

“‘The Last, Best Hope of Earth?’ American Democracy and the Right
to Vote in Historical Perspective”

Text of the 16th Raymond and Beverly Sackler

Distinguished Lecture on Human Rights

March 31, 2009

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Last year's election demonstrated the tremendous vigor of American democracy. A young, articulate, idealistic candidate inspired millions of Americans to become involved in politics for the first time. Voter turnout was the highest in forty years. The man who generated this enthusiasm defied the conventional wisdom that being African American barred the entrance to the White House.

The election of such a president caused pride and rejoicing, throughout the world.

It prompted, too, a sigh of relief. Many dreaded a repetition of the Florida fiasco of 2000: voting machines that failed to record votes, badly-designed ballots that confused voters, and the manipulation of registration rules and re-counts to the benefit of one or other political party. Worst of all, the highly controversial intervention of the Supreme Court. Here was the world's oldest democracy incapable of conducting a free and fair election. It was a "total debacle," said Jimmy Carter.¹ Since then, state and local officials had spent a fortune on new voting machines. But should 2008 turn out to be another cliff-hanger, then the electoral system might once again break down. Mercifully, dire predictions of an election-day meltdown were not fulfilled.

In an editorial entitled "Democracy's Big Day," *Time* magazine hailed the inauguration of Obama. "The orderly and peaceful transition of power . . . is the foundation of the republic;" the inauguration celebrated "the simplest and most transcendent act of citizenship—going into a voting booth and pulling a lever and honoring the result."²

As I read those words I found myself wondering whether the “broken” system of 2000 had really been “fixed,” or whether the decisiveness of the result had obviated the need for accuracy, rendering faults in the electoral system invisible.

The Time editorial raised another question. Even allowing for the pageantry and hype that accompanies presidential inaugurations, it seemed odd that the peaceful transition of power from one administration to another—something that first happened when Thomas Jefferson became president in 1801—should prompt such feelings of wonder. Transitions of power are commonplace in democracies; they are the norm. In established democracies, they are seen as nothing special, simply the electoral machinery working as it ought to. Winners cheer and losers sulk, but solemn celebrations of democracy are notably absent. That is true, moreover, even when elections produce leaders—like Margaret Thatcher or Nicholas Sarkozy—who break the conventional mold. Why the difference?

What follows is an examination of that most basic of human rights, the right to vote, as it has operated in the United States. My subject is American democracy.

First, I place the history of universal suffrage in America in an international context. Second, I treat the quality of American democracy in over time. Finally, looking at the mechanics of the electoral system, I ask how far the post-2000 reforms have strengthened democracy.

1. “The world’s oldest democracy”

When he became president Bill Clinton stated that America is “the world’s oldest democracy.” Actually, if you apply a strict definition of universal suffrage, New Zealand has

a stronger claim: its franchise law of 1893 allowed both women and Maoris to vote. But there is no such thing as “pure universal adult suffrage:” even long-established democracies have, until recent times, excluded large numbers of citizens. In Switzerland, a gap of 123 years separated the 1848 Constitution, which provided for universal manhood suffrage, and the enfranchisement of women in 1971. In America, most black southerners were disfranchised until 1965.³

Yet Clinton’s claim was justified. In the nineteenth century, democracy meant manhood suffrage, and in America the great majority of *white* men were, by 1830, voting. That was half a century before Britain approached anything like universal manhood suffrage. France, it is true, had provided for universal suffrage in the Constitution of 1793, but Napoleon Bonaparte ended that experiment in 1799. The French Revolution of 1848 ushered in another period of universal suffrage, but it lasted barely two years before another Bonaparte dispensed with it. Discounting for what you might call “evolving community standards,” the United States was indeed the world’s first modern democracy.⁴

But this is not merely a question of chronology. Even more significant is the way Americans have interpreted their democracy. It is one thing to be the first. It is another to invest that fact with transcendent moral significance. The American Revolution created a republic, the first in the modern world. Although the Founding Fathers believed in government by an educated and propertied elite, the United States quickly evolved into the first democracy. Moreover, both the aristocratic Federalists and the plebeian Democrats believed that God had destined Americans to fulfill a global mission. “The liberties of mankind [are] . . . in their keeping,” wrote John Adams. “America was designed by Providence for the theatre on which man was to make his true figure, on which science, virtue, liberty, happiness, and glory were to exist in

peace.”⁵ By the mid- nineteenth century, republicanism and democracy had fused together to form America’s basic ideology, the very essence of Americaness. As historian Richard Hofstadter put it, “It has been our fate not to *have* ideologies but to *be* one.”⁶

Lincoln defined the Civil War as a test of democracy. It was wholly illegitimate, he argued, for southerners to reject ballots in favor of bullets because they disliked the results of a democratic election. In 1862, addressing Congress, he implied that a Union defeat would be catastrophic for the cause of democracy everywhere. The United States, he said, was “the last best hope of earth.” At Gettysburg, he affirmed that if the Union cause failed, democracy—“government of the people, by the people, and for the people”—might “perish from the earth.”⁷

