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The Past, Present and Future of the U.S. Electoral College²

Abstract

Author aims to explain the institutional framework of the United States presidential election. One of the unique features of American political system is the Electoral College – an indirect mechanism of voting in which the citizens' votes are aggregated and weighted in relation to their federal entity (i.e. fifty states and one federal district). Throughout the paper, author will not only present historical genesis and basic settings of this electoral mechanism, but also examine the effects and consequences of the system through history, including a number of controversies contributing to the rising criticism and frequent calls to reform. In that sense, the main arguments in favor and against the reform of Electoral College will also be analyzed. Finally, the paper will conclude with a brief examination of system's effects on strategies of presidential candidates and voting results in the outcome of 2016 election.

Key words: United States, presidential election, Electoral College, electors, swing states

Historical Evolution and Constitutional Definition

The President of the United States of America is indirectly elected by the people through the mechanism known as the Electoral College, to a

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four year term. Along with the Vice President, who is chosen during the same procedure, it is one of only two nationally elected federal officials in the United States. Mechanism of voting is established by the Article Two of U.S. Constitution and is as such one of the oldest electoral systems still in use today (U.S. Constitution, Art. II). However, in comparison with the most electoral methods used worldwide, national popular vote is not the basis for electing the head of state. Citizens of United States elect the President indirectly, voting in the general election in order to choose a number of electors from their home state, who then proceed to cast their vote for one of presidential candidates. A number of electors is fixed at 538 and is distributed among states depending on their respective populations.

The U.S. Constitution prescribes that each state appoints, in a manner their legislature may direct, a number of electors corresponding the number of Senators and members of House of Representatives entitled to that state in Congress (U.S. Constitution, Art. II). Document further explains that the electors shall meet upon their appointment in each state, and cast the ballots for both President and Vice President, addressing the results to the U.S. Senate. A candidate who receives a majority of electors' votes will be appointed President. In the unlikely event of an equal number of electoral votes, members of the House of Representatives (lower chamber of the U.S. Congress) will choose the President. Furthermore, during that process the House members will be divided in state delegations, with each delegations having only one vote. Correspondingly, the Senate will elect the Vice President, with each of one hundred Senators having one vote (U.S. Constitution, Art. XII).

As seen in previous paragraphs, the procedure gives great importance to individual states – not just in weighing of electoral votes, but also when comes to voting in Congress in an event of a tie (or absence of majority, albeit that happened most recently in 1824). The whole procedure emphasizes the federal character of the United States. Creators of the Constitution established the Electoral College as a compromise, not just between voting for President in the representative body and election by a popular vote; but also between the Union and member states (Madison 2001: 194-199). Indeed, original plan suggested the election of President by the Congress. However, Constitution makers presumed that could not only lead to formation of “cliques” – small groups of powerful politicians with a decisive impact on election; but also could endanger the independence of the presidency in relation to

Congress (Madison 2008). One of the explanations for the emergence of Electoral College stipulates that Constitution makers of the late 18th century could not imagine how national popular election would work, especially in the large and incoherent territory of the early United States - which, in 1787, consisted of thirteen very diverse former colonies, still not sufficiently linked by common institutions, media or even powerful personalities. In short, both the electorate and the politicians of the 18th century were much more state-oriented than nation-oriented in their political thinking, resulting in turn in the creation of a state-based electoral system (Black 2012).

Constitution originally cited that the candidate receiving second most electoral votes would become the Vice President. However, that solution, combined with the formation of early political parties, resulted in administrations in which the President and Vice President came from different party. Furthermore, the lack of distinction between the votes casted for President and Vice President caused additional problems, especially in 1800 election, when the House of Representatives had to decide the vote. As a response to this confusion, the Congress ratified the new amendment to the Constitution (U.S. Constitution, Amendment XII), prescribing separate ballots casted by the electors for two major offices. Finally, in mid-19th century, parties started to introduce the electors who pledged their support to the specified candidates beforehand - thus gradually eliminating the free electors, and laying foundations of a general ticket of party-sanctioned electors, which is still used today.

