

Electoral College and Election Fraud

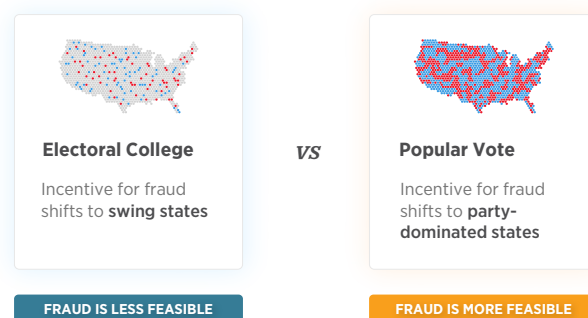
Based on BFI Working Paper 2023-94, “[Electoral College and Election Fraud](#),” by Georgy Egorov, Northwestern Kellogg; and Konstantin Sonin, Chicago Harris

The electoral college discourages election fraud by making it more difficult and costly to manipulate votes in swing states where opposing parties have sufficient political power to prevent fraud.

According to a survey conducted by the Pew Research Center in January 2021, 55% of Americans favor electing the president based on the popular vote, while only 43% support keeping the electoral college. Even prior to the controversial 2016 and 2020 elections, headlines such as “How to Get Rid of the Electoral College” have been pervasive. These ideas are not new: Since the adoption of the US Constitution in 1787, there have been more than 700 congressional proposals aimed at reforming or repealing the electoral college. This paper considers a possible advantage of the current system — that it prevents election fraud.

Under the electoral college, presidential candidates compete for votes on a state-by-state basis. The winner of each state obtains all the state’s electoral votes, the number of which is equal to the size of the state’s congressional delegation, which, in turn, is roughly aligned with the state’s population. This system often results in very close elections in a select few “swing” states.

Figure 1 • The Likelihood of Election Fraud: Electoral College vs. Popular Vote



For example, during the 2020 presidential election, the incumbent President Trump faced losses of 10 thousand votes (0.3%) in Arizona, 12 thousand votes (0.2%) in Georgia, and 20 thousand votes (0.6%) in Wisconsin.

Swing states present a significant opportunity for election fraud, as a relatively small number of votes would be needed to reverse their results. But, and herein lies

the contribution of this paper, **under the electoral college, these are also the states where it would be most difficult to obtain fraudulent votes because the opposing party is well-represented in the elected and administrative bodies responsible for combatting fraud.** The authors explain this theory first through historical examples and then by establishing an abstract framework applicable to a broad range of scenarios.

Consider what President Trump would need to have done to change the outcome of the election he lost in 2020. In the states that he lost closely – Arizona, Wisconsin, and Georgia – his opponents had a significant representation at all levels of government such as the state Supreme Courts, the lower and upper chambers of the state legislatures, and the states’ Congressional delegations. Given this oversight, organizing fraud sufficient to swing the election outcome would have been extremely challenging. It would have been easier to obtain fraudulent votes in Republican-dominated states such as Tennessee, Texas, Alabama, or Oklahoma, where President Trump won by significant margins and enjoyed widespread support at all levels of government. Under the electoral college system, however, it would be pointless for a Republican to steal votes in a “red state.”

Formalizing this notion, the authors establish the following framework, which they use to compare the likelihood of fraud under the

popular vote versus the electoral college across a range of varying contexts (e.g., rising polarization): For a losing party to commit fraud, they argue, two constraints need to be satisfied. First, fraud must be feasible: the losing party should be *able* to flip enough votes to overturn the election. Second, committing fraud must be incentive-compatible, in the sense that the benefits of winning elections should be higher than the aggregate cost of fraud.

The authors show that relative to the popular vote, the electoral college system drives down feasibility in high-incentive elections. They conclude, therefore, that the electoral college system offers superior protection against election fraud. The authors also note that increasing polarization is unlikely to alter this conclusion (a result which they expand upon in their [paper](#)).

This research offers a framework both for comparing the tradeoffs between a system of popular vote and the electoral college, and for considering the likelihood of election fraud. On the former, the authors show that implementing a popular vote system while entrusting the counting of votes to local authorities may create a system that is particularly vulnerable to fraud. On the latter, they provide theoretical evidence against the widespread claims of fraud in swing states during the 2020 election.

READ THE WORKING PAPER

NO. 2023-94 · JULY 2023

Electoral College and Election Fraud

bfi.uchicago.edu/working-paper/2023-94

ABOUT OUR SCHOLAR



Konstantin Sonin

*John Dewey Distinguished Service Professor,
Harris School of Public Policy*

harris.uchicago.edu/directory/konstantin-sonin



THE UNIVERSITY OF CHICAGO
**HARRIS SCHOOL
OF PUBLIC POLICY**