they please. Maine and Nebraska already use the District Plan to allocate their votes, so there is proven success with other states switching to use this system. In the future more states other than Maine and Nebraska could start to implement this plan, and once enough states switch, it will be more likely for a constitutional amendment to pass.

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

Maintaining the Electoral College

A variety of literature argued maintaining the Electoral College. Bresler (2019) and Weinhagan (1981), along with articles from the Congressional Digest (2020) and the New American (2017), all argue that the Electoral College should be left how it is and should not be changed. When evaluating the Electoral College in accordance with the three criteria, it is clear that they are misguided, and change is needed.

The Electoral College is extremely unproportional. By assigning each state's number of Electoral Votes based on the representation in Congress, it gives smaller states more votes since every state receives a minimum of three votes before their population is considered. As described in the proportionality section above, the weight of people's votes differs depending on the state they live in. This gives some people more say in the results of the election than others. Furthermore, by the majority of states allocating their electoral votes using the winner-takes-all method, it reduces proportionality even more. Even if a candidate wins a state by a tiny margin, they still receive all of the votes for that state. This ignores the desires of a large portion of the country.

The Electoral College is also dangerous to the legitimacy of presidential elections. As discussed in the legitimacy section above, there are a lot of issues with the Electoral College that reduce its legitimacy and cause it to be a danger to democracy. The Electoral College causes citizens to feel as though their votes do not matter. Moreover, as the nation becomes more polarized, there are fewer and fewer swing states. This causes the majority of the country to watch the campaigns from the sidelines as candidates focus their attention to the few states that matter for the outcome of the election. Not only does the Electoral College hurt its legitimacy because of this feeling it creates within the American people, but it also can conflict with the results of the National Popular Vote. In two out of the six presidential elections in this century, the candidate that the majority of the country wanted was not the candidate that won. This discourages the American people and causes people to question the legitimacy of the results.

The only upside to the Electoral College based on the criteria is its feasibility. Since this is the system we currently have in place, there would be no change needed. There is no effort required by any part of this country to maintain the Electoral College, so therefore it is the easiest and

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

most feasible option. That being said, just because it would be easy to maintain the Electoral College does not mean that is what should be done. The lack of proportionality and legitimacy of the Electoral College far outweighs the feasibility of keeping it.

Comparison of Proposed Reform Evaluation

Following the evaluation of each proposal, it is easy to compare the proposals to each other and how well they meet each criterion. The evaluation of each proposal was compiled into a table and simplified into a few sentences for each criterion (See Appendix D). This table was then used to compare the proposals as seen in the figures below. Figure 1 gives each proposal a grade based on how well they meet each criterion, as well as an overall grade which represents the average of their three grades determined for each criterion. Figure 2 ranks each proposal from most fitting the criteria (1) to least fitting the criteria (7), as well as an overall ranking which was determined based on the lowest average ranking (1) and the highest average ranking (7).

<i>Proposal</i>	<i>Proportionality</i>	<i>Legitimacy</i>	<i>Feasibility</i>	<i>Overall</i>
Approval Based Voting System	A	A	C	B
Instant Runoff Vote	A	A	D	C
National Popular Vote	A	A	C	B
Perfect Proportional System (Proportional Plan)	B	B	B	B
Integral Proportional System	C	C	C	C
District Plan	C	C	C	C
Maintaining Electoral College	F	F	A	F

Figure 1 – Comparison of Proposed Reform Evaluation, Graded

<i>Proposal</i>	<i>Proportionality</i>	<i>Legitimacy</i>	<i>Feasibility</i>	<i>Overall</i>
Approval Based Voting System	3	2	7	6
Instant Runoff Vote	2	4	6	5
National Popular Vote	1	1	5	1
Perfect Proportional System (Proportional Plan)	4	3	4	2
Integral Proportional System	5	6	3	4
District Plan	6	5	2	3
Maintaining Electoral College	7	7	1	7

Figure 2 – Comparison of Proposed Reform Evaluation, Ranked

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

By comparing the evaluations of each proposal, the grades and rankings of each proposal can be used to determine which is the best overall solution. When creating the overall rankings, the feasibility of each proposal was considered more than the proportionality and the legitimacy since if a proposal is not feasible then the change will never happen. The top three proposals based on the grading system are Approval-Based Voting, a National Popular Vote, and the Perfect Proportional System. Based on the ranking system, the top three proposals are a National Popular Vote, the Perfect Proportional System, and the District Plan.

PROPOSED SOLUTION

Based on the comparison of the evaluation of each idea for proposed reform, the top two proposals are a National Popular Vote and the Perfect Proportional System. In the following section, further evaluation of these top two options will be done in order to determine which is the overall best proposal for reform to the Electoral College.

From the evaluation done of each proposal above, neither of them are the perfect proposal based on the criteria. They each meet aspects of the criteria, but neither proposal fully meet all three. Since these are the top two proposals, it is important to evaluate the pros and cons of each of them in comparison to each other.