The idea behind Lincoln’s oft-quoted words has become a staple of presidential oratory.⁸ “Our greatest strength is the power of ideas,” said Bill Clinton. “Across the globe we see them embraced—and we rejoice.” Eight years later George W. Bush expressed it like this: “America’s faith in freedom and democracy . . . is a seed upon the wind, taking root in many nations.”⁹

However, the notion of the United States as the fountainhead of democracy obscures the historical reality of how democracy developed. As Britain’s so-called “white colonies” moved toward self-government, they extended the franchise. In Europe itself, the motive force behind democratization was the growth of an industrial proletariat that demanded inclusion. Two years after Lincoln’s death, Britain’s parliament enfranchised the urban working-classes, doubling the electorate and transforming its character. Ten years later, after the collapse of the Second Empire, France’s Third Republic adopted universal manhood

suffrage, which, except during the years of German occupation, it has maintained ever since. As other European nations industrialized, they too democratized. In 1918 the Netherlands adopted universal suffrage, Britain in the same year. In some countries, like Germany, war and revolution swept away autocratic regimes.¹⁰

The historical roots of democratization lay deep in history: in the development of the nation state in the early modern era; the emergence of constitutional government in the seventeenth century; the spread of natural rights philosophy in the eighteenth; and the growth of industrial capitalism in the nineteenth. Ruling classes conceded universal suffrage, and accepted the limited redistribution of wealth that democratization entailed, as a means of lessening the threat of revolution. The Founding Fathers had dreaded democracy. But in the early nineteenth century James Madison recognized that universal manhood suffrage posed no great threat to private property. European elites made a similar discovery somewhat later, but independently. Canny conservatives like Britain's Disraeli realized that an enfranchised working-class could be a bulwark against radicalism.¹¹

The history of women's suffrage underlines the limited influence of the United States in the extension of democracy. An international movement from the outset, women's suffrage had been adopted in only a handful of countries, all of them with small populations, before the First World War. At the end of that war, however, the floodgates burst open. Between 1918 and 1920 Britain, Canada, Germany, Sweden, the Netherlands, Belgium, all the successor states of the Austro-Hungarian Empire, and the United States enfranchised women. As historian John Dunn has argued: "democracy's unsteady dispersion across the world was no testimony to American power, and not much even to the force of American example. If anything, it testified to the intrinsic power of democracy itself as an idea."¹²

2. The quality of American democracy

As other nations caught up with the America by adopting universal suffrage, in the United States itself the commitment to democracy weakened. New barriers to voting diminished the electorate. Voter turnouts declined. And in the absence of federal oversight, voter fraud flourished. By 1920 the United States had become significantly less democratic than many of the newer democracies. By 1980, according to political scientist Walter Dean Burnham, America was “less democratized than any other [nation] of consequence holding more or less free elections.”¹³

The retreat of universal suffrage came in two stages. The first was the failure of Reconstruction. After the Civil War the Republican Party, in a drastic extension of federal power, enfranchised the former slaves, and used Union army to enroll voters. The federal government--symbolized here by a federal soldier, and federal marshals, watching as ballots are counted--tried to ensure free and fair elections. But the Republicans’ commitment to democracy in the South crumbled in the face of violent opposition from former Confederates, who reduced large parts of the region to anarchy. The Supreme Court made it virtually impossible for the federal government to convict the perpetrators of political violence. In 1877 federal oversight of elections ended. Thomas Nast offered this comment on the consequences. He captioned it: “Death at the Polls: And Free From Federal Interference.”

By the First World War the Democratic Party had obliterated the South’s black electorate and erased the Republican Party from the South’s electoral map. The South became a one-party

region where elections were corrupt and where you had to pay a poll tax to vote—one tax that was *not* compulsory. Many whites also stopped voting. The South became a gigantic rotten borough, a fraction of the total electorate controlling its political representation. In 1902 South Carolina had a voting age population of 283,000. In the mid-term elections of that year, a mere 32,000 people cast ballots. It thus took an average of 4,600 votes to elect a Congressman in South Carolina. In New York it took 40,000. In the mid-term elections of 1922 turnout in the South barely exceeded 11 per cent, compared to 50 per cent in the North. With its ruling class of planters, merchants, lawyers, and businessmen unrestrained by a mass electorate, the South became the poorest region in the nation, where the gap between rich and poor was widest.¹⁴

Projected into the halls of Congress, the power of the Southern oligarchy distorted American democracy as a whole. This distortion reached its most extreme form in the Senate.

Envisioned by the Founding Fathers as a conservative counter-weight to the directly elected House, the Senate was tailor-made to safeguard the interests of well-organized minorities. The equal representation of small and large states favored the South—where population growth lagged—and the South’s one-party system further magnified the power of Dixie’s solons. Exploiting their seniority, and manipulating the second chamber’s arcane rules of debate, the southern Senators constituted a formidable bloc, wielding the power of veto over national legislation.

