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"The electors shall meet in their respective states": Bias and the US Presidential Electoral College, 1960–2012☆

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A B S T R A C T

American Presidential elections are indirect, reflecting popular support for the candidates through the institution of the Electoral College to choose the President. In common with other plurality-based electoral systems, the College tends to exaggerate the apparent mandate received by the winner of the popular vote but, on occasion, can deliver victory to the second-placed candidate. Despite a sizeable literature on its operation and vagaries, however, relatively little attention has been paid to the question of systematic bias in the College: does one party receive a consistent advantage over the other from the College's operation? The paper examines the evidence for such a bias in each Presidential election since 1960. Although biases have occurred and in some cases were substantial, neither major party is a consistent beneficiary; the prime source of bias is to be found in the relative effectiveness of parties' own vote-winning strategies.

An assumed property of most electoral systems is that they consistently deliver the 'right' result, such that the most popular party will win the most seats in the elected chamber. In plurality systems, this extends to the formation of governments: a plurality in the popular vote is supposed to translate into a majority of representatives. However, this is not inevitable: the candidate or party most popular in terms of vote share can lose out to a less popular one. These events, though generally rare, raise troubling questions about the legitimacy of the electoral process. They also highlight a central concern of electoral geography, the way in which the geography of party support and the rules of the electoral system interact to affect the outcome of elections (Gudgin & Taylor, 1979). Johnston (2005) pointed out nearly a decade ago that the issue of biased election results addressed in Gudgin and Taylor's classic work, where one party has an advantage over its opponent because of the geographies underpinning the operation of electoral systems such as the American, had received little attention among American electoral geographers – unlike the comparable situation in the United Kingdom (Johnston, Pattie, Dorling, & Rossiter, 2001; Johnston, Pattie, & Rossiter, 2013). This paper remedies that omission by applying a standard methodology for identifying the extent and reasons for such bias to the results of the last fourteen US Presidential elections, with particular reference to the 2012 contest.

The Electoral College used to elect US Presidents throws up validity problems on occasion, most recently in the 2000 election (Edwards, 2011). In the nationwide popular vote, Al Gore, the Democrat candidate, gained 540,000 more votes than his Republican rival, George W Bush (their national vote shares were 48.4 and 47.9% respectively). But the outcome came down to the result in Florida, where a wafer-thin Bush win (by just 537 – contested – votes) delivered all 29 of that state's Electoral College votes into the Republican camp, taking him over the 270 College votes required for victory (Erikson, 2001; Hill & McKee, 2005; Shelley, 2002; Warf, 2006; Webster, 2002).

It is worrying enough that electoral systems occasionally deliver the 'wrong' winner. But if this is random in its effects, with candidates of all main parties equally likely to benefit or suffer from – albeit rare – perverse outcomes across a sequence of elections, proponents of a given system might feel justified in continuing to support it despite the risk of occasional aberrant outcomes. But what if the electoral system is not even-handed over time in how fairly – or unfairly – it treats parties? Of particular concern are situations where the 'wrong' result occurs because of a systematic bias, making it easier for one party to win power than for another of similar popularity. In this paper, we ask whether such a systematic bias exists in US Presidential elections and, if so, which party is favoured?

☆ Constitution of the United States, Twelfth Amendment.

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Geography and election outcomes

Perhaps the dominant theme within electoral geography is the explication of how context affects voter decisions. Why, for instance, do Democrat candidates tend to perform well in urban communities especially in the north-eastern and west coast states of the USA, while Republicans are more successful in more rural and heartland areas (for reviews see Johnston & Pattie, 2006; Leib & Quinton, 2011)? To some degree, the answer can be traced to the social and economic make-up of different communities (e.g. Warf, 2011). But it also reflects variations in factors such as party campaign strategies (Johnston, 1987; Pattie, Johnston, & Fieldhouse, 1995) and the contingent social construction of place (Agnew, 1987, 1996).

However, by focussing largely on what influences voters' decisions, research in this vein misses the key step in most elections: the translation of votes into elected office. This involves the interaction between the geography of the vote and the rules of the electoral system (Johnston & Pattie, 2006, chap. 8; Johnston, Pattie, Dorling et al., 2001). Understanding this interaction helps reveal the extent to which a given electoral system produces in-built and sometimes unacknowledged or even unknown biases. Most electoral systems mask these biases (whether deliberately or not) under a rhetorical commitment to giving the voters the direct opportunity to pass judgement on their politicians. In a few systems (that for the election of American Presidents being a case in point), the gap between the rhetoric of popular control and the reality of elected power is somewhat greater. Not only do Presidential candidates have to woo American voters, but they (and crucially) have to do so while ensuring they win in the Electoral College, the body constitutionally charged with choosing the President. In this paper, we discuss how geography helps create partisan biases in the operation of America's Electoral College. We begin that process by reviewing how the College operates.

