

The Path to Asian American Representation

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I. Introduction

Asian Americans have made substantial progress from being seen as a foreign threat during times of high anti-Asian sentiment to their current image as legally recognized U.S. citizens that can vote and run for office; however, there still exists significant representation challenges created from electoral policies and politics that pose barriers between Asian Americans and elected office. From voting at the polls, running in elections, to winning elected office, Asian Americans are hindered at every step, forced to navigate a political system that was not created for people of color. Groups like the Asian American community can be marginalized or lack power in many ways: they may lack financial resources, be the objects of de jure or de facto discrimination, lack electoral power and have few elected representatives, or be stigmatized by the broader society or dominant culture.¹

I will analyze the progress and struggle of Asian American political representation through a legal, political, and electoral lens and support solutions that break down these barriers to Asian American political power. Much of this discussion about obtaining Asian American political power requires familiarity with the racial stereotypes of Asian Americans such as the “perpetual foreigner” and the “model minority” stereotypes,² since many voters often incorporate stereotypes into the evaluation of their candidates.³ Afterward, I will present three strategies (*multiracial campaign platforms, panethnic campaign fundraising, and Voting Rights Act*

¹ Melissa S. Williams, *Voice, Trust, and Memory* (Princeton, NJ: Princeton University Press, 1998).

² There are, of course, more stereotypes, but these are three most commonly associated with Asian Americans. See Andrew Aoki and Okiyoshi Takeda, “Images of Asian Americans and their Political Consequences” in *Asian American Politics* (Malden, MA: Polity Press, 2008), 142-55. (Aoki and Takeda also recognizes the stereotypical images of Asian Americans as the “model minority” and “forever foreigner,” I refer to this as the “perpetual foreigner,” but also introduces the *non*-image of Asian Americans as the “invisible Asian.”); Min Zhou, “Are Asian Americans Becoming White?” in *Contemporary Asian America*, edited by Min Zhou and Anthony Ocampo (New York, NY: New York University Press, 2016), 378-84. (Zhou explores Asian American’s increasing whiteness and the stereotype of the “honorary white.”); Jennifer Lee and Frank Bean, “Are We “Postracial”? Intermarriage, Multiracial Identification and Changing Color Lines,” in *Contemporary Asian America*, edited by Min Zhou and Anthony Ocampo (New York, NY: New York University Press, 2016), 391-401. (Lee and Bean explores the increasing intermarriage between Asians and Whites and increasing self-identification as “multiracial.”); Angelo Ancheta, “Language and Legal Conformity,” in *Race, Rights, and the Asian American Experience* (New Brunswick, NJ: Rutgers University Press, 2006), 106-28. (Ancheta discusses the language barriers of Asian American immigrants and “accent discrimination” that is often attributed to Asian Americans.)

³ Donald Kinder and Allison Dale-Riddle, *The End of Race? Obama, 2008, and Racial Politics in America* (New Haven, CT: Yale University Press, 2012); Monika McDermott, “Race and Gender Cues in Low-Information Elections,” *Political Research Quarterly* 51, no. 4 (1998): 895-918, <https://www.jstor.org/stable/449110>; Nayda Terkildsen, “When White Voters Evaluate Black Candidates: The Processing Implications of Candidate Skin Color, Prejudice, and Self-Monitoring,” *American Journal of Political Science* 37, no. 4 (1993): 1032–53, <https://www.jstor.org/stable/2111542>.

expansion) that will take these stereotypes into account and provide a path to Asian American representation.

II. How Asian Americans Get Elected

Asian Americans cannot solely depend on their own racial and ethnic groups to win elections since, comparatively, their population and campaign resources are not as robust as the dominant white group to remain electorally competitive in most localities. Additionally, Asian Americans are often stereotyped and discriminated against, which has the adverse effects of either discouraging Asian Americans from running for elected office or compelling voters to vote for non-Asian American candidates. Lower proportions of certain races and ethnic groups in elected offices compared to the actual demographics is a sign of an electoral process that suggests the possibility that “certain voices are being silenced or suppressed.”⁴ I am only describing just one part of the larger American political institution that has made slow progress in politically empowering marginalized groups, and I believe that the democratic electoral process is a pathway to change the institution and its norms, albeit not easy. Anti-Asian discrimination and violence have a long history in America, and with the emergence of COVID-19 and the harmful scapegoating of people of Asian descent, Asian Americans must continue to build political power and organize. Knowing that Asian Americans have been stereotyped as apolitical and non-threatening in American politics,⁵ I hope the proposed strategies of *multiracial campaign platforms*, *panethnic campaign fundraising*, and *Voting Rights Act expansion* will challenge these stereotypes and demonstrate how more Asian Americans can get elected.