But the failure of Reconstruction meant that in the North, too, the integrity of the electoral process depended almost entirely upon the probity of local politicians. In 1894 Congress repealed all laws enforcing the Fifteenth Amendment, the federal government abdicating its responsibility for ensuring honest elections. Fraud at the ballot box flourished, North and

South, especially in close elections. The party machines of New York and other northern cities became by-words for electoral skullduggery. The Democratic primary in Texas that sent Lyndon B. Johnson to the U.S. Senate in 1948 was a classic stolen election. One sheriff ensured that Johnson received 99 per cent of the vote in his County. Another, by a simple stroke of a pen, altered the total from Precinct 13 from a “700” to a “900.” It put Johnson over the top.¹⁵

In the North, a reaction against universal suffrage accelerated after 1900. In the late nineteenth century, voter turnout had reached an all-time high, the numbers swelled by immigrants who were swiftly naturalized and registered by the political machines. Then came Progressivism. This reform movement swept through the cities and states between the turn of the century and the First World War. The progressives presented themselves as models of integrity, heroic battlers on behalf of “the people” against the so-called “the interests”—greedy monopolies and crooked politicians. Their populist rhetoric is still with us, and so are their reforms: the direct primary, the direct election of senators, the commission form of city government. Historians long took these reformers at their own word, depicting Progressivism as a movement to strengthen democracy by purging it of corruption.

Yet the scope of democracy actually diminished in the Progressive Era. Personal registration laws, ostensibly designed to prevent fraudulent voting, reduced the electorate. Another reform, the secret ballot, created problems for illiterate voters, especially when ballots failed to show party emblems. Taxpayer qualifications, residence requirements, “good character” requirements, and literacy tests disqualified many of the foreign-born and the poor. Measures providing for “direct democracy”—the initiative, the referendum and the recall—mostly benefitted well-organized, well-financed minorities. Non-partisan elections weakened the

political machines, but also discouraged turnout and diluted the influence of immigrant and working-class voters. Whether deliberate or not, the reforms of the progressive era reduced voter participation.¹⁶

After 1900 voter turnout plunged. Abysmal turnouts in the South depressed the national average, but turnouts in the North also dwindled. Despite upturns during the 1930s and 1960s, turnout continued its long-term decline. In 1996 it dipped below 50 per cent. Even last year, the most exciting election of recent times, turnout barely exceeded 60 per cent. To place this in context: since 1945 the United States has had the lowest voter turnout among twenty established democracies: 53 per cent against an average of 78 per cent for the other nineteen.¹⁷

Does it matter? Does low turnout reflect mass estrangement from the political system? Or are non-voters exercising rational choice--a choice that might show satisfaction with the status quo, or unhappiness with particular candidates, rather than deep alienation? Last year, for example, we saw a surge of enthusiasm for Barack Obama among certain groups. The African American vote increased by 22 per cent, the Hispanic vote by 16 per cent, and the young vote by 9 per cent. Yet the total "white" vote actually *decreased*, suggesting that many people stayed at home because the McCain candidacy failed to motivate them.¹⁸

One can also ask if low voter turnout makes any real difference to the quality of government, or, indeed, to the quality of life. After all, low turnouts have not prevented America becoming the wealthiest, the most powerful, the best-educated, and one of the most politically stable nations in the world. As Charles Krauthammer once put it, "history is not made by

politics: it is made by economics, by demographics and, above all, by science and technology.”¹⁹

One might also argue that if democracy is primarily a mechanism for choosing between candidates, and for ejecting unpopular governments, then an election with a low turnout is just as effective as one with a high turnout. “Is it worth worrying about whether [the] majority consists of 60 per cent rather than 90 per cent?”²⁰

Here we enter the realm of values. If you believe that voting is a sign of civic engagement, and that civic engagement keeps democracy healthy, then yes, low turnouts matter. They also matter if you believe that a basic function of democracy is to foster equality—or at least to mitigate excessive concentrations of power and wealth. Turnout in America has been massively skewed toward the affluent and the educated, and that fact alone is *prima facie* evidence that voting affects policy. It is a safe assumption that the wealthy and the well-educated are good judges of their self-interest, and would hardly invest time in politics if it did not matter. Lest anyone doubt the efficacy of voting, they need only examine the lot of African Americans in the South before the Voting Rights Act, when blacks could not drive a bus, join the fire department, or work as a electrician for City Hall; and when the state of black schools and colleges, and the condition of streets in black neighborhoods, showed how white politicians rewarded those who had elected them—other whites—and gave blacks the leftovers. Today, as a general rule, states with the lowest levels of voting have the highest levels of inequality; those with the highest turnouts tend to be better-educated, wealthier, and more equal. Politics matters. In the classic definition of Harold Laswell, politics decides “who gets what, when, and how.”²¹

Would some form of proportional representation boost turnout? Proponents of PR argue that under “winner-take-all” electoral systems large numbers of potential voters stay at home because they believe that their ballots would be wasted. Losers get nothing. At the state and local level, a minority political party can be shut out of government for decades. Even in a tight election, 49.99 per cent of the voters ends up with no representation.