There are many pros to the National Popular Vote. Of all of the proposed criteria, the National Popular Vote is overall the most proportional. It gives every person one vote and weighs all those votes equally. This increased proportionality is a pro in itself, but also increases legitimacy which is a second pro. The National Popular Vote would be the most legitimate option of all the proposed reform by eliminating swing states and the possibility of a results split. Furthermore, since everyone's vote is weighed equally, it would encourage Americans to go to the polls and vote since they will feel as though their vote matters. Based on the criteria, there is only one real con to this system, but it is a major one. Despite the existence of the National Popular Vote Interstate Compact, the National Popular Vote lacks feasibility. The National Popular Vote represents the ideal, but it is not realistic for the nation, meaning that it would be more likely for the Electoral College to remain as is than for this change to be enacted. Completely abolishing

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

the electoral system that has been used since the origin of our country is a radical change that is unlikely to be passed in our current polarized government. While states can decide on their own to follow the National Popular Vote Interstate Compact, it is unlikely that all states will follow this method, especially given the recent election splits that have allowed Republican candidates to win despite Democratic candidates winning the National Popular Vote. These states will not want to let a different candidate win by following the Compact. Furthermore, it will be difficult to pass an amendment since the Republican Party will not want to support a change that takes away the advantage they had in those past election splits.

There are also pros and cons to the Proportional Plan. The Proportional Plan is not as proportional as the National Popular Vote which is one of its cons. It allows for the Electoral College to remain meaning there will still be a variance in vote weight depending on the state since the number of electoral votes would still be distributed the same way. That being said, a pro to the Proportional Plan is that it is more proportional than the current system. Since each state would allocate their votes proportionally based on their respective popular votes, voters in each state would be represented proportionally to the other voters in their state. This leads to another pro of the Proportional Plan, as it would help to increase legitimacy. Since votes would be proportionally allocated, it would make voters feel as though their vote matters more. The Proportional Plan would also eliminate swing states further including all Americans in the election. The only cons to the legitimacy of the Proportional Plan are that since it maintains the Electoral College, the possibility of a results split remains. With the Proportional Plan the chance of a results split is reduced greatly, but it still exists. Another con would be that the results of elections would be much closer. This could lead to issues with the legitimacy of the results and people questioning if votes were counted correctly. The feasibility of the Proportional Plan is both a pro and a con. As mentioned before, any constitutional change to the Electoral College will be difficult to pass in our polarized government. That being said, the pro to the feasibility of the Proportional Plan would be more likely to pass than the National Popular Vote. It is only an amendment to the Electoral College so not as radical a change as the National Popular Vote would be. Since it maintains the Electoral College, it also maintains the compromise between bigger and smaller states meaning it would be more likely to pass. Although it would maintain

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

this compromise, the Proportional Plan could also be attacked by both sides since some might argue that it is too much of a reform while others argue that it is not enough.

In order to further compare these top two proposals, it is important to visualize the reality of them and the results they could have. One of the major issues with the Electoral College is the discrepancy that can exist between the allocation of electoral votes and the results of the National Popular Vote. Out of the six elections that have happened so far this century, two of them have had results that contradict. Figures 3, 4, and 5 below display the results of the Electoral College in 2000, the results of the National Popular Vote, and what the results of the election would have been if the Proportional Plan had been used.