Electoral College Today

Contrary to the popular belief, the term “Electoral College” itself is not sanctioned by the Constitution. It is simply a practical and publicly adopted term referring to the body of electors (Bromwich 2016). Typically, these electors are nominated by political parties in their respective states. The nomination takes place either at the party convention or through the party caucuses, depending on internal regulations and varying by state. It usually happens in the spring of the electoral year (federal Election Day is always set at first Tuesday following the first Monday in November). The Constitution prescribes who is eligible to be an elector: it excludes Senators, members of the House of Representatives, and any person holding an “office of trust or profit under the Unit-

ed States” – that is, all employees of United States government. Electors are usually chosen based on their service and loyalty to the political party (Neale 2016: 3-4).

All states are now choosing the electors through popular vote. In most of them, voters pick a slate of electors proposed by one of the running parties, with only eight states listing the individual electors’ names (Arizona, Idaho, Louisiana, North Dakota, Oklahoma, Rhode Island, South Dakota, and Tennessee). In practice, voters cast only one vote for the group of electors, who are nominated by the party and pledged to support certain candidates. General election ballots simplify the voting, presenting joint candidacies for President and Vice President of each party. (Neale 2016: 5-7).

The Electoral College never meets together as a single body. Electors gather in their state capitals in mid-December following the Election Day to cast the electoral votes. These votes are then counted in joint session of Congress in the beginning of January, while the new President – the candidate with the majority of electoral votes – is sworn on January 20th or 21st, when he officially takes the Office. However, after the Election Day in November, the process is largely a technical procedure – depending on the presumed sum of electoral votes received, the future President is usually known hours after the polling stations have closed. The fact is even demonstrated in the custom of forming the so-called “transitional teams” right after general election, facilitating the smooth transfer of power and introducing the President-elect and his future administration to the office and its duties.

Electors are not constitutionally obligated or sanctioned by federal law to honor their previous obligation to the candidate. Those electors, who either cast their votes for candidates different than to whom they pledged, or those who abstain from voting, are called faithless electors. Although thirty states have prescribed laws to sanction faithless electors, none have ever been enforced. There have been very few occasions of an elector voting contrary to the previous commitment: until 2016, it happened only nine times in the last hundred years. Some of them voted differently out of honest mistake, some of them choose to switch the vote out of protest, or because of personal preferences – but they have never changed the outcome of an election. Simply put, most of the electors hold leadership positions and have high loyalty to their party, resulting in very low chances of reversing the outcome of the election (Bromwich 2016).

There are 538 electors in total, corresponding to the combined number of members of House of Representatives (435), number of Senators (100), and additional three electors allocated to the District of Columbia (Washington D.C. – which has no representatives in Congress). Number of electors granted to each state hence equals to the combined number of its Congressmen and Senators. This number is based on respective populations, and is recalculated every ten years. Most populous states, such as California, Texas, New York and Florida, carry the larger number of electors; while the states with seven smallest populations have three electors each: Alaska, Delaware, Montana, North Dakota, South Dakota, Vermont, and Wyoming.

Table 1: Current allocation of electoral votes among states

State(s)	Electoral Votes
California	55
Texas	38
Florida, New York	29
Illinois, Pennsylvania	20
Ohio	18
Georgia, Michigan	16
North Carolina	15
New Jersey	14
Virginia	13
Washington	12
Arizona, Indiana, Massachusetts, Tennessee	11
Maryland, Minnesota, Missouri, Wisconsin	10
Alabama, Colorado, South Carolina	9
Kentucky, Louisiana	8
Connecticut, Oklahoma, Oregon	7
Arkansas, Iowa, Kansas, Mississippi, Nevada, Utah	6
Nebraska, New Mexico, West Virginia	5
Hawaii, Idaho, Maine, New Hampshire, Rhode Island	4
Alaska, Delaware, District of Columbia, Montana, North Dakota, South Dakota, Vermont, Wyoming	3

Increased importance of certain states is apparent, and that is becoming more evident when method of awarding the electoral votes to candidates is considered. Namely, 48 states and Washington D.C. implement the “winner takes all” voting system, awarding all electoral votes from their respective state to a winning candidate. In practice, state’s electoral

votes are awarded to the presidential candidate with plurality of popular vote in the state, introducing a phrase “winning a state” into American political discourse and political strategy alike. Only two states, Maine (since 1972) and Nebraska (since 1996), use the alternative, congressional district method to distribute their electoral votes: they are electing one elector from each congressional district in the state (two in Maine, three in Nebraska), and additional two electors at-large are awarded to the winner of a statewide popular vote.