PR advocates make grand claims for the superiority of that system. Political scientist Arend Lijphart, for example, after comparing 36 democracies across the world, argued that governments elected by PR are better at promoting consensus and equality. They have lower inflation, lower unemployment, less corruption, more women in government, fewer people in prison, give more overseas aid, and have more generous welfare systems. I suspect he would have added that PR countries make better cheese, were it not for the fact that England produces Stilton, and France Camembert. Still, it does seem significant that those countries with the purest winner-take-all systems, Britain, France and the United States, have the lowest turnouts of the older democracies.²²

America is not going to adopt PR. The two political parties have no interest in opening the system to competitors, and in some states they rig the rules to make it hard for third parties to even get on the ballot.²³

The mere suggestion of PR evokes ferocious reactions from the dominant parties. When Bill Clinton nominated Lani Guinier, a civil rights lawyer and PR advocate, for a position in the Justice Department, opposition to her confirmation was so vehement that Clinton caved in, labeling Guinier’s views “antidemocratic.” The controversy yielded a massive irony. In pressing her case for a system that protected minorities against oppressive majorities, Guinier

invoked the political ideas of the Founding Fathers, who packed the Constitution with mechanisms for preventing majority rule. Indeed, the very Senators who castigated Guinier were the beneficiaries of such constitutional provisions, in this case the equality of representation between large and small states. Half the Senate represents 15 per cent of the population. States that account for a quarter of the population, on the other hand, elect a paltry six Senators. A vote in Nevada is worth 17 times a vote in California. Wielding a filibuster, senators representing as little as 11 per cent of the population can outvote the other 89 per cent. A small minority can likewise block a constitutional amendment.²⁴

Nevertheless, some notion of fairness in representation has crept into federal voting rights policy. The Warren Court established the principle of “one person, one vote” in state elections, making it unconstitutional for one vote in rural Georgia, for example, count for as much as ten votes in Atlanta. The Supreme Court also backed challenges to voting systems and electoral districts that weakened the representation of African Americans by either spitting the black vote or packing it into a single district. It was then but a short step to the idea that fairness should embody some degree of proportionality, and that blacks in the South, because of that region’s history, required special protection against the white political majority. After 1990 congressional districts were re-drawn so as to maximize black voting potential, on the principle that if a state’s population was, for example, a quarter African American, then two out of eight districts should contain black majorities, making it possible to elect two black Congressmen—a rough kind of proportional representation. The result was some very peculiar-looking congressional districts, such as Louisiana’s fourth, known as the “Mark of Zorro,” or the “Z with drips,” whose perimeter stretched for 2,558 miles.²⁵

In 1993, however, the Supreme Court declared such “racial gerrymanders” unconstitutional. Writing for the majority in the case of *Shaw v. Reno*, Sandra Day O’Connor scorned the idea that blacks could only be adequately represented by other blacks. Dividing voters into racial blocs, she added, made racial divisions worse, not better. She likened the policy to apartheid. The election of black mayors in majority-white cities appeared to show that O’Connor was right: the assumption that most whites will refuse to vote for a black candidate was simply not true. The election of Barack Obama reinforced this point spectacularly. “The myth of racist white voters was destroyed by this year’s presidential election,” wrote Abigail Thernstrom in the Wall Street Journal. Obama received more support from white voters than any Democratic candidate since Lyndon Johnson in 1964.²⁶

3. Beyond the 2000 election

How did the electoral system perform last year? If election 2000 was a wake-up call, how did America respond?

The problems exposed in Florida in 2000 could have been found in many states had they been subjected to similar scrutiny. Above all, election 2000 revealed an absence of consistency throughout the electoral system. Federal law laid down some basic rules and guidelines, and implementation devolved to the states. But state supervision was weak. In practice America conducted 13,000 separate elections, each city and county “implementing basic standards in very different ways.”²⁷

The high number of rejected ballots, and the variations in the rate of rejected ballots, highlighted these inconsistencies. Out of 85 million votes cast for president in 2000, nearly 2

per cent were not counted. That compares with 0.3 per cent in the British election of 2001 or 0.001 per cent in the Dutch election of 2006. The sheer complexity of America's voting system undoubtedly creates more scope for voter error. There is also a demonstrable correlation between high rates of ballot rejection, high levels of poverty, and low levels of education. But the enormous local differences in 2000 pointed to other problems. Why did rejection rates vary between 0.3 per cent in Milwaukee, 6.2 per cent in Chicago, and 12 per cent in Gadsden County, Florida? Punch card machines produced more rejected ballots regardless of demographics. But the biggest identifiable reason for the enormous variations was the simple fact that state and local election officials interpreted regulations in different ways. When it came to conducting re-counts, moreover, officials often made up the rules as they went along because their state had none.²⁸

In the wake of election 2000, America went on a frenzy of reform. States created blue-ribbon commissions to recommend changes. Former presidents Ford and Carter chaired a national commission on electoral reform. Congress created the Election Assistance Commission and provided nearly \$4 billion in matching funds for states to purchase up-to-date voting technology. Election officials went on a spending spree.

