

The background of the book cover is a photograph of a bright, cloudy sky. In the lower-left foreground, the dark silhouette of a large dome, topped with a statue, is visible. The dome is partially cut off by the bottom edge of the frame.

Charles E. Menifield

Stephen D. Shaffer,
editors

Politics in the New South

Representation of
African Americans in
Southern State Legislatures

Politics in the New South

SUNY series in African American Studies

John R. Howard/Robert C. Smith, editors

*Politics
in the New South*

Representation of African Americans
in Southern State Legislatures

Edited by

Charles E. Menifield and Stephen D. Shaffer

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Preface

Following the passage of the Voting Rights Act of 1965, there was a considerable increase in the number of African Americans registering and voting in the Southern states. This increase led to a record number of African Americans and other racial minorities in state assemblies and local governments. The purpose of this research is to ascertain whether or not this increase in descriptive representation has led to substantive legislative changes in the Southern states in the last two decades of the twentieth century.

Each chapter will address several questions: Has the number of African Americans increased over time? Are African Americans homogenous with regard to their voting behavior? Have African Americans successfully formed coalitions with other Democrats or Republicans in order to secure the passage of legislation? What has been the influence of the African American vote on different types of legislation? Are African Americans securing leadership positions in state legislatures?

Using roll-call data on key votes from several legislative sessions in Arkansas, Florida, Georgia, Mississippi, and Texas, we answer these and many other questions.

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Chapter 1

An Introduction to Southern Legislative Coalitions

Stephen D. Shaffer, Charles E. Menifield,
Peter W. Wielhouwer, and Keesha M. Middlemass

The South remains the most culturally distinct and fascinating region in the United States, prompting even today the convening of a biennial Symposium on Southern Politics at the Citadel. A region whose secession from the nation over 100 years ago prompted the bloodiest conflict in American history continues to dominate the political landscape. Referred to as *The Vital South* (Black and Black 1992) in one contemporary presidential election study, the current Republican president and all three of the last Democratic presidents have hailed from Dixie. The South also plays a pivotal role in the United States Congress, as it was not until the Republicans were able to gain a majority of congressional seats from Dixie in the 1994 elections that their party achieved control of both congressional chambers for the first time in forty years.

Racial conflict has characterized much of the South's history, and even today modern-day lynchings, jail hangings, church burnings, segregated college fraternities and sororities, and underfunded black colleges in Dixie prompt national concern. V. O. Key (1949), in *Southern Politics in State and Nation*, demonstrated how white citizens employed their one-party Democratic monopoly to maintain white supremacy by disfranchising African Americans through numerous voting devices. Even as late as the 1960s and 1970s, white legislators in states such as Mississippi employed multi-member districts to dilute the black vote in state legislative districts, and gerrymandered congressional districts to ensure white majorities in each district (Parker 1990; Davidson and Grofman 1994). As white Southerners began to realize the futility of continued resistance to integration, and during the stagflation of the 1970s became more concerned over economic issues that united the races, biracial electoral coalitions within Southern

Democratic parties emerged and usually fended off challenges from the increasingly strong Republican Party (Lamis 1990). By the turn of the century, however, “white flight” among conservatives to the Republican Party yielded a Southern landscape where a very competitive, two-party system had finally been established (Lamis 1999).

Southern state legislatures are fascinating institutions to study, since they serve as the nexus for these intriguing forces of an empowered African American populace, a rising Republican Party, and a transformed white Democratic faction. After decades of struggle by African American civil rights leaders and federal initiatives such as the 1965 Voting Rights Act, a sizable group of African American Democrats was finally being elected to Southern state legislatures in the closing decades of the twentieth century. As African Americans gained greater influence over Southern Democratic parties, state Republican parties benefited by conversions of white conservatives and “Dixiecrats” to their ranks. Republican electoral gains that had emerged in presidential elections as early as 1964 finally reached down to the state legislative level, and by the turn of the century, the Grand Old Party (GOP) held control of one or both legislative chambers in six of the eleven states of the old Confederacy (Shaffer, Pierce, and Kohnke 2000). With Southern legislatures polarized between liberal African American Democrats and the “lily-white” Republicans, the diminishing ranks of the white Democrats likely play a pivotal role in state policy making.

Our book examines the nature of legislative coalitions during the last two decades of the twentieth century in Arkansas, Florida, Georgia, Mississippi, and Texas and the implications of those coalitions for the representation of African American interests. Hanna Pitkin (1967), in *The Concept of Representation*, provides a conceptual analysis of legislative representation that proposes several ways of envisioning representation: formalistic, descriptive representation, symbolic, acting for the represented, and virtual representation.

