

REASSESSING ADVANTAGES IN THE ELECTORAL COLLEGE:  
FRAMERS' INTENTIONS AND MINORITY INFLUENCE

by

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(Under the Direction of Jamie Carson)

Abstract: The debate over the Electoral College focuses largely on the intentions of the framers and the supposed advantage to minority voters. Studies on the subject often take a highly normative approach, which has created a series of missteps in regards to both the analysis of the origin of the Electoral College and advantages to minorities. The purpose of this thesis is to remedy both of these issues. First, a thorough analysis of the Records of the Constitutional Convention reveals the institutional organization allowed delegates in favor of electors to get their preferred outcome. Second, additional considerations of minority voting habits demonstrates growing minority populations are increasing Electoral College vote allotments while simultaneously decreasing voting rates. The thesis investigates both the Electoral College's origin and modern realities greatly adding to our understanding of the U.S. executive election system.

INDEX WORDS: Electoral College; Constitutional Convention; Minorities; Voting power  
biases

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## CHAPTER ONE

### INTRODUCTION

Throughout U.S. history, four presidents--J.Q. Adams<sup>1</sup>, R. Hayes, B. Harrison, and G.W. Bush--earned the position of President of the United States without winning the popular vote. After each of these elections, questions arose about the Electoral College and a classic debate as old as the Constitutional Convention was reignited. One of the cornerstones of the Constitution, the Electoral College received little to no attention in the ratification debates. According to Hamilton in *Federalist No. 69*, the method for electing the executive “escaped without severe censure.” However in the modern era, the system is one the most controversial U.S. institutions with over 700 proposals introduced in Congress in the last 200 years to reform or eliminate the Electoral College system (Strömberg 2008). These resolutions have the support of 62% of Americans who would amend the U.S. Constitution to elect presidents by a popular vote system. Indeed, barely a third (35%) would keep the Electoral College (Saad 2011).

Both proponents and opponents of the electoral system base their arguments on recurring concepts: the “wisdom of the founding fathers,” how voting power is apportioned to various states and demographics, specifically how minority voters are represented in the system, and the existence or lack of “the wrong winner,”<sup>2</sup> (Best 1996, Hardaway 1994). The following analysis will discuss all of these with specific attention to the origin of the Electoral College and how

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- 1 Though several scholars exclude J.Q. Adams due to the traditional story that corruption instead of a failure in the Electoral College led to his election victory, (Best 1996, Hardaway 1994), Jenkins and Sala (1998) find House members voted sincerely based on preferences in choosing Adams rather than by corrupt bargaining.
  - 2 The “wrong winner” is a term referring to a candidate winning without receiving a majority of the popular vote (Best 1996, Hardaway 1994).



minority voters are advantaged or disadvantaged by the system. A great deal can be learned from analyzing both the system's early and contemporary debates.

First, in order to study an institution in the modern era, it is necessary to understand its beginning. Second, we must also consider the major transformations that have occurred to the framers' system. By studying how minorities, a portion of the electorate that the framers could have never anticipated or planned for, have changed the Electoral College over the last five decades we greatly add to our understanding of this 225-year-old institution. The analysis offers an opportunity to investigate how the US election executive system has reacted to massive changes in the electorate. In addition, the study will touch on the unintended consequences of the framer's system and consequences due to adaptations of the system that have occurred over time.

In addition, there are two distinct camps on the Electoral College: those who support the system and those who strongly advocate for abolishing or revising the system. Both of these camps utilize references from the framers and racial minorities to bolster their arguments. The following analysis will dissect both sets of arguments. The study will concurrently examine the original and modern debates surrounding the Electoral College, while also investigating how authors on the subject have used assumptions about the wisdom of the founders and minorities in their arguments. In order to gauge use of both past and present debates on the Electoral College, I will answer a series of questions.

Why was legislative appointment of the executive ultimately replaced by the Electoral College at the Constitutional Convention? What role did the organizational structure of the Constitutional Convention play in the final outcome on the executive election? How have racial minorities, who have been enfranchised for less than fifty years, affected the Electoral College?

Are minorities advantaged or disadvantaged by the system? Do popularly proposed reforms to the Electoral College affect minority voters and their preferences?

In answering these questions, the thesis will focus first on the foundation of the Electoral College and the debate that occurred during the Constitutional Convention. This will be followed by an analysis on one of the most recent developments to the system, the addition of minority voters. The study will determine what changes have occurred in the Electoral College due to the addition of minorities. Lastly, the analysis will examine the debate on whether minorities are advantaged or disadvantaged by the Electoral College by investigating voting power and voting biases, as well as the unit rule and possible reforms to the system.

## **CHAPTER TWO**

### **ORIGINS OF THE ELECTIONAL COLLEGE**

The setting is Philadelphia 1787--the characters are James Madison, Alexander Hamilton, Roger Sherman, Gouverneur Morris, and George Washington, to name a few; the event is the Constitutional Convention, a rigorous and often times desperate attempt to save the union before it collapsed in on itself. Though scholars may debate several factors surrounding the Convention, they often agree it was precarious, and narrowly escaped failure.

#### 2.1 Follies or Fantastic?

The framing of the actual debate at the Constitutional Convention and final creation of the Electoral College varies a great deal depending on whether a scholar's final assessment of the system ends on the side of ratification or maintaining the status quo. Proponents of the Electoral College often cite the “wisdom of the founders” (Best 1996, Hardaway 1994) as an essential argument for supporting the current system. The Electoral College is framed as a compromise equal to the Great Compromise—a carefully thought out system that bridges the gaps between all of the various groups:

It was an ingenious and original compromise. Everyone got something: large states got electoral votes based on their population; small states got an assurance of at least three electoral college votes and a contingency procedure based on a one-state-one vote principle. Those who feared “tyranny of a majority” got an indirect method of electing presidents. Those who feared the national legislature got a method in which the states could play a major role. Those in slave states got a counting method that factored in added voting strength to reflect their slave population, (Best 1996, x).

In addition, Hardaway praises the Electoral College arguing, “all of these compromises comprise the very heart of our federal system,” (Hardaway 1994, 83). Scholars who argue the Electoral College system is the best option for the United States rely on the compromise between large and small states and preserving federalism (Best 1996, Diamond 1996, Hardaway 1994). In these portrayals, the debate over the Electoral College was a well thought out, sophisticated piece of legislative history created by harmonious compromises between both sides of the convention—those in favor of legislative appointment and those who preferred direct popular election.

The description of the debate on electing the executive is portrayed in a significantly different light for those who consider it antiquated or problematic. The literature critiquing the Electoral College is far more extensive, but the framing of the debate from these scholars is generally the same. This literature describes the Electoral College as “merely a jerry-rigged improvisation, which has subsequently been endowed with a high theoretical content,” (Longley 1972, 22).

Instead of a compromise in which everyone received something, scholars who want to revise or scrap the existing system argue short-term politics, pressure to avoid conflict, and the delegates’ desire to end the convention and go home were what motivated passing the Electoral College (Edwards 2004, Longley 1972, Longley and Pierce 1996). In addition, historian Jack Rakove describes the system as “cobbled together at the last minute,” (Edwards 2004, 91). The general conclusion from these scholars is that, at its inception, the framers did not have any political principle for the proposed system, but simply a solution to the contextual problem (Edwards 2004, Longley 1972, Longley and Pierce 1996).

Proponents of maintaining the status quo focus on the compromises on state size as well as that between expansive and limited central government (Best 1996, Diamond 1996, Hardaway 1994). Scholars that argue for alteration instead highlight that most of the delegates believed a majority vote from electors would be rare, and the resulting system only came about as a last minute solution between appointment by the legislature or direct popular-vote (Edwards 2004, Longley 1972, Longley and Pierce 1996). Though there are kernels of truth to both perspectives, the Electoral College cannot simultaneously be an “ingenious compromise” and “jerry-rigged.” These authors purposefully pick and choose selections from the Convention debate to enhance their arguments without providing a complete picture of the realities underlying the creation of the Electoral College.

Based on my interpretation of the Convention documents, the debate over electing the executive was neither a perfect compromise proposed to appease everyone, nor was it a rushed decision with little debate. Compared to the conventional wisdom (Best 1996, Diamond 1996, Hardaway 1994), the focus of the debate was not centered on large states versus small states. In addition, and contrary to the traditional story, the Electoral College was not simply a solution between appointment by legislature or direct election (Best 1996, Diamond 1996, Edwards 2004, Hardaway 1994, Longley 1972, Longley and Pierce 1996).

Instead, strategic politicians were able to manipulate the debate and utilize the organizational structure of the Convention in order to get their preferred outcome. The following analysis demonstrates that the central focus of the debate was not state size, but rather eligibility for reelection, eliminating factions, and fears about a legislature with too much power. In addition, the debate did not rally back and forth between legislative appointments and direct election, but rather selection by electors was a far more frequent option presented compared to

direct election. On the two attempts to pass a motion for direct election of the executive, the measure failed never gaining more than two votes of support (Farrand 1966). The ultimate question then is how did selection by electors remain on the table and eventually overturn the previously successful motion for legislative appointment? In the following assessment, I argue that members of the third Committee of Eleven used their strategic position and political manipulation to generate the Electoral College.

The purpose of this analysis is not to critique or advocate for the Electoral College, but rather to assess how an institution created for a much different electorate than our contemporary one was originally debated and ultimately established. In order to originate a comprehensive assessment of the origin of the Electoral College, the following description comes directly from *The Records of the Federal Convention of 1787* (Farrand 1966) along with writings of both Madison and Hamilton from the *Federalist Papers*. In my view, both sides in the modern Electoral College debate have taken creative liberties in their evaluation of events at the Constitutional Convention. I aim to alleviate the inconsistencies that surround our understanding of the origin of the Electoral College.

## 2.2 A Convention to Save the Nation

In Annapolis in August 1786, James Madison found himself and his country in a precarious position. His attempt to gather delegates from all thirteen colonies together to discuss trade (and one can assume Madison had other agenda items in mind as well) ultimately failed. At this juncture, the Articles of Confederation left national leaders with no power and no mechanism in the current system to obtain more. The states' fear of a strong imperial government

relegated the Articles to enforcing merely a “league of friendship,” with no power over commerce, taxes, or even the ability to enforce laws.

To Madison's favor, a young Alexander Hamilton from New York was one of the eleven delegates to actually arrive in Annapolis. He along with Madison convinced those in attendance to unanimously recommend a convention be held in Philadelphia the following year to consider the situation of the United States and provide a report to Congress on necessary changes to the Articles of Confederation. With great effort Madison secured George Washington's support and presence, thereby ensuring at least attendance in Philadelphia (DeRose 2011, Hardaway 1994).