But states still proved reluctant to impose standards. In Florida, for example, the commission on electoral reform proposed a single voting system for the entire state, and recommended optical scan technology. The state legislature rejected these ideas, allowing some counties to waste millions of dollars on touch-screen machines that broke down and then had to be scrapped. Election 2008 passed off with the usual glitches, personified by the long-suffering voters of Fort Lauderdale, who had to wait in line for six hours. In Hillsborough County, which embraces Tampa and St. Petersburg, the supervisor of elections used federal money

intended for voter education to send out pamphlets promoting himself. On election day the ballot boxes he had purchased at \$1800 a piece proved unreliable. Hundreds of ballots were never counted. In short, the system has changed, but not enough. The state and local politicians who control the electoral machinery still have a strong incentive to manipulate the system for partisan advantage. “The two parties are separated not so much by morality or democratic scruples,” writes Andrew Gumbel, “as they are by . . . naked access to power and the opportunity it affords.”²⁹

Although 2008 produced the highest turnout for forty years, low turnouts still characterize most elections. A mayoral election in Dallas drew 5 per cent of the voters to the polls; a U.S. Senate primary 3 per cent. There is no shortage of explanations for low turnout, including from “voter fatigue,” weak political parties, winner-take-all elections, the divided nature of American government, and a decline in civic participation. Some point to the growing number of non-competitive elections. The application of computers to re-districting has enabled Congressmen to design themselves “safe seats.” In the 1998 primaries, only one incumbent failed to win re-nomination, and he was a convict. 98 per cent of sitting Congressmen were re-elected.³⁰

In key respects, the United States remains an outlier among modern democracies. In the first place, as the Supreme Court explained in *Bush v. Gore*, “the individual citizen has no federal constitutional right to vote.” After the Civil War, the Republican Party declined to make voting a federal right. Instead, the Fifteenth Amendment restricted the scope of disfranchisement, making it illegal for states to deny the right to vote on the basis of race or color. That still left states with plenty of room to exclude people on other grounds. Today, despite the passage of the women’s suffrage amendment, the lowering of the voting age to 18,

and various civil rights acts, the states retain substantial control over both the process of registering voters, and the process of voting itself.³¹

A state's power to *restrict* voting is most evident, perhaps, in the disfranchisement of felons. Here, too the United States is an outlier: no other nation bars so many people from voting after they have been convicted of a crime. Thirty countries, including Canada, France, Germany, and Japan, allow *prisoners* to vote. A few nations bar ex-prisoners from voting, but usually for a fixed period. In America nearly *every* states bars prisoners from voting, and *thirteen* states disfranchise ex-felons for life. Applied to the largest prison population in the world, these penalties have produced about 4 million disfranchised citizens, perhaps 2 per cent of the voting age population. In some states as many as one adult African American in six is permanently disfranchised. Moreover, election 2000 revealed how lists of felons can be riddled with errors, resulting in voters being wrongly disfranchised.³²

Third, although registering to vote has become easier, it is still a voluntary act. Elsewhere, registration is automatic. The relationship between ease of registration and voter turnout seems clear. An educated guess is that automatic registration would boost turnout in America by about 9 per cent.³³

Finally, the national government still plays but a limited role in the electoral process. Washington has the power to supervise federal elections, but since Reconstruction it has declined to do so. Federal laws rely upon the states for implementation. Disputes over elections end up in the courts, with judges trying to impose order on chaos, performing an essentially administrative function.³⁴

“ America’s grand and noble experiment with democracy is just that—an experiment,” stated Florida’s task force on elections in 2001.³⁵ One might think that after two hundred years, democracy would be beyond the experimental phase. It is a paradox that the right to vote is less secure in the world’s oldest democracy than in many of the newer ones. Yet perhaps this is not a paradox but part of an explanation. The United States was the only nation to democratize before it industrialized; property ownership was widespread, and the gap between rich and poor relatively small. Democracy triumphed without much resistance because the wealthy did not feel threatened by it. After the Civil War, however, when democracy came to embrace an industrial proletariat in the North and a rural proletariat in the South, the wealthy moved to restrict the franchise. A weak working-class, divided by race and ethnicity, proved incapable of safeguarding universal suffrage.

“ America is a republic, not a democracy,” goes the old conservative slogan. There is something to it. Democracy in America developed within a constitutional structure designed to prevent majority rule. The republicanism of the Founding Fathers survives most obviously in the checks and balances of the Constitution, but also in the realm of attitudes: in antipathy to political parties, distrust of universal suffrage, and the belief that good government depends on the civic virtue and active engagement of patriotic individuals.