As it takes a majority of 538 electors to win the presidency, pursue to the 270 votes dictates the “electoral mathematics” in the United States. The parties and their candidates create strategies on how to win a sufficient number of states combining to 270 votes, allocating their resources to the most important states, and often neglecting the smaller ones, especially those worth three or four electoral votes.

Degree of partisan stability of several states between electoral cycles also plays an important role in electoral mathematics of prospective candidates. It is noted that citizens in a certain number of states tend to vote for same parties during the longer periods of time, resulting in stable support and directing the attention of both candidates and media to the other, indecisive and more unpredictable states. Popular and academic terminology has since referred to the states who predominantly vote for democratic candidates as “blue states”, while those who tend to support the republican nominees are referred to as “red states”. This perception is popularized in the media during the 2000 presidential election, largely due to the colored maps used to depict voters’ preferences among states (Rutchick, Smyth, Konrath 2009: 269-270). Ever since, the perception is reinforced through the election results: between 2000 and 2016 election, 38 states have repeatedly voted for the same party. The term has even been expanded in order to describe states as more liberal or more conservative. In turn, the voters in those noncompetitive states seem to have less power and less influence (Brams, Kilgour 2016: 99-101) on the outcome of elections than their fellow citizens in the battleground states.

Battleground or “swing” state refers to a state that could be won by either of the candidates of two major parties. Due to the “winner takes all” system and uneven allocation of electoral votes, candidates often direct their campaigns only to these states. Colorado, Florida, Iowa, Michigan, Minnesota, Ohio, Nevada, New Hampshire, North Carolina, Pennsylvania, Virginia and Wisconsin have been described as “perenni-

al” swing states that have been contested over the last five presidential campaigns (Silver 2016). In total, these twelve states carry a sum of 156 electoral votes, which is incentive enough for the candidates to focus on them and to try to find the right combination which will provide them with the winning 270. Nevertheless, disproportional focus of candidates and their campaigns on swing states is the focal point of many critics of the Electoral College.

Support, Criticism and Reform Proposals

Apart from historical reasons, one of the main arguments in favour of the Electoral College is that it reflects the federal character and formal federal structure of the United States, representing each state’s popular choice for President. Proponents of the current system also claim that it contributes to the cohesiveness of the country, forcing the parties and candidates alike to make a wider national effort and pay more attention to sparsely populated states, instead of campaigning only in heavily inhabited urban areas, most likely in the large cities in the Northeast and on the West Coast of the United States. In that way, the Electoral College prevents majorization of vast rural areas by large metropolitan centers. American media, academic community, government and political donors are already concentrated in big cities, so there is a consequent fear that the abolition of Electoral College could further centralize the political power and decision making in these centers, largely at the expense of the rest of America (Gregg 2012).

For third parties, independent candidates, new political forces and minor political parties, it is extremely difficult to win enough votes in substantial number of states in order to gain respectable number of electors and have a chance to win the presidency. Distribution of voting rights and electoral votes clearly countervail the creation of multiple factions and keep the stability of the two-party system. “First past the post” system generally tends to produce party systems with two major actors, while the smaller parties are usually kept out of representation and decision making of any kind (Sartori 2003: 48-50). Proponents consider this effect to be beneficial. Two-party system provides stability of government and opposition; it eliminates obsolete veto players in the party system and the need for fragmented ruling coalitions; furthermore, it protects the office of the President from minority influence and bar-

gaining with multitude of institutionalized political actors. It also keeps the extremists out of mainstream politics and forces two large parties to pose as broad coalitions of compromise interests, contributing to the more moderate tone of politics.