To be certain, by May of 1787 the situation was dire at best. Madison and his fellow delegates were faced with a national government that offered no power to overcome the country's mounting debt and zero authority to eliminate threats of another British attack or to even protect the Mississippi River from foreign interests. In essence, if no changes occurred the future for the United States of America was bleak, with the most likely scenario a disintegrated union split at least three ways between the North, the South, and Rhode Island as its own entity. In other words success at the Constitutional Convention of 1787 was crucial.

With the Convention's first order of business to enforce all delegates into secrecy, the fifty-five delegates took on a far greater project than simply amending the constitution. Instead, through the summer of 1787, these men took on the challenge of creating a new constitution that would provide enough power to the central government to keep the union together and handle national economic and defense matters while simultaneously balancing endemic fears of a strong, central government. In addition, the members had to compromise between state and national power, as well as create a system that would appease various state interests. With all of

these interests to balance, determining what the executive would look like and how the position would be elected was far from an easy task.

Election of the executive was heavily debated in the Constitutional Convention of 1787. Compared to the traditional story (Best 1996, Diamond 1996, Edwards 2004, Hardaway 1994, Longley 1972, Longley and Pierce 1996, Wilmerding 1964), the debate did not sway between legislative appointment and direct election, nor was the ultimate outcome based on a compromise between large and small states. On the contrary, the debate focused on the power of the executive and the fear of corruption and cabal. In addition, though direct election was the most preferred option for a few delegates, it was quickly eliminated as a plausible alternative. Colonel Mason of Virginia compared a direct election by the people to the equivalent of “a trial of colours to a blind man,” (Farrand 1966 II, 31).

On May 29<sup>th</sup>, eleven days into the Convention, the option of electing the executive via the legislature was established in the Virginia Plan. Only two days later, an alternative to legislative appointment was motioned. On June 2<sup>nd</sup>, Wilson proposed selection by electors based on districts. Though the motion was to no avail, passing in the negative (2 ayes, 8 no's, and 1 divided), it demonstrates how soon in the Convention the debate centered on appointment or selection via electors. These early debates focused heavily not only on how to elect the executive, but what the executive would ultimately look like. Whereas Sherman (CT) wanted the executive to simply be an institution carrying out the legislature's will, Gerry (MA) preferred an executive council, while Randolph (VA) proposed a three-person executive.

Direct election was briefly discussed, but it was not formally introduced as a motion until July 17<sup>th</sup> (forty-five days after the first motion for electors). Despite the fact that throughout the Convention, delegates such as Madison, Wilson, Mason, Morris, Hamilton, and Franklin favored



election by the people (Farrand 1966, Hoxie 1985), overall support for direct election was minimal and even its supporters quickly accepted its limitations. Madison remarked on July 19<sup>th</sup>, “The people at large was in his opinion the fittest in itself...there was one difficulty however of a serious nature... right of suffrage was more diffusive in the Northern than the Southern states, and the latter could have no influence in the election on the score of the Negroes,” (Farrand 1966 II, 57).

Once it became clear that direct election would never receive majority support, the debate focused to one of selection of the executive through the legislature or selection by electors. Table 1 highlights the structure of the debate through various motions voted on. It clearly demonstrates that the back and forth was between appointment and electors, and did not include direct election. Interestingly, those in favor of legislative appointment such as Randolph (VA), Sherman (CT), Rutledge (SC), and Pinckney (SC) often argued against direct election. Though direct election was only voted on twice, failing substantially both times, it may have been the case that those in favor of a weaker executive were using heresthetics (strategic political manipulation) to frame the issue by debating the extremes. Riker (1984) successfully argues that those in favor of a populist election used heresthetics to get their preferred outcome, but he did not consider that those who wanted legislative appointment used the same technique. Table 1 demonstrates direct election was rarely voted upon, but it was a reoccurring option presented in the debates. Therefore, it seems quite likely that as it was so unpopular, legislative appointment supporters attempted to make direct election the main alternative to legislative appointment. However, if that was their goal, they were less successful than those who preferred a more populist approach to electing the executive.

**Table 1. Recorded Votes on Election of the Executive in the Constitutional Convention**

<b>Date</b>	<b>Standing Option</b>	<b>Description of Motion</b>	<b>Tally</b>
29-May	VA Plan: Chosen by the National Legislature (F1:21)	Chosen by the national legislature and serve a seven year term	N/A
1-Jun	VA Plan: Chosen by the National Legislature (F1:21)	Chosen by the national legislature and serve a seven year term	N/A
2-Jun	VA Plan: Chosen by the National Legislature (F1:21)	v11 Elected by electors chosen by popular vote by state districts	2-8
2-Jun	VA Plan: Chosen by the National Legislature (F1:21)	v12 Chosen by the national legislature and serve a seven year term	8-2
8-Jun	Chosen by the National Legislature	v35 Procedural motion to reconsider clause	9-2
9-Jun	Chosen by the National Legislature	v36 Elected by the state governors instead of the national legislature	0-9-1
13-Jun	Chosen by the National Legislature	Revised/reorganized the VA plan and re-reported it	N/A
17-Jul	Chosen by the National Legislature	v165 Direct election by the people	1-9
17-Jul	Chosen by the National Legislature	v166 Elected by electors chosen by the individual State Legislature	2-8
17-Jul	Chosen by the National Legislature	v167 Chosen by the national legislature	10-0
19-Jul	Chosen by the National Legislature	v182 Elected by a group of electors as opposed to a popular election	6-3-1
19-Jul	Chosen by the National Legislature	v183 Electors that appoint the National Executive chosen by the individual state legislatures	8-2

20-Jul	Chosen by electors appointed by the Legislatures of the States	v189 New Hampshire and Georgia have two electors	6-4
20-Jul	Chosen by electors appointed by the Legislatures of the States	v190 Approve change to New Hampshire and Georgia	3-7
20-Jul	Chosen by electors appointed by the Legislatures of the States	v191 Agree to the number to electors for each state	6-4
24-Jul	Chosen by electors appointed by the Legislatures of the States	v215 Chosen by the national legislature	7-4
25-Jul	Chosen by the National Legislature	v218 Chosen by the national legislature and serve a seven year term and eligible for re-election by the electors chosen by the individual state legislatures	4-7
26-Jul	Chosen by the National Legislature	v225 Agree amended VA plan that establishes the term length and limits for the national executive	6-3-1
6-Aug	Chosen by the National Legislature	Committee of Detail revises/reorganizes the articles in the Constitution as they currently stand.	N/A
24-Aug	COD Report: He shall be elected by ballot by the Legislature.	v355 Direct election of the president by the people. Seven years. Ineligible	2-9
24-Aug	COD Report: He shall be elected by ballot by the Legislature.	v356 President elected by joint ballot by the national legislature	7-4
24-Aug	He shall be elected by joint ballot by the Legislature.	v357 Establish states would vote for the president in blocks and each state given one vote	5-6
24-Aug	He shall be elected by joint ballot by the Legislature.	v358 The majority of the legislature must be present when casting votes for president	10-1
24-Aug	He shall be elected by joint ballot by the Legislature.	v359 Electors will be chosen by the people	5-6
24-Aug	He shall be elected by joint ballot by the Legislature.	v360 Procedural motion to commit	5-5-1
24-Aug	He shall be elected by joint ballot by the Legislature.	v361 Electors to be chosen by the states	4-4-2

4-Sep	He shall be elected by joint ballot by the Legislature.	Report on Sept. 4 presents revised version of all sections on the executive.	N/A
5-Sep	CO11 Report: Proposal for the Electoral College	v446 Person with the most elector votes will be the president	2-9
5-Sep	CO11 Report: Proposal for the Electoral College	v448 Candidate must receive the most votes and at least 1/3 of the total electors votes	2-9
5-Sep	CO11 Report: Proposal for the Electoral College	v451 Legislature may determine the time of choosing and assembling the Electors	4-7
5-Sep	CO11 Report: Proposal for the Electoral College	v452 Add the word “appointed” Art. X Sect. 1 to refer to the electors.	8-2
6-Sep	CO11 Report: Proposal for the Electoral College	v456 President and vice president will serve concurrent four terms	10-1
6-Sep	CO11 Report: Proposal for the Electoral College	v457 The national legislature will determine the amount of electors	9-2
6-Sep	CO11 Report: Proposal for the Electoral College	v458 Add language that would require electors not to meet in the capital	1-10
6-Sep	CO11 Report: Proposal for the Electoral College	v460 Agree to the clause that indicates that the president will be the person with the most electors votes	8-2-1
6-Sep	CO11 Report: Proposal for the Electoral College	v461 President will be elected only if he receives the most electoral votes and a majority	8-3
6-Sep	CO11 Report: Proposal for the Electoral College	v462 Members of the national legislature are prohibited from being electors	8-3
6-Sep	CO11 Report: Proposal for the Electoral College	v467 List be created with the electors and their subsequent votes	11-0
12-Sep	Electoral College	Entire constitution sent to Committee of Style for revision/reorder/cleanup of clauses.	N/A
15-Sep	Electoral College & the rest of the Constitution	v566 Vote to approve the constitution	11-0

As noted, Riker (1984) argues that those in favor of direct election such as Madison, Gov. Morris, and Wilson clearly relied on heresthetics in framing the debate on appointment by the legislature. A review of the debate in mid-July evidently supports his claims. On July 17<sup>th</sup>, a unanimous vote for legislative appointment on the executive passed. Only two days later, after Gov. Morris motioned for reconsideration of the issue, election by electors passed for the first time on July 19<sup>th</sup>. With only two days of debate Gov. Morris managed to complicate legislative appointment and orchestrate the first successful vote on selection by elections.

Gov. Morris opened the debate with questions about the length of the executive's term and whether or not the position should be ineligible for a second term. Ultimately Gov. Morris determined only two options would keep the Executive independent from the Legislature (which he considered vital): *either* direct election by the people or the possibility of a lifetime in office. By framing the debate on July 19<sup>th</sup> between two relative extremes (both direct election and re-eligibility for life had been motioned, but failed miserably never gaining more than two ayes), Morris managed to refocus the debate on how to keep the executive independent from the legislature. In addition, he permanently linked uncertainties about the executive's term limit and eligibility for reelection with legislative appointment.