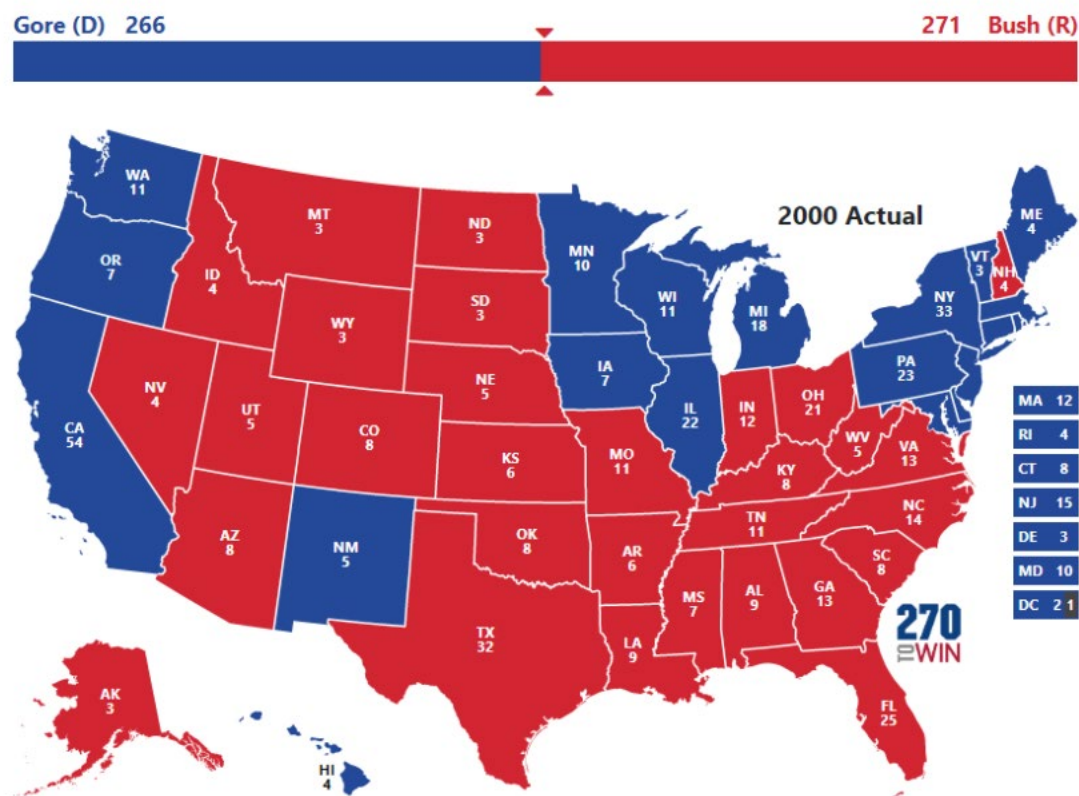


Figure 3 – Map of Electoral College Results, 2000

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform
Honors Thesis for Catherine Harris





	Candidate	Party	Electoral Votes	Popular Votes
✓	 George W. Bush	Republican	271	50,456,062
	 Albert Gore, Jr.	Democratic	266	50,999,897
	 Ralph Nader	Green	0	2,882,955
	 Other: See Election Facts Below		1	