Finally, the fact that the electors are chosen from the people for the single purpose of electing the President is also considered a benefit. This solution prevents the creation of powerful permanent body vested with party or external interests, which could permanently influence the presidential election and draw the uncontrolled amount of political power from its presumed role (Hamilton 2001: 352-354).

On the other hand, one of the most important criticisms of Electoral College is that it is violating the principle of equality of vote. Allocation of votes among states gives a certain advantage to the least populous states (Alaska, Delaware, Montana, North Dakota, South Dakota, Vermont, and Wyoming), each of them having three electoral votes – in accordance with their number of seats in the House of Representatives and the Senate. Population of these states is overrepresented in the Electoral College when compared to more populous states (Collin 2016).

Because of the imperfect distribution of electoral votes in relation to states' population, in combination with the "winner takes all" rule, the American presidential elections are not decided by the "one person – one vote" principle (Williams 2011: 184-185). This caused several situations in which the Electoral College winner, that is, the President-elect, did not receive a majority of national popular vote. Prior to the 2016 election, there were four historical occurrences of that situation. In 1824, Andrew Jackson won the popular vote, but lost the presidency to John Quincy Adams. The election was decided by the House of Representatives, since neither of two candidates managed to gain a majority of electoral votes. In 1876, republican candidate Rutherford B. Hayes was elected President with more electors by his side, although democratic nominee Samuel Tilden won the popular vote. Similar happened in 1888 election, when incumbent democratic President Grover Cleveland lost to republican Benjamin Harrison, despite winning the popular vote. Finally, in one of the most contested and disputed election in history, republican candidate George W. Bush defeated democrat Al Gore in the year 2000, although Gore received around half of million votes more. In very close race, Bush managed to secure 271 electoral votes (in comparison to Gore's 266), by winning the key swing states of Ohio and Florida. Vote count in Florida (state carrying 25 electoral votes at the time, and

subsequently providing Bush with a narrow victory) is still a subject of numerous controversies – with U.S. Supreme Court decision to end the recount and award Florida’s electors to the republican candidate, effectively granting him the presidency (Bush v. Gore 2000).

Similar situation – in which the Electoral College winner did not receive a majority of national vote also happen in 2016 – is to be discussed in the final chapter. Currently, the debate can be concluded by saying that disproportion between number of votes received and electoral votes (or, in other political systems, parliamentary seats) won is not uncommon in the majority election systems with more than one electoral constituency – which is what U.S. Electoral college in its essence represents. Primal concern of these systems is territorial representativeness, not equality of vote.

However, distribution of electoral votes among states, along with “winner takes all” system and established patterns of party support, causes the candidates to focus their campaigns on several swing states, while largely ignoring the rest of the country. Twelve perennial swing states named in previous chapter receive majority of campaign visits, events, debates, advertising, media attention and party activities. According to one analysis, two thirds (273 out of 399) of the general campaign public events in 2016 election happened in just six states (Florida, Michigan, North Carolina, Ohio, Pennsylvania, and Virginia, carrying 111 electoral votes between them). According to the same source (National Popular Vote 2016), twelve perennial swing states received 94% of campaign events – 375 out of 399; while the 24 states and District of Columbia (carrying in total 176 votes) did not host a single public general election campaign event. Among them are for example New York (29 electoral votes) or New Jersey (14 electoral votes) – large, populous and important states, who are, nevertheless, democratic strongholds which candidate Hillary Clinton would presumably win even without campaigning. Same goes for the republican, “red states”, such as Tennessee (11 votes), South Carolina (9 votes) or Alabama (also 9 electoral votes). Furthermore, two of the most populous U.S. states, California (38 million residents – 55 electoral votes) and Texas (27 million residents – 38 electoral votes) received only one major public event each. Argument further states that this setup discourages participation and voter turnout – except in battleground states. In permanently red or blue states, entrenched party dominations provide no incentives for voting, especially for those voters who support the presumably losing side in their respective state.