Many still believe that too much democracy is a dangerous thing if the wrong sort of people vote. Renowned sociologist Seymour Martin Lipset argued that the poorly educated, the socially isolated, and the economically insecure shared “unhealthy social attitudes.” Better that such people remain politically inactive than be mobilized by rabble-rousing demagogues. Samuel P. Huntington—a scholar equally distinguished—complained that too many groups had been politicized during the 1960s, making too many unreasonable demands upon the

government. Democracy needs a “measure of apathy and non-involvement” or it becomes unworkable.³⁶

If the Founding Fathers could observe, from their celestial seat, today’s mass democracy, with its partisan fury and naked populism, they would doubtless be appalled. But if they could see how the Constitution they designed, even after twenty-seven amendments, continues to check majority rule, I suspect they would be pleased. More people vote in presidential elections than at any other time. Yet no matter what the size of his majority, no president has a mandate for change—at least, not a mandate that the U.S. Senate is bound to respect. As Louis Hartz put it so vividly more than fifty years ago, in his classic book *The Liberal Tradition in America*, “one of the tamest, mildest . . . majorities in modern history has been bound down by a set of restrictions that betray fanatical terror. The American majority has been an amiable shepherd dog kept forever on a lion’s leash.” Republicanism does indeed, so often, trump democracy.³⁷

¹ “A bombshell from Jimmy Carter,” November 5, 2004, *International Endowment for Democracy*, http://www.iefd.org/articles/jimmy_carter_on_usa_voting.php.

² “Democracy’s Big Day,” *Time*, February 2, 2009.

³ Bill Clinton, “First Inaugural Address” January 21, 1993, <http://www.bartleby.com/124/pres64.html>; Ivor Crewe, “Electoral Participation,” in David Butler et al., *Democracy at the Polls: A Comparative Study of Competitive National Elections* (Washington D.C.: American Enterprise Institute, 1981), p. 219; Teri L. Caraway, “Democratization: Class, Gender, Race, and the Extension of the Suffrage,” *Comparative Politics* 36:4 (July 2004): 447.

⁴ Walter Dean Burnham, “The Appearance and Disappearance of the American Voter,” in Butler, *Democracy at the Polls*, p. 40; Rosemary O’Kane, *Paths to Democracy: Revolution and Totalitarianism* (London: Routledge, 2004), pp. 67-81.

⁵ Adams quoted in Bernard Bailyn, *Ideological Origins of the American Revolution* (Cambridge: Belknap Press, 1967, 1992), p. 20; Gordon Wood, *The Radicalism of the American Revolution* (New York: Vintage, 1991), p. 7.

⁶ Hofstadter quoted in Seymour Martin Lipset, *American Exceptionalism: A Double-Edged Sword* (New York: W. W. Norton, 1996), p. 19.

⁷ Benjamin Thomas, *Abraham Lincoln* (London: Eyre and Spottiswoode, 1953), pp. 232, 262.

⁸ See, for example, the closing lines of Sean Wilentz, *The Rise of American Democracy: Jefferson to Lincoln* (New York: W. W. Norton, 2005), p. 796.

⁹ Bush inaugural speech, 21 January 2001, <http://news.bbc.co.uk/2/hi/americas/1129289.stm>. See also William H. Riker, *Democracy in the United States* (London: Macmillan, 1965), p. 12.

¹⁰ Jean Grugel, *Democratization: A Critical Introduction* (London: Palgrave, pp. 32-67).

¹¹ O’Kane, *Paths to Democracy*, p. 42; S. N. Eisenstadt, *Paradoxes of Democracy: Fragility, Continuity, and Change* (Washington D.C.: Woodrow Wilson Center Press, 1999), pp. 16-19; Daron Acemoglu and James A. Robinson, *Economic Origins of Dictatorship and Democracy* (Cambridge: Cambridge University Press, 2006), pp. 63-68, 270-71; John Dunn, *Democracy: A History* (New York: Atlantic Monthly Press, 2005), pp. 153-54.

¹² Dunn, *Democracy*, p. 91.

¹³ Burnham, “The Appearance and Disappearance of the American Voter,” p. 35.

¹⁴ Ray S. Baker, *Following the Color Line: An Account of Negro Citizenship in the American Democracy* (New York: Doubleday, Page & Co., 1908), p. 263; William H. Skaggs, *The*

Southern Oligarchy: An Appeal in Behalf of the Silent Masses Against the Despotism of the Few (New York: Devin-Adair, 1924), pp. 163-64.

¹⁵ Xi Wang, *The Trial of Democracy: Black Suffrage and Northern Republicans, 1860-1910* (Athens: University of Georgia Press, 1997), pp. 254-266; Andrew Gumbel, *Steal That Vote: Dirty Elections and the Rotten History of Democracy in America* (New York: Nation Books, 2005), pp. 21-22; Mark Wahlgren Summers, "Party Games: The Art of Stealing Elections in the Late-Nineteenth-Century United States," *Journal of American History* 88:2 (2001): 1-22.

¹⁶ Riker, *Democracy in the United States*, p. 57; Burnham, "Appearance and Disappearance of the American Voter," pp. 52-53; Alexander Keyssar, *The Right to Vote: The Contested History of Democracy in the United States* (New York: Basic Books, 2000), pp. 118-162.