A. Multiracial Campaign Platforms

Asian American candidates need to achieve multiracial support beyond their own Asian American voting bloc by running on platforms and issues that appeal to different racial and ethnic groups. Whereas panethnicity is the grouping of similar ethnic groups, particularly the various and distinct Asian ethnic groups in this discussion, multiracial refers to explicitly distinguishable races that often have divergent backgrounds and interests from one another. As established previously, Asian Americans contributions imply that their interests are strongly tied to ethnicity,⁶ but their interests also diverge amongst the different ethnic groups on a number of political issues, like affirmative action.⁷ I recommend that Asian American candidates’ campaign platforms expand beyond Asian-centered issues and make more appeals that not only unify various Asian ethnic groups but also other racial groups.

It is difficult to pinpoint conclusively as to what the “white agenda” or “black agenda” is in terms of establishing a multiracial campaign platform; therefore, my approach to this strategy is to first *not* confine the campaign platform to an “Asian agenda” and then build on areas of

⁴ Anne Phillips, “Democracy and Difference: Some Problems for Feminist Theory,” *Political Quarterly* 63, no. 1 (1992): 79-90, <https://doi.org/10.1111/j.1467-923X.1992.tb00886.x>; Anne Phillips, *The Politics of Presence* (Oxford, England: Oxford University Press, 1995).

⁵ Gordon H. Chang, *Asian Americans and Politics: Perspectives, Experiences, Prospects* (Redwood City, CA: Stanford University Press, 2001).

⁶ Wendy K. Tam Cho, “Tapping Motives and Dynamics Behind Campaign Contributions: Insights from the Asian American Case” *American Politics Research* 30, no. 4 (2002): 347-83, <https://doi.org/10.1177/1532673X02030004001>.

⁷ Wendy K. Tam Cho, “Asians-A Monolithic Voting Bloc?” *Political Behavior* 17, no. 2 (1995): 223-49, <http://www.jstor.org/stable/586537>.

common interest across racial groups while avoiding issues that tend to divide. There are understandably a plethora of different issues to choose from, but for this article, I will use the strengthening of protections against hate crimes as an example of a multiracial campaign platform.

The emerging outbreak of COVID-19 from China has led to a rise in anti-Asian sentiment in America, triggering a surge in hate crimes and incidents against the Asian American and Pacific Islander (AAPI) community.⁸ Hate crimes may have varying degrees and different types of offenses, but they are all categorized as crimes committed by a motive based on bias against a person or group of people with specific characteristics defined by law like race and gender, to name a few.⁹ As devastating as the effects of anti-Asian sentiment are, including a high-profile shooting and killing in Atlanta, Georgia where six of the eight victims were of Asian descent,¹⁰ these challenging points in American history reveal the need for significant policy changes that will protect more people and prevent future tragedies. Amongst the similar parallels between the Stop Asian Hate rallies and Black Lives Matter rallies that followed these tragedies, cross-racial solidarity has been a common theme. Whereas the Black Lives Matter rallies restarted a national conversation on police and criminal justice reform, Stop Asian Hate rallies became a similar medium in pushing legislators to introduce anti-discrimination bills, including the reintroduction of the No Hate Act in Congress.¹¹ Part of the appeal of strengthening protections against hate crimes is that all races, as well as other non-race-based communities, benefit from these changes. Interestingly, political scientists Alexander Kuo, Neil Malhotra, and Cecilia Mo have argued that Asian Americans who experience discrimination are more likely to support Democrats because they associate social exclusion based on their ethnic background with the predominantly white Republican Party.¹² By engaging more in cross-racial solidarity, as well as supporting measures that largely improve the safety and protection of all people, is what makes strengthening protections against hate crimes a strong multiracial campaign platform.