On the other hand, that does not mean that these states are ignored in the national politics as a whole, or that people don't have any incentive for political involvement. While the presidential candidates allocate majority of their resources to swing states in order to maximize the probability of winning, the voting for President is not the only election happening in the United States in 2016. On Election Day this November, U.S. citizens voted not only for President and Vice President, but also for all 435 members of the House of Representatives, as well as for one third (34) of Senate members, and, in many states, for various local officials. For example, legislative elections were held in total 44 states, while people also voted for governors (in twelve states), and other numerous elected officials across America, such as attorney generals, judges, mayors, members of city councils etc.

Finally, the side effect of territorial vastness of the United States, with the voting conducted in fifty states along six different time zones, is the difference in closing times of polling stations between states. Major TV networks and media outlets tend to publish results of exit polls and their predictions of first results shortly after the closing of polling stations in certain states (namely in the East of the country), while the voting is still in progress (in Western states). This could distort the electoral results through discouragement of voters of, at that moment, presumably losing candidate. However, this is a weak argument. Winners in most of the Western states who are possibly affected by the early results from the East are already decided: majority of voters already casted their votes by the time of the first polling announcements. Moreover, majority of Western states fall in the category of party entrenched red or blue states. Nevada, with its six electoral votes, is only perennial swing state in the Pacific Time Zone.

Electoral system of the United States received a number of reform proposals during the years, but none of them managed to garner substantial support in order to pass the Congress and be considered as a possible Constitutional amendment. Some of the common proposals include introduction of direct election – that is, national popular vote without any intermediaries (electors) between voters and presidential candidates; abolition of “winner takes all” system and introduction of proportional allocation of state's electoral votes among candidates; or congressional district method, similar to the votes allocation currently in effect in Maine and Nebraska. Some of these ideas combine direct popular vote with Electoral College, in order to alleviate the apparent

anomalies of current system, most notably to eliminate the situations in which the winner of popular vote is not elected President. One of these initiatives received much support: namely, since 2006, ten states and District of Columbia adopted the National Popular Vote Interstate Compact, an agreement to award all their respective electoral votes to a presidential candidate who wins national popular vote, regardless of their party or electoral votes tally. Similar legislation is introduced in legislative bodies of all U.S. states and is currently in consideration. However, the prospect of adoption is low in the swing states, because it could reduce their influence in nationwide politics (Silver 2014). As of 2016, California, District of Columbia, Hawaii, Illinois, Maryland, Massachusetts, New Jersey, New York, Rhode Island, Vermont, and Washington (total of 165 electoral votes) have adopted the Compact as part of their legislation. However, the National Popular Vote Interstate Compact is unlikely to make impact in 2016 election, although the losing candidate (Hillary Clinton) won the popular vote by a margin of almost 3 million. Namely, Clinton already managed to win the electors from the eleven current signatories of Compact, having in mind that all of them are considered blue states. The situation implies that the Compact, although it could mitigate the controversies of electoral system without jeopardizing federal character of the country, is largely unusable unless ratified by majority of states from all three categories of presumed party support – red, blue or battleground.

Electoral College at the 2016 Presidential Election

As considered, the prospective candidates often build their strategies (i.e. combination of states) needed to win the presidency in relation to the current configuration of party support among states, in order to gain 270 electoral votes. Prior to 2016 Election Day, trends were clearly in favour of democratic candidate Hillary Clinton. When considering the states continuously won by democratic candidates in the last four electoral cycles (Gore in 2000, Kerry in 2004, Obama in 2008 and 2012), Clinton could count in advance on the support of no less than 242 electors, mostly from more urban and heavily populated states in the Northeast and the West Coast, but also in the Great Lakes region (Map 1). In theory, democrats would have won the election if they had managed to preserve the previously stable support, and garner additional 28

