RACE AND REPRESENTATION

The National Political Science Review

Volume 6

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Contents

Acknowledgments ix

Editor's Introductory Note 1
Georgia A. Persons

SYMPOSIUM: RACE AND REPRESENTATION

Voting Rights Policy and Redistricting: An Introductory Essay 3
Dianne M. Pinderhughes

The 1990s Round of Redistricting: A Schematic Outline of Some Key Features 17
Bernard Grofman

Minority Representation and the Tradeoffs in Legislative Redistricting 27
Donald E. Stokes

The Impact of Redistricting on African-American Representation in the U.S. Congress and State Legislatures in the 1990s 35
Wayne Arden, Bernard Grofman, and Lisa Handley

Redistricting the Commonwealth: A Narrative and Analysis of the Virginia Outcome, 1991–1996 44
Winnett W. Hagens

New York City Redistricting and New York State Congressional Redistricting: A View from the Inside 63
Alan Gartner

Georgia's Reapportionment and Redistricting Process in 1995: Reflections of a Participant Observer 72
Robert Holmes

Social Movement Theory in the Examination of Mobilization in a Black Community: The 1991 Sacramento Redistricting Project 94
David Covin

The Voting Rights Act and Judicial Elections: A Horse of a Different Color or Canary in the Coal Mine? 110
Pamela S. Karlan

Redistricting in the Multiracial Twenty-First Century: Changing Demographic and Socioeconomic Conditions Pose Important New Challenges 116
Susan A. MacManus and Lawrence Morehouse

Race and Representation: A Commentary 137
Carol M. Swain

CALL AND RESPONSE: THE POLITICS OF SPEAKING TO AND FOR BLACK AMERICA

The Messages and the Messengers: Opinions from the Million Men Who Marched 142
Joseph P. McCormick, II

PROGRESS AND RESISTANCE

Two Paths to Minority Empowerment 165
William J. Grimshaw

Limited and Cumulative Voting in Alabama: An Assessment After Two Rounds of Elections 180
Richard L. Engstrom, Edward Still, Jason F. Kirksey

Fiscal Neglect as a Response to School Desegregation: Defunding Desegregated Schools 192
James F. Sheffield, Jr., and Joseph Stewart, Jr.

THE POLITICAL SCIENCE DISCIPLINE: CONSTRAINTS AND CONCERNS

The Limits of Rational Choice Theory 205
Michael Goldfield and Alan Gilbert

The Study of African-American Politics as Social Danger: Clues from the Disciplinary Journals 229
Hanes Walton, Jr., and Joseph P. McCormick, II

REFLECTIONS

Civil Rights Policy and the Liberal Tradition:
A Framework for Evaluating Social Policy 245
J. Owens Smith

RESEARCH NOTES

Separate and Unequal: Incorporation, Stratification, and Reform 256
Edward Thompson III and David M. Brodsky

The Political Behavior of American Blacks:
A Research Note on Effects of Four Classes of Variables 263
Steven A. Peterson and Albert Somit

BOOK FORUM

Review Essays

Early Post-Cold War Views of World Affairs 274
Walter W. Hill

The Devolution Decade: Assessing the States' Response 280
Carl E. Stenberg III

Reform, Re-Invention, and Good Governance:
Politics, the Public Service, and Public Accountability 282
Louis F. Weschler

The Preeminent African-American Legal Scholar: J. Clay Smith, Jr. 288
Hanes Walton, Jr.

Book Reviews

Who is Black? One Nation's Definition 293
reviewed by James S. Jackson and Kendrick Brown

Righting a Wrong: Japanese Americans and the Passage
of the Civil Liberties Act of 1988 295
reviewed by Yasumasa Kuroda

C. L. R. James's Caribbean 298
reviewed by Carlene Edie

Essays on the American Civil Rights Movement 304
reviewed by Julian Bond

The Politics of American Discontent:
How a New Party Can Make Democracy Work Again 306
reviewed by M. Margaret Conway

Echoes of Discontent: Jesse Jackson, Pat Robertson,
and the Resurgence of Populism 308
reviewed by Mary E. Bendyna

Post-Liberalism: Studies in Political Thought 310
reviewed by Jack Crittenden

Fundamental Feminism: Contesting the Core Concepts
of Feminist Theory 314
reviewed by Debra A. Morris

Old Age Security in Comparative Perspective 318
reviewed by David Brian Robertson

Lesson-Drawing in Public Policy: A Guide to Learning
Across Time and Space 321
reviewed by Donley T. Studlar

When No Majority Rules: The Electoral College and
Presidential Succession 323
reviewed by Richard L. Engstrom

Democrats and the American Idea: A Bicentennial Appraisal 325
reviewed by William Crotty

Regulating Unfair Trade 328
reviewed by Herman Schwartz

Invitation to the Scholarly Community 331

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Editor's Introductory Note

Volume 6 of the *National Political Science Review* is anchored by a symposium on "Race and Representation." Specifically, the symposium focuses on efforts to enhance the representation of African Americans in legislative bodies (and in judgeships) under the authority of the historic Voting Rights Act of 1965 (and as amended), and recent court challenges to the constitutionality of redistricting plans drawn under the Voting Rights Act.

The papers presented here constitute an extension of an ongoing and protracted, highly charged, public debate that has been enjoined in scholarly discourse as well. Like most public and political debates, this one too has been refereed and structured by the rulings of the federal courts. Not only have recent Supreme Court rulings, such as in *Shaw v. Reno* (1993), *Miller v. Johnson* (1995), and *Bush v. Vera* (1996), significantly redefined the meaning and permissible parameters of the Voting Rights Act; they have also strongly posited, albeit somewhat indirectly, a legal meaning of representation which is significantly at variance with the more broadly philosophical meaning of representation grounded in the ideal of enhancing equality amongst the constitutive groups of society. The issues in this debate are of profound importance because they go to the heart of a set of cascading questions such as how to operationalize the concept of representative democracy in a multiracial society with a history and persistence of racial oppression and inequality. Compelling questions are raised as well about the flexibility and adaptability of the U.S. Constitution to sanctioning the continuing quest for racial equality. Still other questions are raised about the possibilities and limits of transracial political alliances and subsequent effective representation of minority interests, as is the question, which is implicit in much of the debate but which has not been substantially addressed, of whether and to what extent do underrepresented groups have political interests that are significantly divergent from those of the white majority. Indeed, the consequences of the Court's decisions will have nonnegligible implications for strategic considerations, as well as the conduct and nature of black politics in the future. These and other questions and related issues await the attention of the scholarly community.

The papers in the symposium presented here are somewhat unique. They do not offer grand theoretical constructs about representative democracy, African-American or minority politics, modern socio-political movements, or legal jurisprudence. Indeed, grand theoretical constructs are elusive, perhaps in part due to the closeness of the events in time to the analyses. These

essays may be considered baseline analyses. They are mainly case studies. Indeed, most are reports from the field where political scientists have ventured out to become directly involved in real time events that constitute "the real stuff" of politics. In this regard, they are refreshingly informative. In a sense, most of the contributors are participant observers in one way or another, though only one contributor identifies himself as such. The book-end essays by Dianne Pinderhughes and Carol Swain were written with the benefit of these authors having read all of the other articles. As reflective of the stridency that characterizes the public and scholarly debate, readers will readily discern a divergence of viewpoints in the symposium, particularly in the two review essays.

Other articles in this volume also raise poignant questions that inform the issues raised by the symposium on redistricting: the possibilities and limits of black-white political alliances (Grimshaw), the persistence of funding inequalities in desegregated school systems (Stewart and Sheffield), and an examination of alternative electoral arrangements as strategies for enhancing the efficacy of the black vote (Engstrom, Still, Kirksey). While the debate over redistricting concerns the formal rules of determining descriptive representation most directly, and a presumed greater assurance of substantive representation, the article on the "million man march" (McCormick) reflects both a significant degree of "slack" in the substantive representation of significant segments of black America as well as a persistent ambivalence about how to overcome and activate this representational slack. Such are the continuing dilemmas of African-American politics, a field of scholarly inquiry itself wrought with social and professional risk (Walton and McCormick).

This volume of the *National Political Science Review* introduces a new section, "Reflections," reserved for commentary and analysis of an issue that captures the political spirit of the times. Authors are asked to provide an alternative framework for consideration of a perplexing and challenging issue. In the inaugural piece for this section, J. Owens Smith reflects on the assault on the liberal philosophy as a foundation for civil rights claims and offers an alternative philosophical prism for viewing and justifying such claims.

This volume of the *NPSR* constitutes the transition to a new editor. However, several of the articles published in this volume were received and processed under the editorship of Matthew Holden and the next volume of the *NPSR* will also contain articles collected under his editorship. Matthew Holden served ably as immediate past editor of the *NPSR* and we salute his outstanding contributions to the maintenance and success of this journal.

Georgia A. Persons

Symposium: Race and Representation

Voting Rights Policy and Redistricting: An Introductory Essay

Dianne M. Pinderhughes

University of Illinois, Urbana-Champaign

Introduction

This symposium on race and redistricting in the 1990s is composed of nine papers. This introductory essay examines the policy issues common to the articles, and briefly discusses major points in each piece. The articles offered make clear that voting rights reform expands to touch every aspect of governance, including legislative redistricting; that reforming the political system to address the citizenship status of the African-American population, which began with successive civil rights legislation in 1957, 1964, and 1965, has broadened to address a much fuller conception of the citizenship of that group, the status of other racial and ethnic groups, of linguistic groups, and the problems of groups in areas outside of the south. Voting rights policy has increased the size of the electorate by age, has addressed the members of the electorate who are differently abled, and has continued to cause changes. The issue of voting rights is not a simple matter, and it is a continuing process. The challenge that voting rights policy and politics offer to the American political and electoral system is profound, which at the core addresses the meaning of democracy, the meaning of representation, how Americans design their electoral systems and systems of participation, and how they address descriptive and substantive representation.

These essays examine the integration of issues developed within the context of voting rights policy, which have been transformed into principles used to redraw legislative districts after each census. The 1990s round of redistricting was the first in which the minority vote dilution concept was fully accepted within the federal courts and in which it was therefore possible to draw a significant number of majority-minority districts. Black and Hispanic legislative representation increased significantly as the courts and the Bush Justice Department encouraged the creation of additional majority-minority districts. It is these districts which the authors address. The

politics of their creation are discussed in articles by Covin, Gartner, Stokes, Hagens, and Ardens, Grofman, and Handley. The districts are defended by Holmes, Grofman, and Karlan. MacManus and Morehouse suggest reconsideration of redistricting in their essay.

The 1990s redistricting round marked a significant achievement for voting rights policymakers, but was immediately supplanted in 1993 by a constitutional challenge by the Supreme Court in *Shaw v. Reno* to the structures that have created these new districts, and the principles on which they stand. North Carolina, Louisiana, Georgia, and Texas, states which perhaps a decade or more ago were defendants in voting rights suits against Black and Latino plaintiffs, sued to increase representation of racial and ethnic voters in office. Now these same states are again defendants, but on behalf of majority-minority districts in which plaintiffs, often white, charged their constitutional rights of representation have been violated by being placed in majority-minority districts. As Frank Parker recently noted, "no one has any constitutional right to live in a district in which his or her race is in the majority" (Parker, 1995: 48).

Voting Rights Policy and Redistricting

Strategies for Civil and Voting Rights Reform

Most of the research presented here focuses on highly specialized policy-making arenas; early civil and voting rights "success" in moving the issues occurred when blacks widened the scope of conflict, heightened visibility, and moved toward collective mobilization of the African-American community in the 1950s and 1960s. The essays make clear that African Americans no longer fully mobilize all their communal resources, nor utilize every segment of public sector institutional resources, but more often allow the contest to be limited to one or another political domain. This research illustrates that as civil rights shifted from protest to politics, contemporary voting rights politics were played out in narrower and narrower areas of scrutiny and involved smaller and more specialized groups of experts (Smith 1981). Challengers must use more than one institutional resource; Lucius Barker, for example, emphasized that full mobilization across the legislative, judicial, and executive branches, combined with pressure at the state and local levels, had to be utilized in order for civil rights reform to be effective (Barker, 1994). Only David Covin's article on social movement theory and redistricting in Sacramento, California, addresses redistricting policy-making from the perspective of grass roots, community organizers as they sought to increase descriptive representation, and it does so using a model that was comparable to those used during the civil rights era.

Voting Rights Policy

The conservative critics of voting rights law as it has developed since 1965 (especially Swain, 1993; Thernstrom, 1987) focus on the "not impossible" end of the continuum while its liberal supporters emphasize the fact that polarized voting at large elections and other factors make the election

of African Americans highly problematic (Guinier, 1994; Parker, 1990). This policy debate is addressed in a number of the essays, including the articles by Hagens on redistricting in the Virginia legislature and Holmes on the Georgia legislature; Arden, Handley, and Grofman consider it in their statistical examination of levels of black representation in the Congress and state legislatures in the 1990s. Susan MacManus and Lawrence Morehouse also pose it as an issue in light of their predictions of increased heterogeneity in the American population in the twenty-first century.

Racially polarized voting. Research elsewhere (Davidson and Grofman, 1995 and especially Arden, Handley, and Grofman in this symposium) clearly illustrates the strength of racially polarized voting in the American political system, making it highly unlikely (although not impossible) that African Americans will win elective office in nonmajority electorates when other factors in the political environment including electoral systems are taken into account.

Philosophies of Representation

Redistricting related to civil and voting rights policy opens up fundamental questions of the meaning of representation. How is the citizen, the public official, to judge the "best" way for political participation, political values, decisions about policy, and introduction of ideas of its citizenry to be transmitted. Pitkin's notions of descriptive and substantive representation have come to be heavily emphasized in many contemporary strategies for measuring and evaluating fair minority representation (Pitkin, 1967).

Descriptive representation, based on the proportion of blacks or other minorities in the population, has gradually come to be used as a measure of representation that has also helped introduce direct discussions of systems of proportional representation into the American context. Holmes, Stokes, Grofman, and Arden, Grofman, and Handley's essays often frame questions of fair representation in electoral politics within the context of group-based proportionality. Voting rights critics attack descriptive representation and emphases on the political representation of the racial or ethnic group as reflecting political principles invalid within the context of authentic American values. Supporters of increased representation by African Americans, Latinos, and other racial or ethnic groups argue that at the bottom line this is the only practical strategy for balanced participation.

Substantive representation rests less on matching proportions of groups of citizens to their numbers among elected or appointed officials, and is another means of judging the fairness of electoral systems. The articles pay less attention to substantive representation, because the authors focus primarily on efforts to elect and to sustain in office African-American and/or other minority groups. This issue is however what Guinier, Smith, and others mean when they emphasize the "third" phase of the civil rights struggle: first, to attack barriers to election; second, to remove barriers to office; and third, to strengthen the effort of officials to work effectively and substantively to influence public policy (Guinier, 1994; Smith, 1981; Smith, 1992). Swain and Thernstrom argue that there is no direct or necessary link between descriptive and substantive representation; Swain has even argued that African-American citizens are better

represented by nonblack representatives because they must work harder to win and stay in office than black officials who serve in less competitive majority black districts (Swain, 1993).

Comparison of Redistricting Models

The articles compare varying models for redistricting. Gartner discusses the New York State Legislative Task Force on Demographic Research and Reapportionment (LATFOR) and the New York City Districting Commission; Donald Stokes describes his service on the New Jersey Redistricting Commission; Winnett Hagens offers a history of the Virginia Legislature's approach to redistricting; and Bob Holmes, a state representative himself for some years, offers an insider's account of the Georgia legislature's special session to redraw the state's congressional boundaries after the Supreme Court declared Georgia's eleventh majority-minority congressional district unconstitutional, because "race was the predominant factor in the redistricting process" (Holmes, this volume). The federal courts have specified that redistricting should occur, that certain principles should govern their development, but they have left it to the states to decide the procedure. These articles offer an opportunity to more systematically consider how the institution responsible for redistricting policy-making shapes the redistricting process.

Federalism

The articles clarify the breadth and complexity of governmental structures that voting rights policymakers now have to attend to and master. Every level of government where legislative bodies function must redraw its geographical boundaries in light of demographic changes; demographic means not only total numbers of citizens, but also the racial and ethnic identities of those individuals. Alan Gartner and David Covin examine these processes in New York City and Sacramento California respectively, while Holmes, Stokes, Gartner, and Hagens review redistricting in the Georgia, New Jersey, New York, and Virginia state legislatures and congressional delegations. Pamela Karlan reviews these processes as they apply to the selection of judges.

Partisan Representation v. Minority Representation

An important redistricting debate has arisen over whether majority-minority districts (MMDs) hasten election of Republicans to office. Swain and Thernstrom both argue that concentrating minorities, who if they are black are much more consistently Democratic, into a small number of districts actually reduces the group's substantive impact on policy.

This issue of substantive representation has been adopted by many in the literature, including, Grofman, MacManus, and Morehouse, that is, that black voters would be better represented by a larger number of relatively liberal legislators (Democrats of any color) than by a small number of black legislators who more accurately reflect their racial identity. Majority-minority dis-

tricts, they argue, are not important to achieve substantive representation. One aspect of this is African Americans' numerical impact on the legislature—a minority if in a polarized voting situation, reflected in the electorate and the legislature, is checkmated in either circumstance. A second aspect of their argument is the impact of these boundaries on race and party politics. "Georgia's House delegation in the 102d Congress had eight white Democrats, one black Democrat and one Republican, Newt Gingrich. In the 104th Congress it had zero white Democrats (after the last one switched parties), three black Democrats and eight Republicans, including the Speaker of the House" (Barone and Ujifusa, 1995: 350).

The 1992 and 1994 elections would seem to have validated Swain's and Thernstrom's position but the increase in Republican held seats that swept over the House penetrated states where there were no MMDs as well as where there were, suggesting some other explanation for the shift, namely, the movement of white voters toward the Republican party. The trend toward MMDs pits African-American communities against their traditional allies in the Democratic party and results in a multiparty legislative environment composed of (white) Republicans, and Democrats divided into blacks and whites.

Work by Kenny Whitby (forthcoming) strongly suggests however that the roll call voting scores for congressional representatives are not only distinguished by partisanship, but also by race; Democratic scores are more consistent with the views of black voters than Republicans, and the scores of black Democrats rank above white Democrats by a remarkably substantial margin.

This is clearly a critically important aspect of redistricting in American politics. Black and white voters have long had distinctive partisan and philosophical preferences; in recent years whites have been moving away from Democratic party alliances, and black voters' preferences suggest a pattern of legislative selection that would sharply distinguish them from Republican and from white Democratic representatives. This will have a sharp impact on party dynamics in the legislature and on legislative functioning. Legislative dynamics display dramatic and volatile shifts above a certain threshold of black legislators, because the latter's policy preferences differ so substantially from white Democrats. Recommendations that districts seeded with more black voters rather than a smaller number of MMDs ought, if they are serious about substantive representation of black citizens, also come with recommendations for programs to attack white voters' resistance to black representatives and to the issues of concern to black voters, so that African Americans have greater opportunity for holding office and for influencing policy.