Policy appeals to socioeconomic class or geographic area are relevant factors in forming a campaign platform, but Asian American candidates often need to pursue issues that communicate to voters that Asian American candidates can serve more than just their own racial group to have a multiracial impact and appeal. Unfortunately, part of this overcompensation is a result of the “model minority” racial stereotype, which Claire Jean Kim believes stems from how white Americans view Asian Americans as a more “satisfactory minority” than other minorities,

⁸ See <https://stopaapihate.org/reports/> for all of the reports released by Stop AAPI Hate that tracks and responds to incidents of hate, violence, harassment, discrimination, shunning, and child bullying against Asian Americans and Pacific Islanders in the United States.

⁹ See <https://www.justice.gov/hatecrimes/learn-about-hate-crimes> for how the U.S. Department of Justice defines “hate crimes.”

¹⁰ Richard Fausset et al., “Suspect in Atlanta Spa Attacks Is Charged With 8 Counts of Murder,” (The New York Times, March 18, 2021), <https://www.nytimes.com/2021/03/17/us/atlanta-shooting-spa.html>.

¹¹ U.S. Congress, House, *Khalid Jabara and Heather Heyer National Opposition to Hate, Assault, and Threats to Equality (NO HATE ACT) Act of 2021*, HR 2383, 117th Cong., 1st sess., introduced in House April 8, 2021, <https://www.congress.gov/117/bills/hr2383/BILLS-117hr2383ih.pdf>. (The bill would provide grants to states to improve hate crime reporting and allow courts to require people convicted under the Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act to take part in community service and educational programs as a condition of supervised release.)

¹² Alexander Kuo, Neil Malhotra, and Cecilia Mo, “Social Exclusion and Political Identity: The Case of Asian American Partisanship,” *The Journal of Politics* 79, no. 1 (2017): 17-32, <https://doi.org/10.1086/687570>.
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namely Black Americans.¹³ Some scholars believe that perceptions like this have bestowed on Asian Americans the image as “honorary whites,”¹⁴ using various indicators like income, educational achievement, and intermarriage to prove it, but this stereotype has the added adverse effect of causing Asian Americans to be ostracized from other minorities as they doubt Asian Americans can represent them. And given how affirmative action programs have been a wedge issue that not only divides the Asian American community but also other minority groups, Asian American candidates need to focus on unifying interests that mobilize the broader Asian American community and other non-Asian American communities.

B. Panethnic Campaign Fundraising

In an increasingly competitive political environment, campaign fundraising has become an ever more essential activity that all political candidates must engage in, and Asian Americans need to fundraise from more than just the Asian American community to achieve panethnicity. Panethnicity refers to different ethnic groups identifying themselves as a single bloc along with political, social, or economic interests.¹⁵ Wendy K. Tam Cho found that the patterns of Asian American campaign contributions imply that their interests are strongly tied to ethnicity.¹⁶ Cho and Albert H. Yoon examined huge swaths of campaign contribution data, particularly with South Asians, and found that South Asians collect the vast majority of their campaign contributions from within their own ethnic community while failing to draw support from outside the South Asian community.¹⁷ Suraj Patel’s 2020 campaign is a prime example where nearly 84 percent of the \$1 million he raised from individual contributors came from the South Asian community.¹⁸ This issue is not exclusive to Asian Indians, however, as Chinese, Japanese and Korean candidates tend to raise funds within their own ethnic subgroups with few contributions from other subgroups.¹⁹ If an Asian American candidate is to mount a serious campaign, they need to expand their fundraising efforts towards many other ethnic groups and not solely depend on their own ethnic group.

Aside from the broad approach of making more contact and outreach to as many different groups as possible outside of immediate ethnic groups, Asian Americans need to also focus on

¹³ Claire Jean Kim, “The Racial Triangulation of Asian Americans,” *Politics & Society* 27, no. 1 (1999): 107, <https://doi.org/10.1177/0032329299027001005>.

¹⁴ Min Zhou, “Are Asian Americans Becoming White?” in *Contemporary Asian America*, edited by Min Zhou and Anthony Ocampo (New York, NY: New York University Press, 2016), 378-84. (Zhou explores Asian American’s increasing whiteness and the stereotype of the “honorary white.”); Jennifer Lee and Frank Bean, “Are We “Postracial”? Intermarriage, Multiracial Identification and Changing Color Lines,” in *Contemporary Asian America*, edited by Min Zhou and Anthony Ocampo (New York, NY: New York University Press, 2016), 391-401. (Lee and Bean explores the increasing intermarriage between Asians and Whites and increasing self-identification as “multiracial.”)