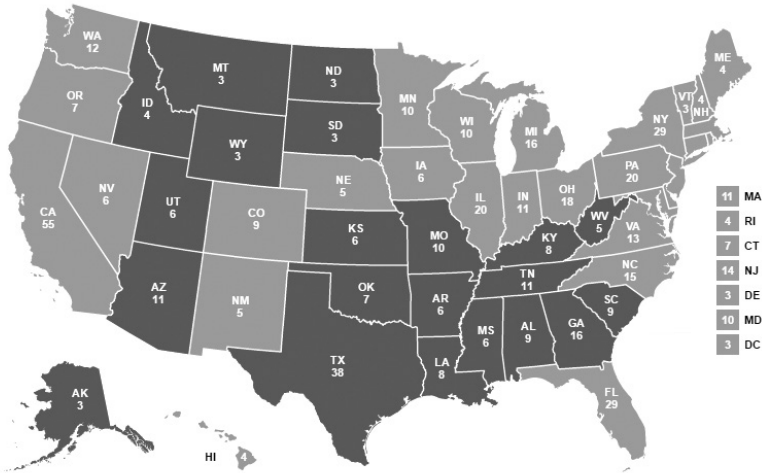
electors: either by winning the largest battleground state of Florida (29 electors), or by some other combination of swing states victories.

Map 1: Blue states 2000 – 2012



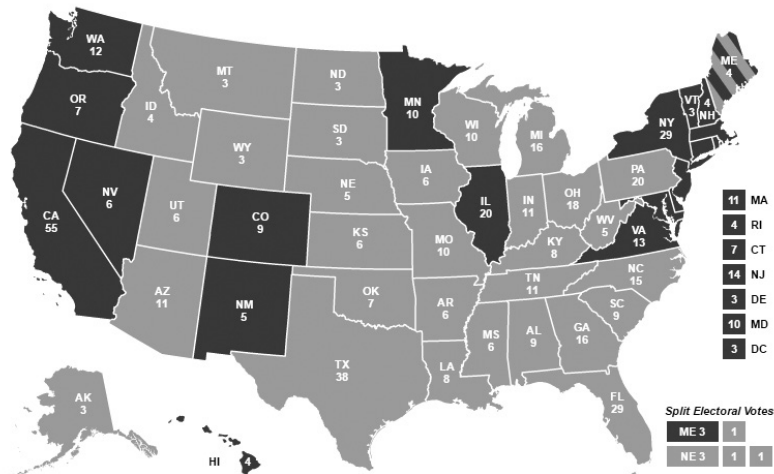
On the other hand, republican candidate Donald Trump adopted different strategy. His continuous conflict with republican elites meant that he could not rely only on traditional support of that party. Moreover, even if the republican support would shift to Trump (which eventually happened), he could only count on 175 electoral votes from red states: mostly from the Deep South and a several Western and Midwestern states (Map 2). From that starting position, Trump needed to gain an additional 95 electoral votes in order to ensure the victory. His strategy did not just consider winning the swing states, but also had to calculate gains in some of the states with more traditional democratic support. Due to his populist appeal to the mostly white blue collar working families, the choice fell to the states of the so-called Rust Belt – once an industrial region spreading through Northeastern United States, Great Lakes region and Midwest, covering the large parts of Pennsylvania, Ohio, Indiana, Michigan, Illinois, Iowa and Wisconsin. While Trump did not always geographically direct his campaign to these areas (Kirkland 2016), his message found a strong appeal with the population of Rust Belt: especially white, urban, industrial workers (Frum 2016).

Map 2: Red states 2000 - 2012



Despite many predictions of Clinton victory (Katz 2016), results incoming in the election night revealed that Trump performed surprisingly well in all battleground states: he has managed to win Florida, Ohio and North Carolina (total of 62 electoral votes). Moreover, Rust Belt states of Wisconsin, Pennsylvania and Michigan also switched to Trump, voting for a republican candidate for the first time since the election of George H. W. Bush in 1988. In effect, these three states deducted 46 electoral votes from the Clinton tally and brought it to Trump. In comparison to the previous 2012 election, when they voted for Barack Obama, six states (Florida, Iowa, Michigan, Ohio, Pennsylvania, and Wisconsin), along with one congressional district in Maine (the state has split its vote for the first time), switched to the republican candidate. Apart from one congressional district in Maine, Clinton managed to win the Northeast, the Pacific Coast including the most populous state of California, and also swing states such as Colorado, Minnesota, and Nevada. However, the loss of support in the Rust Belt, along with inability to make gains in any of the more populous swing states (namely Florida, Ohio or North Carolina), caused Clinton's subsequent defeat. In final count of the Election Day, Donald Trump presumably won 306 electoral votes, while Clinton managed to win 232 (Map 3).