Several delegates argued against eligibility for reelection including Sherman. Originally a proponent of appointment, Sherman feared a "yes man" to the legislature would be continually renewed even if he was unfit for duty. The debate over ineligibility or eligibility for reelection was contentious with neither side making moves toward compromise. James Madison warned re-eligibility would lead to "tyrannical laws made that they may be executed in a tyrannical manner," (Farrand 1966 II, 34). This shift in the debate, prompted by Gov. Morris, altered appointment by the legislature (formerly a relatively safe motion passing five times and being the

status quo on eleven of the approximately twenty-two days of debate) to being permanently linked with ineligibility for a second term. As Wilson put it, “seems to be the unanimous sense that the Executive should not be appointed by the Legislature, unless he is rendered ineligible a 2d. Time,” (Farrand 1966 II, 56).

From this point on, selection by electors was considered a serious alternative (unlike direct election, which I’ve established was not considered a legitimate option). Therefore, several arguments were raised against electors. Houston (GA) argued extensive travel for electors from distant states would be problematic and expensive. Williamson (NC) argued quality men would want to be a part of the legislature leaving only unworthy men to act as electors. Lastly, Strong (MA) believed electors would make government too complex (Farrand 1996, II). However, the debate on the electors was short lived. A few days later on July 23<sup>rd</sup> a motion passed to once again consider election of the executive, resulting again in appointment of executive by the national legislature (7 ayes, 4 noes) on July 24<sup>th</sup>.

Despite surfacing arguments against electors, legislative appointment was still the long-lasting status quo and therefore general concerns about the executive remained linked with this mode of election. Term limits, ineligibility, and impeachment debates continued to baffle the delegates and remained intrinsically associated with appointment. Wilson remarked, “the longest term would not be equivalent to a proper mode of election,” (Farrand 1966 II, 102). While Gerry succinctly captured the debate, “we seem to be entirely at a loss on this head,” (Farrand 1966 II, 103). Despite growing concern legislative appointment remained as the status quo. However, as seen in Table 1, overall support for the resolution on the executive was dwindling by late July.

It appears that previously discussed issues over term length and ineligibility were affecting the votes among delegates. In addition, a vitally important element was added to the

debate on executive election, which permanently changed support for legislative appointment—fear of cabal and corruption. On July 25<sup>th</sup>, Madison presented the possibility that “ministers of foreign powers would have and make the use of, the opportunity to mix their intrigues & influence with the Election (legislative appointment),” (Farrand 1966 II, 109). Madison made a compelling argument that as the legislative body would be in session for long periods of time and clearly accessible, these individuals would be ripe for corruption. Gov. Morris had also noted the possibility of “cabal and corruption” as early as July 17<sup>th</sup>, but based on my reading of the debates at the Convention, the phrases were not common until after Madison's appeal.

This relatively new addition to the discussion greatly added to the concern of some delegates, and though it has been left out of many traditional interpretations in the Electoral College literature, its importance cannot be overlooked. On July 26<sup>th</sup>, only a day after Madison's introduction of cabal, the full resolution on the executive passed by the smallest margin to date in the Convention (6 ayes, 3 noes, 1 divided). Evidently, the delegates were far from satisfied with appointment by legislature, and there was no cohesion on term limits, ineligibility or impeachment. In addition, there was now rising fear of corruption. Therefore, due to little consensus and circular debate, the question of electing the executive was postponed and added to the list of responsibilities for the Committee of Detail.

Postponement and assigning unsolved issues to smaller committees was a common practice in the Convention. Unfortunately, no notes exist on the occurrences in these Committees, but as they were integral in the final outcomes of the Convention, it is worth briefly considering the basis for their decisions. The Committee of Detail, likely voted on by the entire delegation, consisted of Oliver Ellsworth (CT), Nathaniel Gorham (MA), Edmund Randolph

(VA), John Rutledge (SC), and James Wilson (PA). Scrutiny of the make-up of Committee of Detail provides insight into the Committee's ultimate decision on the executive election.

Rutledge's views were very clear on the topic. Though not overly loquacious on the subject, he commented that *only* appointment by the legislature would be suitable. Also, his state (South Carolina) never voted in favor of any alternative to legislative appointment. Randolph was also openly supportive of legislative appointment, which may have been due to his connection with the Virginia Plan. Gorham (MA), though this occurred after the Committee met, supported Rutledge in his motion for joint ballot of the two houses to elect the executive (Riker 1984). Therefore, though Wilson supported direct election and Ellsworth motioned for selection by electors, the make-up of the Committee clearly tipped in favor of legislative appointment.

On August 6<sup>th</sup> the Committee of Detail reported in favor of election by joint ballot of the Legislature. The Committee of Detail was not the only committee during the Convention to make recommendations on the executive. Before final passage in the Constitution, the third Committee of Eleven made the last set of recommendations on executive election. Understanding how the make-up of the committee relates to their recommendations is vital in comprehending the final outcomes from the Convention.

### 2.3 The Committee of Eleven

The topic of the executive was stalled for a period while the delegates fought a hard battle over representation in the Legislature. However, as demonstrated by the previous discussion, by August the topic was far from new to the Convention. Lines had been drawn on legislative appointment, direct election had essentially been eliminated as a viable option, and Gov. Morris, Wilson, and Madison managed to frame the debate in a manner that complicated legislative



appointment with ineligibility, impeachment, and corruption. Late into the convention legislative appointment was still the status quo, but as summarized by Col. Mason, seven alternatives had been presented (Farrand 1966 II):

1. Direct popular-vote
2. Election by state legislatures
3. Election by executives of the states
4. Electors chosen by the people
5. Popular vote for multiple executives
6. Each state presents a candidate, then the legislature chooses the winner
7. Lottery of legislatures to decide who participates in the election, chosen electors appoint

Riker (1984) describes the more bizarre alternatives (particularly the lottery option) as strategic maneuvers from the secessionists.<sup>3</sup> While this may be true, I think it also demonstrates the uncertainty that characterizes the era and Convention, as well as dissatisfaction with legislative appointment of the executive. On August 24<sup>th</sup>, for the second and last time direct election by the people was once again voted on and failed with only two votes of support coming from Delaware and Pennsylvania. Electors chosen by the people also failed to pass on the same day, but in a much closer vote (5 ayes, 6 noes).

As noted, the executive question was largely obscured by the debate on the legislature, and as seen in Table 1, only a few minor votes were held and very little debate on the topic occurred in August. Therefore, when the decision was made to assign the issue to the third Committee of Eleven,<sup>4</sup> the debates from late July on ineligibility, impeachment, and corruption still hung in the air. The Committee had to decide how to adapt a single executive, elected for a

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<sup>3</sup> In particular, these maneuvers were in favor of direct election (Madison, Morris, Wilson).

<sup>4</sup> On July 2<sup>nd</sup> the first Committee of Eleven on the question of equal representation in the Senate and on August 25 the second meet to consider issues concerning uniform duties and fees.

seven-year term and ineligible for a second term, to a resolution that would pass for inclusion in the final Constitution.

As demonstrated by the brief discussion on the Committee of Detail, the overall leaning of these Committee delegates is crucial to the outcome and committee recommendations. To create the Committee of Eleven, one member of each state was chosen by ballot, with states voting individually for their representative. During the Convention, votes occurred at the state level and therefore individual votes on committee membership cannot be disentangled. In order to determine delegates' preferences, I rely on comments stated during the debate and motions made. The members of the third Committee of Eleven can be seen in Table 2, along with a collection of their views on electing the executive.

**Table 2. The Committee of Eleven on Electing the Executive**

Committee Members	Pro Appt.	Anti Appt.	Pro Direct	Anti Direct	Pro Electors	Anti Electors	Silent
Abraham Baldwin (GA)							X
David Brearly (NJ)							
Pierce Butler (SC)					X		
Daniel Carrol (MD)		X					
John Dickinson (DE)		X	X				
Nicholas Gilman (NH)							
Rufus King (MA)				X	X		
James Madison (VA)		X	X				
Gouverneur Morris (PA)		X	X				
Roger Sherman (CT)	X						
Hugh Williamson (NC)		X					

There are several inferences to be made from Table 2. First, those delegates opposed to legislative appointment nearly comprise a majority of the Committee. Second, only one delegate--Sherman—who had gone on record in support of legislative appointment was on the committee. And as noted earlier, once eligibility questions were raised, Sherman began to distance himself from this mode of selection. Appointment's other fervent supporters--Mason, Randolph,

Rutledge, and Pinckney--were not elected by their states to join the Committee. The lack of delegates who favored appointment on the Committee may have resulted from Convention rules or customs. The records show that no delegate exceeded two Committee memberships. Mason, Rutledge and Pinckney (SC) had served on Committees previously in the Convention.<sup>5</sup> In addition, Rutledge and Mason had served twice by the time the third Committee of Eleven was in session. However, we cannot be absolutely certain of the underlying reasons for selecting individual committee members.

Nonetheless, Table 2 demonstrates a clear edge for those opposed to legislative appointment. The five members of the committee who had made clear pronouncements against appointment--Carrol, Dickinson, Madison, Gov. Morris, and Williamson--had only to convince an additional member to support their alternative. No one in the committee had commented against using electors. Additionally, direct election had been abandoned by proponents such as Madison for both logistical reasons as well as fervent distrust of the system by opponents. Riker (1984) argues that major proponents of direct election/electors (Madison and Morris) co-opted with small state issues to get their preferred outcome. Even if this were the case, I think the make-up of the Committee of Eleven shows supporting small states issues, though possibly necessary for final passage, was not necessary for the proposal coming out of the Committee. The individual views of the committee members were easily co-opted with King and Butler who previously voted in favor of selection by electors.

With the make-up of the third Committee of Eleven in mind, the resulting resolution is not surprising. On September 4<sup>th</sup>, Chair David Brearly announced the Committee was ready to report. On this day, the Electoral College was presented for the first time. It would consist of

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5 Pinkney: Rules Committee, Mason: First Committee of 11 and Second Committee of 11, Rutledge First Committee of 11 and Committee of Detail, Randolph: Committee of Details.

electors chosen by each state in apportionment to their representation in the Legislature, thereby employing the large and small state balance created in the Connecticut Compromise. As noted previously, the debate over the executive did not hinge on state size as the traditional story goes. However, had the Electoral College been presented earlier in the Convention and not had the luxury of employing former compromise victories, however, state size may have been a larger concern.

In addition, electors would vote on the same day across the nation, with electors meeting in their states. This clause assuaged fears of corruption and travel/monetary concerns for border states. Electors would vote for two candidates, at least one could not be from their state, which was intended to help with concerns that no candidate would acquire a majority, as each state would surely vote for its own candidates. If no candidate received a majority of the total vote, the decision would immediately go to the Senate, to then choose between the top five candidates. In either election, the candidate with the most votes would be President and the candidate with the second most would be Vice President.