¹⁵ Yen Le Espiritu, *Asian American Panethnicity: Bridging Institutions and Identities* (Philadelphia, PA: Temple University Press, 1992).

¹⁶ Cho and Yoon, *supra* note 17. Cho, *supra* note 6.

¹⁷ Wendy K. Tam Cho and Albert H. Yoon, “Pan-Ethnicity Revisited: Asian Indians, Asian American Politics, and the Voting Rights Act,” *UCLA Asian Pacific American Law Journal* 10, no. 1 (2005): 8-30, <http://hdl.handle.net/1807/78287>.

¹⁸ Dhruvil Mehta, “Many South Asian Americans Tap into Their Community to Kick-Start Their Political Careers,” (FiveThirtyEight, January 28, 2021), <https://fivethirtyeight.com/features/many-south-asian-americans-tap-into-their-community-to-kick-start-their-political-careers/>.

¹⁹ Cho and Yoon, *supra* note 17.

building relationships with their political party and groups with similar ideologies. Reconnecting with Cho's research, campaign contributions show that South Asians favor more toward Democrats compared to Chinese and Koreans who tend to lean more Republican.²⁰ Of the four U.S. Representatives of South Asian descent in the 117th Congress, Pramila Jayapal was the most effective in garnering donations outside of the South Asian community because she built on her broader progressive coalition. This broader progressive coalition materialized from Jayapal's overall campaign platform that surrounded expanding the middle class, racial justice, environmental justice, women's rights, immigration reform, and forgiving college debt,²¹ all being multiracial issues that connect with the previous strategy that I have presented. Additionally, Jaypal's campaign platform aligned closely with the Democratic Party platform, and that created a common ground for her campaign to work closer with the Democratic Party in getting its support and resources to reach more voters and donors.

Although more money raised does not guarantee electoral victory, it is crucial for voter outreach and building name recognition; however, there exists a racial stereotype for Asian Americans engaging in campaign fundraising. During the 1996 campaigns, Asian American campaign contributions became tied to campaign finance scandals that were grounded in fears of foreign influence, which played into the image of Asian Americans as a "foreign threat."²² These fears oftentimes transcend the role as an Asian American donor but also as an Asian American candidate, where Asian Americans are seen as a "perpetual foreigner"²³ and have their citizenship and loyalty questioned.²⁴ I believe these racial stereotypes partly explain the difficulty for Asian Americans to fundraise from non-Asian racial groups outside of their own ethnic group. It is no wonder that political candidates often go to their own ethnic community for fundraising first because of the pre-established support systems and networks they already have. Yet, it is important to note that the Asian American donor population may not perfectly reflect the overall Asian American voting population since the donor community tends to be less diverse overall, with the lion's share of donors traditionally made up of Chinese American and South Asian American contributors.²⁵ These barriers, however, should not stop Asian Americans from engaging in panethnic campaign fundraising.

C. Voting Rights Act Expansion

The powers of the Voting Rights Act need to be fully restored and expanded to increase Asian American representation while also stamping out voter suppression. The Voting Rights Act was first put in place to enforce the voting rights guaranteed by the Fifteenth Amendment for marginalized racial minorities throughout the country, especially when they were systematically

²⁰ Cho, *supra* note 7.

²¹ Cambria Roth, "Why Pramila Jayapal Is Winning" (Crosscut, February 7, 2018), <https://crosscut.com/2016/08/pramila-jayapal-7th-congressional-district-race-immigration-activist>.

²² Kim, *supra* note 13.

²³ Min Zhou, Anthony Ocampo, and J. V. Gatewood, "Contemporary Asian America: Immigration, Demographic Transformation, and Ethnic Formation," in *Contemporary Asian America*, edited by Min Zhou and Anthony Ocampo (New York, NY: New York University Press, 2016), 101-28.

²⁴ Moon H. Jo and Daniel D. Mast, "Changing Images of Asian Americans," *International Journal of Politics, Culture, and Society* 6, no. 3 (1993): 417-41, <https://www.jstor.org/stable/20007100>.