Map 3: Presumed electoral vote distribution after the Election Day 2016 (light colored – Donald Trump, 306 votes; dark colored – Hillary Clinton, 232 votes)



Close to 139 million people voted in 2016, more than any prior presidential election, largely due to the increase of U.S. total population (United States Elections Project 2016). Turnout was 55.3%, which is historically an average value: since 1972, the percentage of voters varied between 49 and 57 percent. However, turnout was on average 16 percent higher in swing states than in other states (Bialik 2016), reinforcing the claim that the Electoral College system is narrowing the focus of political struggle to a limited geographical area of several swing states; while having a negative effect on participation in the rest of the country.

Despite losing the elections, Clinton managed to win more than 65.8 million votes, with Trump trailing by almost 3 million votes. The result of popular voting, in contrast with Electoral College vote, gave a new impetus to the proponents of electoral reform. Some of the protesters even urged the electors to defect from Donald Trump and cast their vote for Clinton, citing the will of majority of Americans showed in the popular vote as their main argument (Farley 2016). However, the electors met in their respective state capitals on 19th of December 2016, and regardless of multiple number of faithless electors recorded for the first time in 200 years, overwhelmingly voted as they previously pledged, confirming Trump's victory. Two republicans refused to vote for Trump

in Texas, while five democrats broke ranks from Clinton in Washington and Hawaii, casting their vote for third candidates. Two electors in Colorado and Minnesota were replaced in accordance to states' laws after trying to vote for democratic primary candidate Bernie Sanders instead of Clinton, while second vote was conducted in Maine after one democrat originally also tried to vote for Sanders (Detrow 2016). Interestingly, despite calls for defection directed at Trump's electors, more faithless electors were recorded among democrats. At the end, Trump received 304 electoral votes, compared to Clinton's 227.

Notwithstanding the record number of faithless electors and rising criticism encouraged by the results of popular vote, the Electoral College once again proved a functioning system, providing clear winner within the set institutional framework. The calls to mend the system, such as National Popular Vote Interstate Compact and other initiatives aimed at fixing the anomalies of the electoral vote, are likely to gain additional attention and support after the 2016 election; but the basic features of the Electoral College, responsible for the long term political stability and strengthening the federal character of the United States, are surely here to stay.

Bibliography:

- Bialik, C. (2016) "Voter Turnout Fell, Especially In States That Clinton Won", *Five Thirty Eight* [online]. Available at: <http://fivethirtyeight.com/features/voter-turnout-fell-especially-in-states-that-clinton-won/> [Accessed 19 December 2016].
- Black, E. (2012) "Why the Constitution's Framers didn't want us to directly elect the president", *Minnpost* [online]. Available at: <https://www.minnpost.com/eric-black-ink/2012/10/why-constitution-s-framers-didnt-want-us-directly-elect-president> [Accessed 19 December 2016].
- Brams, S.J., Kilgour, D. M. (2016) "Paths to victory in presidential elections: the setup power of noncompetitive states", *Public Choice*, Vol. 170, Issue 1, pp. 99–113.
- Bromwich, J. E. (2016) "How Does the Electoral College Work?", *New York Times* [online]. Available at: http://www.nytimes.com/2016/11/09/us/politics/how-does-the-electoral-college-work.html?_r=1 [Accessed 19 December 2016].
- Collin, K. (2016) "The electoral college badly distorts the vote. And it's going to get worse.", *Washington Post* [online]. Available at: <https://www.washingtonpost.com/news/monkey-cage/wp/2016/11/17/the-elec->