Up until this point in the Convention, the election of the executive had been contentious and thoroughly debated. Indeed, Wilson commented that, “it is in truth the most difficult of all on which we had to decide,” (Farrand 1966 II, 501). However, reaction to the Committee's proposal was met with general acceptance. Randolph and Pinckney wanted an explanation as to why the mode of election was changed. Gov. Morris, the spokesmen for the group, claimed the “principal advantage aimed at was taking away opportunity for cabal,” (Farrand 1966 II, 501). In *Federalist No. 69*, Hamilton repeated this sentiment stating, “Nothing was more to be desired than that every practicable obstacle should be opposed to cabal, intrigue, and corruption.”

In addition, Gov. Morris noted the previous mode of selection--legislative appointment--had not seemed to satisfy the delegates and this mode would remove the danger of the legislature becoming too powerful. Though Pinckney and Randolph both stated they still preferred legislative appointment of the executive, there was little discussion on the mode of the election after the initial report. Instead, the most contentious section of the resolution was relying on the Senate to vote for the President and Vice President if no candidates received a majority of the vote. In arguments over the Senate, Mason stated that "it was liable however to this strong objection, that nineteen times in twenty the President would be chosen by the Senate, an improper body for the purpose." Many delegates feared the Senate, as the smaller legislative body, would have aristocratic control over the executive.

The framers were so convinced a candidate receiving a majority would be a rarity that in *Federalist No. 39*, election by the legislature was referred to as the "eventual election" following the candidates being chosen by the electors. The Committee did not have a strong rationale for choosing the Senate beyond that fewer individuals would be able to hold the President's election over his head. Ultimately, Sherman moved to replace the Senate with the House of Representatives. The motion passed with each state in the House having one vote. After this one minor change, the Committee of Eleven's report passed on September 6<sup>th</sup> with only North Carolina and South Carolina dissenting on the resolution. As such, it was ultimately added to the final Constitution.

#### 2.4 A New Version of an Old Story

The Electoral College is neither an "ingenious compromise" nor "jerry-rigged." How to elect the executive, for how long, and how often involved a series of complicated questions that

needed a complex solution. Though we will never have complete information from the Convention, the previous analysis illuminates several inconsistencies found in previous works. A debate that spanned more than one hundred days, with twenty-two days of debate was plainly not a last minute decision. It is possible that the Committee of Eleven's report failed to meet with more resistance due to fatigue and fraying nerves. However, growing fear of cabal and corruption seemed to outweigh other costs in the delegates' minds making the Electoral College a suitable option.

Election by electors was voted on nine times and the vast majority of the Electoral College was covered in previous debates eliminating assertions that it was "cobbled together." The previous analysis also clearly refutes the argument that the delegates came to a solution together in a grand compromise. Rather the delegates came to an impasse, which created an opportunity for those arguing against appointment to control the outcome. Along with heresthetics, the structure of the Convention and make-up of the third Committee of Eleven was vital to the final outcome, providing those in favor of electors the strategic advantage needed to get their preferred outcome.

In *Federalist No. 69*, Hamilton repeats the arguments created by Madison, Wilson, and Gov. Morris regarding the reasons for the final mode of election: "people operate in the choice of the person...made by the most capable men (electors)...little opportunity for tumult or disorder...executive independent for his continuance in office on all but the people themselves." Those in favor of legislative appointment never made these arguments. On the contrary, there was a clear victor on the issue, those in favor of popular vote and/or electors. Hamilton's plea to New York clearly demonstrates the framers, at least those victorious on the issue, wanted the people at large to be the drivers behind the executive elections.

Lastly, state size though not completely absent from the debate, was far from the main focus of the debate or eventual reasoning behind the chosen system. The framers believed the main balance between small and large states would be in what many consider inevitable appointment between the top candidates by the Senate (and eventually House). Essentially it was argued that large states would choose the candidates and small states would have disproportional influence over the final winner. In only this component of the Electoral College was state size directly considered. However, it is important to note that the framers clearly used earlier compromises on state size by choosing to appoint electors in proportion to representation in the Senate and House. If this compromise had not occurred before creation of the Electoral College state size would have likely been of greater concern.

Although my interpretation varied slightly from Riker (1984)<sup>6</sup>, I agree with his overall assessment that the final outcome was a result of high level heresthetics conducted by skilled politicians--Madison, Gov. Morris, and Wilson--who framed the debate over ineligibility, impeachment, and corruption in order to get an outcome closer to their desired preferences. In my estimation the Electoral College was a thoroughly debated, strategic solution orchestrated by skilled politicians. In addition, the institutional structure of the Convention allowed those in favor in of a more populous election of the executive to get their desired outcome.

No matter how one interprets its origins, the Electoral College today is far different from its original system. The framer's designed a populist election system in which state power is balanced between the election of electors and then the "eventual election" in the House of Representatives. Of course, today's electorate is vastly different from the all white, male, land-

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6 Riker (1984) groups election by electors and popular election into one category while I consider them two distinct concepts. In addition, I intend to highlight how the structure of the convention, specifically as it relates to the Committee of Eleven led to the final outcome while Riker focuses on the heresthetics performed by seperationists.

owning electorate the delegates had in mind when creating the Electoral College. Chapter three will examine how the fastest growing portion of the electorate--minorities--have affected and been affected by the framers' system for electing the executive. Also, in their design the framers' left it to the states to decide how to allocate Electoral College votes. Since the 19<sup>th</sup> century the winner-take-all system has dominated the Electoral College. The next chapter will analyze how this outcome and massive changes in the electorate have affected the election system as well as ascertain some of the unintended consequences of the framers' system. In addition, the next chapter will continue to investigate arguments from both sides on the contemporary Electoral College debate--in this case, the supposed advantages or disadvantages to minority voters.



## **CHAPTER THREE**

### **MINORITIES & THE ELECTORAL COLLEGE**

Beyond citing the “wisdom of the founders,” proponents of the Electoral College base their support on a few additional factors: The Electoral College elevates tyranny of the majority that would cause small states to be obsolete; it is a federal style election befitting the U.S. system; and minorities, particularly blacks, receive enhanced voting power as they tend to be swing voters clustered in large urban areas and states that receive more electoral votes (Best 1971, 1996; Hardaway 1994; Johnson 2005). The supposed advantage for minority voters is essential to arguments for maintaining the status quo presidential election system.

Those opposed to the current voting system focus on the disproportionate advantages to large states<sup>7</sup> and refute the proposed advantage to minorities. Mathematical analysis and empirical studies show that although small states receive some benefit, voters in large states have more than two times the voting power, resulting in a great disadvantage for mid-size states (Banzhaf 1968; Carleton 1978, 1981; Edwards. 2004; Owen 1975; Longley and Dana 1984, 1992; Mann and Shapley 1962; Peirce and Longley; Shapley and Shubik 1954 Spilerman and Dickens 1974). In addition, Longley and Dana (1984, 1992) conclude that black Americans are actually disadvantaged by the system, as they are highly concentrated in mid-size Southern states (Edwards 2004). However, other research suggests non-whites are distinctly advantaged (Spilerman and Dickens 1974).

Whether using normative, empirical, or statistical methods to test assumptions, the past literature on the Electoral College fails to consider actual voting rates of citizens in each state

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7 The term “large states” is referring to population, not land size. This is common in the literature.

and instead analyzes the entire state population providing incomplete results.<sup>8</sup> This is problematic for two reasons. First, there is a substantial gap between state population and the population of eligible voters (McDonald and Popkin 2001). More specifically, the supposed advantage given to minorities, though disputed, is based on the assumption that minorities vote at rates equal to their population. There is a litany of literature that shows minorities, particularly blacks and Hispanics, only vote at a rate equal to whites once they have reached a certain socioeconomic threshold (Verba and Nie 1972; Verba et al. 1993; Wolfinger and Rosenstone 1980).

The class disparity between different racial and ethnic groups, that I will soon highlight, creates an obvious gap in voting rates previously ignored by the debates on the Electoral College. Understanding the voting rate of minorities is increasingly important as minorities continue to increase in population, which adds to mounting electoral votes allotted after the decennial census. Therefore, I will demonstrate the supposed advantage to minorities is based largely on faulty premises, incomplete data, and a limited view of electoral realities.

I expand the discussion on the biases given to certain regional and demographic groups under the Electoral College by analyzing variations in minority voting rates, as well as considering how minorities vote and how these factors relate to the Electoral College. In the ensuing pages, I answer the following questions: how have minorities affected the Electoral College system and how are their votes counted in the system? More specifically, are voting rates in states with growing minority populations decreasing? Lastly, how would reforms to the Electoral College affect the final outcome of the election and specifically the success of candidates preferred by minorities?

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<sup>8</sup> Longley and Dana (1992) note they found even greater biases running their model with voting rates, but did not publish these results.

In order to answer these questions, I analyze the relationship between minorities and the Electoral College at the aggregate level. First, adding to one of the essential areas of the literature, I review how our perception of variations in state voting power changes when we take into account voting rates for presidential elections over the past five decades. Second, I analyze how the institutionalization of the winner-take-all allotment of electors affects the impact of minority voters.

### 3.1 Electoral College Biases and Minority Voting Power

Certain key structural components of the Electoral College result in uneven distribution of advantages and disadvantages in voting power. These include the allocation of two electoral votes to every state regardless of size (corresponding to its Senate representation), the additional assignment of electors to states based on population (rather than voter turnout) only at ten-year intervals following the decennial census, and the prominence of the winner-take-all allocation of electors (Edwards 2004; Longley and Dana 1984, 1992; Owen 1975; Peirce and Longley 1981). Analysis of voting power strongly focuses on the allocation of electoral votes established at the Constitutional Convention to appease delegates from both large and small states<sup>9</sup> (Peirce and Longley 1981).

Voting power studies vary by decade and assumptions, yet they all come to the same conclusion--large states are greatly advantaged under the Electoral College (Carleton 1981; Longley and Dana 1984, 1992; Mann and Shapley 1962; Owen 1975). Longley, in his extensive work on the subject (see, e.g., Longley and Dana 1984, 1992; Longley and Peirce 1981), determined that voters in large states had nearly three times the voting power of voters in other

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<sup>9</sup> Though earlier I argued state size was not as a significant factor in the Convention debates, I do contend that the use of the Great Compromise solution in how to allot electors was employed to appease both large and small states.

states during the last few decades of the twentieth century. At the same time small states also have an advantage, though not as powerful as large states.

