

**Demographic Change, Issue Frames, and  
Simulating the Vote to Repeal Proposition 209**

Loan Kieu Le  
Department of Political Science, UC-Berkeley

Taeku Lee  
Department of Political Science, UC-Berkeley

Mark Q. Sawyer  
Department of Political Science, UCLA

Prepared for presentation at the Warren Institute's conference on "Equal Opportunity in Higher Education: Proposition 209 – Past and Future at UC, Berkeley," October 27-28, 2006, Berkeley, California. Questions, comments, and constructive criticisms are most welcome and should be directed to Taeku Lee at the Department of Political Science, 210 Barrows Hall, MC 1950, Berkeley, CA, 94720-1950 or at [taekulee@berkeley.edu](mailto:taekulee@berkeley.edu). Please do not cite or quote from this paper without first contacting us.

On November 5, 1996 some 9.6 million Californians cast their votes on Proposition 209, also named as the California Civil Rights Initiative. The ballot initiative, authored by Glynn Custred and Thomas Wood, two Bay Area Ph.D.s, and supported by Ward Connerly, a Regent of the University of California at Berkeley, began with the bold if disingenuous statement: “The state shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting.” These seemingly innocuous words meant, legally, that the state of California would no longer pursue any affirmative action policies in its public sector employment or higher education practices. California voters passed Proposition 209 by a rather comfortable margin of 54.6 percent for and 45.4 percent against.<sup>1</sup>

The ten years since the passage of Proposition 209 have been marked by profound changes in the demographic composition of state employees and college students in the UC and Cal-State system. These impacts were particularly acute in the most competitive campuses of the University of California system, UCLA and UC-Berkeley. In 1997, the last year before the ban on race-conscious admissions became implemented, UC-Berkeley admitted 545 African Americans to its campus; 252 of these admits enrolled. In 1998, these figures dropped dramatically to just 236 African Americans admitted to Berkeley and only 122 who enrolled. At Boalt Hall Law School, the number of 1-L African Americans dropped from 21 to 1 (*Journal of Blacks in Higher Education*, 2000).

These ten years have also seen the episodic rise of similar campaigns to legislate away race-targeted public policies at the state and local level. In 1998, voters in the state of Washington passed Initiative 200. In 2000, the Florida state legislature passed a “One Florida”

---

<sup>1</sup> For excellent accounts of the passage of Proposition 209 and the origins and demise of race-targeted admissions at the University of California, see Chávez (1998) and Douglass (2001).

bill that banned affirmative action policies in higher education and replaced it with a “Talented 20 Percent” plan of guaranteed admission to the University of Florida system. This November, voters will decide on the “Michigan Civil Rights Initiative,” modeled after the successful initiatives in California and Washington and spurred by the U.S. Supreme Court’s ruling in *Grutter v. Bollinger*.

The success of these efforts to unmake the race-targeted policies have not unqualified and inevitable, however. In 1997, voters rejected an initiative to ban the use of affirmative action in the city of Houston. In 2003, in a special election in which Californians elected to recall their recently re-elected governor, Gray Davis, voters also rejected Proposition 54, an initiative which would effectively have prohibited state and local governments from collecting or using data on a person’s race, ethnicity, color, or national origin. Furthermore, there is a growing chorus of advocates like Eva Patterson, President of the Equal Justice Society, and academics like Berkeley’s Chancellor Robert Birgeneau and Boalt Hall Dean Christopher Edley, who are beginning to publicly discuss the prospects for subverting the terms of Proposition 209 or repealing it through the initiative process.

In this paper, we focus, as political scientists, very narrowly on the likelihood that a new initiative to repeal Proposition 209 would succeed or fail. We begin with the popular contention that demographic changes alone will precipitate social and political change. Specifically, we test whether the growing proportions of Latinos and Asian Americans – two segments of California’s electorate that voted in the majority against Proposition 209 – would increase overall support for affirmative action enough to offer hope for a successful repeal campaign. Our analysis proceeds in three steps. First, we consider the likely effects of demographic change under the scenario where levels of voter registration, turnout, and support across racial and ethnic groups are the

same as they were in 1996. We then vary each of these parameters to test for their marginal contribution to overall levels of support for affirmative action. Finally, we consider the critical role that issue framing is likely to play in any electoral fight over affirmative action. That is, to what extent are these predictions of a vote to repeal Proposition 209 likely to change if affirmative action is framed as a question of preferential treatment or equal access, or its beneficiaries are defined as African Americans, communities of color broadly defined, women, the disabled, or the economically disadvantaged?

Our results are straightforward, but tell an important story. Demographic change alone will not alter the electoral results of a ballot initiative on affirmative action. What may be more surprising is that the likely outcome of a repeal initiative will not change even if voter registration and turnout rates are equalized between whites, African Americans, Latinos, and Asian Americans. The most important component of a campaign to repeal Proposition 209, we argue will be the fight over how affirmative action is framed and defined. We conclude with a discussion of the limitations of our simulation – most importantly, the likely effect of mediating events like California's vote on Proposition 54, this spring's uprise of mass demonstrations in protest of Congressional debates on immigration reform.

### Public Opinion on Affirmative Action

Three features define the American public's views on racial policy – the near consensus in support of the ideal of racial equality; the stubborn rift over racial inequalities and how we should address them; the continued significance of stereotypes and discriminatory beliefs. The first feature is the achievement of a remarkable transformation in public opinion during the middle of the Twentieth Century (Schuman, Steeh, Bobo, and Krysan 1998; Lee 2002). The earliest polls on race in the 1940s revealed a majority of Americans who believed that blacks and

whites were indelibly different and who defended the segregation of races into separate and unequal spheres of life. By the latter part of the 20th Century, such views had all but vanished. In 1942, 68 percent of white Americans opposed the idea of school desegregation; by 1982, only 10 percent held to this view. This sea change in racial tolerance is visible across a broad sweep of issues from public schools and accommodations to neighborhoods, the workplace, and in our highest political offices (Schuman, Steeh, Bobo, and Krysan, 1998).