- toral-college-badly-distorts-the-vote-and-its-going-to-get-worse/ [Accessed 19 December 2016].
- Detrow, S. (2016) "Donald Trump Secures Electoral College Win, With Few Surprises", *NPR* [online]. Available at: <http://www.npr.org/2016/12/19/506188169/donald-trump-poised-to-secure-electoral-college-win-with-few-surprises> [Accessed 19 December 2016].
- Farley, R. (2016) "Could the Electoral College elect Hillary Clinton instead of Donald Trump?", *USA Today* [online]. Available at: <http://www.usatoday.com/story/news/politics/elections/2016/2016/11/16/fact-check-could-electoral-college-elect-hillary-clinton-instead-donald-trump/93951818/> [Accessed 19 December 2016].
- Frum, D. (2016) "The Great Republican Revolt", *The Atlantic* [online]. Available at: <http://www.theatlantic.com/magazine/archive/2016/01/the-great-republican-revolt/419118/> [Accessed 19 December 2016].
- Gregg, G. (2012) "Electoral College keeps elections fair", *Politico* [online]. Available at: <http://www.politico.com/story/2012/12/keep-electoral-college-for-fair-presidential-votes-084651> [Accessed 19 December 2016].
- Hamilton, A. (2001) "The view of the constitution of the president continued, in relation to the mode of appointment", *The Federalist*, Indianapolis: Liberty Fund, pp. 351-355.
- Katz, J. (2016) "Who Will Be President?", *New York Times* [online]. Available at: <http://www.nytimes.com/interactive/2016/upshot/presidential-polls-forecast.html> [Accessed 19 December 2016].
- Kirkland, A. (2016) "Political Pros See No Logic In Trump's All-Over-The-Map Campaign Schedule", *TPM* [online]. Available at: <http://talkingpointsmemo.com/news/campaign-strategists-say-trump-packed-schedule-makes-no-sense> [Accessed 19 December 2016].
- Madison, J. (2001) "The conformity of the plan to republican principles: an objection in respect to the powers of the convention, examined", *The Federalist*, Indianapolis: Liberty Fund, pp. 193-199.
- Madison, J. (2008) *Transcript of Madison debates in the Federal Convention, Tuesday September 4, 1787* [online]. Available at: http://avalon.law.yale.edu/18th_century/debates_904.asp [Accessed 19 December 2016].
- National Popular Vote (2016) "Two-thirds of Presidential Campaign Is in Just 6 States" [online]. Available at: <http://www.nationalpopularvote.com/campaign-events-2016> [Accessed 19 December 2016].
- Neale, T. (2016) *The Electoral College: How It Works in Contemporary Presidential Elections*, Washington: Congressional Research Service.
- Rutchick, A. M., Smyth J. M., Konrath, S. (2009) "Seeing Red (and Blue): Effects of Electoral College Depictions on Political Group Perception", *Analyses of Social Issues and Public Policy*, Vol. 9, No. 1, pp. 269-282.
- Sartori, D. (2003) *Uparedni ustavni inženjering*, Beograd: Filip Višnjić.
- Silver, N. (2014) "Why a Plan to Circumvent the Electoral College Is Probably Doomed", *Five Thirty Eight* [online]. Available at: <http://fivethirtyeight.com>

- ight.com/datalab/why-a-plan-to-circumvent-the-electoral-college-is-probably-doomed/ [Accessed 19 December 2016].
- Silver, N. (2016) “The Odds Of An Electoral College-Popular Vote Split Are Increasing”, *Five Thirty Eight* [online]. Available at: <http://fivethirtyeight.com/features/the-odds-of-an-electoral-college-popular-vote-split-are-increasing/> [Accessed 19 December 2016].
- The Constitution of the United States* (2011), Philadelphia: National Constitution Center.
- United States Elections Project (2016) “2016 November General Election Turnout Rates” [online]. Available at: <http://www.electproject.org/2016g> [Accessed 19 December 2016].
- United States Supreme Court (2000) *Bush v. Gore*, 531 U.S. 98.
- Williams, N. (2011) “Reforming the Electoral College: Federalism, Majoritarianism, and the Perils of Subconstitutional Change”, *The Georgetown Law Journal*, Vol. 100:173, pp. 173-236.