Figure 4 – Popular Vote Results, 2000

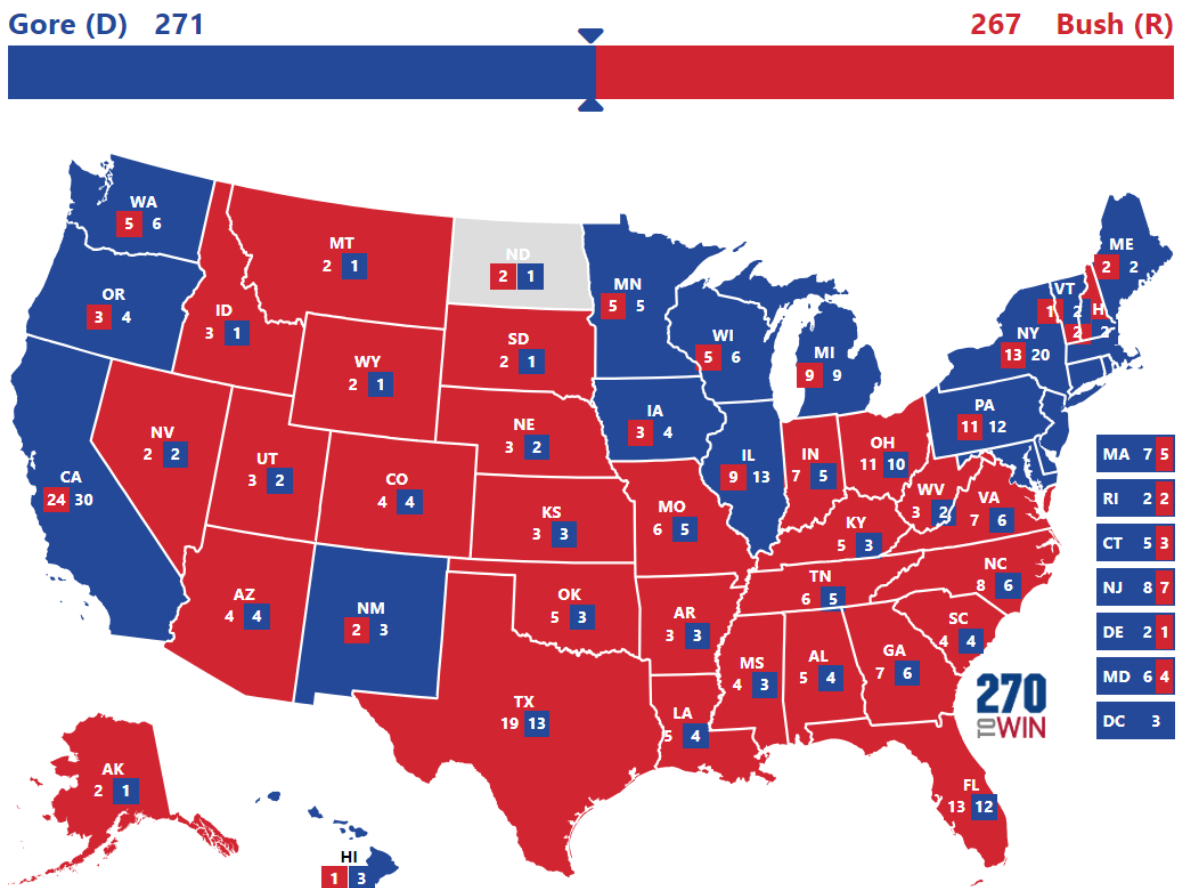


Figure 5 – Map of Theoretical Proportional Plan Results, 2000

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

When looking at Figures 3 and 4 (“Presidential Election of 2000—270toWin”) above, it is clear that the Electoral College and the National Popular Vote did not line up. Both the Electoral College and National Popular Vote in 2000 had very close results with the candidates winning by a very small margin. Though Al Gore, the candidate who most Americans voted for was not the candidate that won the presidency. As Figure 5 (data from “2000 | The American Presidency Project”, inputted into “2000 Presidential Election Interactive Map—270toWin” by Catherine Harris) shows, when using the Proportional Plan, the results of the Electoral College and National Popular Vote line up and the candidate voted on by the most Americans would have become the next president. This map is completely theoretical as a different electoral system could have shifted voting patterns and is simply used as an illustration for the concept of the Proportional Plan. Figures 6, 7, and 8 below show the same three maps as above for the results of the 2016 election.

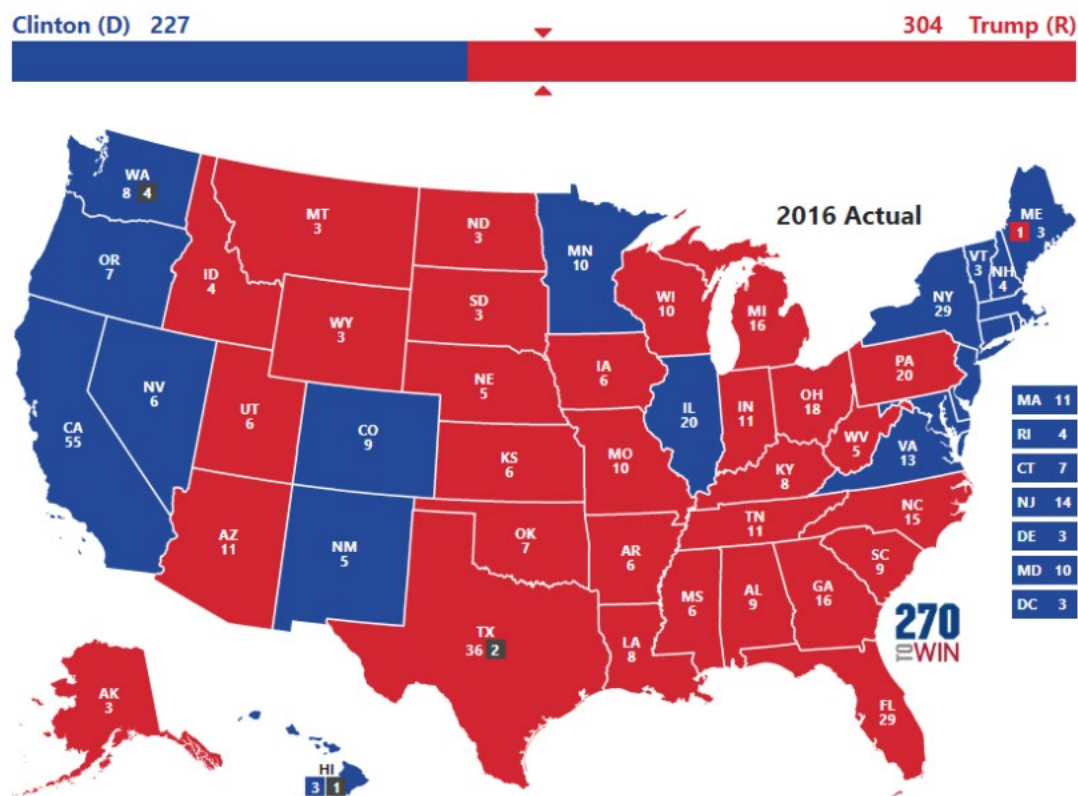


Figure 6 – Map of Electoral College Results, 2016

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform
Honors Thesis for Catherine Harris







	Candidate	Party	Electoral Votes	Popular Votes
✓	 Donald J. Trump	Republican	304	62,984,828
	 Hillary R. Clinton	Democratic	227	65,853,514
	 Gary Johnson	Libertarian	0	4,489,341
	 Jill Stein	Green	0	1,457,218
	 Evan McMullin	Independent	0	731,991
	 Other: See Election Facts Below		7	