²⁵ Kimmy Yam, "Andrew Yang Now Leading in Asian American Donations among Democratic Candidates" (NBCUniversal News Group, January 5, 2020), <https://www.nbcnews.com/news/asian-america/andrew-yang-takes-lead-asian-american-donations-n1109761>.

denied in the South.²⁶ While certain groups of racial minorities like Black Americans have gained significantly more from the Voting Rights Act,²⁷ Asian Americans continue to be unable to use the Voting Rights Act to its fullest extent because of their questionable ability to meet the requirements of the *Gingles* test in order to be granted protections under the Voting Rights Act.²⁸ As it stands, generally, Asian American communities are not *large* and geographically *compact* enough; there is weak/inconsistent *political cohesion*, which is measured by party identification and partisanship; and there lacks any “*anti-Asian American bloc voting*.”²⁹ Here I address the causation and solutions for each of the criteria so that in future cases with the Voting Rights Act Asian Americans can use it as a tool to contest election systems and drawing of district lines that compromise Asian American representation.

The Voting Rights Act can be enacted to change electoral lines to give a *large* and *compact* minority community an equitable electoral opportunity that they do not currently enjoy. Asian American communities have historically not been *large* and *compact* enough due to decades of immigration restrictions preventing the entrance of Asians into the United States. This was until the Immigration and Nationality Act was reformed in 1965, which eliminated immigration restrictions on the basis of national origin, resulting in an unprecedented and unanticipated increase in diversity in America’s racial landscape. It is from historical factors like this that show how the *Gingles* test, designed to identify and remedy political disenfranchisement, fails to recognize the unique needs and circumstances of Asian Americans. The Voting Rights Act was originally created with Black Americans in mind, and the criteria of being *large* and *compact* present itself as a disadvantage for Asian Americans since Black Americans have had a much longer time to grow their population than Asian Americans. Therefore, in future cases, Asian Americans must argue for a lower standard of the *large* and *compact* criteria when considering Voting Rights Act protections given the historical and artificial barriers imposed by the United States.

Asian Americans are far from a monolith, but their heterogeneity in political ideologies among their different ethnic subgroups actually undermines meeting the *political cohesiveness* requirement of the *Gingles* test. Hope can be found, though, after the Fifth Circuit upheld a redistricting plan in *Chen v. City of Houston* because there was evidence within a district of specific factors—similar income, low-quality housing, percentage of persons on public relief, the occurrence of illiteracy—that created a “community of common interest.”³⁰ A “community of common interest” is a group of people who share multiple different demographic and socioeconomic characteristics that goes beyond just race. I agree with Taeku Lee that in order to

²⁶ Paul E. Joubert and Ben M. Crouch, “Mississippi Blacks and the Voting Rights Act of 1965,” *The Journal of Negro Education* 46, no. 2 (1977): 157-67, <https://www.jstor.org/stable/2966618>.

²⁷ Ronald J. Terchek, “Political Participation and Political Structures: The Voting Rights Act of 1965,” *Phylon* 41, no. 1 (1980): 25-35, <https://www.jstor.org/stable/274665>.

²⁸ *Thornburg v. Gingles*, 478 U.S. 30 (1986). (In *Thornburg v. Gingles*, the Court established a three-part test that grounds vote dilution in evidence of racially polarized voting behavior: “First, the minority group must be able to demonstrate that it is sufficiently large and geographically compact to constitute a majority in a single member district... Second, the minority group must be able to show that it is politically cohesive... Third, the minority must be able to demonstrate that the white majority votes sufficiently as a bloc to enable it...usually to defeat the minority’s preferred candidate.”)

²⁹ Ming H. Chen and Taeku Lee, “Reimagining Democratic Inclusion: Asian Americans and the Voting Rights Act,” *U.C. Irvine Law Review* 3 (2013): 359-430, <https://scholarship.law.uci.edu/ucilr/vol3/iss2/8>.

³⁰ *Chen v. City of Houston*, 206 F.3d 502, 515–16 (5th Cir. 2000).

address the issue of political cohesion, Asian Americans must begin presenting evidence of shared interests as a “community of common interest” in support of an emerging legal doctrine that “communities of common interest” merit heightened protection under the Voting Rights Act, Section 2’s voting dilution protections.³¹ Therefore, to address the issue of *political cohesiveness*, Asian Americans must argue and present themselves as a broader “community of common interest,” as demonstrated in *Chen v. City of Houston*, to balance out the political heterogeneity of Asian Americans.