It is the disadvantage to the mid-size states that directly combats the proposed extra influence of black voters who, though concentrated in large urban areas such as New York, are also highly populous in Southern states that are greatly disadvantaged in voting power. Longley and Dana (1984, 1992) do find the disadvantage to blacks is decreasing over time and Hispanics, foreign born, Jewish, and urban voters receive some extra influence. As noted previously, however, the voting power studies do not publish voting rates but instead use the population of each state and demographic group, which skews the results.

Voting rates for ethnic minorities and immigrants, in particular, vary greatly from their population. For instance, naturalized citizens are 36 percent less likely to register and 26 percent less likely to vote than native-born citizens (Bass and Casper 2001). Evidently there are additional factors, such as socioeconomic status, voter registration, language proficiency, and ultimately voting rates that must be considered when discussing the voting power of different demographic groups. In particular, voting habits of minorities need to be considered, not just their population size.

### 3.2 Understanding Minority Voting

Beginning in the early 1970s, it was reported that blacks participate at equal if not greater rates than whites after controlling for socioeconomic status (Bullock and Gaddie 2006; Verba and Nie 1972; Verba et al. 1993; Wolfinger and Rosenstone 1980). These resource theory studies examine education, income, and age as the most important factors related to political participation. In addition, increases in English proficiency and duration of stay in the U.S., in

addition to SES factors, are necessary for foreign-born minorities to participate at rates equal to whites (Chong 1999; Nelson 1979; Ramakrishnan and Espenshade 2001; Ulhaner et al. 1989).

However, these standard theories of participation have not had equal success predicting voting rates across ethnic groups. Asian Americans, for example, have left a trail of inconsistent results, as increases in education, income, and language proficiency have not led to greater political participation (Cho 1999; Leighley and Vedlitz 1999; Lien 1994; Lien et al. 2001; Ramakrishnan and Espenshade 2001; Verba et al. 1993; Moon 1984; Wong 2004).

As resources are clearly vital to participation for most demographic groups, it is essential to consider variations in socioeconomic status to gain a better understanding of current voting rates for ethnic minorities.

According to the U.S. Census Bureau, in 2009 approximately 12 percent of Asian and white Americans were below the poverty line, while 25 percent of Hispanics and blacks live in poverty.<sup>10</sup> In the same year, 52 percent of Asian Americans, 30 percent of whites, 19 percent of blacks, and 13 percent of Hispanics were college graduates.<sup>11</sup> This pronounced disparity between whites compared to black and Hispanic minorities in income and education, as well as inconsistent activity from Asian Americans, significantly affects voting rates. These data highlight more factors that must be measured when discussing both minorities and the Electoral College as voting habits cannot be understood with population statistics alone. Indeed, these considerations are becoming more and more imperative as minority populations continue to increase.

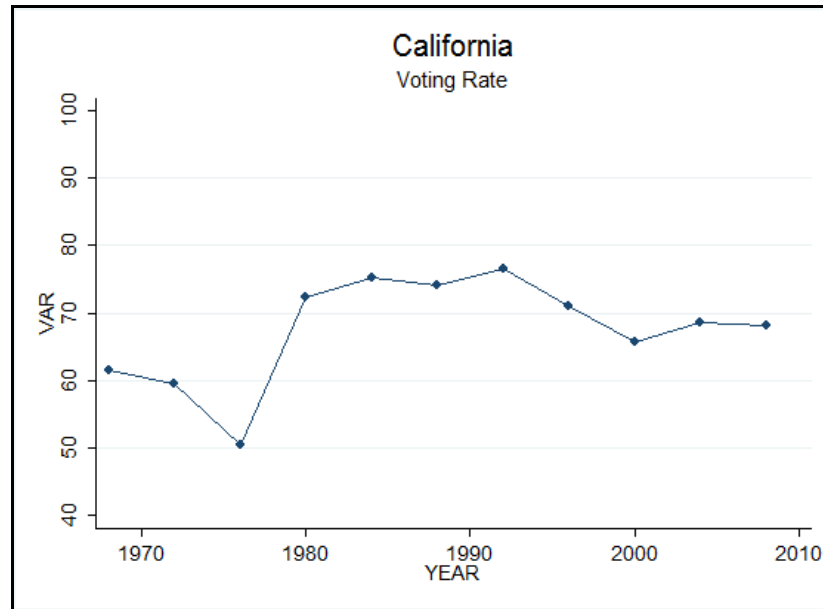
Figures 1-4 highlight the variation in voting rates by state and citizen diversity. For example, California and Washington D.C. (Figures 1 and 2) have high significantly levels of

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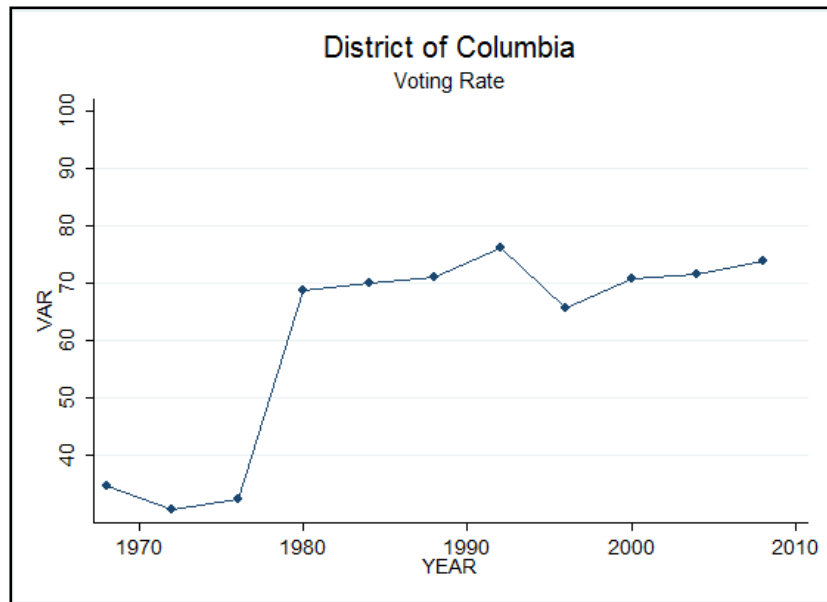
10 U.S. Census Bureau, Current Population Survey, 2009 and 2010 Annual Social and Economic Supplements.

11 U.S. Census Bureau, U.S. census Population 1970 and 1980; Current Population Reports, P20-550 and earlier reports. ;

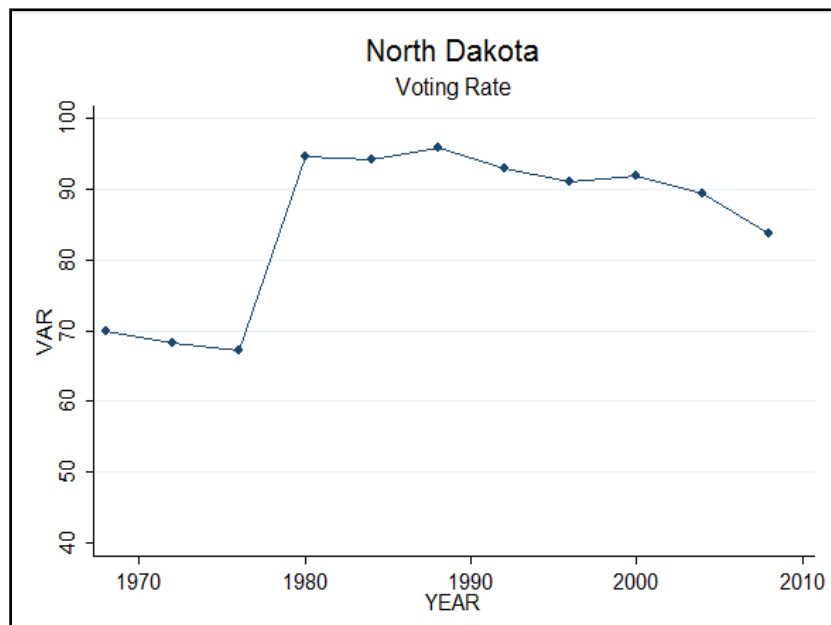
diversity and demonstrate on average lower levels of voting with neither state ever producing voting rates above 78 percent. Figure 3 of North Dakota, a homogenous state with low populations of blacks and foreign-born residents, displays more steady and on average higher voting rates, rarely dipping below 90 percent after 1976.



**Figure 1. California Voting-Age Rates 1968-2008**

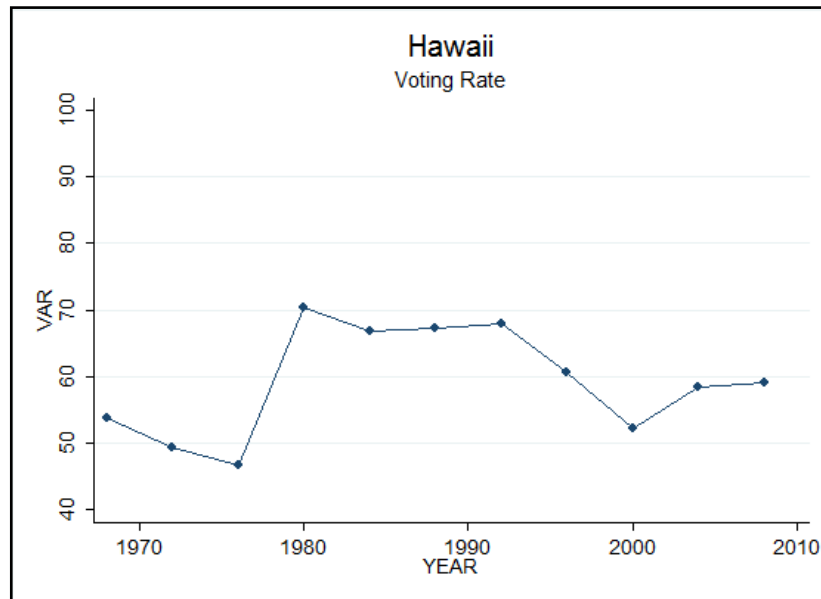


**Figure 2. District of Columbia Voting-Age Rates 1968-2008**



**Figure 3. North Dakota Voting-Age Rates 1968-2008**

As noted, and displayed in Figure 4, despite high levels of income and education Asians continue to vote at surprisingly low levels. Hawaii, which has a majority Asian population, has the lowest voting rate on average of all fifty states, never exceeding 70 percent.



**Figure 4. Hawaii Voting-Age Rates 1968-2008**

Understanding minority voting and how it relates to the presidential electoral system is crucial for the stability of U.S. democracy. Minority populations are growing in size, but are not voting equal to their population. If this continues without further consideration, minorities will make-up a majority of the population of the country without being represented by its political leaders. In April 2011, it was reported that Hispanics surpassed blacks as the largest minority group in most metropolitan areas (AP 2011) and Hispanics are projected to surpass white



Americans in 2050, becoming the nation's largest ethnic group.<sup>12</sup> In addition, Asian Americans have been the fastest growing minority in the country for the last ten years.