Figure 7 – Popular Vote Results, 2016

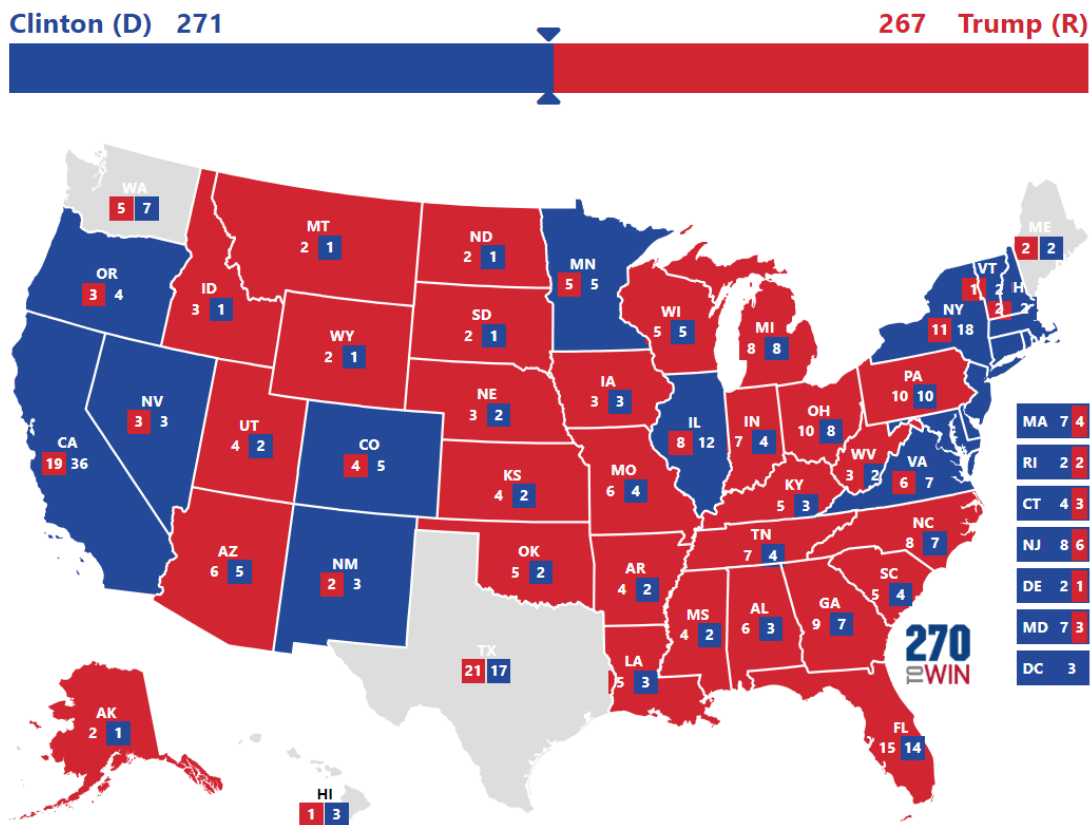


Figure 8 – Map of Theoretical Proportional Plan Results, 2016

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

Figures 6 and 7 (“Presidential Election of 2016—270toWin”) clearly show the discrepancy between the Electoral College and the National Popular Vote. In 2016, the discrepancy was even more clear as the results were not as close as the 2000 election. Despite winning the National Popular Vote by more than Al Gore did in 2000, Hillary Clinton lost the Electoral College by more votes than him. In many states, the margin of victory was very slim, something that becomes evident when the Proportional Plan is applied to the election results of 2016 in Figure 8 (data from “2016 | The American Presidency Project”, inputted into “2016 Presidential Election Interactive Map—270toWin” by Catherine Harris). Had the Proportional Plan been used in the 2016 election, Hillary Clinton would have become the next president of the United States, and the results would have lined up with what the majority of the country wanted. Similarly to Figure 5, the map in Figure 8 is completely theoretical and is only meant to be an illustration for the concept of the Proportional Plan and what would have happened if the voting patterns were exactly the same. Since different electoral systems would have had different influences on campaign methods and voter turnout, it is unfortunately impossible to tell what the results of the 2000 and 2016 elections would have looked like if the Proportional Plan was used. However, the maps in Figures 5 and 8 can provide an image of the concept of the Proportional Plan and theoretical results if the voting patterns were to have been unchanged from the ones that actually occurred.

After comparing the top two proposals, the Proportional Plan stands out as the best option for reform to the Electoral College. While the Proportional Plan and the National Popular Vote both have their pros and cons, the Proportional Plan would be the best option to implement now. Since the United States is so polarized, it is important that the reform to the Electoral College is a more moderate change so that it has the best chance of being adopted. The Proportional Plan is this moderate change as it maintains the compromise between bigger and smaller states by distributing electoral votes based on total representation in Congress so that states with smaller populations have a little more weight to their votes. While maintaining this compromise, it also is a step in the right direction to a more proportional and legitimate electoral system. While the Proportional Plan is not perfect, it is much more proportional than the current system by having states allocate their electoral votes based on the proportion of their popular vote that each

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

candidate wins. The Proportional Plan is also much more legitimate since it eliminates swing states and would make sure the entire country is both included in campaigning and feels as though their vote actually matters.