This moral consensus, however, founders on a deep divide over whether and why racial inequalities persist and which policies would best promote greater racial equality. The perceptions of whites and blacks over the reality of (in)equality in American life are a world apart. For instance, a majority of whites view the life chances of African Americans as comparable to, if not better than, that of whites, while a majority of African Americans view the criminal justice system as racially biased and believe that the government's incompetent response to Hurricane Katrina was racially motivated, and so on (Kinder and Sanders 1996, Huddy and Feldman 2006). This schism is reflected in the sizeable opposition among white Americans to public policies (e.g., school busing, open housing laws, affirmative action, racial redistricting) aimed at promoting greater equality. In 1982 – the same year that 90 percent of white Americans upheld the principle of integrated schools – only 15 percent supported the idea of achieving that goal through school busing, and just four years earlier, a majority of whites declared that it was none of the federal government's business to legislate policies that would achieve desegregation.

This paradox between principles and policies has been a flashpoint for much debate among social scientists. Specifically, scholars debate whether the policy opposition of white Americans – their espousal of racially egalitarian principles notwithstanding – is motivated by negative stereotypes, racial resentments, and group competition over the maintenance of white

privilege (Kinder and Sanders 1996, Sears, Sidanius, and Bobo 2000, Bobo and Tuan 2006).

While this debate remains hotly contested, it is quite clear that stereotypes, perceptions of group competition, indirect racial cues (such as racially coded words and images), and unconscious racial categorizations (such as implicit associations of "white" as "positive" and "black" as "negative") are strong and significant determinants of public views on a broad range of topics involving or affecting racial and ethnic minorities. The upshot here is that – notwithstanding the general espousal of racially egalitarian principles – public opinion on matters of race is far from settled. While Americans may now cherish the ideal of a color-blind society, racial divisions and antipathies remain deeply ingrained in the hearts and minds of the American public.

These general features set the backdrop for public opinion on affirmative action. Americans, by a sweeping margin, refuse to countenance discrimination and unequal opportunities on the basis of a person's race, ethnicity, skin color, or national origin. Most Americans today would likely concur with Lyndon Johnson's declaration more than four decades ago at Howard University commencement speech, that "You do not take a person who, for years, has been hobbled by chains and liberate him, bring him up to the starting line of a race and then say, 'you are free to compete with all the others,' and still justly believe that you have been completely fair." Americans, however, take divergent views on the implication that Johnson drew from this assertion, namely, that "We seek not just freedom but opportunity. We seek not just ... equality as a right and a theory but equality as a fact and equality as a result."

On race-targeted affirmative policies that aim to achieve equality as fact and result, public support varies (sometimes dramatically) by how the policy is defined. Scholars have shown quite powerfully that support is much higher when affirmative action is framed in terms of the historical injustices and present discrimination facing women and minorities, rather than in

terms of preferential treatment of these groups or reverse discrimination against whites and males. Support also increases when affirmative action is framed as a policy aimed at making an extra effort, rather than achieving numeric quotas (Gamson and Modigliani 1987, Kinder and Sanders 1996, Sniderman and Carmines 1998, Stoker 1998). We revisit this important question of issue framing later in the paper. For the moment, however, we take as our point of departure four stylized patterns of public opinion about affirmative action that are relatively constant.

First, attitudes about affirmative action have not changed that much since the policy developed in the mid-1960s. Second, support levels throughout this period have been low, certainly relative to support for the principles of equal opportunity by race. Third, support varies across racial and ethnic groups, with a spectrum ranging from whites, most opposed, to African Americans, most supportive, with Asians somewhat more supportive than whites and Latinos somewhat less supportive than African Americans ((Steeh and Krysan 1996, Sears, Sidanius, and Bobo 2000).

### Demographic Change and Electoral Mobilization

The aim of this paper is not to offer a new theory of racial attitudes or mediate between existing theories of public opinion on affirmative action. Rather, it is to use these stylized facts about how Americans view affirmative action towards the end of answering a plain, pragmatic question: how would Californians vote today on Proposition 209? That is, for the purposes of answering this question alone, we remain as agnostic as possible with respect to motive.

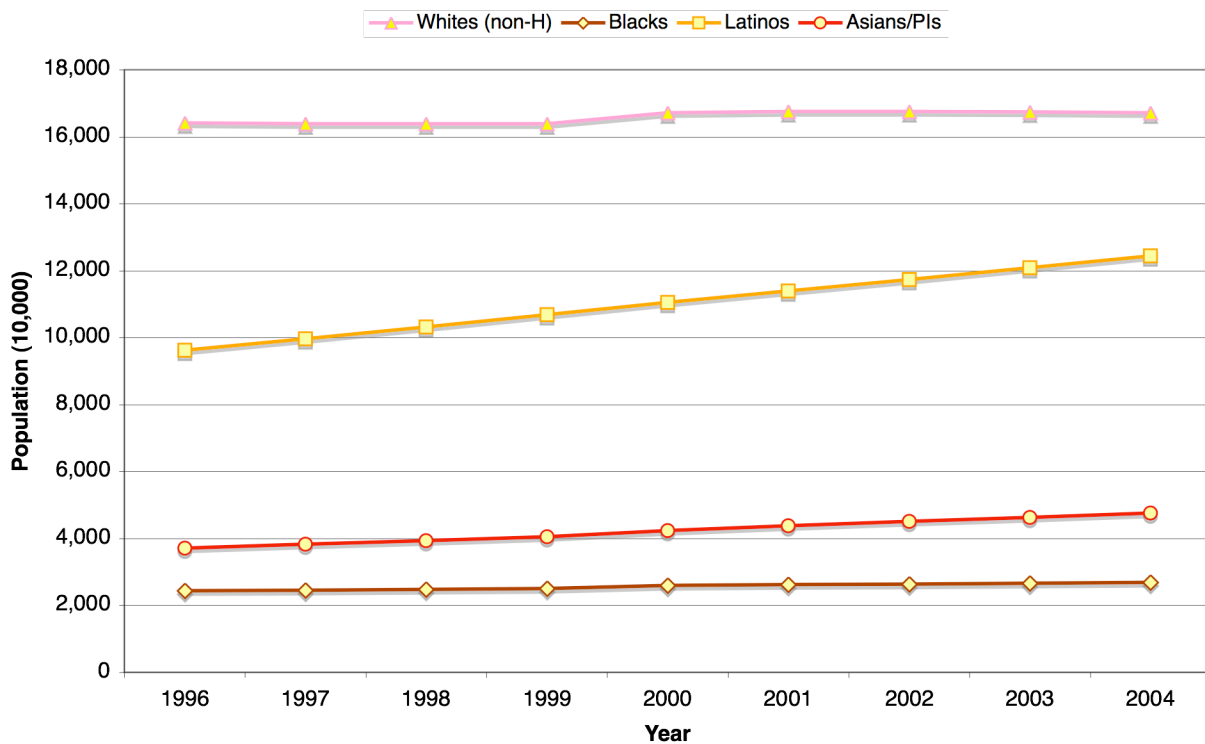
Presume, for the moment, that opposition to affirmative action may be based in self-interest, in principled commitments to self-reliance and conservatism, in real and symbolic racism, in group competition, equally. Presume also that the effect of demographic change may be to increase intergroup contact and therefore, ameliorate intergroup tensions (per the “social contact”