As these populations increase, so does the allotment of electoral votes in the states where they reside, particularly in populous states such as California, New York, Texas and Florida. However, as I have demonstrated, there are multiple factors that must be met before minorities will vote at rates equal to their population. Therefore, states are being allotted additional electoral votes for growing populations that are not participating in the electoral process. In my view this growing inconsistency in populations and voting rates will lead to an unrepresentative democracy. This leads to the first hypothesis to be tested:

*Hypothesis One: States with higher levels of minority populations will have lower voting rates in presidential elections.*

The next section will test my expectations and greatly add to the literature by remedying the lack of consideration for voter turnout and analyzing the effect of growing minority populations on the Electoral College.

### 3.3 Voting Biases Data and Methods

To alleviate the gaps in our understanding of the relationship between the Electoral College and minorities, I analyze the relationship at the state level. First, I test the relationship between diversity and voting rates by state for presidential elections over the past five decades. The dependent variable in the model is voting rates of voting-age citizens in each of the 50 states (and the District of Columbia) for 11 presidential elections from 1968 to 2008.<sup>13</sup> As mentioned

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12 Population Division, U.S. Census Bureau Table 6. Percent of the Projected Population by Race and Hispanic Origin for the United States: 2010 to 2050 (NP2008-T6)

13 The ideal measurement would be to use the voting rate of eligible voters but that data is not available for all elections under consideration. Nevertheless, the voting rate of the voting-age population is a significant

previously, prior to the 1965 Voting Rights Act, minorities faced multiple barriers to participation (particularly in the South) that would greatly change the analysis of voting behavior (Bullock and Gaddie 2006); as such, the period begins in 1968.<sup>14</sup> The gap between minority population and state voting rates would be inflated in any time period before 1965. The model utilizes a self-created data set, State Election Data, comprised from the U.S. Census Bureau<sup>15</sup>, Congressional District data<sup>16</sup>, United States Election Project data<sup>17</sup>, and U.S. Election Atlas<sup>18</sup> from 1968 to 2008.

The purpose of the empirical model is to gather an understanding of how growing minority population affect voting rates, and thereby voting power of various states. If there is a growing discrepancy between state populations and voting rates, particularly in the largest states due to increasing minority populations, the voting power of individuals in those states will be even greater than the current literature suggests. In order to test these assumptions, I need to consider four additional independent variables.

*Black and Foreign Born:* It's been shown there is a large gap between minority voting rates and their population. In order to measure the level of diversity in each state I utilize the Congressional District Data File, which contains data on the total black population and foreign-born population for each state from 1960 to 1996. These data are derived from the decennial census to make projections about non-census years. In order to account for changes in total population, the data are converted into percentages to measure the impact of diversity in the

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improvement on past voting bias studies that use the entire population to analyze voting power indices.

14 Though hundreds of decades of data is preferable, any analysis of minority voters and voting rates before this time period would be greatly skewed as minority voters were prohibited from voting in the South.

15 Source: U.S. Census Bureau, Current Population Report, November 2008 and earlier years.

16 Adler, E. Scott. "Congressional District Data File, [90<sup>th</sup>, 92<sup>nd</sup>, 94<sup>th</sup>, 96<sup>th</sup>, 98<sup>th</sup>, 100<sup>th</sup>, 102<sup>nd</sup>, 104<sup>th</sup>]" University of Colorado, Boulder, CO. The majority of the data come from the decennial census aggregated by congressional district. The congressional district data will be aggregated further into states.

17 Source: [http://elections.gmu.edu/voter\\_turnout.htm](http://elections.gmu.edu/voter_turnout.htm)

18 Leip, David. *Dave Leip's Atlas of U.S. Presidential Elections*. <http://www.uselectionatlas.org>

state. For the 2000, 2004, and 2008 elections, I employ data from the U.S. Census American Community Survey and 2000 Census for percentage of blacks in each state as well as residents who are foreign-born. I predict that due to the rationale previously discussed (class discrepancy between different racial/ethnic groups, additional language and generational steps for foreign-born citizens, and unpredictable voting behavior of Asian Americans), high levels of black residents and foreign-born residents will lead to a decrease in voting rates.

*Competition:* The competitiveness of the election and status as a battleground state increases participation (Cebula 2000; Gimpel, Kaufmann and Pearson-Merkowitz 2007; Johnson 2005). In measuring competition, this study follows James and Lawson's (1999) approach, replicated by Johnson (2005), defining competitive or swing states as those where Republican and Democratic vote percentages are within five percentage points of each other. To capture this distinction, I use a dummy variable for each state where the percentage difference between the two top candidates was five percent or less. The U.S. Election Atlas provides these data. I expect competitive states will have higher levels of participation holding all other indicators constant.

*Income & Educational Attainment:* The research on participation, for all eligible voters, demonstrates income is an important indicator for participation (Verba and Nie 1972). In order to capture variations in income between states, the model will measure the median income per household by state from 1968 to 2008 from the U.S. Census measured in 2009 dollars.<sup>19</sup> I anticipate states with higher average income will vote at greater rates holding all else constant.

Education is considered the most important indicator for voter participation (Wolfinger and Rosenstone 1980). The variable is broken down into two variables, *High School* and *Bachelors*. The two variables measure the aggregated percentage of adults who have completed

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19 For all elections from 1984 to 2008 the income variable was derived from U.S. Census Current Population Survey data. For the elections prior to 1984 decennial Census data was used to supplement these years. Source: <http://www.census.gov/hhes/www/income/data/historical/household/index.html>

high school or a bachelor's degree. For the election years 1976 and 1984, state level data on educational attainment is only available for the 15 largest states. Voting rates and education are expected to have a positive relationship.

In order to best utilize the data on income and education, the three variables are used to create a single variable. Income and education correlate at extremely high levels. Generally, an individual with higher education tends to have higher income as displayed by Table 3. It would not be statistically or substantively appropriate to eliminate any of the variables. Therefore, in order to avoid issues with multicollinearity due to high correlation in these variables I created a single variable *income\_edu* using factor analysis.

**Table 3. Socioeconomic Correlation Matrix**

<b>Correlation</b>	<b>Income</b>	<b>High School</b>	<b>Bachelors</b>
<b>Income</b>	1.000		
<b>High School</b>	0.793	1.000	
<b>Bachelors</b>	0.838	0.843	1.000

Using voting rates instead of population in the following model provides a much clearer picture of voting power. Also empirical analysis of actual elections minimizes complaints from critiques about failed assumptions of past voting power studies (Best 1971, 1996; Katz, Gelman and King 2002). The model below will greatly add to our understanding of how the addition of minorities into the voting electorate affects the voting rates of individual states and therefore the Electoral College. The model I estimate is as follows:

$$Y(\text{voterates}) = b_0 + b_1(\text{black}) + b_2(\text{forborn}) + b_3(\text{competition}) + b_4(\text{income\_edu}) + u$$

### 3.4 Voting Biases Results

In order to best utilize the data and analyze the impact of diversity on voting rates, I use OLS regression with clustered standard errors. I clustered the standard errors by state in order to

deal with issues of having aggregated the data at the state level. The clustered errors eliminate heteroskedasticity that may occur due to the variation in standard errors across different states.

The results of the regression can be seen in Table 4.

<b>Table 4. Diversity and State Level Voting-Age Rates</b>			
<b>Voting Rate</b>	<b>Coefficient</b>	<b>Std. Error</b>	<b>P&gt; t </b>
Black %	-0.18	0.07	0.01
Foreign Born %	-0.55	0.13	0.00
Income_Edu	6.14	0.48	0.00
Competition	-0.14	0.82	0.86
Intercept	74.38	1.20	0.00
N=483			
$R^2=.37$			
$F(4,50)=42.29$			
<i>Significance determined at the 95% level. Two-tailed test.</i>			

The results clearly show both higher levels of black residents and high level of foreign-born residents decrease state voting rates confirming hypothesis one. On average, holding all else constant, a one unit increase in the black percentage of a state results in a -.1844 decrease in voting rates, while an increase in foreign-born percentage displays a greater decrease in voting rates of -.5478. Though these are not overly large changes, because the data is averaged decreasing the overall range of the dependent variable, these changes are still significant. Substantively, the results provide evidence that higher levels of minority populations, both black and foreign-born, result in lower voting rates.

The smaller impact from black populations is not surprising. In general the black demographic is a homogenous, native population that need only achieve socioeconomic levels in order to vote equal or even greater to whites. The majority of the black population does not need to overcome language and assimilation barriers relevant in foreign-born communities. The

results demonstrate the importance of considering class disparities that exist between racial groups and how they affect voting rates. Though the black community votes at rates greater than whites once socioeconomic levels are equal, the results exhibit a significant difference remains in socioeconomic rates between whites and blacks.

Foreign-born residents, which consist largely of Hispanic and Asian ethnic groups, must not only overcome class disparities, but also language and culture barriers<sup>20</sup> before voting equal to whites, which explains why this demographic has a larger negative effect on voting rates.

Foreign-born minorities are increasing in more populous states. Currently California, Texas, New York, and Florida are the four largest states in the country totaling 147 Electoral College votes.

In addition, these four states have some of the highest percentages of foreign-born residents-- 26.8%, 16%, 21.7%, and 18.5%--respectively. These states demonstrate lower levels of voting (with the mean voting rates never reaching above 75% in the eleven elections discussed).

Increasing minority populations, particularly foreign-born, are adding to the population of these larger states thereby increasing their total Electoral College votes. However, at the same time, the overall voting rates of these states are decreasing. In other words, the results demonstrate that the growing minority populations are currently increasing voting biases of large states, with voters in these states having a disproportionate impact on the Electoral College vote.

With regard to the additional control variables, not surprisingly the factor analysis variable consisting of measurements for income and educational attainment demonstrates a substantial and positive effect on voting rates. Higher levels of competition, however, did not have an effect significantly different from zero. These results demonstrate that minorities have a considerable effect on voting rates and thereby voting power distribution. Now that I have

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<sup>20</sup> Asian Americans display greater cultural barriers, as socioeconomic factors have not increased these demographics voting rates.

established how the enfranchisement of minority voters is currently affecting the Electoral College, I must also answer how the Electoral College affects minority voters. In other words, are minority voters' preferred candidates winning the presidential election?