In order to implement the Proportional Plan, there are two steps that could be taken. The first, and more extreme, step is a constitutional amendment. A constitutional amendment is necessary to require states to allocate their votes using the Proportional Plan. A proposed amendment must be passed by two thirds of the House of Representatives and the Senate. After it passes through Congress, it must be passed by three quarters of the state legislatures as well in order to be ratified (“The Constitution”, n.d.). This is a difficult and lengthy process needed to officially amend the Electoral College. However, the current language of the Electoral College in the Constitution allows for states to decide how they want to allocate their votes. So, before this becomes a requirement, states could already start to allocate their votes in this manner. As Maine and Nevada have already done by switching to using the District Plan, states could begin using the Proportional Plan to allocate their electoral votes while waiting for a constitutional amendment to pass.

Overall, it is clear that the Electoral College needs to be amended. While we won’t see any change before the upcoming 2024 election, it is important to evaluate the proposals for reform and steps towards change need to be made. States should begin allocating their votes using the Proportional Plan so that our electoral system can be more proportionally representative of the American people and a more legitimate system. A constitutional amendment should be made in order to make the Proportional Plan the required method for states to allocate their electoral votes so that all states use the same system furthering the proportional representation and legitimacy of the Electoral College.

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform
Honors Thesis for Catherine Harris

APPENDICES

Appendix A – Electoral Vote Allocation by State, 2024

State	Electoral votes	State	Electoral votes
Alabama	9	Montana	4
Alaska	3	Nebraska	5
Arizona	11	Nevada	6
Arkansas	6	New Hampshire	4
California	54	New Jersey	14
Colorado	10	New Mexico	5
Connecticut	7	New York	28
Delaware	3	North Carolina	16
District of Columbia	3	North Dakota	3
Florida	30	Ohio	17
Georgia	16	Oklahoma	7
Hawaii	4	Oregon	8
Idaho	4	Pennsylvania	19
Illinois	19	Rhode Island	4
Indiana	11	South Carolina	9
Iowa	6	South Dakota	3
Kansas	6	Tennessee	11
Kentucky	8	Texas	40
Louisiana	8	Utah	6
Maine	4	Vermont	3
Maryland	10	Virginia	13
Massachusetts	11	Washington	12
Michigan	15	West Virginia	4
Minnesota	10	Wisconsin	10
Mississippi	6	Wyoming	3
Missouri	10		

Source: US Census Bureau.

(Edwards, 2024, pg. 30)

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform
Honors Thesis for Catherine Harris

Appendix B – Electoral College Reversal of Popular Vote Winners

Year	Candidate	Popular votes		Electoral votes	
		N	%	N	%
1876	Tilden (D)	4,288,546	51.0	184 ^a	50
	Hayes (R)	4,034,311	48.0	185	50
Tilden popular vote margin of 254,235; Hayes winner with electoral vote margin of 1.					
1888	Cleveland (D)	5,534,488	48.6	168	42
	Harrison (R)	5,443,892	47.8	233	58
Cleveland popular vote margin of 95,596; Harrison winner with electoral vote margin of 65.					
1960	Nixon (R)	34,108,157 ^b	49.5	219	41
	Kennedy (D)	34,049,976	49.5	303	59
Nixon popular vote margin of 58,181; Kennedy winner with electoral vote margin of 84.					
2000	Gore (D)	50,996,062	48.4	266	49
	Bush (R)	50,456,169	47.9	271	50
Gore popular vote margin of 539,893; Bush winner with electoral vote margin of 5.					
2016	Clinton (D)	65,677,168	48	227	42
	Trump (R)	62,692,411	45.8	304	57
Clinton popular vote margin of 2,984,757; Trump winner with electoral vote margin of 77.					

Note: The election of 1824 also resulted in a reversal of the popular vote winner, but through use of the House contingent procedure.