DEFINING REPRESENTATION

The “descriptive representation” school of thought argues that the composition of a legislature must accurately reflect the demographic characteristics of the community it purports to be representative of (Pitkin 1967). This approach to representation is not related at all to the actions or behavior of the representatives, “[r]ather, it depends on the representative’s characteristics, on what he *is* or is *like*, on being something rather than doing something. The representative does not act for others; he ‘stands for’ them, by virtue of a correspondence or

connection between them, a resemblance or reflection" (Pitkin 1967, p. 61). Pitkin finally concludes that descriptive representation is merely one dimension of the overall concept of representation, but is limited because it allows for little-to-no creativity, initiative, or individuality on the part of the elected official; he or she may simply present the opinions of the constituents. In the end, Pitkin concludes that descriptive representation is insufficient for guaranteeing that the representative will act in the substantive interests of the constituency, or of the nation as a whole.

For groups in American society who have historically been excluded from formal political institutions, however, there is a perception that a critical first step in obtaining substantive representation may be obtaining descriptive (or even symbolic) representation. For example, in arguing for election reform, Lani Guinier (1993) maintained that people with common interests should have the maximum opportunity to elect representatives of their group to office. One result of that would be the election of representatives with physical characteristics of those groups, and this would increase the likelihood that the group's interests would also be substantively represented in the legislature. This would be because "those who are group members are more likely to represent similar interests. Group members also may share common cultural styles or operating assumptions. [Therefore], group members are more likely to be perceived by their constituents as representing them . . . the presence of racial group members symbolizes inclusion of a previously excluded group" (Guinier 1993, p. 1618).

Many African American political leaders have adopted the descriptive form of representation, urging the drawing of majority-minority districts to maximize the number of African American lawmakers, arguing that black lawmakers can best act for their African American constituents. Mansbridge (1999) strongly expounds the value of descriptive representation, particularly when "communication is impaired, often by distrust" between the elected officials and their constituents (p. 652). She points out that history often shows that a person who has experienced the legacy of a group of oppressed people can as an elected or appointed official appreciate and understand their experiences. One who does not have that legacy may not be able to fully comprehend the group's experiences and win its trust, a situation that creates distrust, a lack of communication by the citizens to their elected official, and a failure to represent the group's interests.

Mansbridge (1999) also contends that descriptive representation creates a social meaning for the ability to rule. Historically, minority groups have not been able to promote minority interests because they lacked positions of power to do so. However, the ability to elect someone who exhibits demographic characteristics similar to one's own provides symbolic rewards for minority citizens.

This is especially the case when placed into the context of past overt and institutionalized racism and discrimination, which legitimizes the need for descriptive representation. Mansbridge basically argues that history has a reinforcing quality when it comes to politics. Voters want to see someone in office who looks like them (Menifield 2001). Black voters tend to support black candidates, Hispanic voters tend to support Hispanic candidates, and women voters sometimes prefer women candidates. While critics of descriptive representation (such as Swain 1993) point out that white Congress members may provide as much substantive representation of minority constituents as do black representatives, this does not eliminate the fact that minority groups in general feel a kinship to those who exhibit similar demographic characteristics.

Nonetheless, some scholars find that descriptive representation does not necessarily lead to substantive representation. Swain (1993), for example, found that the creation of majority-minority districts hurt minority interests, as more conservative white Republicans were elected from “bleached” districts and as moderate white Democrat incumbents were displaced (see also Grofman 1997; Bullock 1995a; Hill 1995). Moreover, Lublin (1997) argued that majority-minority districts had a negative impact on substantive representation of African Americans, as the aggregate responsiveness of the House of Representatives decreased with the addition of more majority-minority districts. The conclusion that one could draw is that the victory of groups promoting the creation of majority-minority districts is a Pyrrhic one, as the subsequent cost of that victory was the loss by the Democratic Party of control of the U.S. House after the 1994 elections.

Other critics of the descriptive form of representation point out that demographic characteristics are typically only modestly correlated with political attitudes, and that a political body that is representative of a population in important demographic respects may be very unrepresentative in terms of political attitudes (Kirkpatrick 1975; Swain 1993; Endersby and Menifield 2000).