Articles in the Redistricting Symposium

I now turn to a more specific discussion of the articles. Alan Gartner's "New York City Redistricting and New York State Congressional Redistricting: A View from the Inside" compares New York City's and New York State's legislative redistricting, but his description of New York City's charter revision and districting process is especially useful. Gartner also charged

there was misuse of the federal courts in New York, California, Illinois, Ohio, and Texas, specifically forum shopping by partisan groups, and preemptive use of courts, which had the effect of precluding Justice Department preclearance of voting law changes.

Gartner notes that racial and ethnic groups' population concentrations, residential settlement, and growth patterns differ sharply. First, blacks and nonhispanic whites grew more slowly than Hispanics and Asian Americans in the 1980s, and Hispanics therefore argued that districts should be drawn which they could "grow into." Second, polarized voting occurs more consistently between black and white than between Hispanic and white voters. Third, whites live in the most segregated districts, followed by blacks. Hispanics by contrast are more dispersed. Only 10 percent of Hispanics but 41 percent of blacks and 53 percent of whites live in districts of 80 percent or more of their own group.

In "Minority Representation and the Tradeoffs in Legislative Redistricting," Donald E. Stokes describes his service as the "public member" of the New Jersey Commission that redrew the state's legislative districts in 1981 and 1991. Stokes characterizes the New Jersey Apportionment Commission, a bipartisan body with an eleventh public member who serves if the Commission deadlocks, as balanced between the British practice of redistricting, with neutral commissioners who lack experience and may not meet fairness tests, and the American practice, with legislators who do not address the public interest.

Stokes also discusses the tradeoffs between values: population equality v. geographic community and population equality v. adequate representation for minorities. Given the Supreme Court's decisions in the 1980s redistricting process the 1991 New Jersey Commission designed eleven "precisely equal" congressional districts and two others, "one person short of the other eleven," but therefore ignored contiguity and compactness (Stokes, this volume). In the tension between minority representation and geographic community, Stokes introduces an important distinction between "negative racial gerrymandering," which obstructs the election of minorities, and "positive racial gerrymandering," which is done "to promote the prospects of minority candidates" (Stokes, this volume). Stokes discusses how minorities, both racial and ethnic groups and minority political parties, seek to translate representation into proportional standing in legislatures. Where groups vote distinctly, and as blocks, he concludes segregating them and dividing geographic communities is the only way to gain close to proportional representation. Stokes concludes that a body such as the redistricting commission, which mixes public interest and political interests, can balance three goals: equal population, enhancing minority representation, and relatively compact geographic communities.

Winnett Hagens is a voting rights expert who has worked directly with plaintiffs and office holders through the Norfolk State University Redistricting Research Project, and describes some of those efforts in "Redistricting the Commonwealth: A Narrative and Analysis of the Virginia Outcome, 1991–1995." Hagens offers a strong historical profile of some of the state's resistance to racial desegregation, and of its resistance to full or even modest political participation and representation by its black citizens. In recent

years there had been some growth in black representation with seven blacks in the state house of delegates, three in the senate, and a black governor, but the most important competition in the state was partisan, as the Republican party had also grown in strength holding 39 percent of the seats in the house and 25 percent in the senate in 1989.

Hagens describes the competitive alliances and tensions that evolved between conflicting minority interests: blacks as a racial minority, and the Republican party as a partisan minority. These minorities formed a political alliance, the Republican party, the NAACP, and the ACLU, to challenge the political majority, the Democratic party, as the legislature drew one majority-minority district for the Virginia congressional delegation, seventeen MMDs in the Virginia house of delegates and three in the state senate. The total number of majority-minority seats increased by eight in the house of delegates, but blacks won only four of these positions.

A second major theme in Hagens' article is the revelation that representation in the cities and towns in the commonwealth of Virginia are still governed by at-large electoral systems that minimize opportunities for minorities for election. This is especially problematic because the 1993 *Shaw v. Reno* Supreme Court decision prompted new challenges to the use of single member districts, and the creation of majority-minority districts. Hagens reports that just as these local jurisdictions had begun to adopt district systems, the *Miller v. Johnson* decision in June 1995, which declared Georgia's eleventh Congressional district unconstitutional, discouraged further support for these types of systems. Chesapeake and Portsmouth, Virginia, have even begun to reverse the shift toward single member districts, and moved to adoption of at-large school boards. The Civil Rights Division in the Department of Justice withdrew its objection to the at-large board in Chesapeake. All of these developments have ominous implications for opportunities for minority electoral representation.

University of Virginia law professor Pamela S. Karlan focuses on the low numbers of black judges on southern state courts in "The Voting Rights Act and Judicial Elections: A Horse of a Different Color or Canary in the Coal Mine?" Karlan discusses how black voters have begun litigation challenging judicial election methods in efforts to apply section 5 of the 1965 Voting Rights Act, and section 2 to judicial elections. Through early 1993, litigation momentum was heading toward increased coverage, and the courts were making settlements which opened opportunity for black voters to elect candidates of their choice, including black judges. But the pattern has shifted since then; resistance to such settlements has increased.

Karlan distinguishes redistricting policy goals when problems thwart the will of the majority versus the minority. Judicial requirements for one person, one vote, she notes, are aimed at preventing "*quantitative* vote dilution that frustrates 'the *majority* will'...while the Voting Rights Act attacks *qualitative* dilution of a numerical *minority's* ability to elect its preferred candidates and thus necessarily requires an 'intensely local appraisal' of 'political reality' within the relevant jurisdiction (*Thornburg v. Gingles*, 1986: 79)" (Karlan, this volume).

Karlan also examines the court's tests for racial bloc voting. First the district courts have ruled that partisan voting correlated along racial lines ne-

gates "an inference of racial bloc voting" (Karlan, this volume). And the standards of proof are demanding and specifically require plaintiffs to prove "white voters purposefully refuse to support the black community's preferred candidates because white voters are racially biased (*Nipper v. Smith 1994*)" (Karlan, this volume). All of these findings that apply to judicial elections nonetheless move in the direction of making it dramatically more difficult to prove discrimination and to rely on remedies likely to increase black elected representatives.

Wayne Arden, Bernard Grofman, and Lisa Handley's article, "The Impact of Redistricting on African-American Representation in the U.S Congress and State Legislatures in the 1990s," reviews the empirical evidence on the results from the 1990 redistricting process for congressional and state legislatures, the first since the 1982 Extension of the Voting Rights Act. The data presented suggests stark and startling conclusions. The authors compare descriptive representation in the 1990s before and after legislative redistricting. Examining only those states where African Americans were more than 10 percent of the population, they found relative underrepresentation in public office in comparison to blacks' proportion of the population in 1990, with increases, especially in the South after redistricting. Arden, Grofman, and Handley note that the legislatures increased the number of majority-minority districts and that those they drew offered a more realistic opportunity for black voters to elect representatives.

Most black legislators are elected from majority-minority districts: in 1990, 86 percent were; but by 1992, some 89 percent were. Seventy-nine percent in Congress were elected from majority black districts, while in 1992, 91 percent were. Clearly districts that are not black majority very rarely elect black representatives at the congressional or at the state level. For example, simple analysis of the data in Arden, Grofman, and Handley's Table 8C shows that in 1992, of 213 nonmajority black congressional districts in states with greater than 10 percent black population, only 3 (1.4 percent) elected blacks, while 100 percent of the twenty-nine majority black districts elected blacks. Table 8B shows that of 582 nonmajority black state senate districts in 1992, only four (0.68 percent) elected blacks, but 76 (86.3 percent) of the 88 majority black state senate districts did. There were 1,697 nonmajority black state house districts in 1992, and only 31 (1.8 percent) elected African Americans from these types of districts (Table 8A). Two hundred and twenty-nine, or 80.6 percent of the 284 majority black districts, elected African Americans. One can draw conclusions without attributions of racist intent, but whether it is based on "invidious racial discrimination" by whites against black candidates, or based on distinctive philosophical preferences between black and white voters, the effects of these differences in voting preferences are remarkably clear.[1]

Bernard Grofman's article, "The 1990s Round of Redistricting: A Schematic Outline of Some Key Features," is a reflective consideration of majority-minority districts, the incongruities of continued Republican support for voting rights in comparison to all other areas of civil rights policy, the standards and criteria for drawing districts, the wisdom of his own contributions to the development of policy through his role as an expert witness throughout the nation, including *Shaw v. Reno*, and his observations on the

decision in *Shaw* which applied to the twelfth congressional district in North Carolina, and in *Miller v. Johnson* which applied to Georgia's eleventh congressional district.

Grofman searches unsuccessfully for consistency in the recent Supreme Court redistricting decisions.[2] He also examines the implications of the Supreme Court's redistricting decisions from 1993 to 1995, and their applicability. Testifying in *Shaw*, Grofman argued that the twelfth district was not contiguous, a criterion specified by the Supreme Court in *Thornburg*. Yet Grofman concludes that the *Shaw* decision seems "incompatible with the requirements of the Voting Rights Act for race-conscious redistricting to remedy vote dilution...[and] to threaten the dramatic black (and Hispanic) gains in representation" (Grofman, this volume). The Court's decisions ignore North Carolina's historical tradition of racial discrimination (Pinderhughes, 1995), and the political reaction to the Court's actions, as in the Georgia legislature, occur on the political level of competition for power rather than on a legally rational or consistent level.

In Georgia, as Holmes explains, the Democrats in the legislature saw an opportunity to shore up their faltering support among white Democratic voters with black Democrats by redrawing, although they were not required to, the state legislature's districts first and then trying and failing to redraw congressional districts. If the Court were consistent, then its judgment would apply only at the congressional level, Grofman argues, but whereas the Court addressed shape in *Shaw*, it suggested that race could not be used at all in *Miller v. Johnson*, which has also opened the issue at the state and local level. White plaintiffs have responded with a number of suits claiming a constitutional violation because they are located in majority-minority districts. Grofman finds inconsistency in the fact that *Shaw* "places a burden of presumptive constitutional illegitimacy on tortuously shaped black majority districts that it does not place on similarly ugly white majority districts" (Grofman, this volume). Grofman's conclusion that the implications apply only at the congressional level, because easily compact districts can be constructed locally, seems jeopardized by the court's *ipso facto* challenge to majority-minority districts in *Miller*. And finally he suggests, "it is clear that the Court majority is anxious to put curbs on DOJ's use of its preclearance authority" (Grofman, this volume). Hagens's article on Virginia in this volume offers examples of recent instances in which the Civil Rights Division has been forced to withdraw objections.

State Representative and political scientist Robert Holmes summarizes his observations of the special session of the Georgia legislature called to redraw the state's congressional districts in the wake of the June 1995 Supreme Court ruling, *Miller v. Johnson*. His article, "Georgia's Reapportionment and Redistricting Process in 1995: Reflections of a Participant Observer," reviews this process. The federal district court's decision of unconstitutionality was upheld by the U.S. Supreme Court. Georgia is another state in which partisan shifts resulting in increased Republican representation have been attributed to the creation of majority-minority congressional districts. While there was some conflict between black and white Democrats in Georgia, Holmes found the Georgia Legislative Black Caucus (GLBC) too compliant with state party leadership. The Caucus had developed a strategy in

1990 redistricting which aimed at the creation of more majority black districts, even if blacks were not viable candidates immediately. This strategy balanced benefits for the group with benefits for specific individuals: "During the 1991 special session, the GLBC had adopted the philosophy that any new Congressional and state legislative seats created may not be won in the 1992 or 1994 elections, but if they were not drawn at that time, then blacks would never have the opportunity to use them" (Holmes, this volume).

White Democrats quickly transformed the Special Session convened to redraw the congressional districts into an opportunity to reclaim some of the seats held by Republicans, or to prevent any new ones from being taken. State house and senate seats were redrawn even before they discussed an effort to redraw the congressional districts for which the special session was actually called. Holmes discussed an effort for the GLBC to sustain a significant number of majority-minority districts, but since black representatives didn't already hold all these seats, they sought at best only to protect those already occupied by the black representatives (themselves), which put severe constraints on the possibility of any expanded future representation. Holmes describes his efforts to stake out an effective bargaining strategy for the minority, for example, delaying voting until the legislature could vote on both the state legislative and the congressional plans, requiring simultaneous rather than sequential negotiations. But the legislature concentrated almost entirely on the state legislative plan, which led to the black representatives working in preservation of their own seats rather than attempting to preserve a larger number of seats for the Georgia black community. While the GLBC consulted with various interest groups, including the Southern Regional Council, the NAACP Legal Defense Fund, the Lawyers' Committee for Civil Rights Under Law, and the American Civil Liberties Union, they operated within the narrow framework of the legislative environment and did not seek to widen the scope of conflict to mobilize support from the broader black community to challenge the legislature's white Democratic leaders, and/or to strengthen the commitment of the black Democratic legislators.

"Social Movement Theory in the Examination of Mobilization in a Black Community: The 1991 Sacramento Redistricting Project" by political scientist David Covin explores black community mobilization over twenty-five years in Sacramento City Council redistricting. The black community used a variety of strategies to elect representatives to office and, as Covin makes clear, offered innovative efforts to nominate blacks and to secure descriptive and substantive representation. The Sacramento Area Black Caucus, of which Covin is a member, in the 1970s and the 1980s, and the Summit on African American Concerns in the 1990s, each utilized the "organization of organizations" model developed by Aldon Morris (1984) to maximize relatively limited black voting power and to mobilize its dispersed population. In the latter case the summit developed relatively strong commitment strategies to tie black organizations to the electoral strategy, economically and along policy lines.

The article describes a series of efforts to address the problems of electing black representatives in circumstances in which the population is not sufficiently large or concentrated to do so easily. Covin charts the process by

which the individuals and organizations learned how to construct a workable strategy. He also identifies continuity between issues and events that had been important decades before, even though the black population had undergone considerable turnover within almost three decades; how the new cohorts of political activists had learned what others had accomplished before them; and how the groups created space within which to articulate their own narratives, political goals, and values. While these organizations worked in conjunction with other racial and ethnic groups, they were not always free either from internal conflict or from conflict with, or attack from, others. Covin uses social mobilization theory as an organizing principle for understanding Sacramento's redistricting process.

Covin's study is conceptualized outside of the legal framework or assumptions used by many of the other authors in this symposium. However, it offers the rich detail and the perspective that addresses the struggle of a racial and political minority to organize and mobilize for political space that the others lack.

Susan A. MacManus and Lawrence Morehouse in "Redistricting in the Multiracial Twenty-First Century: Changing Demographic and Socioeconomic Conditions Pose Important New Challenges" offer several questions for voting rights policymakers. They note that the dichotomous definitions of race that have been integrated into the law have political consequences. Race, they argue, is more complex than the current policies allow; the Census Bureau, for example, has begun to consider use of a multiracial category for the census in the year 2000. This will be a highly contentious issue, one that will be litigated because it has important political consequences for racial and ethnic groups, but particularly for African Americans. The traditional American concept of race has been dichotomous; it defined all individuals who had "one drop of black blood" as black, of African ancestry. There were significant costs to this policy during all previous eras of racial policy, including colonial America and the American republic during slavery, reconstruction, segregation, and even post-segregation for those subject to it. On the other hand, this traditional "policy" created a relatively larger group for purposes of political mobilization than might be defined by biologically determined definitions of race.[3]

MacManus and Morehouse discuss evidence of political and social heterogeneity among Hispanic and Asian Americans, and increasing political heterogeneity among African Americans. This is an interesting effort since the literature on these first two "groups" is clear; they are heterogeneous, based on national origin and socioeconomic and political variation. MacManus and Morehouse are trying to prove the obvious. De La Garza et al. emphasized the lack of a Pan Hispanic national identity in their work (1992), and this author has addressed the differing histories, origins, and cultures of these groups that would lead to distinctive political identities, and a different pattern of political identification from African Americans. Asian Americans have similar patterns of complexity (Nakanishi, 1991; Pinderhughes, 1992). The question is what difference this distinction makes.

Blacks are the model minority in that they are the group around which nonmajority politics is modelled, and they are relatively homogeneous in contrast to other racial and ethnic groups in the American context (Hu-

DeHart, 1991). MacManus and Morehouse also argue that African Americans are increasingly heterogenous politically and less strongly identified with the Democratic party; here the evidence is less clear and the evidence of increasing interest among African Americans in an independent political party or black political party, as Dawson's recent work has shown, is emphasized less directly (Dawson, 1994; Dawson, 1994a; Dawson, 1995). More important is their emphasis on the growing significance of conservatism within the African-American community, but their evidence for this is drawn from incidental examples in the popular media.

MacManus and Morehouse's observations on the changing population demographics in the American twenty-first century, including ethnically heterogenous groups, such as the Latinos and Asians, and politically more heterogeneous African Americans, even multiracial African Americans, lead them to several conclusions. Racial and ethnic diversity will require multiracial coalitions and may, depending on the courts, require different districting strategies. Their view that multiracial coalitions will be required is a rational one given the racial and ethnic balance nationally, and is a recommendation this author has made in other work (Pinderhughes, 1992). MacManus and Morehouse's subsequent expectation therefore of lesser emphasis on majority-minority districts by the courts is already a reality. What social scientists have the obligation to consider is what the evidence shows as to the politically effective and politically possible strategies for the representation of the interests, descriptive as well as substantive, of populations of color.

Notes

1. Research on minority (in the generic sense of the term) electoral representation shows at-large electoral systems disadvantage them if a majority of the voters prefer the majority political party, racial or ethnic group, linguistic or religious group, etc. See, e.g., Davidson and Korbel, 1984.
2. See, for example, the recent symposium on *Shaw v. Reno* by a number of the same authors, including Grofman, Karlan, MacManus, Parker, and Pinderhughes (McClain and Stewart, 1995).
3. Examples of work that addresses conceptions of race in the American context include Barnett's 1976 article, which distinguishes race and ethnicity and offers examples of the characteristics of black politics. A. Leon Higginbotham (1980) traces the origins of racially based differentiation of African Americans in the colonial legal system. Oliver Cromwell Cox's 1959 study *Caste, Class and Race* is a major theoretical exploration of the differences among these ways of ordering populations. Mario Barrero (1979) examines the economic and group-based restrictions imposed on Latinos in what became the southwestern United States. Jackson and Preston (1991) and Gomes and Williams (1992) offer a range of explorations of issues of concern to African Americans, and to the more heterogeneous population of California. An excellent source for the range of issues confronting African Americans as a distinctive racial group is Persons (1993).