hypothesis), or to heighten perceptions of threat to one’s neighborhood and existing way of life (per the “power threat” hypothesis).

We consider the question of how Californians might vote on Proposition 209 today in several steps. There are at least four distinct moveable parts to this puzzle, holding constant (for now) the issue framing of Proposition 209:

- 1) the numbers, in population, of voter eligible adults by race/ethnic group;
- 2) the proportion of voter eligible adults who are registered to vote, by group;
- 3) the propotion of registered voters who turnout, by group;
- 4) the proportion of voters who support Proportion 209, by group.

**Figure 1. California Population, by Race/Ethnicity, 1996-2004**



The first parameter is simply given to us by U.S. Census Bureau data. As Figure One above shows, in 1996, there were about 32 million Californians, of which non-Hispanic whites



comprised 51.3 percent, Hispanics (of any race) 30 percent, Asian and Pacific Islander Americans (APIs) 11.6 percent, and African Americans 7.6 percent.<sup>2</sup> By 2004, there were almost 36 million Californians, with a racial/ethnic composition of 46.6 percent non-Hispanic whites, 34.7 percent Hispanics of any race, 13.3 percent APIs, 7.5 percent African Americans. For our current analysis, it is especially noteworthy that most of the population growth since 1996 is in the number of Latinos and Asian Americans. Put sharply, there is a 22 percent increase in the Latino population and a 23 percent increase in the Asian and Pacific Islander population, while the increase in the proportion of whites and African Americans is a much more modest 2 percent and 9 percent, respectively.<sup>3</sup>

Of course, absolute population numbers are a world apart from the population of age-eligible Californians who show up to vote on Election Day. There are several key and sequential steps in the process of political incorporation: (1) one must be old enough to vote; (2) one must be a citizen; (3) one must be registered to vote; (4) one must then vote (see, e.g., Ramakrishnan 2005). For many native-born Americans, these steps may seem perfunctory and obvious. But as Table 1 shows, not all Californians go through these stages of incorporation. Almost all non-Hispanic white adults (99.2 percent in 1996 and 95.4 percent in 2004) are citizens, but only about three out of four white citizens register to vote and not all registered voters (83 percent in

---

<sup>2</sup> Data for Figure One are from the RAND California “Population and Demographic Statistics” website at <http://ca.rand.org/stats/popdemo/popdemo.html>. Census Bureau population estimates for 1996-1999 are not directly comparable to those from 2000 on because of the introduction of a multiracial identifier in the 2000 Census. Specifically, because of the option to “check one or more” of the racial categories listed in the 2000 Census, there is a measure of “double-counting” among multiracial identifiers that artefactually boosts the numbers of persons identifying with a given racial category from 2000 on. See Perlmann and Waters (2002).

<sup>3</sup> Some of this increase for APIs, whites, and African Americans, is likely due to the new multiracial identifier with the 2000 Census (see footnote 1).

1996 and 93 percent in 2004) bother to cast a ballot on Election Day. Put differently, only 60 percent of all adult non-Hispanic white Californians voted in 1996.<sup>4</sup>

**Table 1. Proportion of Californians at Stages of Incorporation, by Race/Ethnicity<sup>5</sup>**

	<i>Proportion Citizen Eligible</i>	<i>Proportion Voter Registered</i>	<i>Proportion Voter Turnout</i>
	<b>1996</b>	<b>1996</b>	<b>1996</b>
<b>Total</b>	0.856	0.666	0.789
White (non-Hispanic)	0.992	0.736	0.832
Latino	0.623	0.513	0.604
Black/African-American	0.885	0.652	0.813
Asian/other	0.699	0.477	0.719
	<b>2004</b>	<b>2004</b>	<b>2004</b>
<b>Total</b>	0.793	0.686	0.902
White (non-Hispanic)	0.954	0.762	0.926
Latino	0.545	0.554	0.848
Black/African-American	0.932	0.730	0.907
Asian/other	0.713	0.525	0.844

It turns out that whites outperform all other racial/ethnic groups on these yardsticks. Only 45 percent of the total adult population of Californians cast a vote in 1996, by contrast. This gap is in large measure due to the acute challenges confronting Latino and API political incorporation. For APIs in 1996, only 70 percent of all adults were citizens, only 48 percent of age-eligible citizens registered to vote, and only 72 percent of registered voters cast a vote.<sup>6</sup> That is, only 24 percent of all adult APIs in California in 1996 voted. For Latinos, this proportion is even starker: only 19 percent of all adult Latinos in California in 1996 voted. These proportions, as Table 1 reveals, do improve in many areas (most conspicuously in the proportion of citizens

<sup>4</sup> This figure is the multiplicative compound of each probability in Table 1.

<sup>5</sup> The absolute numbers and relative proportions of Californians in each cell of Table 1 are given in Appendix 1. The data for these figures are from the U.S. Census Bureau (2006). The proportion of citizen eligible is among all adult Californians; the proportion of voters registered is among all citizen adults; the proportion of voters is among all registered voters.

<sup>6</sup> The provision of racial/ethnic data in the U.S. Census Bureau for citizenship, voter registration, and turnout combines APIs and “other” race individuals.

who register and in the proportion of registered voters who vote), mostly likely a reflection of the highly polarized and mobilized climate of the 2004 presidential election.