Concerns about descriptive and substantive representation often present themselves in urban politics. For example, research based on the theory of political incorporation suggests that city councils are important vehicles for increasing minority representation and power in urban political institutions (for example, see Browning et al. 1997). Alternatively, Clarence Stone (1989) has argued a theory of regime politics, in which the predominantly white business community in Atlanta created alliances with black elected officials—especially the mayor’s office—in order to develop a degree of influence over city policy. In a symbiotic relationship, holders of elected offices worked with the business interests (and their economic strength) across racial lines in order to accomplish collectively

beneficial ends. In this case, descriptive representation alone misrepresents the complicated process of making and managing coalitions to make and implement public policy in cities.

Can descriptive and substantive representation be achieved simultaneously? Davidson and Grofman (1994) argue that they can, citing evidence from an analysis of racially diverse political bodies. When a racially defined group of people is excluded from political institutions, the members remain second-class citizens, but when they are involved in the process and included in the institutions, members become more trusting in the system, producing a crystallization of their substantive interests (Davidson and Grofman 1994, p. 16). There is also an inherent value in having members of a minority group descriptively represented, as they are able to raise issues about topics that majority representatives may be reluctant to consider (Swain 1993).

In our book, we examine a descriptive form of representation with respect to institutional power sharing by examining the extent to which African American lawmakers occupy the chairmanships of legislative committees. We also examine the representation of African American interests from the perspective of lawmakers “acting for” the represented, which we call “substantive representation,” through an analysis of key roll-call votes on the central policy debates that have shaped the quality of life for African Americans in the Southern states.

CONGRESSIONAL STUDIES OF REPRESENTATION

Considerable research has focused on representation in the U.S. Congress, so we shall single out only a few studies that are suggestive of what we may find in Southern state legislatures. As early as the 1963–1964 congressional session, Joe Feagin (1972) found that on five civil rights bills, Southern white Democrats were moving toward the national trend of moderation. Moderate white Democrats were especially prevalent in areas where white residents were less fearful of black residents, such as in heavily white districts, in prosperous urban areas, and in areas having a higher-status African American population.

Mary Alice Nye and Charles Bullock (1992) extended the study of Southern voting on federal civil rights issues from 1963 through 1982. They found that even Congress members from the Deep South (more rural, lower-income states, also having the highest concentrations of African Americans, which are Alabama, Mississippi, Louisiana, Georgia, and South Carolina) began to moderate during the 1970s, and that regionwide a district’s racial composition was no longer related to the Congress members’ votes. District urbanism continued to predict greater

support for civil rights, with an increasing number of Republican congressmen voting in a more conservative direction.

Kenneth Wink and Allison Hayes (2001) examined the most recent 1991–1998 period when a sizable number of African American Democrats and white Republicans were representing Dixie and expanded the focus to a diverse range of issues by employing Americans for Democratic Action (ADA) pressure group ratings of Congress members. They found that white Democrats from the South were essentially moderate in ideology, while African American Democrats were liberal. The standard deviation of ADA scores from states where racial redistricting had occurred to maximize the election of African Americans to Congress was higher than in other states, as greater numbers of liberal black Democrats and conservative white Republicans were elected at the expense of moderate white Democrats. They concluded that the well-meaning effort to carve out as many black majority congressional districts as possible made centrist coalition-building efforts less likely to occur.

An excellent book-length treatment of African Americans in the modern U.S. House of Representatives is Carol Swain's (1993) *Black Faces, Black Interests: The Representation of African Americans in Congress*, which thoroughly examines both descriptive and substantive representation. Swain found that by 1992 African American Congress members were "well represented in all committees, and high seniority had led to five chairmanships" (p. 40), and concluded that they were "assimilating, just as other ethnic representatives have" (p. 44) ... and "increasingly becoming more like white liberal Democrats" (p. 44). Focusing on four roll-call indicators of black interests that measure liberal social welfare and civil rights issues, she found that white Democrats were more supportive of black interests than were Republicans, and that white Southern Democrats were nearly as supportive as Northern Democrats. In two case studies of white Democrats representing Southern districts that were 40% black, Swain found that these white Southerners performed a delicate tightrope act, balancing the interests of liberal black constituents and white conservatives, and concluded that they did a "credible job of representing blacks" (p. 168).

Swain (1993) also examined two case studies of a vanished species—white Democrats representing majority black constituencies—and found that both had used their seniority to promote African American interests in their districts and nationally. Recognizing the value of descriptive representation where majority black districts are represented by African American Congress members, Swain nevertheless rejects the notion that only black elected officials can represent such districts, pointing out that "many white members of Congress perform as well or better on the indicators used in this book than some black representatives"

(p. 211) and urging African Americans to “make alliances with like-minded representatives from other races and ethnic backgrounds” (p. 225).