The number of cases of Asian American candidates running for political office (in majority-white districts) is challenging to quantify in order to make an accurate judgment of either white support or opposition, and thus difficult to prove any “anti-Asian American voting bloc.”³² Yet, another critical part of the Voting Rights Act that is often left out of the conversation is the nine typical “Senate factors” that accompanied the original Senate Bill for the Voting Rights Act that courts should use as a guideline in assessing the validity of a Section 2 violation.³³ Unfortunately, the final version of the Voting Rights Act does not expressly articulate the nine typical “Senate factors” in the statutory language of Section 2,³⁴ even though it includes many additional specific criteria that bolster protections for minority communities and is much stronger than the *Gingles* test. This specificity would greatly benefit Asian Americans in proving discrimination. Some “Senate factors” that would help qualify Asian Americans for Section 2 protections are: the extent of any history of official discrimination in the state or political subdivision that touches the right of minority voters to register, vote, or otherwise participate in the democratic process;³⁵ the extent to which voting in the elections of the state or political subdivision is racially polarized;³⁶ and the extent to which minority group members have been elected to public office.³⁷ By focusing on certain “Senate factors” in court, which has been done in previous litigation, and even taking it a step further in amending the Voting Rights Act to include the “Senate factors,” if not more, Asian Americans will finally be able to use the Voting Rights Act to their advantage.

Although this strategy centered mainly around the Voting Rights Act, something that Asian American candidates might find themselves difficult to contribute in its expansion, I believe that Asian American candidates being involved in the electoral process actually creates a growing group of Asian Americans that can eventually be mobilized to show the need to restore and expand the Voting Rights Act. In other words, Asian American candidates are more likely to understand and experience the challenges of the election system, including the drawing of district lines, first-hand that they can be a significant part of the litigation process to expand the Voting Rights Act for Asian Americans. Certain states like California actually expanded the Voting

³¹ Chen and Lee, *supra* note 29.

³² *Id.*

³³ S. REP. NO. 97-417, at 28–29, reprinted in 1982 U.S.C.C.A.N. at 206–07.

³⁴ Mary J. Kosterlitz, “Thornburg v. Gingles: The Supreme Court’s New Test for Analyzing Minority Vote Dilution,” *Catholic University Law Review* 36, no. 2 (1987): 531-63, <https://scholarship.law.edu/lawreview/vol36/iss2/10>.

³⁵ The lack of translations for ballots and election information for many Asian languages fulfills this criteria.

³⁶ Although the number of cases of Asian American candidates running for political office (in majority white districts) is probably too small to make an accurate judgment of either white support or opposition, *see* Ming H. Chen & Taeku Lee, *supra* note 29, further research is likely able to prove such racial polarization.

³⁷ Perhaps the strongest case, Asian Americans in many districts are woefully represented and the rate of electoral victory can be further investigated in proving discriminatory influences on Asian American candidates.

Rights Act, where the California Voting Rights Act makes it easier for minority groups in California to prove that their votes are being diluted in at-large methods of election.³⁸ *Yumori-Kaku v. City of Santa Clara* is an example of a successful case where voter dilution of Asian Americans as a result of an at-large method of election was proven and forced the City of Santa Clara to change to a district-based election,³⁹ which subsequently elected one Asian American in 2018 and two more Asian Americans in 2020,⁴⁰ breaking a long streak of a nearly all-white city council and proving the effectiveness of litigating with the Voting Rights Act.

III. Conclusion

The hate crimes and incidents against Asian Americans are a heartbreaking validation of the fears that many Asian Americans have in acknowledgment of their subordinated position in America. The racial stereotypes that I have connected with each strategy are not mutually exclusive in terms of how such stereotypes are challenged; rather, it is part of a larger conversation of how operating within the American political institution requires Asian American candidates to appeal to other communities outside of their own and build political power from there. Asian Americans need to continue to be in the national spotlight and maintain their political relevance in order to avoid being marginalized politically. The hope is that the spotlight will not be solely centered on violence against Asian Americans but rather on the essential contributions they make in our society.