### 3.5 The Unit Rule & Minority Voting Power

Beyond determining how minority-voting behavior affects relative voting power of the states, it is also crucial to consider how the structure of the Electoral College affects minority voting behavior and its effectiveness in elections. The founding fathers left it to the states to determine how to distribute their electors; until the nineteenth century most states employed a district plan (Edwards 2004). Since 1832, the winner-take-all system or unit rule, that allots all of the state's electors to the winner of the most votes, is used in every state but Maine and Nebraska.<sup>21</sup> If we consider Downs' (1957) theory of economy, we know voters participate in elections when the benefits outweigh the costs. Therefore, it is easy to understand why states with a clearly dominant party under the winner-take-all system will have lower voter participation rates than competitive states (Cebula 2000) and why even the most unlikely of voters, such as those with lower income, can be encouraged to participate in battleground states (Gimpel, Kaufmann and Pearson-Merkowitz 2007). As a result, knowing which states will be competitive is essential to understanding the presidential election.

Covering the elections from 1824 to 2000, Johnson (2005) found that competitive states were fairly consistent at the beginning of the time series, but became less predictable over time. Unlike the voting power studies, empirical analysis of competitive states does not show a systematic bias for large states. Both large and mid-size states tend to be swing states (Johnson 2005; Wright 2005). This area of research does not discern a systematic bias in large states, but

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<sup>21</sup> In 1892 Michigan experimented with the district plan but has since reverted to the unit rule (Edwards 2004).

the obvious advantage to battleground states in comparison to non-competitive states (Gimpel, Kaufmann, and Pearson-Merkowitz 2007) has severe consequences on both participation and presidential resources. In particular, attention and resources on the campaign trail varies greatly with state competitiveness.

Presidents are rarely treated as “single-minded seekers of reelection” (Mayhew 1974). However, approximately three-quarters of presidents in the modern presidency (since Teddy Roosevelt) have run for a second term. The prevalence of reelection greatly raises the importance of understanding how the U.S. election system affects distribution of resources and voters. Brams and Davis (1974), in a seminal piece of literature, claimed that the winner-take-all system induces both Democratic and Republican candidates to allocate campaign resources roughly in proportion to the  $3/2$ 's power of the electoral votes of each state, essentially making a voter in more populous states as much as three times more attractive a campaign target as a voter living in another state.

The  $3/2$ 's hypothesis has received a great deal of attention, with studies both confirming (Stromberg 2008) and rejecting the premise (Colantoni, Levesque and Ordeshook 1975). More recent work on the subject revealed that presidential election strategies for both Republican and Democratic candidates in the 1980s and 1990s identify and target battleground states in allocating advertising funds (Shaw 1999). As the technology of predictive models and polls improve, campaigns are becoming more strategic, allowing presidential candidates to pay less attention to blackout (non-competitive) states and voters (Strömberg 2008).

Considering candidates strategically target only certain states and voters, the important questions are then who is benefiting from this extra attention? And how does it affect presidential policy? Analysis of resources shows no proof of policies or campaign resources being targeted



toward minorities (Carleton 1978; Edwards 2004; Strömberg 2008). In fact, in large states with extensive concentrations of minorities, analysis of campaign appeals from Nixon, Ford, and Reagan show blacks and issues relevant to this group were completely ignored (Edwards 2004).

Whether it is a systematic bias toward large states or an unpredictable bias toward rotating competitive states, one thing is clear—the Electoral College is organized to favor only a few states in each presidential election. Additionally, there is no systematic evidence shown that supports the theory that ethnic minorities are heightened in the Electoral College. The research on competitive states shows no evidence of a systematic advantage to large or any other states for reaching battleground status. Therefore, supporters of the Electoral College cannot claim that large states with extensive urban populations are regularly favored, thus providing minorities with a distinct advantage. Furthermore, as the preceding findings suggest, minority populations are increasing but they are not necessarily voting. In essence, by proving a lack of large state bias in competitiveness, researchers refute arguments that minorities are advantaged.

In addition, the high levels of minorities in mid-size states are greatly disadvantaged by the Electoral College. Consider briefly how the unit rule may affect black voters in Southern States. Though blacks are in large portions in these regions they do not make up a majority. In addition, the previous evidence shows the voters are not voting equal to their voting age population. Therefore, those black voters who do come out to the polls will rarely see their preferred candidate win their state; this is simply due to the fact the South is a Republican stronghold<sup>22</sup> and black voters are consistently loyal to the Democratic Party. In addition, as previously discussed, there is no systematic evidence of an advantage to minorities resulting in favorable resources or policies. With regard to black voters in the South, small states, and non-

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<sup>22</sup> Since 1980, Republican presidential candidates have won a majority of Southern states.

competitive states, it is clear the unit rule limits participation and does not foster fair distribution of campaign resources.

### 3.6 Electoral College Reform & Minority Influence

The literature on the Electoral College has failed to ask the simple questions, do minority votes affect the election of the president? And will changes to the rules affect the outcome? The next section will answer these simple, but crucial questions by reviewing which presidential candidates minorities preferred and if he/she wins their state's electoral votes under the current system or proposed reforms. This study uncovers the impact of the unit rule system employed by 48 out of the 50 states on minority preferences and the final outcome.

Contemplating the relationship between minorities and the election system in the long term requires a discussion of alternative plans to the Electoral College. As far as biases are concerned, voting power analysis shows that the strength of biases for voters in large states would be eliminated in a direct election, heightened by the proportional plan, and lessened in the district plan (Longley & Dana 1984, 1992). Those against alternative plans base their opposition largely on the three main arguments in favor of the Electoral College previously discussed (Best 1971, 1996; Hardaway 1994) or the conclusion that alternative plans do not offer a significant enough improvement to change the status quo (Katz, Gelman and King 2002; Spilerman and Dickens 1974).

Intriguing though they may be, most debates on alternatives to the presidential election focus on the direct election as the best possible system (Edwards 2004; Fon 2004; Kura 200; Longley and Dana 1984, 1992; Peirce and Longley 1981). However, this plan would require a Constitutional amendment, a rare and very complicated act requiring two-thirds approval in both

chambers of Congress as well as ratification by the states. The Constitution in no way stipulates how states should allocate their electors. Therefore, though still difficult, adjusting the unit rule used at the state level is more plausible. In addition, though Electoral College scholars cry for alternative election systems, they rarely analyze how changes to the rules would affect the outcomes. Table 6 demonstrates how variations in allocation of votes would change the final outcome focused on three of the most popular reforms: proportional voting, the district plan, and direct popular-vote (Kura 2001; Fon 2004). The analysis focuses on the 2000 election, as it is one of the four elections in U.S. history in which the “wrong winner” became president. In addition, it is one of the closest elections in history making the analysis a great deal more interesting.

A proportional plan allocates each state’s electoral votes among the candidates in proportion to their popular votes. Major interest in the proportional plan arose after a controversial election in 1876 and has received sporadic attention since then (Peirce and Longley 1981). The proportional plan can be organized in various ways by whole-number proportions, fractional proportions or rough plurality<sup>23</sup> (Kura 2001; Fon 2004). In addition, the Congressional District system, currently used in Maine and Nevada, also provides electoral votes for candidates without the necessity of receiving a state majority. This system highlights the compromise of House of Representative and Senate allocation of Electoral College Votes (ECV). The candidate receives one ECV for each Congressional district in which they receive the majority of votes, and the state's winner in total votes receives the two ECV allocated for the Senate.

To test how these rule variations may affect minority preferences we must also establish these preferences. Data from the American National Election Study<sup>24</sup> for the 2000 election in

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23 The analysis in Table 6 employs a whole number proportional system for allocating votes.

24 Source: [http://www.electionstudies.org/studypages/download/datacenter\\_all.htm](http://www.electionstudies.org/studypages/download/datacenter_all.htm). An important note about the

Table 5 displays which presidential candidate minority voters preferred in the election. Clearly minorities on average preferred Al Gore, the Democrat, to George W. Bush, the Republican.

<b>Table 5. 2000 ANES Thermometer Scores</b>			
	W.Bush	Gore	Nader
Black	51.3	70.7	48.6
Asian	55	72.5	85
Hisapnic	50	90	50

To be clear, there is more confidence and data on the voting behavior of black Americans who vote overwhelmingly Democratic.<sup>25</sup> Hispanics are much more diverse than the aggregate categorization implies and it is still not clear if this group will be as solid a demographic for the Democratic Party (Connaughton 2005; Shapiro 2005; Kenski and Tisinger 2004). Analysis of recent elections demonstrates that Hispanic voters were nearly split between Democrats and Republicans in 2000 and 2004 with Mexicans and Puerto Ricans leaning Democratic and Cubans, who vote at very high levels, leaning Republican (Kenski and Tisinger 2004). Therefore, the burgeoning growth of the population and inconclusive research on Hispanics make this demographic group vital for academics and politicians alike. In addition, as Asians vote at particularly low rates, there is less certainty about this group's preferences. Reviewing voting patterns for all three ethnic minorities is an important first step to increasing our understanding of overall voting participation in this country.

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survey, black was the only racial or ethnic distinction provided in the survey until 1980, from that point Asian/Pacific Islander and Hispanic (Mexican-American, Puerto Rico, or Other) were included as options.

25 In addition, the ANES data sample size of Black Americans was 137, while the sample size for Hispanics and Asian was two, respectively. Therefore, great caution must be used in interpreting Hispanic and Asian preferences.