¹⁷ Burnham, "Appearance and Disappearance of the American Voter," p. 57; Crewe, "Electoral Participation," pp. 234-37; Ruy E. Teixeira, *The Disappearing American Voter* (Washington D.C.: Brookings Institution, 1992), pp. 5-10; David Hill, *American Voter Turnout: An Institutional Perspective* (Boulder, Col.: Westview Press, 2006), pp.1-2; David Paul Kuhn, "Turnout in Presidential Elections Hit 40-Year High," *Politico*, December 15, 2008, <http://dyn.politico.com>; "That Huge Voter Turnout: Didn't Happen," *Politico*, November 8, 2008, <http://dyn.politico.com>. You can argue with the figures, of course. These percentages greatly overstate voter apathy, some say, because they are based upon voting age population. If you exclude those who are ineligible to vote—disfranchised felons, for example—the turnout will appear higher. And if you include only *registered* voters, turnout comes in at 80 per cent and more.

¹⁸ David A. Bositis, *Blacks and the 2008 Presidential Election: A Preliminary Analysis* (Washington D.C.: Joint Center for Political Studies, 2008), pp. 1-2, http://www.jointcenter.org/publications_recent_publications/political_participation/blacks_and_the_2008_elections_a_preliminary_analysishttp://www.jointcenter.org/publications_recent_publications/political_participation/blacks_and_the_2008_elections_a_preliminary_analysis

[_publications/political_participation/blacks_and_the_2008_elections_a_preliminary_analysis;](#)

Jody Herman and Lorraine Minnite, “The Demographics of Voters in America’s 2008 General Election: A Preliminary Analysis,” November 18, 2008, pp. 2-4;

http://projectvote.org/fileadmin/ProjectVote/Blog_docs/Demographics_of_Voters_in_the_2008_Election.pdf.

¹⁹ Charles Krauthammer, “In Praise of Low Voter Turnout,” *Time* May 21, 1990.

²⁰ Crewe, “Electoral Participation,” p. 261. See also Teixeira, *Disappearing American Voter*, p. 104, where the author argues that turnout has little effect on the outcome of elections.

²¹ Burnham, “Appearance and Disappearance of the American Voter,” pp. 37-40; Crewe, “Electoral Participation,” p. 262; Harold D. Laswell, *Politics: Who Gets What, When, How* (New York: McGraw-Hill, 1936).

²² Arend Lijphart, *Patterns of Democracy: Government Forms and Performance in Thirty-Six Democracies* (New Haven: Yale University Press, 1999), pp. 259-86; David Hill, *American Voter Turnout: An Institutional Perspective* (Boulder, Colorado: Westview Press, 2006), pp. 59-89. Switzerland is an exception: although it uses PR it has the lowest turnout of the older democracies.

²³ Lisa Jane Disch, *The Tyranny of the Two-Party System* (New York: Columbia University Press, 2002); Steven Hill, *Fixing Elections: The Failure of America’s Winner Take All Politics* (New York: Routledge, 2002), p. 45; Robert A. Dahl, *Pluralist Democracy in the United States: Conflict and Consent* (Chicago: Rand-McNally, 1967), p. 215.

²⁴ *Ibid.*, pp. 143-44; Lani Gunier, *The Tyranny of the Majority: Fundamental Fairness in Representative Democracy* (New York: Free Press, 1994), pp. 3-4; Jean Edward Smith, “Filibuster: The Self-Inflicted Wound,” *New York Times*, March 3, 2009; Hill, *Fixing Elections*, pp. 122-123; Joyce Appleby, “The American Heritage: The Heirs and the Disinherited,” *Journal of American History* 74:3 (1987): 804.

²⁵ Richard L. Engstrom and Jason S. Kirksey, “Race and Representational Districting in Louisiana,” in Bernard Grofman, *Race and Redistricting in the 1990s* (New York: Algora Press, 2003), pp. 229-32.

²⁶ *Shaw v. Reno*, 509 U.S. 630 (1993), <http://caselaw.lp.findlaw.com/scripts/getcase.pl?court=US&vol=509&invol=630>; Abigail and Stephan Thernstrom, “Racial Gerrymandering Is Unnecessary,” *Wall Street Journal*, November 11, 2008.

²⁷ National Commission on Federal Election Reform, *To Ensure Pride and Confidence in the Electoral System* (Charlottesville, Va.: Miller Center, 2001), pp. 24-52; United States Commission on Civil Rights, *Voter Fraud and Voter Intimidation: Briefing Report* (Washington D.C., 2006), p. 11.