How to elect a President: the Electoral College

Presidential elections in the USA are unusual among major democracies, in that American Presidents are chosen not by direct popular ballot, but indirectly by the Electoral College (Edwards, 2011; Warf, 2009). Each state in the Union is allocated a number of electors in the College, equal to the state's Congressional representation. Every state has two members of the US Senate. Each state's representation in the House of Representatives, meanwhile, is roughly proportional to its share of the national population – given that each is guaranteed one seat – and Congressional districts are redistributed following each decennial census to reflect this. At the 2012 Presidential election, House delegations varied from just one Representative from Wyoming (the smallest state) to 53 from California (the most populous). Hence Wyoming was entitled then to 3 Electoral College votes, while California had 55.[1] While the size of the College can vary over time as the size of Congress varies, it has since 1964 comprised 538 electors.

Technically, the popular vote is a means of choosing each state's College delegates, who then select the President and Vice-President. That said, those elected to the College are 'pledged' to support particular candidates and in all states the partisan composition of the College delegates is based on the result of the state-wide popular vote. All but two states operate a winner-take-all system for deciding the partisan composition of their Electoral College delegations, all of whom vote for the winner of the state-wide popular vote. In 2012, for instance, Barack Obama beat Mitt Romney by a margin of almost 84 percentage points in Washington DC, and took all 3 Electoral College votes from that competition. He also won all 29 College votes in Florida, even though his margin of victory there was much narrower (just under 1 percentage point: this was the most closely contested state in the election). Two states, Maine and Nebraska, use a different system (since 1972 in Maine and 1992 in Nebraska). In both, two Electoral College places go to the winner of the state-wide popular vote, while the popular winner in each Congressional District (2 in Maine and 3 in Nebraska in 2012) within the state gets that district's College vote. This allows at least the potential for the Maine and Nebraska Electoral College delegations to be split between the leading candidates. In practice, however, since adopting this system, both states' Electoral College votes have almost always gone to the same candidate. The only exception occurred in Nebraska in 2008, when one College vote went to Barack Obama, while four went to his rival John McCain. Once the popular vote is in, therefore, it becomes clear how the state's Electoral College votes will fall.[2]

To win an election, a candidate has to obtain a majority in the Electoral College. In 2012, with 538 College votes at stake, this meant obtaining a minimum of 270 votes, a margin which Barack Obama comfortably exceeded (gaining 332 votes).

The correlation between popular and college votes, 1960–2012

How well does the Electoral College perform as an expression of the popular will? An obvious starting point is the relationship between the popular and the College vote for Presidential candidates. Here, we examine all 14 Presidential elections between 1960 and 2012 inclusive (1960 being the first election in which all States currently in the Union had achieved full statehood).

A popular vote majority is not necessary to win in the College. Indeed, in several recent Presidential contests, the eventual winner obtained less than half the national vote (Kennedy in 1960, with 49.7%; Nixon in 1968, with 43.4%; Clinton in 1992 and 1996, with 43.0% and 49.2%; and Bush in 2000, with 47.9%). In some of these contests, a strong third party challenger made it harder for either the Democrat or the Republican candidate to gain over 50% (George Wallace took 13.5% in 1968, John Anderson gained 6.6% in 1980, Ross Perot took 18.9% in 1992 and 8.4% in 1996; and Ralph Nader won 2.7% in 2000). This is not uncommon in plurality systems (in the UK, for instance, no party has ever won over 50% of the vote in a General Election since World War 2, though most elections have resulted in one party obtaining a clear majority of MPs).

In most Presidential election years the plurality winner of the popular vote has also been the majority winner in the Electoral College. But, as in other plurality systems, this is not guaranteed. The popular vote winner has lost in the College three times since 1828 (in 1876, 1888 and 2000: Edwards, 2011, 62).

And as in other plurality systems, the Electoral College routinely produces a "winner's bonus" (Riggs, Hobbs, & Riggs, 2009). For instance, President Obama won 51% of the popular vote in 2012 but almost 62% of the College votes. On average over the period from 1960 to 2012, the winner's share of the Electoral College was 20.7 percentage points higher than his share of the popular vote. But this winner's margin was not consistent in size from election to election (Fig. 1). In some contests (e.g. 2000 and 2004) the winning candidate's share of College votes came close to his share of the popular vote. In other elections, however, the gap was much wider (as in 1964, 1972, 1980 and 1984). The most dramatic disparity between popular and College support occurred in the 1980 contest, when Ronald Reagan's 50.7% share of the popular vote delivered an overwhelming 90.9% of the College (489 votes out of 538). (This was not the most dramatic Electoral College landslide, however: the 1972 and 1984 contests resulted in bigger sweeps of the College for the winner, Nixon gaining all but 17 College votes in 1972, and Reagan gaining an even more striking 525 – just 13 short of a clean sweep – in 1984.) One way of looking at these patterns is to express