Kenneth Whitby's (1997) *The Color of Representation: Congressional Behavior and Black Interests* thoroughly examines substantive representation in the U.S. House of Representatives from 1957 through 1992 by studying roll-call voting of all Congress members on important civil rights measures and on issues included in the Leadership Conference on Civil Rights scale. After a series of sophisticated multiple regression analyses, including members' race, party, region, and district characteristics, Whitby demonstrates how members fall into five groups that range from African American Democrats, who are most liberal, to Republicans (from the South and non-South), who are most conservative, with white Southern Democrats in the middle ideologically (white Northern Democrats are on the left, but not as liberal as black Democrats). Whitby's informative temporal analysis illustrates how, over time, “Southern Democrats are voting less conservatively and more like their party colleagues from the non-South” (p. 35). Despite these “liberalizing” trends in white support for civil rights, Whitby concludes that on racial issues Congress usually makes only “minor to moderate modifications in existing civil rights laws” (p. 137). He also points out that race still matters, even in substantive public policy terms, since more black congressmen can result in “more effective anti-discrimination policies in the areas of education, employment, and housing” (p. 139), or “higher increases in minimum wages and unemployment compensation to help alleviate some of the economic hardships that fall disproportionately on blacks and other minorities” (p. 139).

Robert Singh's (1998) *The Congressional Black Caucus: Racial Politics in the U.S. Congress* also examines descriptive and substantive representation, though from a more restricted focus on the Black Caucus as an institution. Singh points out that while most committees by 1995 had at least one black member, only 20% had ranking committee members who were black (likely committee chairs if the Democrats had kept control of Congress), a level of descriptive representation that is nevertheless comparable to the Black Caucus's strength in the entire House Democratic Caucus (19%). Menifield and Jones (2001) found that African Americans were able to maintain their presence on these and other committees (as ranking minority leaders) up until the end of the century, despite serving under a predominantly Republican-controlled Congress.

Relying on seven well established roll-call scales to measure substantive representation since 1980, Singh (1998) found that Black Caucus members were ideologically cohesive, being liberal, pro-labor union, high on Democratic Party unity, and low in support for Republican presidents. The thirty-seven white

Democrats who were “Associate Members” of the Congressional Black Caucus were nearly as liberal as caucus members, differing from members primarily by representing white majority districts. Indeed, roughly half of white Democratic Congress members enjoyed liberal ADA scores of 75% or more. Singh concludes that while the Caucus’s role in policy making “has been limited, incremental, and defensive” (pp. 210–11), its “presence and activism has proven valuable” (p. 210) in articulating and defending African Americans’ interests in the federal system.

Menifield and Jones (2001) also conducted a similar study and found that African American Congress members (the Congressional Black Caucus) were the most liberal group in Congress. Using ADA ratings for 1984, 1989, 1994, and 1999, they found that African Americans were rated as the most liberal group of Congress members on social, economic, and foreign policy issues when compared to Democrats, Republicans, women, and Hispanics. In fact, they were, at minimum, 10% more liberal than any other group. In addition, they also found the group to be the most cohesive when voting on these three types of legislation. Vote cohesion consistently remained in the 90% range, with the lowest scores found on foreign policy legislation. “By voting as a bloc on legislation suggests a lot of agreement within the Caucus” (p. 28). Further, as the group has increased in size, its ability to affect legislation and form coalitions has increased significantly.

STATE LEGISLATIVE REPRESENTATION STUDIES

Research into state legislative representation has been more limited, partly because of the absence of computerized or published roll-call data at the state level, unlike the sophisticated congressional roll-call data sources that exist. In “Revisiting the State of U.S. State Legislative Research” for *Legislative Studies Quarterly*, Gary Moncrief, Joel A. Thompson, and William Cassie (1996) conclude, that “While there has been research on the consequences of women in state legislatures, similar research on the effect of African American or Hispanic legislators has been lacking” (p. 310). They attribute this paucity of studies to the fewer numbers of minorities serving in the legislatures but point out that this situation is changing, particularly in the South.