**Table 6. Electoral College Rules Options: 2000 Election**

	Winner Take All			Proportional			District Plan			Direct Vote		
	Bush	Gore	Nader	Bush	Gore	Nader	Bush	Gore	Nader	Bush	Gore	Nader
AL	9	0	0	5	4	0	8	1	0	944409	695602	18349
AK	3	0	0	2	1	0	3	0	0	167398	79004	28747
AZ	8	0	0	4	4	0	7	1	0	781652	685341	45645
AR	6	0	0	3	3	0	4	2	0	472940	422768	13421
CA	0	54	0	23	29	2	18	36	0	4567429	5861203	418707
CO	8	0	0	4	3	1	6	2	0	883745	738227	91434
CT	0	8	0	3	5	0	0	8	0	561094	816015	64452
DC	0	3	0	0	3	0	0	3	0	137288	180068	8307
DE	0	3	0	0	3	0	0	3	0	18073	171923	10576
FL	25	0	0	13	12	0	16	9	0	2912790	2912253	97488
GA	13	0	0	7	6	0	11	2	0	1419720	1116230	13432
HI	0	4	0	2	2	0	0	4	0	137845	205286	21623
ID	4	0	0	3	1	0	4	0	0	336937	138637	12292
IL	0	22	0	9	12	1	9	13	0	2019421	2589026	103759
IN	12	0	0	7	5	0	10	2	0	1245836	901980	18531
IA	0	7	0	3	4	0	2	5	0	634373	638517	29374
KA	6	0	0	4	2	0	6	0	0	622332	399276	36086
KY	8	0	0	5	3	0	7	1	0	872492	638898	23192
LA	9	0	0	5	4	0	8	1	0	927871	792344	20473
ME	0	4	0	3	1	0	0	4	0	286616	319951	37127
MD	0	10	0	6	4	0	3	7	0	813797	1145782	53768
MA	0	12	0	4	7	1	0	12	0	878502	1616487	173564
MI	0	18	0	8	10	0	6	12	0	1953139	2170418	84165
MN	0	10	0	4	6	0	5	5	0	1109659	1168266	126696
MS	7	0	0	4	3	0	6	1	0	573230	404964	8126
MO	11	0	0	6	5	0	8	3	0	1189924	1111138	38515
MT	3	0	0	2	1	0	3	0	0	240178	137126	24437
NE	5	0	0	3	2	0	5	0	0	433862	231780	24540
NV	4	0	0	3	1	0	3	1	0	301575	279978	15008
NH	4	0	0	3	1	0	3	1	0	273559	266348	22198
NJ	0	15	0	6	9	0	1	14	0	1284173	1788850	94554
NM	0	5	0	1	3	0	1	4	0	286417	286783	21251
NY	0	33	0	12	20	1	4	29	0	2403374	4107907	244060
NC	14	0	0	8	6	0	11	3	0	1631163	1257692	0
ND	3	0	0	2	1	0	3	0	0	174852	95284	9497
OH	21	0	0	11	10	0	13	8	0	2351209	2186190	117857
OK	8	0	0	5	3	0	8	0	0	744337	474276	0
OR	0	7	0	3	4	0	3	4	0	713577	720342	77357
PA	0	23	0	11	12	0	9	14	0	2281127	2485967	103392
RI	0	4	1	1	3	0	0	4	0	130555	249508	25052
SC	8	0	0	5	3	0	7	1	0	786426	566039	20279
SD	3	0	0	2	1	0	3	0	0	190700	118804	0
TN	11	0	0	6	5	0	8	3	0	1061949	981720	19781
TX	32	0	0	19	12	1	18	14	0	3799639	2433746	137994
UT	5	0	0	4	1	0	5	0	0	515096	203053	35850
VT	0	3	0	1	2	0	0	3	0	119775	149022	20374
VA	13	0	0	7	6	0	9	4	0	1437490	1217290	59398
WA	0	11	0	5	6	0	2	9	0	1108864	1247652	103002
WV	5	0	0	3	2	0	4	1	0	336475	295497	10680
WI	0	11	0	5	6	0	4	7	0	1237279	1242987	94070
WY	3	0	0	2	1	0	3	0	0	147947	60481	4625
<b>Total</b>	<b>271</b>	<b>266</b>	<b>0</b>	<b>265</b>	<b>263</b>	<b>7</b>	<b>277</b>	<b>261</b>	<b>0</b>	<b>50460110</b>	<b>51003926</b>	<b>2883105</b>

Source: Leip, David. Dave Leip's Atlas of U.S. Presidential Elections. <http://www.uselectionatlas.org> (2012).

Of course, the counterfactual of changing the rules after the voting occurs must be interpreted with caution as a change in the rules may affect how and who votes. Nonetheless, the results in Table 6 are quite interesting.<sup>26</sup> First, in only the direct election does Al Gore win the presidency. Attempts to simply reform the Electoral College still result in the popular vote winner losing the election. Under the District Plan, not only would George W. Bush still win, he would have won by a greater proportion of the ECV. However, in the proportional system the winner is not George W. Bush; instead no candidate received a majority of Electoral College votes. Therefore, had the proportional system been in place in 2000, the Twelfth Amendment would have been invoked, sending the vote to the House of Representatives, with each state receiving one vote. Assuming the Representatives vote by party, George W. Bush would have likely still won under this system, due to the fact that Republicans had a majority in 28 out of the 50 states. Only direct vote would result in minorities preferred candidate, Al Gore, winning the election.

Minority<sup>27</sup> votes are often lost in the winner-take-all system and would, at least in the case of the 2000 election, be ineffectual in the District Plan. However, in the District Plan minority voters would at least be able to contribute to their preferred candidate winning their district. For instance, in two Georgia districts, Al Gore won over 80% of the vote. Therefore, though the district plan did not result in Gore winning Georgia, minority voters would likely see their preferred candidate win in their district under the District Plan. In particular, majority-minority districts (prevalent particularly in the South) would often result in minorities preferred candidate winning their district.

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<sup>26</sup> Gary Jacobson generously produced the data for the Congressional District Plan. However, the data used did not have information on a third candidate and therefore Nader was not included in the analysis. However, Nader would have had to win a majority of a Congressional district to receive any votes, which is quite unlikely.

<sup>27</sup> Due to the limitations of the ANES data and uncertainty about Hispanic and Asian voting behavior discussion of minority preferences in regards to the 2000 election is limited to black voters.

Lastly, in a proportional system even without producing a majority for their candidate, minority votes would still be counted no matter whom they vote for<sup>28</sup> (or where). In addition, Table 6 demonstrates that the proportional system produced a vote that better reflected the popular vote total. There are also obvious arguments that the Proportional or District Plan may increase voter turnout, as a much lower threshold must be met for a voters' preferred candidate to receive at least a proportion of the vote. Though it may have created a more arduous path to the presidency, the Proportional Plan produced a much closer allocation of votes to the popular vote, as the popular-vote was won by a very small margin.

Again, this analysis must be interpreted with caution, but it highlights that there is not a perfect solution to issues regarding the Electoral College, and more specifically, minority representation under the system. The Proportional Plan is certainly worth exploring in future research, though many scholars may run away from a system that created the need for what is essentially a run-off election.<sup>29</sup> In addition, the 2000 election is a specific case with an incredibly small margin of victory. The Proportional Plan will not always lead to a vote in the House. However, with regard to minorities under the proportional system, a greater percentage of their votes would be counted allowing this burgeoning segment of the population to have greater influence in the democratic process.

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28 This is assuming votes are cast for legitimate candidates of either the Republican, Democratic or rising third party.

29 Run-offs in executive elections are quite common throughout the world. Approximately, a third of the country's executive election systems employ run-off elections when no candidate receives a majority.

## **CHAPTER 4**

### **CONCLUSION**

The results and theoretical framework guide us to a final discussion on the current state of the Electoral College. The framers intended to create a system that would give the people a substantial voice in the selection of the executive, but at the same time they anticipated that the national legislature would still make the final decision “nineteen out of twenty times,” (Farrand 1966). However, Congress has only determined the outcome in two out of fifty-six elections (1800 and 1824). Therefore, it is vital to understand the original intentions of the institutions that make up our political system. We must also accept that 55 delegates in 1787 wrote a masterful piece of political history, saving a nation, but that these men and their institutions were not infallible.

The founders could not anticipate what 225 years of change and progress would bring. For instance, I demonstrated growing minority populations have had substantial effects on the Electoral College created in Philadelphia so long ago. The framers’ decision to allow states to decide how to allot ECV opened the opportunity for the winner-take-all system to dominate. This portion of the system’s design certainly led to unintended consequences. The study clearly shows this allotment is limiting minority voters in certain states and regions. And though the previous analysis focused on ethnic and racial minorities, any minority-voting group (partisan, religious, etc.) could easily be underrepresented by the unit rule. The original objective was to create a populist system, giving the voice to the people. However, major changes in the electorate,



leading to factions, along with the dominance of the unit rule fosters a system that at times eliminates minority voting factions' preferred candidate winning from their state.

More specifically, if the Electoral College is to remain without revision, the previous discussion illustrates electoral vote allotments are increasing from ethnic minority populations, but minority-voting rates are lagging, resulting in voting power biases. For instance, Hispanic populations grew in every state according to the 2010 Census, but only about 40% of the Hispanic adult population voted in 2008 (Brownstein 2011). In the short term, as minorities continue to increase in importance and shift electoral vote levels, active mobilization of minority voters, particularly Hispanics and Asians, will help alleviate the growing disparities between population and voting rates. Political mobilization is vital to assisting minorities in overcoming the barriers to participation (Nelson 1979; Leighley 2001; Ulhaner et al. 1989), though research has shown limited effects of such efforts for Asian Americans (Wong 2004). A better understanding of minority priorities, resources, background, and culture are necessary to engage them in the political system and alleviate increasing voting power biases.

For those scholars who demand ratification of the current system, the previous analysis on possible reforms in the 2000 election certainly raises interest. Only direct popular election would have awarded Gore, the popular-vote winner, with the presidency. State-level reforms to the vote allotment are still an easier route to reform, but the proportional plan and district plan did not produce the "correct" or clear winner. However, future changes in the electorate will likely keep the debate on the Electoral College center stage. As discussed, minority preferences are often lost in the current winner-take-all system. Despite the evidence that minorities' share of the vote has lagged compared to their population, in the long-term, this gap will certainly

decrease. How will the debate on the system change as minorities continue to increase in population size and influence?

We are already beginning to see majority population shifts as four states, including California and Texas, now have majority-minority populations.<sup>30</sup> Therefore, a proportional distribution of electoral votes, which allows each vote to be counted, may soon be necessary for white voters to be effective in certain states. The winner-take-all system not only fails to distribute influence on the election equally, but also distorts how candidates' resources and policies are distributed, making this a crucial element of the Electoral College to consider revising. In conclusion, the Electoral College does not advantage minority voters, and as the white population may soon be a minority,<sup>31</sup> it seems certain that the debate about the Electoral College will continue.

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30 Source: 2010 U.S Census population. New Mexico and Hawaii are the two other states.

31 It is projected that by 2050 whites will be the minority population and Hispanics will become the majority ethnic group (AP 2011).

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-----Table 4: Annual Estimates of the Population by Race Alone and Hispanic or Latino Origin for the United States and States: Population Division, U.S. Census Bureau Release Date: August 11, 2005.

-----Table 1: Annual Estimates of the Population for the United States and States, and for Puerto Rico: April 1, 2000 to July 1, 2004 (NST-EST2004-01) Source: Population Division, U.S. Census Bureau Release Date: December 22, 2004.

-----Table 4: Estimates of the Resident Population by Race and Hispanic Origin for the United States and States: July 1, 2008 (SC-EST2008-04) Source: Population Division, U.S. Census Bureau Release Date: May 14, 2009.

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