The fact that the growth of California's population since 1996 is predominantly among Latinos and APIs and that the disproportionately low rates of citizenship, registration, and turnout are also predominantly among Latinos and APIs present us with our first puzzle vis-à-vis the likely outcome of a repeal vote on Proposition 209. We know from *Los Angeles Times* exit poll data that roughly 62 percent of non-Hispanic whites supported Prop. 209, with support from 44 of Asian Americans, 30 percent of Latinos, and 27 percent of African Americans polled. Since more Latinos and Asian Americans opposed Prop. 209 than favored it, we might expect – based on demographic change alone – that in a second vote on the measure today, proponents of affirmative action might carry the day. This expectation, however, is mitigated by the fact that Latinos and Asian Americans are far less likely to be voters, per age-eligible adult in California.

To reconcile these competing influences, we need to fix some parameters. In the analysis below, we first assume that the relative proportion of whites, blacks, Latinos, and Asian Americans who favor and oppose affirmative action will remain unchanged from their proportions in 1996. We further assume that, absent any overriding rationale to do otherwise, the proportion of supporters and opponents of affirmative action across racial and ethnic groups remains the same as it did in 1996. The final parameters that we need to set are voter registration and turnout rates. There are two issues here. First, registration and turnout rates are likely to vary across elections. The 2000 and 2004 elections, for instance, generated an atypically high degree of voter interest and electoral mobilization. To account for a plausible range of outcomes here, we calculate likely vote outcomes under two scenarios: 1996 registration and turnout rates and 2004 registration and turnout rates. A second issue is that registration and turnout rates also

vary across racial/ethnic groups. Here we also compare a “most likely” scenario with an “extreme case” scenario: in the first case, that the relative proportion of registered voters and voters who turnout will remain unchanged from 1996; and that all groups will register and turnout at equal proportions, set at the proportion of white voter registration and turnout.

This comparison of scenarios is relevant since one of the most important factors in a given election is voter turnout. We do not consider a scenario in which citizenship rates for all groups is equal since unequal rates of citizenship acquisition are in large measure due to factors beyond the control of an electoral campaign. Voter registration and voter mobilization efforts, by contrast, are a central determinant of political participation (Rosenstone and Hansen 1993) and an especially critical factor in the political incorporation of immigrant-based groups like Latino and Latina Americans (Pantoja, Ramírez, and Segura 2001, Ramírez and Wong 2006).

**Table 2. Expected Vote Outcome, by Demographic Change and Varying Rates of Voter Registration and Turnout**

	Unequal turnout rates		Equal turnout rates	
	1996	2004	1996	2004
Equal registration rates	50.6% NO	51.5% NO	50.1% NO	50.1% NO
Unequal registration rates	52.2% NO	53.4% NO	51.8% NO	52.1% NO

The actual calculations here are mechanically undemanding, but they yield some interesting results. Demographic change alone would make an impact on the outcome of a new initiative to repeal Proposition 209. But this impact would not be decisive. Under our assumption that equivalent proportions of whites, African Americans, Latinos, and Asian Americans support Proposition 209 as they did in 1996, the new initiative would fail, with 52.2 percent voting against.

This repeal initiative, moreover, would fail even with considerable efforts to mobilize non-white voters. That is, if voter mobilization efforts equalized the registration rates between

racial/ethnic groups, the vote would be much closer, but the repeal initiative would still lose. 50.6 percent of Californians under this scenario would vote against the repeal. If we engaged in mobilization efforts focused on voter turnout, this too would increase the number of votes in favor of repeal, but not change the outcome. Importantly, equalizing voter registration rates between racial/ethnic groups has a much larger impact on the likely outcome than does equalizing voter turnout rates.

Finally, even if voter registration AND turnout were equalized between racial and ethnic groups, the repeal initiative would still fail. There are two important caveats to this last statement. First, while our calculation here would predict a failed repeal initiative, it would fail by only a razor-thin margin. Second, our calculations here are based on 2004 Current Population data on the demographic composition of California's electorate and on 2004 voter turnout rates. It is quite possible that, by the time a repeal initiative makes its way to a ballot – say, by 2008 – this razor-thin margin could be overcome and demographic change, coupled with intensive mobilization campaigns, would turn the tide. But it would require impressive mobilization efforts.

### Issue Framing and the Fight to Define Affirmative Action

A pivotal element in any such mobilization efforts and a certain outcome in any campaign to repeal Proposition 209 is the fight to frame affirmative action. Frames, briefly, are informational filters that simplify, summarize, and interpret events, discourses, contexts, and choices. The concept of framing has been central to social cognition research for a long time, but its import has intensified by the recent attention to George Lakoff's plea for Democrats and progressives to "know your values and frame the debate" (2004). The title and first sentence of Proposition 209, for instance, is an excellent instance of issue framing. By giving the title,

“California Civil Rights Initiative” and by defining the initiative at the outset as the State of California’s obligation not to “discriminate against” or “*grant preferential treatment to*” anyone or any group on the basis of “race, sex, color, ethnicity, or national origin,” the authors cleverly link the near consensual public embrace of the principle of non-discrimination with the more contested notion that affirmative action policies treat its beneficiaries *preferentially*.