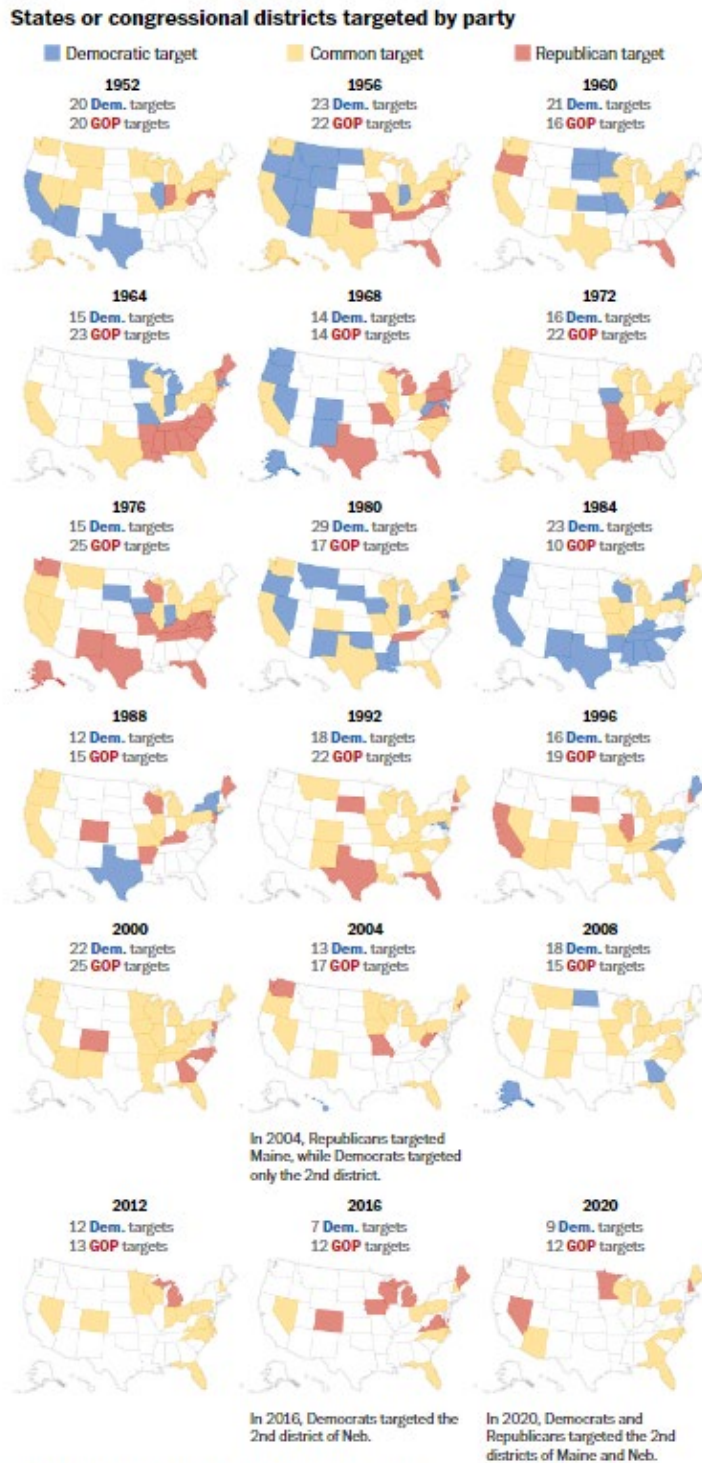
Sources: Congressional Quarterly's *Guide to U.S. Elections*, 7th ed. (Washington, DC: CQ Press, 2016); Jerrold G. Rusk, *A Statistical History of the American Electorate* (Washington, DC: CQ Press, 2001); Jeff Trandahl, *Statistics of the Presidential and Congressional Election of November 7, 2000* (Washington, DC: US House of Representatives, 2001); Karen L. Haas, *Statistics of the Presidential and Congressional Election of November 8, 2016* (Washington, DC: US House of Representatives, 2017).

(Edwards, 2024, pg. 84)

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

Appendix C – State or Congressional Districts Targeted by Party



Source: Daron R. Shaw, Scott Althaus, and Costas Panagopoulos
ADRIAN BLANCO RAMOS/THE WASHINGTON POST

(Scherer, et al., 2023)