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The 1990s Round of Redistricting: A Schematic Outline of Some Key Features

Bernard Grofman

University of California, Irvine

The Impact of the Voting Rights Act

Perhaps the single most important feature of the 1990s round of redistricting has been the role played by Section 5 and Section 2 of the Voting Rights Act. I have characterized the Act as a "brooding omnipresence" in redistricting decision making in the 1990s (Grofman, 1993a: 1263). In states covered by Section 5, as a result of direct pressure brought by the Department of Justice and fear of preclearance denials, there have been dramatic increases in the number of black majority and Hispanic majority seats created in state legislatures (and for Congress), especially in heavily black states like Louisiana and Mississippi that have been resistant to black voting rights and that historically have contested any attempt to provide black representational gains through redistricting.[1] A very high proportion of the black majority districts that have been created have elected minority candidates of choice (Arden, Grofman, and Handley, this volume). Even in states not subject to Section 5, Section 2 litigation (or simply anticipation of probable unfavorable court decisions) has led to substantial minority gains at the legislative level.[2]

Critical to the incredible impact that the Act has had on minority representation have been a number of key factors, including: (a) an insider rather than outsider position for minorities with respect to legislative and congressional districting in the 1990s in many states; (b) the computer revolution that made it possible for minority legislators and minority advocacy groups to generate a plethora of plans to be produced at the click of a mouse, and allowed for fine-tuning of variants; (c) vigorous enforcement of Section 5 of the Act by the Voting Rights Section of the Department of Justice; (d) until quite recently, remarkable continuity in voting rights case law, with *Thornburg v. Gingles* (1986) continuing to define the parameters of minority vote dilution for jurisdictions not covered by Section 5 for the initial 1990s round of

districting; and (e) a Republican strategy that sought to use litigation under the provisions of the Act to force major changes in district lines, with the expectation that such changes would inevitably benefit the Republican minority not just by concentrating Democrats in heavily minority districts but also by displacing (mostly Democratic) incumbents.

Hagens (this volume) and Gartner (1992; this volume) provide discussion that bears directly on points (a) and (b). Hagens illustrates that, unlike what happened in earlier decades, in the 1990s round, input from minority legislators was an important part of the redistricting bargaining process in Virginia. Gartner's elucidation of the nature of the selection process for the New York City Districting Commission indicates that it essentially guaranteed that spokespersons for various minority communities would have representation on the Commission. Gartner argues that the complex representational process that created the New York City Council districting commission gave rise to lines that fairly reflected the diverse communities within New York City. Hagens (this volume) shows how the ready computer access of minority legislators and groups seeking to foster minority interests affected the redistricting bargaining process in Virginia.

In New York City Council redistricting, the Commission provided public access to individuals and groups that permitted them to use the Commission's data base and computer mapping programs to generate alternative plans. Gartner sees this as a model for redistricting. The plan adopted by the Commission (precleared by the DOJ after only minor changes) was one that led to huge gains in representation for both blacks and Hispanics.

Because of space constraints, I will confine further discussion of the factors that impacted the effective implementation of the Voting Rights Act to points (c) through (e).

Enforcement of the Voting Rights Act by the Department of Justice

In my view, Section 5 preclearance was never more effective in safeguarding minority rights than in the 1990s round. One of the puzzles of voting rights enforcement is why the Department of Justice under Republican presidents has pursued a generally tough enforcement policy in the area of voting rights while regressing or retrenching in all other civil rights domains. One standard answer is that it is all a Republican plot. In this view, Republicans at DOJ try to create as many highly concentrated minority districts as they can in order to pack Democrats. I view this as much too simplistic a tale.

The civil service professionals at the Voting Rights section of DOJ seek to enforce the Act in a completely nonpartisan fashion and they are highly competent (albeit overworked). While there is some interference from political appointees, all in all, on balance I would regard this interference as minimal, and, in any case, political interference in voting rights enforcement has almost certainly lessened since the departure of Bradford Reynolds from DOJ. Moreover, there are a number of instances where DOJ actions under the Bush administration (as in the Los Angeles County Board of Supervisors case) directly harmed Republican interests (Grofman, 1993a).

The story I prefer is one in which Republican belief that strict voting rights enforcement would in the long run benefit Republican interests acted to

shield the Voting Rights Section from the conservative backlash that has crippled civil rights enforcement in other areas—permitting DOJ staff in the Voting Rights Section to, by and large, just do their job and enforce the Act as they see it, especially with respect to Section 5.[3] When Clinton came into office, with his retreat on the Lani Guinier appointment, there was an initial period when there was no assistant attorney general (AAG) for civil rights—conducive to a maintenance of previous enforcement policies—and when Deval Patrick was appointed AAG, he, too, was committed to vigorous enforcement of the Act. In my view, there has been remarkable continuity in DOJ voting rights policies from Bush to Clinton, with the present AAG vigorously defending the preclearance denials made by his predecessor.

Continuities in Voting Rights Jurisprudence

Turning to point (d), when I began writing this essay in early 1993 there had been no real retrenchment on the part of the Supreme Court with respect to voting rights issues. Despite several opportunities to revisit the *Thornburg v. Gingles* decision and make it harder to prove a violation of Section 2 of the Act, the Court had reiterated that *Thornburg* defines the Section 2 test for minority vote dilution.[4] The only real change was that the Court had signaled to federal courts that they should defer more to state court jurisdiction in the initial phases of redistricting litigation (Karlan, 1993). Until *Shaw v. Reno*, the Court had allowed broad discretion to legislatures to go beyond what may be required by the Act in terms of race-conscious line drawing as long as other constitutional standards were not violated.[5]

Backlash to the Voting Rights Act

The strange shape of some majority-minority districts has helped trigger a scholarly and public backlash against the Voting Rights Act[6] and is the direct cause of the Supreme Court's peculiar opinion in *Shaw v. Reno* (see below). While I can understand popular disgust at some of the lines drawn ostensibly in the name of fostering minority voting rights:[7] (a) many of the more bizarre features of the legislative and congressional plans of the 1990s reflect partisan or incumbent protection calculations (just as in previous decades)[8] and should not be blamed entirely (or even mostly) on the Voting Rights Act; and (b) compactness is a criterion that should be subordinate to the protection of voting rights.[9] Nonetheless, the shape of districts such as North Carolina's twelfth congressional district suggests to the media, the public, and, most importantly, to many members of the Supreme Court, that race has (except for population equality) become the only real criterion governing redistricting, and that "maximizing" has replaced "equal opportunity" as the standard.[10]

To what extent do the Supreme Court's recent decisions in recent cases such as *Shaw v. Reno* (1993) and *Miller v. Johnson* (1995) mark a dramatic break with the past and a harbinger of an end to the "second reconstruction"?

In *Shaw v. Reno*, the Court created a new constitutional cause of challenge to a districting plan, namely, that a plan had an impermissible racial motive—to segregate the races—allowing a plan to be struck down even if it

did not have impermissible consequences in terms of diluting the voting strength of any group. In this case, a five-member majority on the Supreme Court viewed a North Carolina congressional district (the twelfth) that had been consciously drawn with a black majority as potentially violative of the Equal Protection Clause of the Fourteenth Amendment because the startlingly irregularities in its shape suggested to them that the district could have no legitimate purpose other than to assure racial representation.

On the face of it, this decision would appear incompatible with the requirements of the Voting Rights Act for race-conscious districting to remedy vote dilution. Thus, the decision would seem to threaten the dramatic black (and Hispanic) gains in representation that have been brought about over the past several decades through the creation of majority-minority districts. Moreover, the *Shaw v. Reno* decision can be attacked because: (a) it places a burden of presumptive constitutional illegitimacy on tortuously shaped black majority districts that it does not place on similarly ugly white majority districts; and (b) because it appears to elevate the criterion of compactness to a status it does not deserve, allowing claims of ill-compactness to block the implementation of legislative attempts to compensate for long-standing minority exclusion.

Initially, I was more sanguine than many other voting rights specialists about the *Shaw* opinion because I saw it as a narrow one, in that the district under challenge was a truly bizarre one, and the North Carolina congressional plan a crazy quilt—with some districts arguably violating even the minimal requirement of contiguity;[11] and because the *Shaw* Court did not actually invalidate the North Carolina plan, but merely remanded the case for a new decision based on the constitutional test enunciated in *Shaw*. However, with the *Miller v. Johnson* decision, which overturned a Georgia congressional district that was nowhere near as ill-compact as the North Carolina twelfth, but whose creation could be laid almost entirely to insistence by the Department of Justice that Georgia go from one majority black congressional district in the 1980s redistricting round to three such districts in the 1990s, it is clear that the Court majority is anxious to put curbs on DOJ's use of its preclearance authority.

There are still some reasons why all is not lost. First, by a 2–1 vote the district court in *Shaw v. Hunt* upheld North Carolina's congressional plan upon its remand by the Supreme Court. It is at least possible, albeit in my view highly unlikely, that plan will be allowed to stand when the Supreme Court considers the appeal of the remand in fall 1995. Second, while the 5–4 lineups in *Shaw* and *Miller v. Johnson*, and the intemperate tone of some of the opinions in these (and other) cases, suggest that the Court is strongly polarized around voting rights issues and that there are justices on the Court who wish an almost total reversal of the current interpretation and implementation of the VRA, there is every reason to expect that their views will remain in a minority on the Court, at least for the near future. Justice O'Connor, whose orientation is relatively case-specific and fact-specific, holds the pivotal vote (Grofman, 1995, 1996b).

Moreover, if we look at the Supreme Court's 1995 affirmance (by a unanimous vote) of the California districting plans created under the authority of the California Supreme Court in *DeWitt v. Wilson*, we see that majority-mi-

nority districts can be sustained, as long as it can also be shown that factors other than racial balance were important in the districting decision making as to the number of and configuration of these majority-minority districts. Finally, as I have written elsewhere, the most important implications of *Shaw* hold only at the level of congressional districting: "(G)iven the degree of residential segregation in the U.S., drawing relatively compact and clearly contiguous black districts at the local level (or even for most state legislatures) is not that difficult" (Grofman, 1996b).

The Republican Involvement in 1990s Redistricting

With respect to point (e), it is indisputable that there were numerous states where Republican attorneys brought lawsuits in which they argued the need for (additional) heavily minority legislative or congressional districts. Many of these lawsuits were part of a well-coordinated and well-financed strategy originating at the Republican National Committee. One Republican aim was to pack Democrats in heavily black districts (especially in the South) and thus to weaken the Democratic support base in other districts.[12] Moreover, it appears that the usual advice given by some senior RNC legal staff to Republican politicians in states where there was divided party government was to refuse to agree to bipartisan sweetheart deals and let the courts do the redistricting. As I have argued elsewhere, with respect to redistricting, only sometimes will helping blacks help Republicans (Brace, Grofman, and Handley, 1987), yet it seems indisputable that the Republican strategy of promoting the creation of new black seats was often associated with Republican gains in the South in the 1990s (cf. Canon, Schousen, and Sellers, 1993).[13] Nonetheless, in my view the proportion of Republican gains that can be attributed to racially oriented redistricting has been much overstated.[14]

Conflicts among Minority Groups: A New York Illustration

The complexities of applying the Voting Rights Act are at their greatest in situations where there are multiple groups that fall directly under its coverage, especially when those groups are residentially intermixed to a considerable degree (Grofman, 1993b). Exactly that problem arises in places like New York City. Gartner (1992) describes some of the conflicts over redistricting choices that arose during the course of the Districting Commission deliberations between blacks and Hispanic, Hispanics and Asian Americans, and between subgroups of the Hispanic community—some of which led to lawsuits challenging the eventual Commission plan.[15]

For elections in New York City, Gartner (1992) discusses how to decide the conditions for a district to be one in which a given minority might have a realistic opportunity to elect candidates of choices. The strategy followed by the New York City Districting Commission was, where possible, to create districts in which one group constituted the preponderance of the actual electorate.[16] One of the difficulties in seeking to create such majority-minority districts is that, in racially and ethnically mixed areas such as the Bronx, the resulting districts almost inevitably resemble amoebas or other strange creatures.

Because population levels do not directly translate into voting strength at the polling booth due to differences in citizenship proportion, age eligibility, and rates of political participation (as well as differences in political cohesiveness), and because groups differ in their level of geographic concentration (with African Americans more geographically concentrated than either Hispanics or Asian Americans), a plan that seeks to provide equal treatment to all minority groups covered under the Act (as well as to nonminority voters) may still result in one group having a greater degree of representation relative to its population share than other groups. This happened in the New York City redistricting of the 1990s, leading some Hispanic groups to feel (wrongly, in my view) that greater weight had been given by the Commission to black interests than to Hispanic interests even though there was a significant increase in the proportion of city council seats that were won by Hispanics after the districting plan had been implemented.[17]

Factors That Were Less Important in 1990s Redistricting than Expected

In the 1990s round of redistricting, some anticipated changes in the basic ground rules never materialized. *Bandemer v. Davis* (1986) raised the possibility that egregious partisan gerrymandering would be grounds for a finding of unconstitutionality. Allegation of political gerrymandering can be seen as a dog that barked softly and bit only once in the 1990s—in a case that overturned the statewide basis of the election of some North Carolina judges.

The proposed statistical adjustment of the census to compensate for minority undercount and attempts to take redistricting out of the hands of legislatures can be seen as two other dogs that so far have only barked, but whose bite might yet be seen in the next round of redistricting.

After the Department of Interior rejected proposals for statistical adjustment of the census to compensate for minority undercount, a challenge to the census figures dragged on in the courts past the point where it would have any relevance to the 1990s round of redistricting and was eventually rejected. Whether there will be statistical adjustment of the next census is, in my view, far more likely to be affected by whether or not a Democrat is in the White House in 2000 than by any future federal court decisions.

In the vast majority of states, redistricting is in the hands of the legislature. Good government types in the Midwest and elsewhere have sought to inspire a grass-roots revolt against permitting legislatures to draw the districts from which their own members would run. Their attack on legislative control of redistricting is based on the Lockean theory that no person should be a judge in his own case, and on the practical grounds that legislatures (and governors) were botching the job and engaging in partisan and incumbent gerrymandering. In California and elsewhere Republicans put forward initiatives to take redistricting out legislative hands on the general theory that most state legislatures were under Democratic control and Republicans couldn't do any worse. While the term limits movement has changed the landscape of American legislative politics, change in redistricting practices has failed to spark public interest. The number of jurisdictions that have ended (or even severely restricted) legislative control of the redistricting process has changed very little since 1980.

Nonetheless, alternative models of how redistricting might be done, such as the New Jersey model of a bipartisan commission with a nonpartisan chair who can effectively force the parties to offer plans intended to satisfy specified criteria (Stokes, this volume)[18] and the New York City model of a racially and ethnically diverse districting commission with a first-rate technical staff and administration oriented to promoting compromise among competing interests and responding to a City Charter that lays out criteria for districting (Gartner, 1992, this volume), may well serve as inspiration for reformers as we look toward how redistricting should be done in the twenty-first century.[19] However, just as in the 1990s round of redistricting, to a greater extent than ever before, failure of governors and legislatures to agree to districting plans thrust redistricting decision making into the hands of federal or state courts, so I would expect to see this pattern repeated in the next reapportionment round.

Reflections

While we might prefer to live in a color-blind society, we live in a "'second-best' world where color-conscious problems require color-conscious remedies" (Grofman and Davidson, 1992). The Voting Rights Act may be far from perfect, but the need for it remains. As Maurice Chevalier responded when asked how he liked being old: "Consider the alternative." In large part because of the Voting Rights Act, the 1990s round of redistricting has led to dramatic growth in the number of minority officials in Congress and in state legislatures, and there will be some additional gains over the course of the decade, even though some majority-minority districts may fall to Shaw-type challenges, because some districts that are currently not electing minorities will do so later,[20] and some redrawn districts will continue to elect minorities. Thus, despite *Shaw v. Reno* and its progeny, I prefer to end this essay on a hopeful note.

Notes

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1. See, e.g., Parker (1990).
2. As I have argued elsewhere (Grofman, 1993a), the Voting Rights Act is often most influential where its impact is least visible. By anticipating how courts and DOJ will interpret the Act so as to attempt to stave off their plan being rejected, legislators frequently make changes they would not otherwise have made. Thus, even if a plan is overturned in court or denied preclearance the difference between what was rejected and what eventually becomes law may not seem that large. Yet, without the influence of the Voting Rights Act, the proposed redistricting plan could well have looked quite different.
3. See extended discussion of these points in Grofman (1993a).
4. The *Presley v. Etowah County* (1992) opinion deals with issues not covered in Thornburg. Also, I am not as critical about this opinion as many voting rights scholars, even though it was a virtually unheard of reversal of the statutory interpretation of an agency (DOJ) to whom the Court usually gives deference.

I would emphasize the part of the lower court opinion that the Supreme Court left standing (albeit a part of the opinion that was not on appeal) as much as the part that they overturned. (For discussion of issues closely related to *Presley*, see Guinier, 1991a.) Moreover, on the other side of the coin, with respect to judicial elections, at the beginning of the 1990s, the Supreme Court took a more expansive view of the Act's scope of coverage than had previous courts (see Karlan, this volume).

5. In my view, one reason for this relatively long continuity in the case law was that voting rights law was seen as fundamentally distinct in many ways from other areas of Fourteenth Amendment jurisprudence, permitting even conservative justices to assent to color-conscious choices so as to safeguard fundamental rights. Space does not permit me to elaborate this argument. See Grofman (1993a: 1243–47).
6. In addition, Democrats have been concerned with the partisan implications of drawing heavily minority districts that tend to soak up Democrats (see below).
7. In *Pope v. Blue* (1992), I provided expert witness testimony that the twelfth North Carolina congressional district should not be regarded as contiguous and that the plan was a crazy quilt pattern that violated what I then called a "cognizability" standard (and now am calling a "recognizability" standard: see Grofman, 1993a: 1260–63; cf. Grofman and Davidson, 1992), although I also indicated in my testimony that I regarded that North Carolina plan as very nearly *sui generis*. Similarly, Donald Stokes, although very sympathetic to concerns for minority representation, does not wish to eliminate attention to preserving geographically defined communities of interest. He too has been critical of the North Carolina congressional district that, as he characterizes it, "picks up black voters along an interstate highway linking two widely separated and disparate communities—Durham at the eastern end of the district and Charlotte at the western end" (Stokes, 1993a: 24). He has also criticized a New York City Council district that, in his words, "stitches together pockets of Latino strength in three of the city's five boroughs" (Stokes, 1993a: 24).
8. Moreover, an overemphasis on strict population equality has often been carried to the point of absurdity and led to disregard for preserving political subunit boundaries or creating districts that mapped onto cognizable communities of interest. See, e.g., Stokes (1993a: 22), Grofman (1992a: 786–88).
9. See further discussion in Grofman (1993a).
10. While some believe that this is as it should be, I do not. See Grofman (1993a).
11. See my expert witness report in *Pope v. Blue* (Grofman, 1992b) and Grofman (1995).
12. Some students of the 1980s round of redistricting had attributed Republican legislative gains in states such as South Carolina to the creation of black districts that siphoned off white voters from proximate areas (see, e.g., Mann, 1992; cf. Brace, Grofman, and Handley, 1987). The same strategy was pursued even more vigorously by Republicans in the 1990s.
13. In particular, Benjamin Ginsberg (former chief counsel, Republican National Committee) was correct when he said (personal communication, December, 1992) that it was premature after the 1992 elections to draw a balance sheet for the Republicans' 1990 litigation strategy; we needed to see the results of off-year elections
14. Wayne Arden, Lisa Handley, and I are currently doing research that we hope will provide a definitive estimate as to the magnitude of such Republican gains.
15. In a larger monograph from which portions of his essay for this volume are drawn, Gartner (1992) also discusses at length the influence minority organizations had on the city council districting process in New York and on the interplay between partisan and racial considerations.