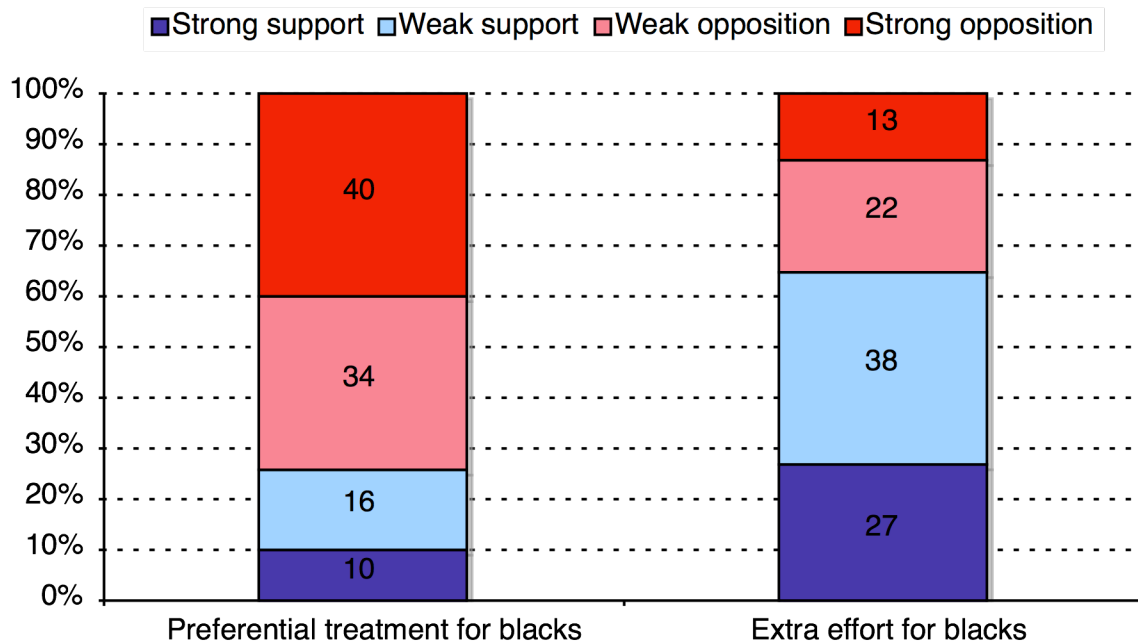
To see how powerful issue framing, generally, and the “preferential treatment” frame, specifically, is in defining public opposition to affirmative action we turn to several survey experiments conducted by Paul Sniderman and his colleagues (Sniderman and Piazza 1993, Sniderman and Carmines 1998). In survey experiments, respondents are randomly assigned to one of two versions of a question. In the “Two Meanings” experiment, half of the respondents are asked the question:

“Some people say that because of past discrimination, qualified blacks should be given **preference** in university admissions. Others say that this is wrong because it discriminates against whites. How do you feel--are you in favor or opposed to giving qualified blacks **preference** in admission to colleges and universities (Sniderman and Piazza 1998, 23)?”

The remaining half are asked:

“Some people say that because of past discrimination, an **extra effort** should be made to make sure that qualified blacks are considered for university admissions. Others say that this is wrong because it discriminates against whites. How do you feel--are you in favor or opposed to making an **extra effort** to make sure qualified blacks are considered for admission to colleges and universities (Sniderman and Piazza 1998, 24)?”

**Figure 2. Two Meanings Experiment**

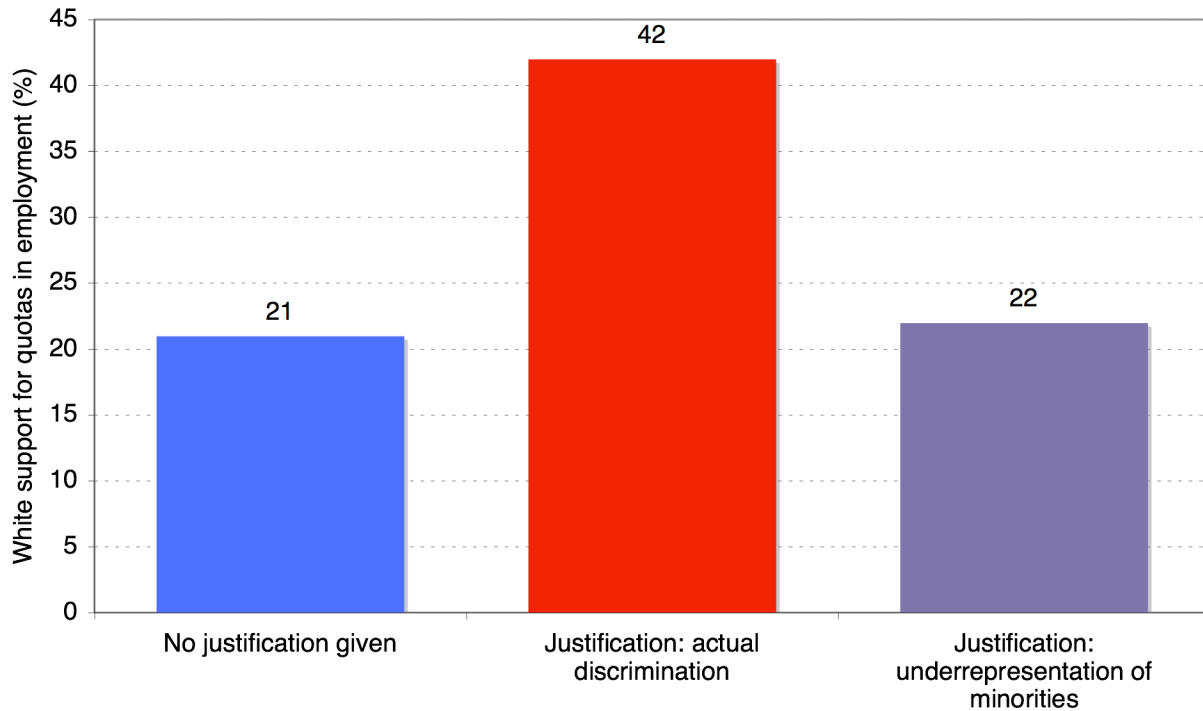


As Figure 2 shows, this change in the meaning of affirmative action makes a world of difference. When affirmative action is framed as preferential treatment, only 26 percent support the policy. When it is framed as making an extra effort, fully 65 percent support it.

There are many other instances in which the framing of affirmative action shifts public support. We review three such cases. First, it makes a difference whether or respondents are reminded of actual race and gender discrimination as a premise for affirmative action policies. In the “Justification Experiment,” a randomly chosen third of respondents are simply asked, “Do you think that large companies should be required to give a certain number of jobs to blacks, or should the government stay out of this?” A second, randomly chosen, third is first told that “There are some large companies where blacks are underrepresented” before they are then asked about affirmative action for African Americans in the public employment sector. The final third

is first told, “There are some large companies with employment policies that discriminate against blacks (Sniderman and Carmines 1998, 34).”