Early legislative studies reflected the difficulties of studying representation in the face of very limited numbers of minority representatives. In a case study of the California legislature, Robert Harris (1970) interviewed all six African American lawmakers and found that half believed that their white colleagues treated them unequally. Others believed that their race entered more indirectly into their daily work, or criticized the legislature for being an overly conservative

institution. Perry (1976) found similar results in his study of African Americans serving in the Missouri legislature in the period 1969–1970. He asserted that the thirteen African American legislators found it difficult to assimilate into the legislature. Despite continued improvements in increasing the number of African Americans over time, they were unable to obtain positions of power and influence. Further, they were unable to organize and subsequently form strategies that would allow them to form a voting bloc or to form coalitions with other Democrats. In both scenarios, they would have been more successful in passing their legislation.

In a case study of the 1976–1977 Mississippi state house of representatives, Charles Bullock and Susan MacManus (1981) were unable to find a simple linear relationship between white lawmakers' votes on redistributive social welfare issues and the black population size of their districts. More revealing, despite the small numbers of lawmakers, while whites were evenly split on these twenty-eight roll-call issues, the four African Americans favored these redistributive issues 94% of the time.

The federal Voting Rights Act of 1965 greatly increased the numbers of African Americans in state legislatures, particularly in the South. Charles Bullock (1992) found a strong relationship between the black population size in a district and the election of African American lawmakers, with black candidates most likely to be elected in districts that had over a 60% black population. Bernard Grofman and Lisa Handley (1991) came to a similar conclusion, pointing out that Southern districts over 65% black elected African American legislators almost 90% of the time. They found the greatest increase in African American representation in states covered by the Section 5 pre-clearance provision of the Voting Rights Act, and in states shifting from multi-member to single-member districts. One state that nevertheless rebuffed this regional trend even into the 1980s was Mississippi, where Grofman and Handley found only 15% of majority black senate districts electing African Americans. In addition, a study of eleven states, which included four Southern states, suggested that even as late as 1988, African American women faced special hurdles in getting elected to state legislatures. Electorally disadvantaged by their gender as well as their race and therefore held to higher standards than other candidates, black women lawmakers were more likely than white lawmakers or black men to hold graduate degrees and a high-prestige occupation (Moncrief, Thompson, and Schuhmann 1991).

Studies of the increased numbers of African Americans were at first confined to only two or three Southern states and did not ascertain the policy preferences of black lawmakers. Robert Harmel, Keith Hamm, and Robert Thompson (1983) examined African American vote cohesion and interracial

agreement in the lower chambers of the Texas, South Carolina, and Louisiana legislatures in the 1977 session and found vote cohesion higher among African Americans than among white lawmakers. Finding greater interracial agreement in Texas metropolitan areas and in more racially tolerant Southern Louisiana parishes (counties), their study suggests the importance of examining interstate differences in the concept of state political culture. Addressing the descriptive representation question of leadership positions and seniority in the 1977 Texas house and 1977–1978 South Carolina house sessions, Hamm, Harmel, and Thompson (1983) found that white and black legislators with seniority or who held such leadership positions as committee chairs or party leaders were more active in introducing bills or amendments and were more successful in seeing them enacted into law than were legislators lacking seniority or leadership roles. Indeed, a lawmaker's seniority and institutional positions were more important than his or her race or party membership, leading the authors to conclude that African American lawmakers would become more successful in the legislative process as they became "more fully integrated" (p. 186) over time.

Case studies in individual states were begun to examine the enactment of specific types of policies that were of interest to African Americans. Examining the Alabama, Georgia, and Louisiana state senates in 1980, Mary Herring (1990) found that the percentage of registered voters in a district that was black positively affected white and black lawmakers' votes on wealth redistribution, civil rights and liberties, and overt racial issues. However, this relationship decreased after controlling for a legislator's race, particularly in Alabama. In short, black lawmakers were most responsive to black interests, and states varied in their political cultures, with Alabama being particularly slow in accommodating black political empowerment.

Cheryl Miller (1990) examined the success of the Black Caucus's agenda in the 1987 North Carolina legislature and concluded that success was enhanced by both situational factors and political skills. Situational variables were caucus cohesion, size, members' seniority and, given their importance in reporting out legislation, committee chairmanships. Miller argues that a key political skill is the ability of black lawmakers to form coalitions with their white colleagues, an increasingly common phenomenon as the rising numbers of GOP lawmakers encourage Democratic Party leaders to turn to their African American colleagues for support. Using legislation from the 1997–1998 session in North Carolina and Maryland, King-Meadows and Schaller (2001) found that African Americans were the most cohesive groups in the states and that they used strategies to secure legislation beneficial to their African American constituents. They argued, "Whether motivated by race or necessity, caucus cohesion affects not