16. I served as a consultant to the Commission.
17. See Grofman (1993a) for a discussion of controversies involving New York City Council districting and Grofman (1993b) for discussion of related legal and theoretical points.
18. Stokes (1993a, this volume) believes that the New Jersey experience demonstrates that a mixed process of redistricting, with balanced party membership of the Apportionment Commission and a public member committed to explicit standards of public interest, can produce boundaries that are fair between the parties, responsive to the shifting tides of electoral support, and provide appropriate tradeoffs among values such as preserving geographic communities, satisfying equal population requirements, and serving the need for effective minority representation.
19. My own view is that the constraints set by Voting Rights Act Section 5 enforcement and Section 2 standards have a far greater impact on how redistricting will affect minorities than the question of who does redistricting. I hope to empirically investigate this issue in future work.
20. Also, additional districts in which minorities have a realistic opportunity to elect candidates of choice will be created by new Section 2 challenges at the local level.

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Minority Representation and the Tradeoffs in Legislative Redistricting

Donald E. Stokes

Princeton University

A clear lesson to be learned from the most recent round of legislative redistricting in the United States is that extending minority representation in directions suggested by the "Gingles" rule involves a tradeoff with the traditional value of representing geographic communities. I describe here the insight into the substantive and procedural issues surrounding this tradeoff that I gained as the public member of the commission that redrew the boundaries of New Jersey's state legislative districts. I will first sketch New Jersey's experiment with redistricting by commission and will then turn to the tradeoff between representing geographic communities and Gingles-style improvements in minority representation—as well as to the closely related tradeoff between representing geographic communities and achieving strict population equality among districts.

Redistricting on the New Jersey Model

When the courts were remaking American representation in the wake of *Baker v. Carr*, they came upon an upper house in New Jersey's legislature composed of one senator from each county. The New Jersey Supreme Court was unimpressed by claims that such an arrangement was appropriate for the state that had once sold the rest of the country on the idea of the equal representation of states in the U.S. Senate. It declared this "little New Jersey Plan" to be a violation of the U.S. Constitution and mandated the legislature to call a limited constitutional convention to fix it. Since, at the time, the Republicans controlled the legislature, but the governor, who would have to sign the enabling legislation, was a Democrat, the convention was finely balanced between the parties, and the two sides worked out a redistricting procedure that was itself finely balanced between the parties.

Under this procedure, redistricting begins in a census year with the appointment of a highly partisan but balanced Apportionment Commission

of ten members, five chosen by each of the two state party chairmen. After the census data are released, these party delegations have a month to agree on the boundaries of the forty legislative districts. If they do reach agreement, their plan holds for the next decade unless it is overturned by the courts. But if they are deadlocked, the chief justice of the State Supreme Court chooses an eleventh, public member, and the expanded commission has another month to finish the job. Although the constitution does not say what would happen if it fails to do so, no public member worth her or his salt would let the time run out.

What sets this procedure fundamentally apart from redistricting by the ordinary legislative process is the equal weighting of the parties and the procedure for moving a deadlocked Commission to an agreement without tilting it toward one party or the other. To insure an agreement in the public interest, the public member must be much more than a simple "tie-breaker" who chooses between two biased partisan plans, since this limited role would deliver the state legislature into the hand of one party or the other for the next ten years. When I served as the public member in 1981 and 1991, I proposed two tests of fairness between the parties:

1. *Lack of Bias:* if there is a dead heat in popular votes between the parties across the state, there should not be a built-in reason for expecting one of the parties, rather than the other, to control a majority of seats;
2. *Responsiveness:* if a political tide moves the electorate away from a dead heat, the party toward which the tide is moving should build up a majority of seats.

In each of these years a majority of the commission was rallied to a plan that met these tests while also reflecting the parties' agenda on a number of particular points.

That the resulting plans were fair between the parties is borne out by the ten legislative elections—six for the assembly and four for the state senate—that have been held in the state since these tests were first applied in 1981. In each of these the party winning the statewide majority of popular votes has also won a majority of sets in the respective house. The one exception, the assembly election of 1981, vanishes when the results are adjusted for differences in burnout between Democratic and Republican seats. The fairness of the boundaries was most severely tested by the results of the legislative elections of 1987, when one party, the Republicans, received a statewide majority of votes for the assembly and the opposite party, the Democrats, received a statewide majority of votes for the senate. When these votes are translated into seats, each of the parties controlled the house for which it polled a statewide majority, as it should have under a fair plan. When the parties' percentage of seats is regressed on their percent of votes for these ten elections, the regression line very nearly passes through the (50–50) "ideal point" for a totally unbiased plan.[1]

A reasonable judgement of New Jersey's experiment is that the state has found a way of redistricting that lies somewhere between the practice followed in Britain and the older Commonwealth countries of leaving the re-

drawing of constituency boundaries to neutral commissioners, who are notably short on practical wisdom about politics and frequently draw maps that fail to meet the test of fairness I have described, and the typical American practice of leaving the task to the ordinary legislative process, with results that are notably short on public interest.

Extending the Plan to Other Levels of Government

The success of New Jersey's experiment in redistricting its legislative districts has persuaded the state's political activists, journalists, and citizen groups that this mixed process really *is* a better way of redrawing legislative boundaries and should be extended to other levels of government. In 1991 the legislature extended it to the redistricting of New Jersey's congressional seats by giving this task to a mixed commission of thirteen members—six from each party with a neutral chair chosen by the party members. And in 1992 the legislature extended this process to the redrawing of freeholder districts in each of the counties that do not elect their freeholders at large by giving this task to five-member mini-commissions—two chosen by each party and a public commissioner chosen by the chief justice of New Jersey's Supreme Court.

There were detailed differences in the operation of the process between these levels of government, not least the fact that redistricting congressional seats by commission rested on statutory rather than constitutional authority. Moreover, in redistricting the congressional seats the common goal of maintaining New Jersey's clout in Congress by protecting its most senior representatives inevitably joined the goal of fairness between the parties, although the questions of party advantage arose at both levels.

Population Equality and the Tradeoff with Geographic Community

The idea of representing geographic communities has been deeply rooted in the American practice of democracy, and constituencies have been required to be compact, to consist of contiguous territory, and wherever possible to be aligned with the boundaries of such existing civil divisions as counties, townships, and municipalities. Although these criteria are by no means identical, they have the common goal of creating a tie between elected representatives and constituents who belong to a geographic *community*.

This goal has come under heavy pressure from two other criteria that are by now standard parts of the repertory of redistricting—the requirement that districts be of equal population and the requirement that they provide adequate representation of minorities. Indeed, the tradeoff between preserving geographic community, on the one hand, and satisfying the requirements of equal population and minority representation, on the other, supplied a good deal of the tension that marked the latest round of redistricting in the United States.

The quest of population equality has eroded geographic community less in redrawing state legislative districts, since the courts still permit a 10 percent variation between the most and least populous districts. But the equal-population rule led to a greater erosion of geographic community in congres-

sional redistricting, since the Supreme Court has at this level applied a much stricter standard of population equality and has struck down plans in which the most and least populous districts have differed by less than 1 percent. If we note that this standard exceeds the capacity of the Census Bureau to say what the true population of districts is, it is difficult to escape the sense that the Court has at times used trifling departures from precise (formal) equality to void plans it objected to on other grounds, including partisan gerrymandering. The Court may have taken such a carom shot at the gerrymandered congressional districts drawn by New Jersey's Democratic legislature a decade ago when it said the Democratic map failed to meet the equal-population test even though the most populous exceed the least populous of the new districts *by less than 0.7 percent of the statewide average.*[2]

As a result, those redistricting congressional seats have felt compelled to achieve almost precise (formal) population equality to defend themselves against a challenge under the equal-population rule. The statutory commission created in 1991 to redistrict New Jersey's congressional constituencies abandoned municipalities and used the much smaller election districts of the state—and in some cases individual city blocks—to build new Jersey's congressional seats. Indeed, to remove any possibility of challenge on this ground, they created eleven congressional districts that were by the 1990 census *precisely equal* in size, each containing 594,630 people, and two other districts, of 594, 629 each, that fell one person short of the other eleven. In the process they divided twenty-four towns, some into three pieces, and defined several notably noncompact districts.

Minority Representation and the Tradeoff with Geographic Community

Minority representation became a central concern of redistricting with the enactment of the Voting Rights Act of 1965 and court decisions involving the Fourteenth and Fifteenth Amendments to the U.S. Constitution. Although redistricting efforts under the 1965 Act had as their initial target racial gerrymandering in the southern states, the courts and Department of Justice over time extended their view from the South to other parts of the country, from blacks to other minorities, especially Latinos, and from negative racial gerrymandering to positive racial gerrymandering to promote the prospects of minority candidates. With these shifts the initial goal of completing the historical process, begun in Reconstruction times, of bringing African Americans into the country's political life was transformed into one of increasing the number of blacks and Latinos elected to legislative office. Indeed, those redrawing legislative boundaries after the 1990 census often interpreted the rule articulated by the courts in deciding *Thornburgh v. Gingles* as meaning that they were legally obliged to create districts in which blacks or Latinos constituted majorities whenever they had the opportunity of doing so.

The added importance of minority representation was evident in the most recent round of redistricting in New Jersey. In view of New Jersey's need to be ready for a major state election in the first year after the census, the national parties saw the state Apportionment Commission as an early testing ground for their strategies on minority representation, especially for the

Republican effort to create heavily majority-minority districts that would "pack" minority voters and deprive the Democrats of strength they would rather have in neighboring districts. Staff representatives of the Republican National Committee recruited part of the state's NAACP leadership to the idea that a district should be more than 65 percent black to guarantee the conversion of African-American votes into actual representation in the legislature , and one of the districts proposed by the Republican commissioners was nearly 90 percent minority.

This issue was most directly joined in Essex County (Newark and its northern and western suburbs), where the Republicans wanted two heavily black and Latino districts, and the Democrats wanted three less tightly packed minority districts. The translation of potential minority voting strength into seats is conditioned by the realities of local politics, especially the nominating process. In this respect the politics of Newark and Essex County are dramatically unlike the areas of the South for which the Justice Department's guidelines were originally drawn. Although the blacks of Newark and Essex County are economically far less prosperous than the whites, their political empowerment is well advanced, and this power ensures the nomination of black candidates for the assembly and senate from districts where they are in the majority, except the cases where a white incumbent may hold on for a while in a district that is going black or Latino.

In view of these realities, I believed that three black-dominated Essex county districts were more likely than two overwhelmingly minority districts to give these groups a wider opportunity to elect representatives of their choice and, if their choice was to elect minority candidates, a great number of representatives in Trenton. Hence, I worked out with the Democrats the boundaries of three such districts that were also likely to replace a surviving white incumbent by a black representative and made clear to the Republicans that I could not vote for a plan that packed an excessive number of blacks and Latinos into two districts. The Republicans accepted this decision readily enough since their main interest lay in clearing the way for the statewide election they quite correctly expected to win. The 1991 legislative elections did in fact increase minority representation in Trenton, although the location of these gains is a reminder of how uncertain electoral forecasting can be. The three majority-minority districts created from Newark and its western suburbs did indeed elect an additional black to the assembly.

Although this extension of minority representation was achieved without seriously eroding the representation of geographic communities, the potential tradeoff between these goals was never far beneath the surface. The Apportionment Commission knew, for example, that it could carve a legislative district out of Newark's north, central, and east wards in which Hispanics would be the largest population element (though not a majority), and would acquire greater clout in the Democratic nominating politics of Essex County. But the Commission also knew how little the north and central wards' Puerto Ricans held in common with the east ward's Portuguese, who did not regard themselves as Latinos, and put the project aside. The Commission that redrew the boundaries of New Jersey's congressional districts also faced this tradeoff and created some notably noncompact districts in the interest of minority representation, although none rivaling the North

Carolina district that picks up black voters along the interstate highway connecting Charlotte to Durham, or the New York City district that stitches together pockets of Latino strength in three of the city's five boroughs. Such districts have clung, barely, to the criterion of contiguous territory (although liberally exploiting the archaic provision that constituencies can be contiguous across water as well as by land). But they have often ignored compactness and respect for established civil divisions, the two other criteria that have assured the representation of geographic communities.

The goal of these Gingles-style extensions of minority representation is to lessen the disability faced by these minorities in translating their presence in the population into something like an equivalent presence in the legislature. Exactly the same disability faces a political party attracting the support of this fraction of the population. The characteristic ogive graphing the relationship between percent of votes received and percent of seats won is not a straight line running from the (0,0) point at the lower left to the (100,100) point at the upper right. If percent of votes received is the horizontal dimension and percent of seats won the vertical, this S-shaped curve is very flat near the lower left-hand corner, since a party can go from no support at all to support by a quarter of the electorate without winning many seats in a two-party system of plurality election from geographic constituencies. And this S-shaped curve is correspondingly flat near the upper right-hand corner, since it will win few additional seats as it goes from support by three-quarters of the electorate to the total electorate. In between, especially near the (50,50) point, the curve is much steeper; a swing of 1 percent in votes in this "competitive region" will typically translate into far more than a 1 percent swing in seats.

A minor party will escape this disability only if its support is segregated into a limited number of winnable seats, and the same is true of minority groups that seek to translate their voting strength into an equivalent number of minority representatives. Indeed, this is the logic of the Gingles rule; if minority and nonminority citizens vote as blocks, segregating minority voters into districts they can dominate is the only way to increase the number of minority candidates elected. In general, the greater the segregation, the more closely the fraction minority in the legislature will match the proportion minority in the population.

There is increasing debate in the minority community as to whether this degree of segregation is in the interest of minority voters. If public policy is ultimately enacted by legislative majorities, this interest might at times be better served if minority voters were a substantial presence in a larger number of districts. Wherever the truth of this may lie, it will be possible to piece together a greater number of majority-minority districts only by eroding still further the traditional value of representing geographic communities.

Tradeoffs under New Jersey's Model

I believe that New Jersey's distinctive model of redistricting by mixed commission can help to find a balance between the goals of equalizing population and enhancing minority representation on the one hand and of representing compact geographic communities on the other. Since *Baker v. Carr*

the courts have made great strides toward banishing gross population inequalities from representation in America and, with the help of Congress, toward including African Americans in our political life, restarting a process that stopped shortly after the Civil War. But these gains have come at a price, since the redistricters have tended to treat the Court's tests as absolute strictures that demand almost precise mathematical equality between districts and the creation of majority-minority districts wherever they can be drawn—if need be, letting the goal of representing geographic communities fall by the way.

It seems clear that this result goes beyond what the courts require. In the *Karcher* ruling, for example, the majority did not say that all plans must meet a test of precise population equality but only that the Court must be given legitimate reasons *why* a plan has departed from this standard. Although the Court was unwilling to sanction departures that reflected only the interests of those who dominated redistricting by the ordinary legislative process, it showed in the *Karcher v. Daggett* case an awareness of other legitimate goals that might conflict with the one person/one vote ideal. In the words of Justice Brennan:

> Any number of consistently applied legislative policies might justify some variance, including, for instance, making districts compact, respecting municipal boundaries, preserving the cores of prior districts, and avoiding contests between incumbent representatives.[3]

Since the plan that the Court had before it emerged from the ordinary legislative process, it was not hard for the Court to believe that the small population variation that did remain was a byproduct of the effort to draw boundaries to partisan advantage, rather than efforts to represent geographically compact communities or to serve the other criteria listed by Justice Brennan.

A case can be made that a balanced apportionment commission, committed to explicit criteria of the public interest, including population equality, enhanced minority representation, and the representation of geographic communities, would have greater standing before the courts in attempting to balance these partially conflicting goals. It is at least a plausible conjecture that the court would be more accepting, even at the congressional level, of population differences reflecting good faith efforts by bipartisan commissions to balance population equality with the claims of geographic community.

A similar point can be made about the representation of minorities. With encouragement by the Department of Justice, legislatures have sometimes treated the enhancement of minority representation as a license for drawing districts worthy of Elbridge Gerry. An example is surely provided by the districts drawn for the New York City Council under intense pressure from the Department of Justice to increase the representation of blacks and Hispanics. The resulting boundaries did widen the presence of African Americans and Latinos on the Council. But the district lines were so bizarre as to amount almost to electing the Council by proportional representation from citywide racial and ethnic lists. The political and constitutional pitfalls in moving to such a system are so formidable (e.g., which racial and ethnic groups are to have lists—Asian Americans? Poles? Jews?) that it is unlikely

we will jettison altogether the deeply rooted idea of also representing geographic places. Indeed, the subsequent redistricters at times forgot that the courts, as they articulated the Gingles rule, included the requirement that majority-minority districts must be reasonably compact. Balanced commissions, alert to each of these goals, might be in better standing with the courts to work out the tradeoffs between these important, but partially conflicting, criteria.

Notes

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1. A full analysis of these statistical results may be found in Stokes, 1993.
2. *Karcher v. Daggett*, 1983.
3. 462 U.S. 725, at p. 740.

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The Impact of Redistricting on African-American Representation in the U.S. Congress and State Legislatures in the 1990s

Wayne Arden
Bernard Grofman
Lisa Handley

Democratic State Legislative Leaders
University of California, Irvine
George Washington University

The vast majority of states have completed the congressional and state legislative redistricting process and have held elections under the new districts.[1] This paper reviews how the recent round of redistricting impacted African-American representation in Congress and state legislatures. The 1990s round of redistricting is the first to occur since Congress amended Section 2 of the Voting Rights Act. These amendments lessened the requisite burden of proof for minority voters to establish a vote dilution claim and resulted in an increased awareness of the need to more fairly reflect minority voting strength. For this reason, we expected the 1990 redistricting process to lead to significant gains in African-American representation. In fact, the actual gains have exceeded our expectations.