**Figure 3. Justification Experiment**



The Justification Experiment is notable for several reasons. First, without any justification, an overwhelming majority of white Americans reject affirmative action, as defined by this question. Keep in mind here that in this question, affirmative action is defined as giving a “certain number of jobs,” or, a quota system. Second, simply telling respondents that certain racial/ethnic minorities are underrepresented makes almost no difference in white Americans’ willingness to support a quota system. When reminded that this underrepresentation is due (at least in part) to continuing, active discrimination in the private sector, however, whites are twice as willing to support affirmative action. The last point to make is that, even given the



justificatory context of actual discriminatory practices, a majority of white Americans oppose affirmative action if it is defined as a quota-based policy.<sup>7</sup>

We have thus far seen that an effort to win the electoral day on an initiative to repeal Proposition 209 will depend in part on ensuring that affirmative action is not framed as a quota-based policy or a policy of preferential treatment. It will also depend on successfully framing the policy as involving an “extra effort” to achieve racially egalitarian ends and on keeping the public’s eyes on the continuing workplace discrimination against women and racial/ethnic minorities. There are also many scholars, starting with William Julius Wilson (1987), who argue that universal policies enjoy greater resilience and sustained public support than particularistic policies that target a particular group. Put sharply, in the discourse on affirmative action, such folks argue that the “remedy” is to shift from race-based to class-based policies (see, e.g., Kahlenberg 1996).

If the goal of issue framing is simply to win, even at serious cost to the moral underpinnings of affirmative action or to the programmatic aims of the policy itself (Appiah and Gutmann 1996, Edley 1996), then the existing studies might suggest that a campaign to repeal Proposition 209 should consider keeping the race-targeted facet of affirmative action in the background. This dynamic is forcefully shown in Sniderman and Carmines’ “Color-Blind Experiment.” In this survey experiment, there are three conditions. For a third of the respondents, affirmative action is defined as a racially targeted and racially justified policy. This group is asked,

---

<sup>7</sup> Sniderman and Carmines do find an interesting context in which a majority do favor a quota-based policy. In their “British Quota Experiment,” the lone difference across treatment contexts is the beneficiary of the quotas. When the beneficiaries were defined as “blacks and Asians,” only 15 percent of respondents favored such a policy. When they were defined as “women,” this proportion increased to 23 percent. When the targeted beneficiaries, however, were identified as “the disabled,” fully 85 percent of respondents supported even a quota-based targeted policy.

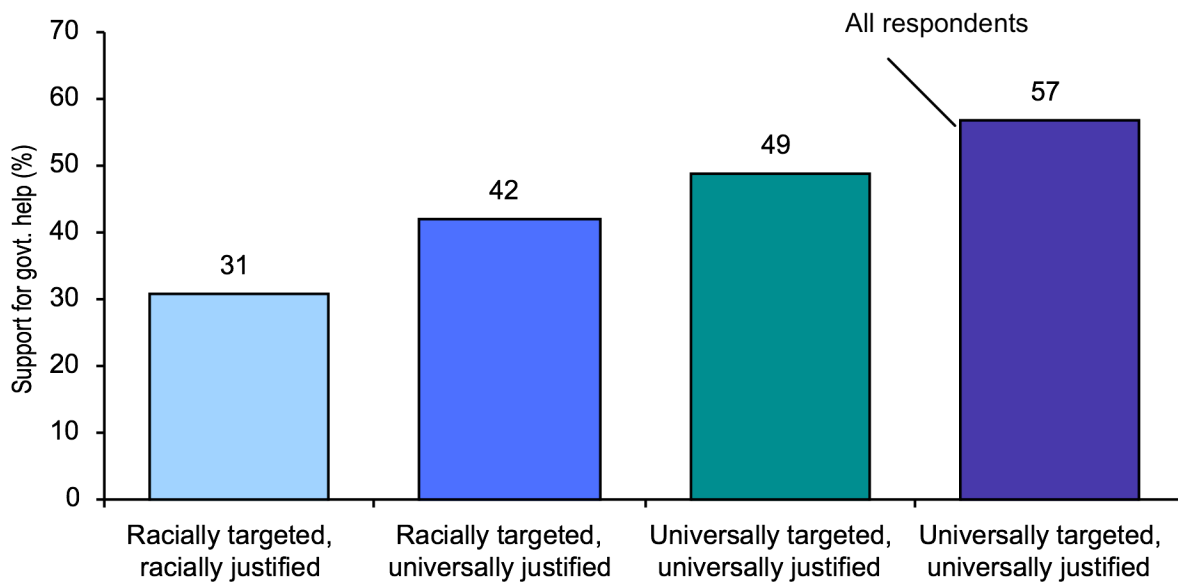
“Some people believe that the government in Washington should be responsible for improving the social and economic condition of blacks who are born into poverty. They say that because of the continuing legacy of **slavery and discrimination** we have a special obligation to help blacks to get ahead. Other people believe that the strength of the American way of life is that people should deal with their problems on their own. If you had to choose, would you say the government should take responsibility for improving the social and economic conditions of **blacks** who are born into poverty, or should the government stay out of it?”

For another third of respondents, affirmative action is defined as a racially targeted, but universally justified policy. Here, rather than justifying affirmative action vis-à-vis “the continuing legacy of slavery and discrimination,” respondents are given as a justification the obligation of government “to try to make sure that everyone has an **equal opportunity** to succeed.” For the final third of respondents, affirmative action is defined as universally targeted and universally justified. That is, for this group, rather than target the “social and economic conditions of blacks,” respondents are primed to think about the “social and economic conditions of people.”

The results of the “Color-Blind Experiment” speak for themselves. Public support for affirmative action increases both when the target beneficiaries of the policy are universal, not particularistic. It also increases when the justification for why government ought to act on this issue is universal, not particular to the historical and present-day condition of African Americans. It is vital to note also, however, that one would be imprudent to lean too heavily on a “color-blind” frame to capture enough white voters to win the day on a repeal initiative. Even

in the universally targeted, universally justified condition, less than half of white Americans favor affirmative action. True enough, a majority of all respondents (white and non-white) would support a color-blind frame, but we know that a solid majority of non-whites would also support a race-specific frame. Given the prohibitive cost, moral and practical, to pursuing the goals of race-targeted policy by using the language of color-blindness, it is far from clear how useful this willful neglect of race in the framing of affirmative action will be.<sup>8</sup>

**Figure 4. Color-Blind Experiment**



More broadly, there are several important limitations to inferring too much from our quick-and-dirty excursion through the survey-based literature on framing. The first limitation is that the survey experimental work we have reviewed sample adult Americans, and not Californians. Thus it may lack the regional specificity needed to give us a crisply precise

---

<sup>8</sup> It is interesting to note that in a similar experiment (the “Regardless of Race” experiment), Sniderman and Carmines find that there is ideological variation in support for a color-blind framing. Specifically, political conservatives are unlikely to be any more supportive, while ideological moderates and non-ideologues are most likely to be swayed by such a framing (Sniderman and Carmines 1998, 120-125).

account of how different frames are likely to affect public support. Another limitation is that these studies focus on ordinary individuals, not likely voters or actual voters. So their utility for the purposes of predicting how specific frames are likely to influence the outcome of a repeal initiative is partial, at best.