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform

Honors Thesis for Catherine Harris

Appendix D – Comparison of Proposed Reform Evaluation, Expanded Table

Proposal	Description	Proportionality	Legitimacy	Feasibility	Overall
Approval Based Voting System	On their ballot, voters mark "yes" or "no" for each candidate. They may mark "yes" for as many or as few candidates as they like. Then, the candidate with the most "yes" voters is determined to be the winner. Requires abolishing the Electoral College.	Every person's vote is weighted the same. Theoretically the candidate that wins is the most representative of the people since they can vote "yes" on multiple candidates.	All states will need to be campaigned towards. Gives voters more of a say since they can vote "yes" multiple times. This could lead to some issues with people calling the system unfair if some vote "yes" on more candidates than others do.	Would require a constitutional amendment to completely abolish the Electoral College and replace it with this system. An amendment of this sort is unlikely to pass all the way through to adoption.	This is a good option, it is more proportionally representative than the current system and would help with the legitimacy issues that the Electoral College causes. That being said, it would be extremely difficult to implement as it is not a very feasible option.
Instant Runoff Vote	On their ballot, voters rank the candidates in order based on their preferences. The candidate with the least number of votes is eliminated and the vote totals are recalculated towards their second choice. This process repeats until one candidate has a majority of the vote. Requires abolishing the Electoral College.	Every person's vote is weighted the same. People have a say in their second choice as well, so theoretically the winning candidate has the majority of the country who wants them as their first or second choice.	All states will need to be campaigned towards. Candidates will have to focus on the entire country more because they want to be in people's top few choices. This system could lead to confusion about how it works and how someone wins.	Would require a constitutional amendment to completely abolish the Electoral College and replace it with this system. An amendment of this sort is unlikely to pass all the way through to adoption.	Overall, this is another option that is better than the current system, however it is not very feasible for the Electoral College as a whole to be abolished and this system could also cause confusion with the public which would hurt its legitimacy.
National Popular Vote	The current national popular vote in place is used to determine who wins the election. Voters cast their ballot with their preferred candidate and the candidate with the most number of ballots nationwide becomes the next president. Requires abolishing the Electoral College.	This system is directly proportional and represents "one person, one vote" exactly. Every vote is weighted the exact same.	Candidates would have to campaign to every state. The president would be directly voted by the people so there wouldn't be any discrepancy between this election and another election system.	Would require a constitutional amendment to completely abolish the Electoral College and replace it with this system. That being said, there is the National Popular Vote Interstate Compact which is a way for states to give their electoral votes to the candidate who wins the national popular vote.	Overall, this system is the most proportional and also greatly increases legitimacy. While a constitutional amendment instituting this system would be difficult to pass, states could join the National Popular Vote Interstate Compact in order to indirectly implement it.
Perfect Proportional System (Proportional Plan)	The electoral votes for each state are allocated to each candidate proportionally based on the percentage of the state's popular vote that each candidate wins. Requires amending the Electoral College.	Not fully proportional to the nation since the two extra electoral votes still exist, however is proportional to each state. Smaller states still have a little more weight.	People will feel as though their vote matters more since candidates can win a percentage of a state's electoral votes. Candidates will want to campaign to more states to get the largest percentage they can. Possibility of discrepancy between this system and popular vote is significantly decreased, however still exists.	Would require a constitutional amendment to the Electoral College to require states to allocate their votes this way, however they can currently choose to use this method on their own. Is a compromise between larger and smaller states so is more likely to pass than more radical options.	Overall, this is a great option. While it is not the most proportional system, it is the closest option without completely abolishing the Electoral College. In order to create change, a compromise is needed so that the amendment has a better chance of passing, and this is exactly that. A step in the right direction.
Integral Proportional System	The electoral votes for each state are allocated to each candidate proportionally based on the percentage of the state's popular vote, however the number of votes assigned to the winning candidate favors them by allocating them the next integer that is larger than the percentage of the popular vote that they won. Requires amending the Electoral College.	More proportional than the current Electoral College, however is not proportional to the nation nor to the state itself. Gives the winning candidate in each state the next closest higher integer of electoral votes, so is not exactly proportional.	People will feel as though their vote matters more since candidates can win a percentage of a state's electoral votes. Candidates will want to campaign to more states to get the largest percentage they can. Possibility of discrepancy between this system and popular vote still exists. This system could also cause confusion with exactly how that higher integer is decided.	Would require a constitutional amendment to the Electoral College to require states to allocate their votes this way, however they can currently choose to use this method on their own. Is a compromise between larger and smaller states so is more likely to pass than more radical options.	This is another good option that will help with legitimacy and is somewhat feasible. That being said it is one of the less proportional options. Since it is not winner-take-all, nor accurately proportional, this method may confuse citizens as well which will take away from its legitimacy.
District Plan	One electoral vote is allocated for each congressional district that the candidate wins in a state. The two extra electoral votes that each state has are allocated to the candidate that wins the overall popular vote winner of that state. Requires amending the Electoral College.	More proportional than the current Electoral College, however is not proportional to the nation nor to the state itself. It is proportional to each Congressional district, though does give extra representation to the overall state winner.	People will feel as though their vote matters more since they can influence the outcome of their district more. However with the two extra votes, the concept of swing states could still exist for these two votes. This system would also encourage gerrymandering which will harm legitimacy.	Would require a constitutional amendment to the Electoral College to require states to allocate their votes this way, however they can currently choose to use this method on their own. Maine and Nebraska already use this system, so there is shown support for it from them.	While this option is very feasible since it is a compromise between states and there are a couple that already use it, it is the least proportional option aside from maintaining the Electoral College. It also poses serious threats to legitimacy since it would encourage gerrymandering.
Maintaining Electoral College	Leaves the Electoral College as it currently is. No abolition or amendment required.	As described by this thesis, the Electoral College is not a proportional system.	As described by this thesis, the Electoral College is dangerous to legitimacy.	Maintaining the Electoral College is feasible because it requires no change.	Overall, the Electoral College should not be maintained.

The Electoral College: Representative Accuracy, Public Opinion, & Proposed Reform
Honors Thesis for Catherine Harris

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