To examine the impact of redistricting, we have prepared two sets of tables. One set of tables summarizes African-American representation following the 1990 elections but prior to the 1990s round of redistricting. The other set of tables describes the impact of redistricting by reviewing the results of the first post-redistricting elections. We have limited our initial review to those states with an African-American population in excess of 10 percent because it is in these states that we anticipated the most significant changes in African-American representation.

As expected, the 1990s redistricting process led to significant gains in the number of African-American legislators and majority African-American dis-

tricts. Tables 1 and 2 indicate that African Americans were underrepresented relative to population proportions following the 1990 elections. This underrepresentation continued to be more pronounced in the south than in other parts of the country (see Grofman and Handley, 1991, for a summary of African-American representation in southern state legislatures prior to 1990). For example, African Americans comprised only 14 percent of the Louisiana state house despite an African-American population statewide of almost 31 percent, and less than 4 percent of the Mississippi senate despite a statewide population of slightly less than 36 percent. The majority of southern states had no African-American representation in Congress at all. Since African Americans were more seriously underrepresented in southern state legislatures and congressional delegations prior to the redistricting process, we expected the greatest gains for African-Americans to occur in the south after redistricting.[2]

Tables 3 and 4 provide the results of the first post-redistricting elections. The elections led to major gains in African-American representation in the south: the number of African Americans serving in Congress rose from 5 to 17, and the number of African-American state legislators increased in every southern state, with the largest gains in Louisiana and Mississippi. In fact, the increase in African-American representation in the south far surpassed the increase elsewhere in the country. For the first time since Reconstruction, African Americans are better represented (i.e., closer to proportional repre-

Table 1
Percent African-American Elected Legislators in the South and Non-South in 1990

	Percent Black Population	State House	(N)	State Senate	(N)	U.S. Congress	(N)
South							
Alabama	25.3	18.1	(105)	14.3	(35)	0.0	(7)
Arkansas	15.9	9.0	(100)	8.6	(35)	0.0	(4)
Florida	13.6	10.0	(120)	5.0	(40)	0.0	(19)
Georgia	27.0	14.4	(180)	14.3	(56)	10.0	(10)
Louisiana	30.8	14.3	(105)	10.3	(39)	12.5	(8)
Mississippi	35.6	16.4	(122)	3.8	(52)	20.0	(5)
N. Carolina	22.0	11.7	(120)	10.0	(50)	0.0	(11)
S. Carolina	29.8	12.1	(124)	13.0	(46)	0.0	(6)
Tennessee	16.0	10.1	(99)	9.1	(33)	11.1	(9)
Texas	11.9	8.7	(150)	6.5	(31)	3.7	(27)
Virginia	18.8	7.0	(100)	7.5	(40)	0.0	(10)
Total	19.2	12.1	(1325)	9.4	(457)	4.3	(116)
Non-South							
Delaware	16.9	4.9	(41)	4.8	(21)	0.0	(1)
Illinois	14.8	11.9	(118)	11.9	(59)	13.6	(22)
Maryland	24.9	17.0	(141)	14.9	(47)	12.5	(8)
Michigan	13.9	10.9	(110)	7.9	(38)	11.1	(18)
Missouri	10.7	8.0	(163)	8.8	(34)	22.2	(9)
New Jersey	13.4	7.5	(80)	5.0	(40)	7.1	(14)
New York	15.9	11.3	(150)	8.2	(61)	11.8	(34)
Ohio	10.6	11.1	(99)	6.1	(33)	4.8	(21)
Total	14.6	11.0	(902)	9.0	(333)	11.0	(127)

The states listed above are states with black populations of 10 percent or greater (according to the 1990 U.S. Census). The percent African-American elected legislators reflects officeholders following the 1989/1990 elections (as reported in *Black Elected Officials: A National Roster 1991*, Joint Center for Political and Economic Studies Press, 1992).

Table 2
Index of African-American Representation in the South and Non-South in 1990

	State House	State Senate	U.S. Congress
South			
Alabama	.72	.57	.00
Arkansas	.57	.54	.00
Florida	.74	.37	.00
Georgia	.53	.53	.37
Louisiana	.46	.33	.41
Mississippi	.46	.11	.56
N. Carolina	.53	.45	.00
S. Carolina	.41	.44	.00
Tennessee	.63	.57	.69
Texas	.73	.55	.31
Virginia	.37	.40	.00
Total	.63	.49	.22
Non-South			
Delaware	.29	.28	.00
Illinois	.80	.80	.92
Maryland	.68	.60	.50
Michigan	.78	.57	.80
Missouri	.75	.82	2.07
New Jersey	.56	.37	.53
New York	.71	.52	.74
Ohio	1.05	.58	.45
Total	.75	.62	.75

The index of African-American representation is calculated by divided the percentage of African-American legislators by the percentage black in the state population (see Karnig and Welch, 1982, for a critique of this method of operationalizing African-American representational equity as compared to other possibilities).

sentation) in southern state legislatures than in state legislatures elsewhere in the country. Two nonsouthern states examined, Michigan and Illinois, actually experienced a decrease in the number of African-American state legislators.

The primary reason for the surge in African-American representation was the increase in the number of majority black districts drawn. A comparison of Tables 5 and 6 indicates an increase in the number of majority black districts in almost every state, although the growth was greater overall in the south. In only two states—neither of which are southern—did the number of majority black districts actually decrease: Michigan drew three fewer majority black state house districts and Ohio drew one less majority black state senate district. Of the two states, however, only Michigan suffered a corresponding decrease in the number of African-American state legislators.

Not only did states draw more majority black districts, but jurisdictions were apparently also more successful in the 1990s than in the 1980s in drawing "effective" minority districts (i.e., districts in which minority voters have a realistic opportunity to elect candidates of their choice).[3] The percentage of majority black districts that elected African Americans to office increased, as evidenced by comparing Table 7A and B to Table 8A and B.[4] The proportion of majority black districts that elected African Americans to office in 1992 was slightly greater than .80 (.81 in the state house and .82 in the state senate). This proportion may well increase over the course of the decade as majority black districts that failed to elect African Americans in 1992 proceed to do so in subsequent elections.

Table 3
Percent African-American Elected Legislators in the South and Non-South in 1992

	Percent Black Population	State House	(N)	State Senate	(N)	U.S. Congress	(N)
South							
Arkansas	15.9	10.0	(100)	8.6	(35)	0.0	(4)
Florida	13.6	11.7	(120)	10.0	(40)	13.0	(23)
Georgia	27.0	17.2	(180)	16.1	(56)	27.3	(11)
Louisiana	30.8	22.9	(105)	20.5	(39)	28.6	(7)
Mississippi	35.6	26.2	(122)	19.2	(52)	20.0	(5)
N. Carolina	22.0	15.0	(120)	12.0	(50)	16.7	(12)
S. Carolina	29.8	14.5	(124)	15.2	(46)	16.7	(6)
Tennessee	16.0	12.1	(99)	9.1	(33)	11.1	(9)
Texas	11.9	9.3	(150)	6.5	(31)	6.7	(30)
Virginia	18.8	7.0	(100)	12.5	(40)	9.1	(11)
Total	18.8	14.8	(1220)	13.5	(422)	13.6	(125)
Non-South							
Delaware	16.9	4.9	(41)	4.8	(21)	0.0	(1)
Illinois	14.8	10.2	(118)	13.6	(59)	15.0	(20)
Michigan	13.9	10.0	(110)	12.5	(16)		
Missouri	10.7	8.0	(163)	8.8	(34)	22.2	(9)
New Jersey	13.4	12.5	(80)	5.0	(40)	7.7	(13)
New York	15.9	13.3	(150)	8.2	(61)	12.9	(31)
Ohio	10.6	12.1	(99)	9.1	(33)	5.3	(19)
Total	13.8	10.5	(761)	8.9	(248)	12.8	(117)

The states listed above are states with black populations of 10 percent or greater, excluding Alabama (which has not yet completed its state legislative redistricting), Maryland (which did not have any 1992 state legislative elections), and the Michigan state senate (which did not have any 1992 elections). The percent African-American elected legislators reflects officeholders following the 1991/1992 elections.

Table 4
Index of African-American Representation in the South and Non-South in 1992

	State House	State Senate	U.S. Congress
South			
Arkansas	.63	.54	.00
Florida	.86	.74	.96
Georgia	.64	.60	1.01
Louisiana	.74	.67	.93
Mississippi	.74	.54	.56
N. Carolina	.68	.55	.76
S. Carolina	.49	.51	.56
Tennessee	.76	.57	.69
Texas	.78	.55	.56
Virginia	.37	.66	.48
Total	.79	.72	.71
Non-South			
Delaware	.29	.28	.00
Illinois	.69	.92	1.01
Michigan	.72	.90	
Missouri	.75	.82	2.07
New Jersey	.93	.37	.57
New York	.84	.52	.81
Ohio	1.14	.86	.50
Total	.76	.64	.88

The index of African-American representation is calculated by divided the percentage of African-American legislators by the percentage black in the state population (see Karnig and Welch, 1982, for a critique of this method of operationalizing African-American representational equity as compared to other possibilities).

Table 5
Percent Majority African-American Districts in 1990

	Percent Black Population	State House	(N)	State Senate	(N)	U.S. Congress	(N)
South							
Alabama	25.3	19.0	(105)	17.1	(35)	0.0	(7)
Florida	13.6	7.5	(120)	2.5	(40)	0.0	(19)
Georgia	27.0	18.9	(180)	19.6	(56)	10.0	(10)
Louisiana	30.8	18.1	(105)	15.4	(39)	12.5	(8)
Mississippi	35.6	26.2	(122)	26.9	(52)	20.0	(5)
N. Carolina	22.0	7.5	(120)	6.0	(50)	0.0	(11)
S. Carolina	29.8	21.0	(124)	21.7	(46)	0.0	(6)
Tennessee	16.0	11.1	(99)	9.1	(33)	11.1	(9)
Texas	11.9	6.0	(150)	3.2	(31)	0.0	(27)
Virginia	18.8	9.0	(100)	5.0	(40)	0.0	(10)
Total	19.3	14.5	(1225)	13.5	(422)	3.4	(116)
Non-South							
Delaware	16.9	4.9	(41)	4.8	(21)	0.0	(1)
Illinois	14.8	11.9	(118)	10.2	(59)	13.6	(22)
Maryland	24.9	17.0	(141)	17.0	(47)	12.5	(8)
Michigan	13.9	14.5	(110)	10.5	(38)	11.1	(18)
Missouri	10.7	8.6	(163)	11.8	(34)	11.1	(9)
New York	15.9	8.6	(150)	6.6	(61)	5.9	(34)
Ohio	10.6	4.0	(99)	6.1	(33)	4.8	(21)
Total	14.7	10.5	(822)	10.2	(239)	8.7	(127)

The states listed are states with black populations of 10 percent or greater. No state legislative data was available for Arkansas or New Jersey; therefore, these two states have been excluded. The percentages reported in this table reflect the districting plans in place for the 1989/1990 elections. Single member districts are counted once, multimember districts (both those that are majority black and those that are not) have a value equal to the number of delegates elected.

Table 6
Percent Majority African-American Districts in 1992

	Percent Black Population	State House	(N)	State Senate	(N)	U.S. Congress	(N)
South							
Arkansas	15.9	13.0	(100)	8.6	(35)	0.0	(4)
Florida	13.6	10.8	(120)	7.5	(40)	13.0	(23)
Georgia	27.0	23.3	(180)	23.2	(56)	27.3	(11)
Louisiana	30.8	24.8	(105)	23.1	(39)	28.6	(7)
Mississippi	35.6	31.1	(122)	23.1	(52)	20.0	(5)
N. Carolina	22.0	13.3	(120)	8.0	(50)	16.7	(12)
S. Carolina	29.8	22.6	(124)	23.9	(46)	16.7	(6)
Tennessee	16.0	11.1	(99)	9.1	(33)	11.1	(9)
Texas	11.9	7.3	(150)	3.2	(31)	3.3	(30)
Virginia	18.8	12.0	(100)	12.5	(40)	9.1	(11)
Total	18.8	17.2	(1220)	15.2	(422)	12.8	(125)
Non-South							
Delaware	16.9	4.9	(41)	4.8	(21)	0.0	(1)
Illinois	14.8	15.3	(118)	13.6	(59)	15.0	(20)
Maryland	24.9	19.9	(141)	19.1	(47)	25.0	(8)
Michigan	13.9	11.8	(110)	13.2	(38)	12.5	(16)
Missouri	10.7	8.6	(163)	11.8	(34)	11.1	(9)
New Jersey	13.4	7.5	(80)	7.5	(40)	7.7	(13)
New York	15.9	10.0	(150)	11.5	(61)	9.7	(31)
Ohio	10.6	6.1	(99)	3.0	(33)	5.3	(19)
Total	14.6	11.3	(902)	11.4	(333)	11.1	(117)

The states listed are states with black populations of 10 percent or greater. Alabama has not yet redistricted its state legislature and therefore has been excluded. The percentages reported in this table reflect the districting plan in place for the 1991/1992 elections. Single member districts are counted once, multimember districts (both those that are majority black and those that are not) have a value equal to the number of delegates elected.

Table 7A
Percentage of Majority African-American and Nonmajority African-American Districts that Elected African-American State House Members in the South and Non-South in 1990

	Percent Majority Black Districts Electing African-American Legislators	(N)	Percent Nonmajority Black Districts Electing African-American Legislators	(N)
South				
Alabama	95.0	(20)	0.0	(85)
Florida	100.0	(9)	2.7	(111)
Georgia	73.5	(34)	.7	(146)
Louisiana	78.9	(19)	0.0	(86)
Mississippi	59.4	(32)	0.0	(90)
N. Carolina	100.0	(9)	4.5	(111)
S. Carolina	61.5	(26)	0.0	(98)
Tennessee	81.8	(11)	1.1	(88)
Texas	100.0	(9)	2.8	(141)
Virginia	77.8	(9)	0.0	(91)
Total	77.0	(178)	1.3	(1047)
Non-South				
Delaware	100.0	(2)	0.0	(39)
Illinois	92.9	(14)	1.0	(104)
Maryland	87.5	(24)	3.4	(117)
Michigan	68.8	(16)	1.1	(94)
Missouri	78.6	(14)	1.3	(149)
New York	92.3	(13)	3.6	(137)
Ohio	100.0	(4)	7.4	(95)
Total	85.1	(87)	2.7	(735)

Table 7B
Percentage of Majority African-American and Nonmajority African-American Districts that Elected African-American State Senate Members in the South and Non-South in 1990

	Percent Majority Black Districts Electing African-American Legislators	(N)	Percent Nonmajority Black Districts Electing African-American Legislators	(N)
South				
Alabama	83.3	(6)	0.0	(29)
Florida	100.0	(1)	2.6	(39)
Georgia	72.7	(11)	0.0	(45)
Louisiana	66.7	(6)	0.0	(33)
Mississippi	14.3	(14)	0.0	(38)
N. Carolina	100.0	(3)	4.3	(47)
S. Carolina	50.0	(10)	0.0	(36)
Tennessee	100.0	(3)	0.0	(33)
Texas	100.0	(1)	3.3	(30)
Virginia	100.0	(2)	2.6	(38)
Total	59.6	(57)	1.4	(368)
Non-South				
Delaware	100.0	(1)	0.0	(20)
Illinois	100.0	(6)	0.0	(53)
Maryland	87.5	(8)	0.0	(39)
Michigan	75.0	(4)	0.0	(34)
Missouri	75.0	(4)	0.0	(30)
New York	50.0	(4)	5.3	(57)
Ohio	0.0	(2)	6.9	(29)
Total	75.9	(29)	2.3	(262)

Table 7C
Percentage of Majority African-American and Nonmajority African-American Districts that Elected African-American Congressional Representatives in the South and Non-South in 1990

	Percent Majority Black Districts Electing African-American Legislators	(N)	Percent Nonmajority Black Districts Electing African-American Legislators	(N)
South				
Alabama	—	(0)	0.0	(7)
Arkansas	—	(0)	0.0	(4)
Florida	—	(0)	0.0	(19)
Georgia	100.0	(1)	0.0	(9)
Louisiana	100.0	(1)	0.0	(7)
Mississippi	100.0	(1)	0.0	(4)
N. Carolina	—	(0)	0.0	(11)
S. Carolina	—	(0)	0.0	(6)
Tennessee	100.0	(1)	0.0	(8)
Texas	—	(0)	3.7	(27)
Virginia	—	(0)	0.0	(10)
Total	100.0	(4)	.9	(112)
Non-South				
Delaware	—	(0)	0.0	(1)
Illinois	100.0	(3)	0.0	(19)
Maryland	100.0	(1)	0.0	(7)
Michigan	100.0	(2)	0.0	(16)
Missouri	100.0	(1)	12.5	(8)
New Jersey	100.0	(1)	0.0	(13)
New York	100.0	(2)	6.3	(32)
Ohio	100.0	(1)	0.0	(20)
Total	100.0	(11)	2.6	(116)

Table 8A
Percentage of Majority African-American and Non-Majority African-American Districts that Elected African-American State House Members in the South and Non-South in 1992

	Percent Majority Black Districts Electing African-American Legislators	(N)	Percent Nonmajority Black Districts Electing African-American Legislators	(N)
South				
Arkansas	76.9	(13)	0.0	(87)
Florida	92.3	(13)	1.9	(107)
Georgia	71.4	(42)	.7	(138)
Louisiana	92.3	(26)	0.0	(79)
Mississippi	84.2	(38)	0.0	(84)
N. Carolina	93.8	(16)	2.9	(104)
S. Carolina	64.3	(28)	0.0	(96)
Tennessee	100.0	(11)	1.1	(88)
Texas	100.0	(11)	2.2	(139)
Virginia	58.3	(12)	0.0	(88)
Total	81.0	(210)	1.0	(1010)
Non-South				
Delaware	100.0	(2)	0.0	(39)
Illinois	66.7	(18)	0.0	(100)
Michigan	76.9	(13)	1.0	(97)
Missouri	78.6	(14)	1.3	(149)
New Jersey	66.7	(6)	8.1	(74)
New York	93.3	(15)	4.4	(135)
Ohio	100.0	(6)	6.5	(93)
Total	79.7	(74)	3.1	(687)

Table 8B
Percentage of Majority African-American and Nonmajority African-American Districts that Elected African-American State Senate Members in the South and Non-South in 1992

	Percent Majority Black Districts Electing African-American Legislators	(N)	Percent Nonmajority Black Districts Electing African-American Legislators	(N)
South				
Arkansas	100.0	(3)	0.0	(32)
Florida	100.0	(3)	2.7	(37)
Georgia	69.2	(13)	0.0	(43)
Louisiana	88.9	(9)	0.0	(30)
Mississippi	83.3	(12)	0.0	(40)
N. Carolina	100.0	(4)	4.3	(46)
S. Carolina	63.6	(11)	0.0	(35)
Tennessee	100.0	(3)	0.0	(30)
Texas	100.0	(1)	3.3	(30)
Virginia	100.0	(5)	0.0	(35)
Total	82.3	(64)	1.1	(358)
Non-South				
Delaware	100.0	(1)	0.0	(20)
Illinois	87.5	(8)	2.0	(51)
Missouri	75.0	(4)	0.0	(30)
New Jersey	66.7	(3)	0.0	(37)
New York	71.4	(7)	0.0	(54)
Ohio	100.0	(1)	6.3	(32)
Total	79.2	(24)	1.3	(224)

Table 8C
Percentage of Majority African-American and Nonmajority African-American Districts that Elected African-American Congressional Representatives in the South and Non-South in 1992

	Percent Majority Black Districts Electing African-American Legislators	(N)	Percent Nonmajority Black Districts Electing African-American Legislators	(N)
South				
Alabama	100.0	(1)	0.0	(6)
Arkansas	—	(0)	0.0	(4)
Florida	100.0	(3)	0.0	(20)
Georgia	100.0	(3)	0.0	(8)
Louisiana	100.0	(2)	0.0	(5)
Mississippi	100.0	(1)	0.0	(4)
N. Carolina	100.0	(2)	0.0	(10)
S. Carolina	100.0	(1)	0.0	(5)
Tennessee	100.0	(1)	0.0	(8)
Texas	100.0	(1)	3.4	(29)
Virginia	100.0	(1)	0.0	(10)
Total	100.0	(16)	.9	(109)
Non-South				
Delaware	—	(0)	0.0	(1)
Illinois	100.0	(3)	0.0	(17)
Maryland	100.0	(2)	0.0	(6)
Michigan	100.0	(2)	0.0	(14)
Missouri	100.0	(1)	12.5	(8)
New Jersey	100.0	(1)	0.0	(12)
New York	100.0	(3)	3.6	(28)
Ohio	100.0	(1)	0.0	(18)
Total	100.0	(13)	1.9	(104)

Tables 7 and 8 serve to illustrate another point: the vast majority of African-American legislators are elected from majority black districts. In 1990, 86 percent of the African Americans serving in the state legislature represented majority African-American districts. In 1992, the percentage increased slightly to 89 percent. The percentage increase for Congress was more dramatic: in 1990, 79 percent of the African-Americans in office were elected from majority black districts; in 1992, 91 percent of the African-American congressional representatives served majority black districts. Thus, the gain in African-American representation cannot be attributed to an increase in the number of African Americans being elected from nonmajority black districts. The 1992 elections demonstrate that in the overwhelming majority of states, the need to create African-American districts to ensure the election of African Americans to office has not diminished.