²⁸ Colin Rallings and Michael Thrasher, *The 2005 General Election: Analysis of the Results* (London: Electoral Commission, 2005), p. 16, http://www.electoralcommission.org.uk/_data/assets/pdf_file/0009/47268/RallingsandThrasherreport_18801-13909_ENSW.pdf; Office for Democratic Institutions and Human Rights, *The Netherlands Parliamentary Elections of 2006* (Warsaw: OCSE, 2006), p. 24; Gumbel, *Steal This Vote*, p. 205; General Accounting Office, *Elections: Statistical Analysis of Factors That Affected Uncounted Votes in the 2000 Presidential Election* (Washington D.C., 2001), pp. 3-12, <http://www.gao.gov/new.items/d02122.pdf>; General Accounting Office, *Elections: Perspectives on Activities and Challenges Across the Nation* (Washington D.C., 2001), pp. 4-9, <http://www.gao.gov/new.items/d023.pdf>. According to the GAO, it was not true, as some alleged, that these antiquated devices were concentrated disproportionately in African American districts. However, the following studies imply that black voters suffered from racial discrimination: Democratic Investigative Staff, House Committee on the Judiciary, *How to Make Over One Million Votes Disappear: Electoral Sleight of Hand in the*

2000 Presidential Election (Washington D.C., 2001); United States Commission on Civil Rights, *Voting Irregularities in Florida During the 2000 Presidential Election* (Washington D.C., 2001), <http://www.usccr.gov/pubs/vote2000/report/main.htm>.

²⁹ Commission on Federal Election Reform, *Building Confidence in U.S. Elections* (Washington D.C.: American University, 2005), pp. 18-21; Tamara Lush, "Want to Vote? In Florida, Line Up and Wait. And Wait." *USA Today*, October 30, 2008; Seth Colter Walls, "Virginia Voting: Broken Machines, No Paper Ballots," *Huffington Post*, November 4, 2008, http://www.huffingtonpost.com/2008/11/04/virginia-voting-broken-machine_140897.htm; Janet Zink, "Flyer Has the Ring of Politics," *St. Petersburg Times*, September 29, 2008, <http://www.tampabay.com/news/politics/elections/article890406.ece>; Michael van Sickler, Justin George, and Craig Pittman, "Poll Problems Pop Up Across Hillsborough," *St. Petersburg Times*, November 5, 2008, <http://www.tampabay.com/news/politics/elections/article823215.ece>; Michael van Sickler and Emily Nipps, "Buddy Johnson's Successor Finds Uncounted Temple Terrace Ballots," January 16, 2009, <http://blogs.tampabay.com/breakingnews/2009/01/buddy-johnson-1.html>; Gumbel, *Steal This Vote*, pp. 224-273.

³⁰ Hill, *Fixing Elections*, pp. vii; 87; Robert D. Putnam, "Democracy in America at Century's End," in Axel Hadenius, ed., *Democracy's Victory and Crisis* (Cambridge: Cambridge University Press, 1997), pp. 27-70; Mark N. Franklin, "The Dynamics of Electoral Participation," in Lawrence LeDuc, Richard Niemi and Pippa Norris, ed., *Comparing Democracies 2: New Challenges in the Study of Elections and Voting* (London: Sage, 2002), pp. 156-165; Shaun Bowler, Todd Donovan, and Jennifer van Heerde, "The United States of America: Perpetual Campaigning in the Absence of Competition," in M. Gallagher and P. Mitchell, ed., *The Politics of Electoral Systems* (Oxford: Oxford University Press, 2005), pp. 197-198.

³¹ William Gillette, *The Right to Vote: Politics and the Fifteenth Amendment* (Baltimore: Johns Hopkins Press, 1965), pp. 53-71; Alexander Keyssar, “The Right to Vote and Election 2000,” in Jack N. Rakove, ed., *The Unfinished Election of 2000* (New York: Basic Books, 2001), p. 77.

³² Brandon Rottinghaus, *Incarceration and Enfranchisement: International Practices, Impact and Recommendations for Reform* (Washington D.C.: International Foundation for Election Systems, 2003), pp. 21-26,

<http://felonvoting.procon.org/sourcefiles/RottinghausDisenfranchisement.pdf>; John Mark Hansen, “Disfranchisement of Felons,” *Task Force on the Federal Election System (July 2001)*, pp. 1-6,

http://www.tcf.org/Publications/ElectionReform/NCFER/hansen_chap8_disfranchisement.pdf

³³ Crewe, “Electoral Participation,” p. 249; Hill, *American Voter Turnout*, pp. 40-55; Teixeira, *Disappearing American Voter*, pp. 111-112.

³⁴ Bowler, Donovan and Heerde, “The United States of America,” p. 188.

³⁵ *Revitalizing Democracy: The Governor’s Select Task Force on Election Procedures, Standards, and Technology* (Tallahassee, Florida: Collins Center for Public Policy, March 2001), p. 9, <http://www.liebertonline.com/doi/abs/10.1089/153312902753300141>.

³⁶ Seymour Martin Lipset, *Political Man: The Social Bases of Politics* (Baltimore: Johns Hopkins University Press, 1981), pp. 228-29; Michael Crozier, Samuel P. Huntington, and Joji Watanuki, *The Crisis of Democracy* (New York: New York University, 1975), pp. 113-114.

³⁷ Louis Hartz, *The Liberal Tradition in America* (New York: Harcourt Brace Jovanovich, 1955), p. 129.