A third limitation is that these studies focuses primarily on the attitudes of whites, who, increasingly, comprise a smaller and smaller proportion of the electorate, California or otherwise. There is incomplete and inadequate data to allow us to compare issue framings across racial and ethnic groups. The 1992 Los Angeles County Social Survey (LACSS) does give us an insightful glimpse into the power of targeted campaign appeals, however. As Table 3 below shows, beliefs about the impact of affirmative action vary markedly by group (from Bobo 2000).

**Table 3. Beliefs About the Impact of Affirmative Action, by Race/Ethnicity**

	Is unfair to whites	Forces hiring of unqualified people	Gives oppt’y to hire qualified bks	Keeps competitive economy
White	45	60	59	29
Black	16	27	84	60
Latino	30	39	66	55
Asian	34	39	54	37
Cell entries represent respondents who “agree” or “strongly agree”				

As we saw earlier, whites are most likely to be responsive to the belief that affirmative action for African Americans is a form of preferential treatment that, by implication, is unfair to whites. What the LACSS shows us, however, only a minority of other groups share this belief. Similarly, a solid majority of whites believe that “affirmative action in education gives an opportunity to qualified blacks who might not have had a chance without it (Bobo 2000, 148),” but equally solid majorities of African Americans, Latinos, and Asian Americans do not buy what this statement is selling. To put a more positive spin on it, a successful campaign to repeal Proposition 209 would do well to engage African Americans and Latinos (and perhaps Asian

Americans as well) by focusing on the opportunities that affirmative action give to “qualified blacks who might not have had a chance without it” and on the belief that “affirmative action in the workplace for blacks helps make sure that the American workforce and economy remain competitive (Bobo 2000, 148).”

### Reprise and Reminders

In this brief analysis and discussion, we have attempted to say something about what is likely to happen if a vote were taken today to repeal Proposition 209. The idea that demographic change alone will reverse the outcome is wishful thinking. The gap can be significantly narrowed, however, under several specific circumstances. Most obviously, those communities who have been most directly affected by Proposition 209 – African Americans and Latinos – have to register to vote and turnout on Election Day in numbers at least equal to that of whites. Additionally, if proponents of affirmative action hope to revisit the outcome of 1996 with better results, they had better circle their wagons on a winning issue frame that defines affirmative action in terms of the historical and ongoing discrimination against women and racial minorities, and the benefits of a more diverse workplace and schools for the state’s economic vitality. Proponents would also do well to define affirmative action in terms of extra effort and meaningful opportunities for qualified women and racial minorities.

This may sound like shibboleth and incantation, but there are some concrete reasons to be hopeful. Specifically, there are three salient changes since 1996 that give hope. First, there has been a durable and partisan mobilization Latino and Latina Californians in response to Proposition 187 (Pantoja, Ramirez, and Segura 2001). Second, the spring of mass mobilization

on immigration reform portends even further consolidation of this pattern.<sup>9</sup> Third, there may be patterns of change in partisanship. Asian Americans as a group have become more discernibly Democratic in their partisanship patterns. Latinos as a group may have become less Democratic, especially in the 2004 elections (but see Leal, Barreto, Lee, and de la Garza 2005).

It is, of course, difficult to ascertain is how partisan shifts relate to the issue of affirmative action per se. The trend towards Democratic party identification should, *ceteris paribus*, push Asian Americans to hold a more favorable view towards affirmative action than they did in 1996, but affirmative action is a notoriously ambiguous issue vis-à-vis Asian American collective political interests (Ong 2000). The trend away from Democratic party identification (if it is real) should, *ceteris paribus*, push Latinos to hold a more negative view towards affirmative action than they did in 1996, but by most any bureaucratic definition, the policy should directly benefit many Latino Americans, so it is quite likely that Latinos would favor affirmative action in spite of their partisanship.

Ultimately, there is no such thing as a certain forecast for how a repeal initiative will go. What is certain, however, is that the California electorate is not what it was ten years ago. So too has our sociopolitical milieu changed from ten years ago. The Republican Party is now (for the moment, at least) in control of all branches of federal government, with nativist vigilantes policing the US-Mexico border, and continued efforts to unmake the racial progress of the 1960s. Yet the consolidation of the Democratic Party in California continues as well. The prospects for repealing Proposition 209 are perhaps more sanguine today than ever, but in the final analysis time alone and our will to make a difference will tell the tale that simple calculations alone cannot.

---

<sup>9</sup> See, e.g., the Pew Hispanic Center's and the Latino Policy Coalition's recent surveys at <http://pewhispanic.org/reports/surveys/> and (<http://www.latinopolicycoalition.org/poll2006.htm>).