Redistricting in the 1990s has led to a significant increase in the number of African Americans elected to legislative office. This growth is particularly prominent in the south. The 1982 amendments to Section 2 of the Voting Rights Act and the Justice Department's generally vigilant enforcement of Section 5 of the Act should be credited in large measure for these increases (see also Handley and Grofman, 1994).

Notes

1. A number of states face outstanding legal challenges, however, which may ultimately result in a reconfiguration of some congressional or state legislative districts.
2. Because of the way single-member districts operate, however, we would not necessarily expect perfect proportional representation for African Americans in any legislature (Grofman, 1982).
3. The one notable exception is the Illinois state house. Although the number of majority black districts in the Illinois state house increased, the minority percentages in these districts were not sufficient to provide African Americans with "effective" districts and the 1992 elections led to a retrogression in African-American representation.
4. Tables 7C and 8C indicate that every majority black congressional district created elected an African American to office—and this was true in 1990 as well as 1992.

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Redistricting the Commonwealth: A Narrative and Analysis of the Virginia Outcome, 1991–1996

Winnett W. Hagens

Norfolk State University

Background: Minority Voting Rights in Virginia

Without injured plaintiffs there would be no voting rights advocates. As V. O. Key, Jr., noted decades ago, the southern disfranchisement movement "gave the southern states the most impressive systems of obstacles between the voter and the ballot box known to the democratic world" (1949: 555). The essential reality and driving force behind a sea change in Voting Rights Act enforcement since 1965 has been a rising clamor within minority communities for relief from a host of voting rights injuries. Even today, an unrelenting caseload of minority voting rights infringements continues to build in various parts of the nation.

In this lamentable political history the Commonwealth of Virginia has often played a leading role that has been well documented (Morris, 1990). Practically every major disfranchising device known to voting rights scholars has been employed at one time or another in Virginia to keep blacks from voting or achieving elective office. By the time the Voting Rights Act was passed in 1965, white male elected officials in Virginia had enjoyed the prerogatives of office in an electorate where the single major source of logical opposition to their rule had been virtually disenfranchised for nearly a century. To this day the Central Committee of the Republican Party of Virginia remains philosophically opposed in principle to any policies that seek to resolve social ills by racially based reapportionments of economic or political advantages. On the eve of the 1991 redistricting session, decrying the legitimacy of the Voting Rights Act itself, the Central Committee of the Republican Party of Virginia adopted a resolution prohibiting use of its name or application of its "resources to any effort designed to create legislative districts based on race" (*The Virginian-Pilot*, 1991c).

Currently, in some areas Virginia clearly lags behind other states in democratizing its institutions of government. Because all Commonwealth judges are appointed rather than elected, Virginia citizens are denied direct electoral influence in the selection of a judiciary which has itself occasionally exhibited symptoms of racial discrimination.[1] Virginia was the last state in the nation to adopt enabling legislation permitting localities to establish elective school boards. Even access to the ballot in Virginia is a good deal less than what it could be by today's national standards. In February, 1993, the Voter Registrars Association of Virginia noted in a news release that the League of Women Voters cited Virginia as one of thirteen states with "the worst systems for voter registration." Only 64.4 percent of eligible voters in Virginia are registered and Virginia ranks forty-second in voting age population registered to vote. Despite the fact that a clear majority of Virginia voters (919,058) approved constitutional amendments necessary to implement the National Voter Registration Act (Motor Voter) in 1994, Republican Governor George Allen has intervened with a lawsuit to thwart Motor Voter implementation in Virginia. The ensuing public furor apparently helped influence Governor Allen to abandon the suit in 1995.

Whatever gains African Americans have achieved in political representation over the last thirty years in Virginia have come only through contentious federal intervention that has typically been stridently resisted (Davidson and Grofman, 1994). Although Virginia may cling to an "image of moderation in race relations" as Thomas Morris suggests (Davidson and Grofman, 1994), despite some cosmetic gains in black empowerment, deep divisions between the races persist. Publicly printed ballots without party names or symbols that tend to confound the ill-informed are still ubiquitous in the Commonwealth. At the grass-roots level of local government, African Americans in Virginia are still widely victimized by vote diluting at-large election systems. Virginia has come a long way since 1960 and the days of "massive resistance" to school desegregation. L. Douglas Wilder, an African American, was elected governor in 1989. Nevertheless, in 1991, on the eve of the general assembly redistricting session, Virginia still had a long way to go to achieve political equality for all of its citizens.

New Realities in 1990s Redistricting Sessions

New Voting Rights Law

As they approached the April 1991 redistricting session, more than a few legislators were astonished by dramatic changes in the redistricting playing field which had occurred over the 1980s. First and foremost among striking changes was a sea change in voting law. By 1990 well-defined case law had made it clear that minority voters prevented from electing candidates of choice by racial gerrymanders could find almost certain redress in federal courts under Section 2 and, in covered jurisdictions, under Section 5 of the Voting Rights Act. Henceforth, if minority districts could be created and organized communities of injured voters demanded it, federal courts seemed likely to enjoin local jurisdictions to do so. Under 1991 standards of vote dilution, every past assembly of the Virginia legislature would be viewed

by the Department of Justice (DOJ) and federal courts in 1991 as a unenforceable racial gerrymander.

African Americans: New Players at the Redistricting Table

A second fundamental change in the Virginia redistricting landscape in 1991 was the presence of African Americans throughout the highest recesses of Virginia government. The Black Caucus of the Virginia General Assembly had grown to ten in number (seven in the house and three in the senate), all of whom were Democrats. If compliance with preclearance is likely an offensive but unavoidable duty for many white, conservative Virginia legislators, it is quite another matter to face black legislative colleagues across computers throughout the redistricting process. Perhaps more importantly, an African-American governor, L. Douglas Wilder, carried both veto power and a personal history of advancing black representation (Parker, 1982).

Partisan Redistricting Strategies

Unquestionably, one of the most consequential changes in the redistricting battlefield in 1991 was the presence of century high levels of partisan competition within the Virginia General Assembly, especially within the house of delegates. By 1991 the partisan playing field in the general assembly had profoundly changed. For the first time in the twentieth century, Democratic legislators embarked on redistricting facing the cumulative results of a quarter century of steady Republican growth driven in no small measure by liberal Democratic racial policies. In 1989, 39 percent of the house and 25 percent of the senate was Republican. The November 1989 house election had produced "the GOP's best showing of the century, and the Democrats' worst" (Sabato, 1989). Republicans scored a net gain of four seats, increasing its house contingent to a century high total of 39 in a 100-member body. More importantly, "the Republicans captured a stunningly large share of the legislative votes: 44.8 percent in all districts and 49.3 percent in party-contested districts" (Sabato, 1989). In the 1991 redistricting session, a popular Republican chant in the house of delegates—"51 in 1991"—provocatively asserted that control of the house was within Republican reach.

Rising local competition, especially in the house, was the central reality facing Democrats entering a redistricting session offering irresistible opportunities for handicapping opponents. As subsequent developments would reveal, the clearly dominant theme of 1991 Commonwealth redistricting would be historically unparalleled levels of partisan conflict. And, unlike redistricting rounds in the 1970s and 1980s, Republicans would be without the protection of a Republican governor's veto in the 1990s.

Republican legislators, especially Republican delegates, could be counted on to capitalize on new voting law and demand the creation of the maximum number of black districts. Given lower black registration, turnout, rollon rates, and age cohort disparities between black and white voters, the construction of black districts in Virginia typically requires increasing the proportion of total minority voters beyond 55 percent voting age population or VAP (Byrd-Harden, 1991a). Redistricting under new voting law would re-

quire Virginia Democrats to do something they would never willingly do to themselves—pack Democratic voters into Democratic districts in numbers exceeding those required to produce Democratic victories but essential to produce victories for African-American candidates. The Democratic districts that remained would be stripped of core black voters and vulnerable to Republican assault as resident Democratic incumbents eventually retired. In Virginia, the black vote is the bedrock upon which the statewide Democratic plurality is anchored. Democratic legislators would be hard pressed indeed to deny demands for optimum black representation. Beneath the surface rhetoric of racial politics which characterized redistricting debates in 1991, a bitter struggle for partisan control of the legislature, especially the house of delegates, raged. In truth, the conflict over minority seats in the legislature was essentially a substitute or proxy theme masking a more fundamental battle for partisan control of Commonwealth government across the decade of the 1990s. The press seized upon this new redistricting theme and dramatized it throughout the Commonwealth as the dominant reality of the redistricting sessions. The real story, however, was that both parties were exploiting their own versions of new voting law in pursuit of their conflicting strategies to wrest control of the General Assembly.

1991 Redistricting in the House of Delegates

"In all the years I've been in the Assembly, this is the first time there has ever been an advantage to being black," remarked a smiling delegate, Jerrauld Jones (D-Norfolk), at a Joint Privileges and Elections Committee (P & E Committee) redistricting hearing in March 1991. In April 1990, concentrated distributions of African Americans constituted 18.8 percent (University of Virginia, 1991: 2) of the Virginia population. At the same time the Virginia house of delegates in 1990 also had the lowest black representation (7 percent) of any southern state—seven delegates in nine majority-minority population districts (Shaw, Pittman, Potts & Trowbridge, 1991: 5). The debate these black legislators had reference to was over which plan, Democratic or Republican, provided black voters with the best remedy to a patent racial gerrymander in the Virginia House of Delegates.

The plan offered by the Democrats provided for an increase of two additional majority black population districts giving blacks population majorities in a total of eleven districts. The Democratic plan, which one reporter called the "brainchild of the Black Caucus in the House," (*The Richmond Times Dispatch*, 1991a) also delivered eleven black "influence" districts in which black population exceeded 25 percent.

According to a spokesman for house Republicans the plan also delivered "the most vicious statewide gerrymander in the history of America" (*The Richmond News Leader*, 1991a). Thirty-nine percent of all Republican house incumbents—fifteen of thirty-nine Republicans—were paired with each other, or, in the case of one, with the Independent representative in the house who generally supports Republican initiatives (Republican Party of Virginia, 1991). Dr. Gary King, testifying in a 1991 federal court challenge, said that "if the Virginia redistricting continued on a decennial basis without change in the political composition of the legislature, one would expect 15 Republicans to

be paired by random chance only once.... every 72 1/2 million years." Steve Haner, executive director of the Joint Republican Caucus, had a light-hearted but prescient comment about the redistricting outcome for Republicans in the House, saying: "we will have all these unemployed delegates wanting to move to the Senate. The real effect of the plan is to recruit the best crop of Republican Senate candidates ever" (*The Winchester Star*, 1991b).

The NAACP, the ACLU, and Republicans all challenged the Democratic proposal on grounds of minority vote dilution. All these dissenting groups presented the House Privileges and Elections Committee with alternative proposals or plans demonstrating or alleging that thirteen districts with majority black populations, two more than the Democratic plan, could be built. The ACLU and Republicans both introduced plans showing that another viable majority-minority district (57.73 percent black VAP in the Republican plan) could be drawn in the Richmond-Henrico-Charles City area. A weaker district (56 percent VAP in the NAACP plan and 55 percent VA in the ACLU plan) could also be built in the Danville-South Boston-Halifax-Pittsylvania area. Unlike the Democratic plan, which offered potential black candidates no open seats (four of the eleven black districts proposed by the Democratic plan would retain white incumbents), the Republican and ACLU plans not only offered slightly higher black VAP in several of their proposed black districts but three of the seats Republicans proposed were without resident white incumbents.

Every legislative redistricting has its defining moments. July 1991 was one such turning point for voting rights enforcement in the 1990s round of Commonwealth redistricting. The drama built around a collision of interests between the community-based Virginia State Conference of the NAACP and the Virginia Democratic Caucus, which included all of the black legislators. The question in July 1991 was: would the NAACP challenge the Democratic plan for diluting minority voting strength in a Section 5 Comment Letter to the DOJ? Or, could the NAACP be induced to acquiesce? Despite blistering pressure, Ms. Byrd-Harden, executive secretary of the Virginia NAACP, to her credit remained true to her public commitments and submitted a forceful Section 5 Comment Letter on July 8, 1991. In the view of the NAACP, by failing to establish two additional majority-minority districts and two additional minority influence districts the Democratic plan diluted minority voting strength for the purpose of incumbent protection (Byrd-Harden, 1991b). Attached to the Comment Letter was the NAACP plan for the Danville area containing an additional 56 percent black VAP district. The ACLU and Republicans also submitted cogent Comment Letters corroborating NAACP claims.

Department of Justice Objections to the House Plan

At the statewide redistricting conference held at Norfolk State University on December 7, 1990, J. Gerald Hebert, acting chief of the Voting Section, doffed his coat, rolled up his sleeves, and told all in attendance that: "redistricting plans which contain districts which dilute minority voting strength can never be justified and will not be tolerated" (Hebert, 1990). Among African Americans attending the conference, such rhetoric fired expectations

of bold DOJ voting law enforcement. "Optimization" and "maximization" became buzz words in the vernacular of voting rights advocates in Virginia as they began to draw new black legislative districts.

It was not to be. From the perspective of voting rights advocates including the NAACP, the limited scope of DOJ objections to the house plan were plainly disappointing. The single objection to the house plan was a very narrowly drawn complaint that focused entirely on the submergence of 4,000 black voters in Charles City County in a majority white district while rejecting available alternatives (Dune, 1991: 2). Not a word was written regarding the other potential black majority district in the Danville area or the two additional putative influence districts drawn by voting rights advocates.

With lawmakers on both sides of the aisle voting along clearly partisan lines, house amendments answering DOJ objections with the construction of a single additional black house district sailed through both chambers of the general assembly, were endorsed by the governor, and survived DOJ scrutiny. The final districting plan under which the house would conduct elections over the decade surrendered not a single concession to bitter Republican allegations of partisan gerrymandering.

Allegedly injured by the legislature, Republicans had no choice but to turn to the courts for redress. In August 1991, Republicans entered a motion in federal court seeking injunctive relief to forestall legislative elections under an alleged gerrymander plan that promised grievous injury to Republican rights protected under the First and Fourteenth Amendments. True to the ideological doctrine of Virginia Republicans, race-based Voting Rights Act issues were conspicuously absent from the complaint. Ultimately, quick-witted career moves into senate contests by several paired Republican delegates considerably mitigated injuries. The Fourth Circuit Court of Appeals finally denied the Republican motion.

1991 Redistricting in the Senate

Throughout the 1991 redistricting sessions the Virginia senate was eminently less partisan than the house. With a 3-to-1 majority, senate Democrats savored an almost unassailable advantage over Republicans. In contrast to their house counterparts who aggressively sought to exploit the new voting law to gain electoral advantages, Republican senators pursued a much less forceful redistricting strategy which was compatible with their weak voting strength within the chamber. Republican senators followed the historic Republican pattern of accommodation and compromise, which could protect their numbers without provoking partisan reprisals. Where partisan incumbent protection was the clearly dominant theme of house redistricting, the controlling theme of Senate redistricting was unambiguously bipartisan incumbent protection.

African Americans entered the senate redistricting session with two solid majority-minority districts, one in Richmond and another in Norfolk. A third minority senator, Bobby Scott (D-Newport News), represented a district that was 65 percent white. The voting rights question confronting the chamber was how many additional black districts would Virginia senators, left to their own devices, create?

At the unveiling of the initial senate Privileges and Elections Committee redistricting plan on April 1, 1991, Linda Byrd-Harden derided the Democratic leadership's bill, which offered a single additional but unwinnable 53.6 percent black district, as "a [bad] joke" which was appropriately introduced on April Fools' Day. Kent Willis, state ACLU director, added that "it's a plan begging for a veto from the governor" (*The Winchester Star*, 1991a). Having published plans containing five winnable black senate districts, voting rights-advocates were clearly indignant with the arrogance of a legislative chamber openly contravening established law.