I have left out of focus certain positions that are not subject to democratic elections, like presidential appointments. These presidential appointments are also important to Asian American representation, but it is difficult to identify effective strategies outside of this article that can actually increase the number of Asian Americans holding a number of these non-elected positions. In terms of the Cabinet of the United States, there has been a long history of Asian Americans trying to court the President to appoint more members of Asian descent. Drawing back to the 1996 campaign finance scandals, Asian Americans have contributed extensively to President Bill Clinton while he was assembling his Cabinet, hoping that his Cabinet “looks like America” by appointing at least one Asian American like University of California, Berkeley Chancellor Chang-lin Tien and former Congressman Norman Mineta who were prominently mentioned as viable contenders for the positions of Secretaries of Energy and Transportation, respectively.⁴¹ That ultimately did not materialize when President Clinton constructed a Cabinet without a single Asian American. Progress, however, has been made when President Joe Biden chose Kamala Harris to be Vice President and Katherine Tai to be United States Trade Representative, both being the first Asian American and woman of color to serve in their respective positions. How this came to fruition may be attributed to President Biden receiving a large amount of campaign contributions from the Asian American community,⁴² winning 70% of

³⁸ California Voting Rights Act of 2001, California Code, Elections Code § 14025-14032.

³⁹ *Yumori-Kaku v. City of Santa Clara*, Case No. 17CV319862 (2018).

⁴⁰ Janice Bitters, “Santa Clara City Council: 'The Balance of Power Has Changed',” (San Jose Inside, November 10, 2020), <https://www.sanjoseinside.com/news/santa-clara-city-council-the-balance-of-power-has-changed/>.

⁴¹ Don Nakanishi, “Political Trends and Electoral Issues of the Asian Pacific American Population,” in *America Becoming: Racial Trends and Their Consequences: Volume I* (Washington, DC: The National Academies Press, 2001), 171-72, <https://doi.org/10.17226/9599>.

⁴² Stephanie Demora and Karthick Ramakrishnan, “Who Is Winning the Asian American Money Race? [Q3 Update],” (AAPI Data, December 21, 2019), <http://aapidata.com/blog/who-is-winning-asian-donors2019q3/>. *Asian American Research Journal. Issue 1, Volume 1 2021*

the Asian American vote,⁴³ and being pressured from the public and members of Congress to appoint at least one Asian American to his Cabinet.⁴⁴ It is without a doubt that the influence of Asian Americans in American politics has become more and more consequential over time.

I end with presenting two central benefits of descriptive representation, descriptive representation meaning certain elected officials possessing the same racial, gender, or other characteristics that the community they represent also share, as identified by Jane Mansbridge, is the creation of *social meanings* and the establishment of *de facto legitimacy*.⁴⁵ When a low percentage of a given descriptive group in the representational body exists, it creates *social meanings* attached to those characteristics that affect all holders of the characteristics. Low percentages of Asian American representatives, for example, create the social meaning that Asian Americans cannot govern, or are not suitable to govern. By increasing the percentage of Asian American representatives, that would positively change the social meaning. Similarly, *de facto legitimacy* occurs when a true proportional number of members of a descriptive group are seen in elected positions by the members of the same descriptive group, making that descriptive group feel as if they themselves were present in the deliberations. As I have mentioned in previous sections, this would entail easier communication with one's representative, awareness that one's interests are being represented, and make one feel more included in the democratic process, and in turn increase the legitimacy and faith in our institutions. Asian Americans and other communities of color need to regain political power and representation so that our democracy is truly an institution for all.

⁴³ NPR Staff, "Understanding The 2020 Electorate: AP VoteCast Survey," (NPR, November 3, 2020), <https://www.npr.org/2020/11/03/929478378/understanding-the-2020-electorate-ap-votecast-survey>.

⁴⁴ Will Weissert, Lisa Mascaro, and Steve Peoples, "Pressure Mounts on Biden to Make Diverse Picks for Top Posts," (Associated Press, December 4, 2020), <https://apnews.com/article/joe-biden-politics-race-and-ethnicity-antony-blinken-cabinets-c2fff649dda5e1c751228c90aac6d637>.

⁴⁵ Jane Mansbridge, "Should Blacks Represent Blacks and Women Represent Women? A Contingent 'Yes,'" *The Journal of Politics* 61, no. 3 (1999): 628–57, <https://doi.org/10.2307/2647821>.
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