## References

- Appiah, K. Anthony and Amy Gutmann. 1996. *Color Conscious: The Political Morality of Race*. Princeton: Princeton University Press.
- Bobo, Lawrence. 2000. "Race and Beliefs about Affirmative Action: Assessing the Effects of Interests, Group Threat, Ideology, and Racism." In David O. Sears, James Sidanius, and Lawrence Bobo, eds., *Racialized Politics: The Debate about Racism in America*. Chicago: The University of Chicago Press.
- Bobo, Lawrence and Mia Tuan. 2006. *Prejudice in Politics: Group Position, Public Opinion, and the Wisconsin Treaty Rights Dispute*. Cambridge: Harvard University Press.
- Bobo, Lawrence and James Kluegel. 1993. "Opposition to Race-Targeting: Self-Interest, Stratification Ideology, or Racial Attitudes?" *American Sociological Review* 58: 443-64.
- Chávez, Lydia. 1998. *The Color Bind: California's Battle to End Affirmative Action*. Berkeley: University of California Press.
- Douglass, John Aubrey. 2001. "Anatomy of Conflict: The Making and Unmaking of Affirmative Action at the University of California." In John D. Skrentny, ed., *Color Lines: Affirmative Action, Immigration, and Civil Rights Options for America*. Chicago: University of Chicago Press.
- Edley, Christopher. 1996. *Not All Black and White: Affirmative Action and American Values*. New York: Hill and Wang.
- Gamson, William and Andre Modigliani. 1987. "The Changing Culture of Affirmative Action." *Research in Political Sociology* 3: 137-77.
- Huddy, Leonie and Stanley Feldman. 2006. "Worlds Apart: Blacks and Whites React to Hurricane Katrina." *Du Bois Review* 3 (1): 97-113.
- Kahlenberg, Richard D. 1996. *The Remedy: Class, Race, and Affirmative Action*. New York: Basic Books.
- Katznelson, Ira. 2005. *When Affirmative Action Was White: An Untold History of Racial Inequality in Twentieth-Century America*. New York: W.W. Norton.
- Kinder, Donald and Lynn Sanders. 1996. *Divided by Color: Racial Politics and Democratic Ideals*. Chicago: University of Chicago Press.
- Lakoff, George. 2004. *Don't Think of an Elephant: Know Your Values and Frame the Debate*. Chelsea Green.

Leal, David, Matt Barreto, Jongho Lee, and Rodolfo O. de la Garza. 2005. "The Latino Vote in the 2004 Election." *PS: Political Science and Politics* 38 (1): 41-49.

Lee, Taeku. 2002. *Mobilizing Public Opinion: Black Insurgency and Racial Attitudes in the Civil Rights Era*. Chicago: University of Chicago Press.

Ong, Paul M. 2000. The Affirmative Action Divide. In Paul M. Ong, ed., *The State of Asian Pacific America, Volume IV: Transforming Race Relations*. Los Angeles, CA: LEAP Asian Pacific American Public Policy Institute and UCLA Asian American Studies Center.

Pantoja, Adrian, Ricardo Ramírez, and Gary Segura. 2001. "Citizens by Choice, Voters by Necessity: Patterns in Political Mobilization by Naturalized Latinos." *Political Research Quarterly* 54 (4): 729-50.

Perlmann, Joel and Mary Waters, eds. 2002. *The New Race Question: How the Census Counts Multi-racial Individuals*. New York: Russell Sage.

Ramakrishnan, S. Karthick. 2005. *Democracy in Immigrant America: Changing Demographics and Political Participation*. Stanford: Stanford University Press.

Ramírez, Ricardo and Janelle Wong. 2006. "Getting Out the Vote among Asian Americans and Latinos: The Role of Contact." In Taeku Lee, Karthick Ramakrishnan and Ricardo Ramírez, eds., *Transforming Politics, Transforming America: The Political and Civic Incorporation of Immigrants in the United States*. Charlottesville: University of Virginia Press.

Schuman, Howard, Charlotte Steeh, Lawrence Bobo, and Maria Krysan. 1997. *Racial Attitudes in America: Trends and Interpretation*, revised edition. Cambridge: Harvard University Press.

Skrentny, John. 1996. *Ironies of Affirmative Action: Politics, Culture, and Justice in America*. Chicago: University of Chicago Press.

Sniderman, Paul and Thomas Piazza. 1993. *The Scar of Race*. Cambridge: Harvard University Press.

Sniderman, Paul and Edward Carmines. 1998. *Reaching Beyond Race*. Cambridge: Harvard University Press.

Steeh, Charlotte and Maria Krysan. 1996. "The Polls—Trends: Affirmative Action and the Public." *Public Opinion Quarterly* 60: 128-58.

Stoker, Laura. 1998. "Understanding Whites' Resistance to Affirmative Action: The Role of Principled Commitments and Racial Prejudice." In Jon Hurwitz and Mark Peffley, eds., *Perception and Prejudice*. New Haven, CT: Yale University Press.

The Field Institute. 1997. "A Review of Voting and Demography in 1996." *California Opinion Index* (February). <http://field.com/fieldpollonline/subscribers/COI-96-97-Feb-Voting.pdf>.



University of California, Berkeley. 1999. Admissions and Enrolment, University of California—Berkeley. Berkeley: Office of the Associate Vice Chancellor, Admissions and Enrollment.

U.S. Census Bureau. 2006. "Voting and Registration." Population Division, Education and Social Stratification Branch. <http://www.census.gov/population/www/socdemo/voting.html>. Last revised: June 16, 2006.

Wilson, William Julius. 1987. *The Truly Disadvantaged: The Inner City, the Underclass, and Public Policy*. Chicago: University of Chicago Press.

**Appendix 1. Population and Proportion of Californians, by Stages of Incorporation and by Race/Ethnicity, 1996 and 2004.**

1996	Total Population		Adult Population		Citizen-eligible-adults		Registered voters		1996 General election voters	
	(000's)	Pr	(000's)	Pr	(000's)	Pr	(000's)	Pr	(000's)	Pr
Total	32,344	1.00	22800	1.00	19527	1.00	13000	1.00	10263	100
White	17150	0.53	13000	0.57	12900	0.66	9500	0.73	7900	0.770
Latino	9850	0.31	6100	0.27	3800	0.20	1950	0.15	1178	0.115
Black	1844	0.06	1300	0.06	1150	0.06	750	0.06	610	0.059
Asian/other	3500	0.11	2400	0.11	1677	0.09	800	0.06	575	0.056
2004	Total Population		Adult Population		Citizen-eligible-adults		Registered voters		2004 General election voters	
	(000's)	Pr	(000's)	Pr	(000's)	Pr	(000's)	Pr	(000's)	Pr
Total	35,394	0.99	26085	0.99	20693	0.99	14193	0.99	12807	0.98
White	16281	0.46	12350	0.51	11777	0.61	8976	0.67	8311	0.67
Latino	12034	0.34	8127	0.31	4433	0.23	2455	0.19	2081	0.18
Black	2478	0.07	1678	0.06	1564	0.06	1141	0.06	1035	0.06
Asian/other	4274	0.12	3524	0.11	2511	0.09	1318	0.07	1113	0.07