As expected, Governor Wilder vetoed the bill and returned it to the Senate with the message that "the Senate should have the opportunity to demonstrate that it can and will adhere to the law and will not turn back the clock on the commendable progress that has been made in the Commonwealth" (*The Virginian-Pilot*, 1991a). On the same day, Lt. Gov. Donald S. Beyer, Jr., commented to the press that "it's going to be a very painful process for a lot of people who spent a long time building safe seats for themselves" (*The Virginian-Pilot*, 1991a). The vital question which remained was which white incumbents hailing from districts with substantial black populations would be able to avoid a black constituency. The senate P & E Committee amended their original plan and delivered a new version bearing five black districts that kept "most incumbents in separate districts" (*The Virginian-Pilot*, 1991b) but drew a Wilder ally into a black district.

A coalition of disgruntled Democratic senators in collaboration with most Republican senators submitted an alternative bill which spared the governor's ally but drew "two of the administration's sternest critics—both holdovers from the segregationist Byrd machine" (*The Richmond Times Dispatch*, 1991b) into predominantly black districts. By offering concessions in the form of a few stronger Republican districts, the insurgents' plan clearly induced Republican support by explicitly weakening Democratic districts (*The Richmond Times Dispatch*, 1991b). In a historic departure from tradition, the insurgents' bill, with the support of nine of ten Republicans and all black Senators, passed on a 21–18 vote. The plan subsequently cleared the house and was signed by Governor Wilder. Since the plan created the maximum number of achievable black senate districts, DOJ preclearance quickly followed. For the first time in the post-reconstruction redistricting history of Virginia, insurgent Democratic senators had defeated the leadership's redistricting plan and prevailed with an alternative enthusiastically endorsed by Republicans. Much to the consternation of the senate Democratic leadership, the 1991 Virginia senate redistricting bill would in a very real sense be a Republican plan.

A Compactness Challenge

A prophetic court challenge to the Senate plan surfaced in Halifax County Circuit Court shortly after the plan's adoption. A group of elected officials from eight Southside counties challenged the predominantly black eighteenth senatorial district on the grounds that it violated Virginia constitutional requirements for a "compact and contiguous district" (*The Richmond News Leader*, 1991b). As proposed, the eighteenth senatorial district, which

is 57.39 percent black (1990 VAP), stretches 178 miles across twelve localities in southside Virginia. Although prescient in 1991, the lawsuit apparently failed to gather sufficient support for appeals after its initial rejection.

Summary—1991 General Assembly Gains for African Americans

Tables 1 and 2, summarizing majority-black and black influence districts in 1990 (table 1) and 1991 (table 2), provide a basis for assessing gains in majority-minority population districts for African Americans during the 1991 redistricting session. In the House, majority-black population districts increased from nine (9 percent of house seats) to twelve (12 percent of house seats), a gain of three seats. In the senate, majority-black population districts increased from two (5 percent of senate seats) to five (over 12 percent of senate seats), a gain of three seats. Overall, then, majority-black population districts in the general assembly (house and senate combined) increased from eleven (slightly over 7 percent) to seventeen (12 percent).

Although during the redistricting sessions there was no consensus on precisely what an "influence district" was or its political significance, the voting rights advocates in the NAACP clung to their impressions that legislators in districts with below 30 percent black VAP could not be relied upon to be receptive to minority concerns (Byrd-Harden, 1991, informal interview, May 11). This subjective NAACP definition of an "influence district" as one with less than 50 percent black VAP but more than 30 percent black VAP is adopted here only for the purposes of analysis. As the tables show, the cost of African-American increases in majority black population general assembly districts was a substantial decrease in black influence districts. By Ms. Byrd-Harden's "influence district" definition, overall, thirteen black influence districts (seven in the house and six in the senate) were sacrificed to gain six additional majority-black population general assembly districts.

Congressional Redistricting

Population growth in the Commonwealth over the 1980s increased Virginia's congressional apportionment from ten to eleven seats. By the time congressional redistricting got under way in November 1991, it was a foregone conclusion that the additional seat would sustain Virginia's first black congressional district since 1890. The issue was where would the district be built and which incumbent(s), if any, would be injured by Democrats in control of the process. The assembly's initial plan created a 61.5 percent black population majority district (the third congressional district) in a sprawling geography connecting Norfolk, Richmond, and the Northern Neck. Owing to some very vigorous "arm-twisting" by the state's largest single employer—Newport News Shipbuilding—Republican Herbert Bateman's first district was carefully contoured to avoid excessive black population thus preserving a Republican incumbency and the interests, including a sizeable number of black jobs, it allegedly protected (*The Virginian-Pilot*, 1991, November 20, p. A1).[2]

Both the NAACP and the ACLU appealed to Governor Wilder to oppose the plan on the grounds that the minority population was insufficient to

Table 1
Majority Black and Black Influence Districts, VA, 1990

House of Delegates		Senate	
Majority Black Population Districts (Equal to or Greater than 50 % Black VAP)			
District Number	*% Black (VAP)*	*District Number*	*% Black (VAP)*
62d	54	5th	50
63d	61	9th	77
70th	85	Sum = 2	Average % = 64 %
71st	70		
80th	64		
89th	67		
90th	66		
92d	62		
95th	60		
Sum = 9	Average % = 65 %		
Black Influence Districts (greater than 30 %, less than 50 % Black VAP)			
20th	35	1st	36
23d	31	2d	35
59th	33	10th	31
60th	39	13th	49
61st	39	15th	42
64th	31	16th	42
69th	44	18th	33
74th	47	Sum = 7	Average % = 38 %
75th	41		
76th	42		
77th	36		
79th	33		
100th	36		
Sum = 13	Average % = 37 %		

Shading reveals districts with nonblack incumbents. All percentages are rounded.

Source: Commonwealth of Virginia, Division of Legislative Services, *Drawing the Line, 1991 Redistricting in Virginia*, No. 3 (January), 1991.

insure the election of a minority candidate (*The Virginian-Pilot*, 1991d). Wilder subsequently offered amendments increasing the black population in the third district to 63.9 percent and the assembly concurred. DOJ approval quickly followed almost guaranteeing the election of Virginia's first black congressman in 102 years.

1991, 1993, and 1995 Election Outcomes for African Americans

Building majority-black population districts and electing African-American candidates to those districts are two vastly different things. In Virginia, like many one-party southern states, elections are often won or lost at the nomination stage. Indeed, for African-American candidates without the advantages of incumbency, the 1991 Democratic primaries and conventions repeatedly proved to be insurmountable obstacles. Although the African-

Table 2
Majority Black and Black Influence Districts, VA, 1991

House of Delegates		Senate	
Majority Black Population Districts (equal to or greater than 50 % Black VAP)			
District Number	*% Black (VAP)*	*District Number*	*% Black (VAP)*
63d	60	2d	56
69th	61	5th	62
70th	60	9th	64
71st	59	16th	60
74th	60	18th	60
75th	57	Sum = 5	Average % = 60 %
77th	58		
80th	62		
89th	64		
90th	57		
92d	62		
95th	59		
Sum = 12	Average % = 60 %		
Black Influence Districts (greater than 30 %, less than 50 % Black VAP)			
20th	34	15th	35
59th	31	Sum = 1	Average % = 35 %
60th	36		
61st	39		
62d	31		
100th	36		
Sum = 6	Average % = 35 %		

Shading reveals districts with nonblack incumbents. All percentages are rounded.

Sources: Commonwealth of Virginia, Division of Legislative Services, *Drawing the Line, 1991 Redistricting in Virginia*, nos. 5 & 6 (May and July), 1991.

American community fielded minority candidates at the nomination stage in every black district, despite a preponderance of black voting age population in these districts no minority candidate was able to defeat a white incumbent. Since white incumbents occupied five of twelve majority-minority house seats, blacks were unable to advance to the general election as Democratic candidates in any of the three newly created black house districts. In the end, the only black candidates able to win house seats were the seven African Americans who already had them.

Incumbent advantages coupled with low black registration and turnout rates, and, in some cases, a biracial alliance built on a white candidacy responsive to black voter interests,[3] have produced a confluence of forces that have frustrated black candidates for house seats. A central reality of the 1991 house elections for African Americans was that blacks gained no additional seats in the house of delegates.

Assuming all majority-minority house districts created in the 1990s round of redistricting elude or survive newly accessible court challenges occasioned by yet another upheaval in voting law, representational gains for blacks in the Virginia house of delegates over the 1990s will be a protracted, incremental

struggle. The first success in this process was scored by Lionell Spruill, Sr., (D, Chesapeake) who advanced to occupy the seventy-seventh house district (58 percent black) in the 1993 elections after the white incumbent accepted a local district court appointment. A second conversion occurred in 1995 when Donald McEachin, an African-American attorney from Henrico, was finally able to dislodge the powerful Robert B. Ball, Sr., from the seventy-fourth house district (56 percent black VAP) in an uphill primary battle (Sabato, 1995).

The 1995 house elections also witnessed what may become a growing trend in Virginia politics—Republican nominations of African-American general assembly candidates. Republicans nominated African-American Anthony Moore to contest incumbent Frank Hall (D-sixty-ninth house district, 61 percent black VAP) and Jeff Artis to contest Vic Thomas (D-seventeenth house district, 15 percent black VAP). Although neither candidate won, their success in the Republican nominating process suggests the growing appeal of the Republican party among some African Americans harboring political ambitions.

African-American gains in the Virginia senate were a different matter. Unlike the house, the senate created a plan maximizing black senate representation with three new majority-minority districts. White incumbents retired in two of the new black senate districts, permitting black candidates to run and win in contests for open seats. Senator Bobby Scott retained the third new district which was reshaped from a majority-white to a majority-black district.

Congress

As widely predicted, African-American Senator Bobby Scott (D-Newport News), who represented a Virginia senate constituency that was 65 percent white in 1990, walked away from competitors in both the 1992 primary and general elections. Scott, a graduate of Harvard College and Boston College Law School, is now Virginia's first black congressman since reconstruction.

The Party Outcome: 1991–1995 Elections

House of Delegates

As house elections in 1991, 1993, and 1995 have shown, the Democratic gerrymander was prescient. In 1991, despite the pairings of fifteen Republicans in redistricting, Republicans picked up two additional house seats, capturing 41 of 100 seats with 51 percent of total vote for all contested house races. The Republican statewide vote share for all house seats (contested and uncontested) was less impressive at 43 percent in 1991.

In the 1993 house elections, for the first time in this century, the GOP received a majority of all votes cast (contested and uncontested) in house elections. Republicans picked up an additional six seats bringing their total to forty-seven. The Republican proportion of the statewide house vote share had increased a full 8.2 percent from 43 percent in 1991 to 51.2 percent in 1993. In the 1995 legislative elections, the Republican vote share rose to an all-time high of 53 percent. Despite the GOP's majority status in the house

electorate, the Democratic gerrymander and vigorous campaigning continued to deny Republicans control of the chamber. In fact, the Republican seats-votes ratio (calculated as the GOP percent of house seats divided by the percent of voters statewide endorsing GOP house candidates) diminished slightly from .95 in 1991 to .91 in 1993. In other words, the Democratic gerrymander appeared to work better in 1993 than it did in 1991. In the 1995 elections, the Republican house seats-votes ration had risen slightly to .93. Republicans would very likely control the Virginia House of Delegates today (1996) were it not for the Democratic redistricting gerrymander. House Democrats in high places well pleased with the result may, however, live to regret their handiwork. Given Republican gains in the electorate, the 2001 redistricting round could well provide the GOP with both a precedent and an opportunity to even the score.

Senate

Elections in 1991 delivered startling consequences for senate Democrats. Reaching their high-water mark for the century, the GOP gained eight senate seats overall increasing their numbers from ten to eighteen in a forty-member chamber. A fascinating aspect of this landslide is revealed by the seats-votes ratios for the GOP's senate contingent. With only 41.3 percent of the statewide senate vote total, Republicans captured 45 percent of senate seats, yielding a seats-votes ration of 1.08. By contrast, the Democratic share of the statewide senate vote total was 54.4 percent and their share of senate seats was 55 percent (twenty-two of forty), yielding a seats-votes ratio of 1.01.[4] The 1991 elections confirmed the worst fears of the Democratic senate leadership—the senate redistricting plan had apparently tilted the playing field to Republican advantage. In the 1995 senate elections, with Democrats failing to contest twelve Republican incumbents, Republicans garnered two additional senate seats and scored their best Republican performance of the century while quite nearly capturing control of the Virginia senate.

Conclusions

How does one evaluate the overall gains African Americans in Virginia scored in the 1991 redistricting sessions and subsequent elections through 1995? In sum, predominantly black population districts increased from nine (or 6.4 percent of all general assembly seats) in 1990 to seventeen (or 12 percent of all general assembly seats) in 1991. Following elections in 1995, three predominantly black population districts were retained by white incumbents so that African Americans occupied only fourteen of seventeen black majority general assembly seats. Between 1990 and 1995 the African-American share of general assembly seats had increased from 7.1 percent[5] to 10 percent. African Americans also gained their first predominantly black population congressional district in 1991. There is no question that these are notable accomplishments for a state that historically had the lowest levels of black representation in the South (Morris, 1994).

Yet, this gain in political empowerment for black Virginians bears a number of critical qualifications. To begin with, a 102-year wait for a single con-

gressional seat can hardly be viewed as swift justice. As the Virginia Conference of the NAACP insists, it is also by no means certain that every potential black district was in fact legislated. Even if African Americans eventually capture every legislated majority black population district they will remain underrepresented because they will hold 12 percent of the seats of the governing body in a state where they are 18.8 percent of the population. Furthermore, as observers universally agree, none of these gains were graciously volunteered by Virginia lawmakers in search of more equitable representation for minorities. On the contrary, the new black districts in Virginia were wrenched as concessions from a body legislating under the duress of well-defined federal voting law that protected minorities from vote-diluting districting schemes.

A thorough evaluation of minority empowerment in the Commonwealth requires at least a look at African-American representation in local government. In Virginia today, the most common mode of minority vote dilution occurs through the operation of at-large election systems in local governments that often submerge substantial black populations in a majority of white voters. Thirty-two of the state's forty-one cities and 181 of the state's 188 towns employ the at-large method of electing their governing bodies. In 1991, the Virginia affiliate of the ACLU identified some sixty-four Virginia towns with black population of 15 percent or better holding allegedly discriminatory elections under at-large election systems (American Civil Liberties Union, 1991). As Thomas Morris has ably demonstrated, "the continuing underrepresentation of blacks in the many at-large county and city governments.... [and] the virtual absence of blacks from the state's town councils indicates a continuing racial polarization at the grass-roots level" (1990).

Finally, as Thomas Morris has shown, legislative election of judges in Virginia has not worked to the advantage of African-American Virginians. Fewer than 5 percent of Virginia's judges were black in 1990 in a state with a black population of nearly 19 percent (1990).

All in all, the struggle in the 1991 general assembly redistricting sessions for minority voting rights in the Commonwealth has produced a very mixed bag of results. Those who seek to maintain an image of moderation in race relations in Virginia can point to important African-American gains in the general assembly and Congress. Others will doubtless argue that beneath the veneer of these cosmetic gains little has changed for blacks in the Commonwealth. In any event, a troubling reality of minority voting rights advances over the last three decades in Virginia is that virtually every increase in black representation depended on federal intervention for its success. A reversal in federal policy could have a potentially devastating impact on the cause of minority empowerment in Virginia. As recent events suggest, such a turnaround in federal policy is now clearly under way.

Did "Smart" Republican Redistricting Strategy Work?

Did the GOP strategy to use voting law to pack Democrats into black districts produce legislative gains for Republicans? In Virginia there is no simple answer to this question and in one sense it's still too soon to venture

a complete assessment. Republicans in this context are employing a long-term redistricting strategy that contemplates assaulting currently Democratic districts as their occupants retire. Since Virginia legislators do not, as a rule, retire quickly, it will take several more years before the strategy can be completely evaluated. African Americans sacrificed thirteen general assembly "influence districts" in the 1991 round of redistricting. Clearly many black voters were indeed stripped from previously racially mixed districts leaving behind thirteen general assembly seats (seven in the house and six in the senate) with swollen margins of white voters presumably less committed to the Democratic agenda than black voters.[6] In 1991, 1993, and 1995, Republican general assembly strength reached century high levels. This Republican trend of the 1990s will quite likely be viewed as a watershed event marking a fundamental transition in Virginia history from the politics of one-party factionalism to the politics of two-party competition. Redistricting, however, could only create the potential for Republican gains.

The reality was that 1991 and 1993 were not good years for the "in party"—Democrats—in Virginia. A national recession was underway and the Virginia economy was anemic. Elections in 1991 and 1993 offered Virginia voters opportunities to vent their dissatisfaction with the status quo in general and the administration of Democratic Governor L. Douglas Wilder in particular.[7] The other titular head of the Virginia Democratic party—Senator Charles Robb—was plagued by womanizing and alleged drug abuse scandals. All of which is to say that Republican gains in the general assembly are probably strongly linked to both changes in the mood of the electorate and changes in election geographies effected by redistricting. The 1995 elections tend to confirm this conclusion. With Governor Wilder and Senator Robb offstage and the Virginia economy beginning to revive, Democrats were able to capture a slight majority (51.4 percent) of votes in contested general assembly elections when voters had a partisan choice (Sabato, 1995).

If the GOP redistricting strategy worked anywhere in Virginia, one might be able to say it worked in the Virginia senate. In the senate, GOP strategy succeeded only because of the unprecedented failure of a complacent and fractured Democratic majority to pursue partisan election advantages available in redistricting. Yet, given the tidal shift of the Virginia electorate in a Republican direction, it would be inaccurate to say that Republican senate gains were the sole product of smart redistricting strategy.

An Upheaval in Voting Law: Implications for Virginia

It has been argued that it is easier to unring a bell than withdraw liberties once granted. Yet, in voting rights, recent Supreme Court decisions (*Shaw v. Reno, Miller v. Johnson, Shaw v. Hunt,* and *Bush v. Vera*) have accomplished the political equivalent of unringing a bell. What the Court majority seems to be saying is that districting plans shown to be based predominantly on race at the congressional level will not survive Court scrutiny unless they satisfy "strict scrutiny, our most rigorous and exacting standard of constitutional review" (Kennedy, 1995). Compactness, although undefined, can be one of several indices used to detect the presence of districting that is predominantly race-based. With one exception the Supreme Court has now

sustained every challenge to a race-based congressional district it has heard since 1993. The exception was a challenge to North Carolina's first congressional district (*Shaw v. Hunt*) which the Court dismissed because none of the white plaintiffs actually lived in the district (Greenhouse, 1996).

