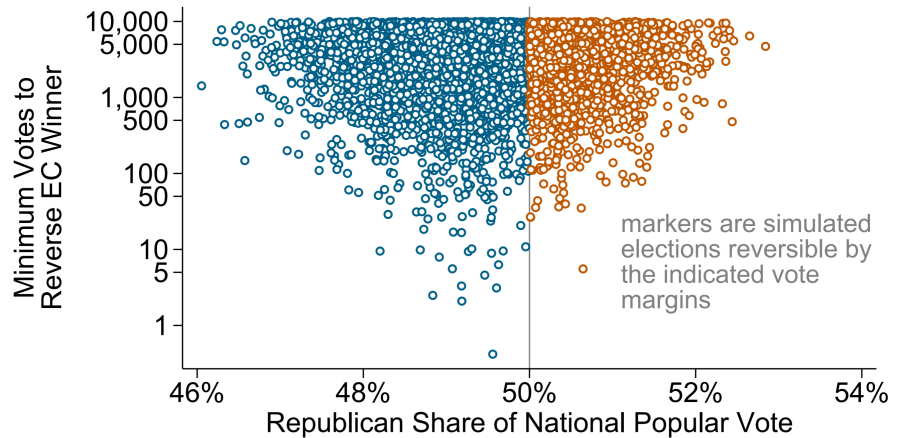


Each dot is a simulated Presidential election – out of 100,000 likely outcomes – in which the Electoral College winner would be reversed by courts or administrators discarding, preventing, or reversing a small number of votes (shown on the vertical axis) in just one state. This risk is more likely to impact elections where Democrats win the popular vote.



The Electoral College is likely to produce disputable results, decided by courts and administrators.

New statistics from UT-Austin economists show that the Electoral College is much more likely than a National Popular Vote to yield a final outcome vulnerable to officials' disqualifying, preventing, or reversing a few hundred or thousand ballots.

In 2000, 537 ballots in Florida would have reversed the election outcome—even though the national popular vote margin between the two candidates was in the hundreds of thousands. The result was uncertainty, litigation, and an outcome that is widely regarded as reflecting judicial decisions. Beyond courts, administrative choices (such as disqualifying mailed ballots or removing ballot drop-off boxes) could also be pivotal in deciding the Presidency—but only if the vote count is narrow enough in a decisive state.

The statistics of the Electoral College are structured to make such narrow, disputable outcomes likely. About **1-in-10 elections** with

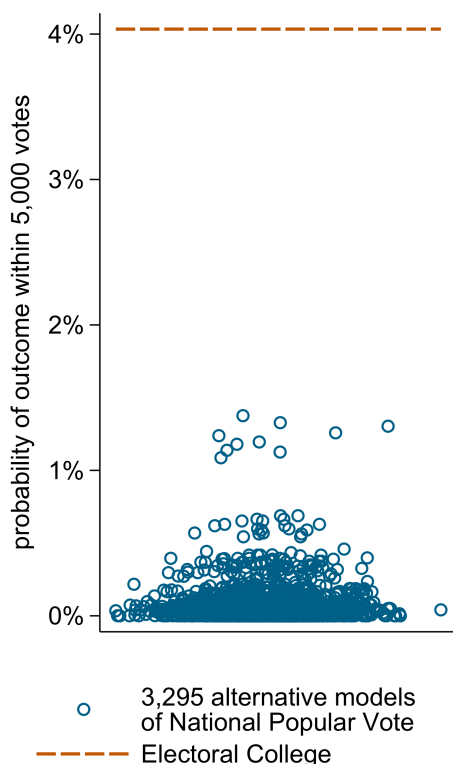
7,997 Mail-in ballots rejected
in 2020 Michigan
Presidential primary

23,196 Mail-in ballots rejected
in 2020 Wisconsin
Presidential primary

21,973 Absentee ballots
rejected in 2016 Florida
Presidential general

10,189 Absentee ballots
rejected in 2016 Ohio
Presidential general

1 in 6 Chance that 10,000 or
fewer ballots in one
state could reverse
Presidency, in an
election with a popular
vote margin up to one
million votes



a popular vote margin within 1 million—and **1-in-25 of all Presidential elections**—would be reversible by 5,000 or fewer ballots in one state. Narrow outcomes have been argued to yield economic uncertainty, spark social and political conflict, and create incentives for politicians to seek to manipulate or litigate results after the voters have had their say. But an outcome that hinges on a few hundred or thousand ballots in one state is not a rare fluke — it is something to expect under the Electoral College.

The probability of disputable election outcomes is asymmetric, advantaging Republicans.

Presidential election outcomes that could be reversed by a small number of disputed ballots in one state are not equally distributed between parties. About 71% of elections that are vulnerable to reversing 5,000 ballots in one state are elections where the Democrat, rather than the Republican, won the popular vote. This fraction is slightly greater (72%) for elections reversible by a number of votes in the hundreds, and about the same (70%) for elections reversible by 10,000 ballots in one state.

Under any plausible future, a National Popular Vote is less vulnerable to narrow outcomes.

Reversibly narrow outcomes are much more likely (40 times more likely in our main estimates) under the Electoral College than they would be if the election were decided by a National Popular Vote. This is true for the modern era of US politics, and also in other historical periods that have featured close competition between two parties. But could this change if presidential politics evolved to adapt to a National Popular Vote system? Nobody knows exactly how politics would change, so we tested thousands of models of radically different (and not so different) future political maps. In all cases, disputably narrow results are much more likely under the Electoral College than in any future for popular votes.

All statistical results are from "How Likely Is It that Courts Will Select the US President?: The Probability of Narrow, Reversible Election Results in the Electoral College versus a National Popular Vote" by Michael Geruso and Dean Spears of the University of Texas at Austin Electoral College Study. Further results and full methodological details are presented in the paper, available at utecs.org.