Yet, in these new rulings the Court has not invalidated race-based districting. Justice Kennedy, author of the majority opinion in *Miller*, clearly acknowledged that there is a "significant state interest in eradicating the effects of past racial discrimination" (1995). Justice Sandra Day O'Connor in *Bush* was unequivocal, saying "nor, as we have emphasized, is the decision to create a majority-minority district objectionable in and of itself" (O'Connor, 1996). O'Connor, a seemingly reluctant partner in the splintered conservative court majority behind this reversal in voting law, has carefully distanced herself from her associates in *Bush* on the crucial issue of whether or not compliance with voting law can constitute a "compelling state interest" sufficient to satisfy "strict scrutiny." O'Connor is reported as having said that "she agreed with the dissenters that compliance with the Voting Rights Act can itself be a 'compelling state interest' that can justify the conscious creation of a compact, majority black district" (Greenhouse, 1996).

In my view, the cement holding a tenuous conservative majority together in this reversal of voting law is a common distrust of the motives or justifications driving race-based redistricting and not race-based redistricting per se. As I reread the opinions of Kennedy, O'Connor, and Rehnquist in these cases, I am struck by their rebuke of voting rights enforcement policy within the DOJ. Conservatives see a fundamental difference between a case specific remedy for well-proven instances of vote dilution and the "optimization" or "maximization" enforcement strategies pursued at DOJ. A case specific approach implies the relentless regimen of jurisdiction-by-jurisdiction litigation in an adversarial context to deliver narrowly tailored relief to discrete victims of proven vote dilution injuries. "Optimization" and "maximization" standards for minority representation, on the other hand, offer blanket protection to a class of putatively injured minorities without the rigors of case-by-case litigation. Since the primary objective in a "maximization" strategy is to create the maximum number of majority-minority districts, such strategies can sometimes foster bizarre district geographies as planners stitch together often scattered neighborhoods of minority voters.

In every case since 1993 where the Court has sustained a challenge to race-based redistricting, the evidence established that the predominant motive for and justification of race-based redistricting plans was compliance with DOJ administered voting law. As Justice Kennedy pointed out in *Miller*: "[t]he State [of Georgia] does not argue, however, that it created the 11th District to remedy past discrimination, and with good reason: there is little doubt that the State's true interest in designing the 11th District was creating a third majority-black district to satisfy the Justice Department's preclearance demands" (1995). Justice Sandra Day O'Connor is reported to have said in her concurring opinion in *Bush* that "Texas had not submitted sufficient proof that it was ameliorating effects of past racially polarized voting" (1996). According to the *Washington Post*, Rehnquist in *Bush* is reported to have said "that the Department of Justice, which had pushed the state to create two majority black districts, had improperly tried to maxi-

mize the number of such districts" (1996, June 14, p. A32). Justice Kennedy spelled out the consequences of DOJ inspired, race-based districting saying in *Miller* that "when the Justice Department's interpretation of the act compels race-based districting, it by definition raises a serious constitutional question...and should not receive deference" (1995). Henceforth, compliance with the requirements of DOJ-administered voting law does not, by itself, necessarily constitute a state interest sufficiently compelling to justify districting plans shaped predominantly by considerations of race.

The problem for Virginia, of course, is that its first majority black congressional district in a century was legislated under circumstances quite similar to those in *Shaw, Miller,* and *Bush*. Under this new racial jurisprudence, every general assembly majority-minority district fashioned in the 1991 redistricting session, six seats in all, could face constitutional challenge.

Indeed, the legal assault on race-based vote dilution remedies is already well underway in Virginia. In 1995, at about the same time as the *Miller* decision was announced, Bobby Scott's third congressional district was challenged in Federal District Court in a suit remarkably similar to the plaintiffs' arguments in *Shaw, Miller,* and *Bush*. To be sure, like the Texas congressional districts the Court rejected in *Bush,* Virginia's third congressional district was shaped largely by considerations of incumbent protection and partisan advantage. But a Court hostile to race-based redistricting and in search of evidence of DOJ compliance compulsion behind a district's geography will be able to find such evidence in Virginia. Indeed, if the Court stays its present course, and every indication is that it will, the outlook for Virginia's third congressional district is hardly encouraging. Yet, even if Representative Bobby Scott ultimately loses the advantage of a black population majority in the third, it seems highly unlikely to me that he will also lose his career in Congress. Scott is a very capable politician with proven appeal to white voters that will serve him well even if the third is redrawn. The same observation can be made regarding the new African-American seats in the Virginia general assembly. It is by no means a foregone conclusion that African Americans now occupying general assembly seats will necessarily lose them should their districts succumb to constitutional challenge.

New voting law is also already impacting local governments in Virginia. On June 29, 1995, the Supreme Court released its ruling in *Miller v. Johnson*. On August 28, 1995, the office of the attorney general in a highly unusual move withdrew its outstanding objection to the adoption of an at-large school board election method in Chesapeake, Virginia. Chesapeake, Virginia's largest and fastest growing city, had requested reconsideration of the DOJ Section 5 objection interposed on June 20, 1994. Correspondence from the city's retained attorneys, Hunton & Williams (Richmond, Virginia), clearly identified decisive changes in court rulings as the pivotal factor in the withdrawal of the objection (Greever, 1995). On September 14, 1995, the city council of a contiguous sister city—Portsmouth, Virginia—followed suit and announced its intention to adopt an at-large method of election for its school board. I had direct knowledge of Portsmouth's intention to consider single-member districting alternatives prior to the Chesapeake reversal because my consulting services had been sought in the matter.

Local redistricting in Virginia is, however, a much different animal than general assembly or congressional redistricting. Local redistricting has most often been precipitated by lawsuits mounted by an organized group of aggrieved minority voters challenging an at-large method of election. In the course of such litigation the painful local history of vote diluting practices and patterns of racial block voting are thoroughly documented. When minority plaintiffs succeed in such challenges, the judicially supervised, race-based remedial districting plans that emerge are justified by a record of discrimination that has withstood adversarial scrutiny. This, of course, stands in marked contrast to redistricting bills legislated under the threat or existence of DOJ objections during the 1991 general assembly redistricting sessions. Consequently, in my opinion, minority voters in Virginia communities injured by vote-diluting practices should not abandon the courts in their struggle against discrimination in the voting place unless and until the Court invalidates race-based districting altogether. Indeed, it is not inconceivable that Virginia cities, counties, and towns with significant black populations employing at-large methods of elections could prove to be fertile grounds for Section 2 lawsuits in the years immediately ahead.

Overall, then, it seems fair to say that as districting cases matriculate through the courts in the years ahead, the recent turnaround in voting law is more likely to incrementally erode gains in African-American empowerment than to reverse them.

Yet, an erosion in African-American empowerment will have at least one potentially volatile consequence. For decades African Americans in Virginia and elsewhere have been told that if they were patient, if they played by the rules, eventually they would realize a coequal status in American society. In 1993, at the very moment when empowerment seemed finally within reach, an upheaval in voting law has shattered the dream. For many African Americans recent reversals in civil rights law will constitute an embittering betrayal of a social compact. I fear that in the end these current decisions of the Court will only heap another grievance onto the tinderbox of racial conflict now building in our republic.

Notes

1. Disturbing news appeared in December 1995 when Raymond A. Jackson, an African-American federal district judge in Norfolk, Virginia, dismissed drug indictments against two African Americans because federal prosecutors refused to turn over papers necessary to evaluate defense claims of racially selective prosecution (Jackson, 1995).
2. Bateman serves on two congressional committees that oversee the defense procurement upon which Newport News Shipbuilding is almost entirely dependent. As a lobbyist for the shipyard put it: "replacing Bateman could (threaten) our position in Congress and ultimately (contribute) to putting many minority workers on the street without a job" (*The Virginian-Pilot*, November 20, 1991, p. A1).
3. Delegate Robert H. Ball, Sr., (D-sixty-fourth district, Henrico) emerged from a 59 percent white district as the incumbent of the new black district proposed by house Democrats in response to DOJ objections. Delegate Ball, who had easily defeated a black challenger in 1987, serves as head of the House Appropriations Committee and is ideally situated in the house to deliver services to

constituents. Ball, moreover, insisted that throughout his career he had nurtured good relations with African Americans and identified the large block of black voters within his existing district as among his most consistent supporters.

4. Both Democrats and Republicans enjoyed some overrepresentation at the expense of Independents who are substantially underrepresented in their seats-votes ratio.
5. African-American Senator Bobby Scott (D-Newport News) achieved office in a 65 percent white district, bringing the African-American seat total to ten seats or 7.1 percent of the general assembly in 1990.
6. Merle Black, a political scientist at Emory University, has observed a rather striking recent upsurge in white Republican voters across the South—"whites voting Republican shot up from the low 50s in 1992 to 65 percent in 1994" (Edsall and Yang, 1996).
7. In 1991, Governor Wilder had the least favorable approval rating of any governor since opinion surveys were started in the state. Some private polls commissioned just prior to the 1991 elections indicated Wilder's approval ratings were below 20 percent in predominantly white districts (Sabato, 1991, 1993).

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New York City Redistricting and New York State Congressional Redistricting: A View from the Inside

Alan Gartner

Democratic State Legislative Leaders

Redistricting is about power, its allocation and reallocation. Lasswell's definition of politics—"Who gets what, when, and how"—provides a useful framework within which to reflect upon the recent redistricting experience in New York.

Background: City Council Districting

While the decennial census results required a realignment of the city council districts to reflect population shifts, a new city charter required more substantial changes. In *New York City Board of Estimate v. Morris* (1989), the Supreme Court of the United States held that the voting structure of the city's Board of Estimate violated the "one person, one vote" standard. (The five borough presidents each had one vote, although Brooklyn had nearly seven times the population of Staten Island. Furthermore, according to the 1990 census, Brooklyn's population was 60 percent nonwhite, while that of Staten Island was 20 percent nonwhite.) In response to this decision, a Charter[1] Revision Commission was appointed by Mayor Edward I. Koch.

The revised charter, adopted by the voters in November 1989 (the same election in which David N. Dinkins was elected mayor), abolished the Board of Estimate and transferred the bulk of its legislative authority to the city council. A key part of the transfer was the authority to adopt the budget, as well as power concerning land use and contracts. An additional change implemented under the revised charter was expanding the city council from thirty-five to fifty-one members. The purpose of this expansion was twofold: first, to enhance the representativeness of the council members by reducing the number of their constituents; and second, to increase the opportunity for members of racial and language minorities to elect repre-

sentatives of their choice. While the size of the council had varied over time, from twenty-five to seventy-eight members, the 45 percent increase from thirty-five to fifty-one members is unique in the city's history. Combined with the enhancement of the council's authority, the change represented an unprecedented shift in the city's political geography.

In order to implement the expansion of the city council, the charter established a Districting Commission,[2] set the procedure for appointing its members, established the criteria the Commission was to use in conducting its work, set a schedule to assure that the new city council would take office in January 1992, set the basis for adoption of its plan, and adjusted the term of office for the new council members to two years (1992–1994) for those elected in 1991 and then returning to the four-year term for those elected in 1993.

Three of the Commission's fifteen members were appointed by the minority party of the city council (that is, the single Republican Council member appointed three Commission members), five by its majority party, and the remaining seven by the mayor. The Commission was to have at least one member from each borough, not have a majority from any one political party, and overall reflect the population of the city, including members of those groups protected by the Voting Rights Act.[3]

The Commission included four African Americans, three Hispanic members, one Asian-American member, and seven non-Hispanic white members. In crafting the districts, the Districting Commission heard testimony in twenty-seven hearings it conducted and gained information presented at more than four hundred community meetings its staff organized or attended, from scores of meetings with advocacy organizations and groups, as well as from analyses conducted by its staff.

Of the fifty-one districts in the plan adopted by the Commission, twelve had an African-American population in excess of 50 percent, nine a Hispanic population in excess of 50 percent, and six had a combined "minority" population in excess of 50 percent. Following rejection by the Department of Justice of the Commission's initial submission, minor revisions were made in three areas, and a week later the plan was approved.[4] In the November 1991 election, twelve African Americans were elected, along with nine Hispanics. As a percentage of the city council, "minority" members grew from 25 percent in the thirty-five member council to 41 percent of the new fifty-one member body.

Congressional Redistricting

New York State law vests in the state legislature the responsibility to apportion the state for congressional elections. To assist in this process, the legislature has established the New York State Legislative Task Force on Demographic Research and Reapportionment, known as "LATFOR." It has six members, three each from the two major parties, a Democratic and Republican co-chair, and a Democratic and Republican co-executive director. As the 1992 election year calendar drew near, it became increasingly doubtful that the legislature would carry out its duty. Meeting this responsibility was made difficult by the fact that due to New York's relative decrease in population as compared to the nation as a whole, the congressional delega-

tion would have to be reduced by three seats, from thirty-four to thir
This statistical reality, combined with a political reality of a Democr
sembly and a Republican senate, led to a stalemate despite months o
tiations. Agreement was easier to reach in the drawing of the legisl
own lines, as each chamber ceded to the other the responsibility—
haps better put, the opportunity—to draw its own lines.

When several deadlines were missed, a race to the courts began
other states, this was largely a matter of forum shopping, with eacl
looking to the court it believed would be more sympathetic. On Ma
1992, the Republicans took their claim to the federal district court (W
Gantt, later consolidated into *PRLDEF v. Gantt*), while on the same
Democrats filed in Kings County Supreme Court (*Asquith Reid et al.*
J. Marino et al.).

Not only were the parties at odds; so, too, were the courts. A May
order of the federal court enjoining state court consideration was sta
order of the U.S. Supreme Court (*Gantt v. Skelos*). Thus, somewhat
ingly, matters moved forward with the courts having concurrent ju
tion. The three-judge federal panel appointed a special master, wl
state supreme court appointed three referees, who in turn appointe
experts. The special master presented his plan to the federal court
27, while the referees presented their plan to the state court on June 1
upon representations by counsel for both chambers of the legislatu
they intended to adopt as their own the plan that had been develo
the state court, the federal court withheld action on the special m
plan. They ruled that if by July 9 the legislature had not adopted
which then would have to be signed by the governor and approvec
Department of Justice, then the special master's plan would go intc

On June 8, Supreme Court Justice Harold Shaw adopted the refe
nal plan and issued an order to the defendant State Board of Elec
implement the terms of the plan. The plan included four districts wi
can-American majorities, as was the case per the 1980 census, and t
tricts with an Hispanic majority, one more than in 1980.

The state legislature adopted the plan ordered by Justice Shaw, wh
approved by Governor Mario Cuomo, despite his voicing agreeme
charges that it denied Hispanics of a "third" district.[5] With expedited
the Department of Justice granted approval on July 2. Despite effort
join implementation of the plan and to block the 1992 congressional e
the primary went forward, resulting in the election of the four African
can incumbents and two Hispanics (one in the new tri-county distric

The 1990 round of redistricting has seen the increased (mis)use
courts. One aspect of this is the previously noted "forum shopping
troubling is what might be dubbed as the "preemptive" use of the cc
a number of jurisdictions, interested parties have gone to the court
the development of plans by the legislature, urging the court to d
redistricting plan. This process not only subverts the legislative fu
but it also has the consequence, if not also the intent, of precluding
ment of Justice "preclearance" of plans from areas covered by Secti
in New York, in California, Illinois, Ohio, and Texas, among othe
there was a three-way play of the legislature, the state courts, and

eral courts, with the contesting parties both seeking the forum that served them best and shuttling back and forth as developments took place, often simultaneously, in all three.

Despite a Supreme Court holding that "Redistricting and reapportioning legislative bodies is a legislative task which,the federal courts should make every effort not to pre-empt" (*Wise v. Lipscomb* [1978]), Republican claimants have often filed early in the process frequently before the legislatures have completed their work or missed deadlines. Indeed, in Florida Republican plaintiffs filed on the first day of the legislative session.[6]

A further issue, raised but not joined in New York, concerns whether state court-ordered plans should enjoy the same exclusion from Department of Justice preclearance review as do those adopted by federal courts. This was the view of Justice Shaw, but as the legislature adopted the plan ordered by Justice Shaw, the matter remained undecided.

"When"

Nationally, as in New York, the broad population trends show that while the numbers of Hispanics and Asian Americans are sharply increasing, those of African Americans (and non-Hispanics whites) are growing at a lesser rate. A consequence of this played itself out in the districting process in New York, with Hispanics generally arguing for districts with smaller population concentrations, in the expectation that they would "grow into" the districts. Additional factors were involved as well. They included belief in the greater likelihood of white crossover votes for Hispanic (and Asian-American) candidates, as well as the far greater racial segregation of the African-American population.

While the city's African-American and Hispanic populations are nearly the same (1.847 million and 1.783 million, respectively), their population concentrations across the city sharply differ. For example, 41 percent of the city's African-American population live in Voter Tabulation Districts (VTDs) which are 80 percent or greater black; only 10 percent of the city's Hispanic population live in such VTDs. This is true at the 50 percent population concentration level as well: 68 percent of the African-American population live in such areas, while only 47 percent of the Hispanic population do so.[7] As districting is a matter of both geography *and* demography, even with essentially equivalent populations, it is not possible to craft districts with Hispanic population concentrations at the same level as it is for African Americans. As districting is about voting, two further factors affect these efforts. First, the Hispanic population is younger than the African-American population, and second, the Hispanic population includes a higher percentage of noncitizens than does the African-American population. These factors further conduce toward differences in approach between the African-American and Hispanic communities, encouraging the latter's "growing into" strategy.

"What"

At its simplest level, what is being allocated are legislative seats. And per *Baker v. Carr,* these are to be based upon people, not land area or political

subunits.[8] However, land areas are involved. While never explicitly stated as a matter of policy, in practice the City Districting Commission chose to place important unpopulated areas in "minority" districts. This included such assets as the city's major parks and waterfront areas. Doing so was designed with the understanding that "control" over such assets was an important aspect of gaining political power.

"Who?": Incumbents versus the Protected Classes They Represent

The Voting Rights Act protects the rights of communities of persons from the "protected classes." Too often, however, this has come to mean protecting the rights of incumbents from these communities. While there is an argument to be made as to the importance of selecting candidates from among the members of these communities,[9] it is not the intent of the Act. Indeed, in too many cases the interest of incumbents has been a factor impeding communities from gaining enhanced opportunities. For example, the political leaders of the Hispanic community in the Bronx supported crafting three safer (for them) Hispanic seats while the City Districting Commission plan adopted four. While unsuccessful with the Commission, they were able to convince their legislative colleagues to craft five (rather than the possible six) assembly seats in the Bronx. And in Manhattan, an incumbent council member sought to maximize the percentage of African Americans in "her" district, at the consequence of reducing the possibility of crafting a second African-American majority district in the borough. Of course, incumbent protection is not limited to "minority" communities; and, in fact, after honoring the strictures of the Voting Rights Act, attention to issues of incumbency is not precluded.

Conflict Among Protected Classes

New York is unique in its inclusion of sizeable populations of three "protected classes": per the 1990 census, non-Hispanic blacks represent 25.2 percent of the population, Hispanics 24.4 percent, and non-Hispanic Asians 6.7 percent. (The Voting Age Population [VAP] figures are 23.4 percent, 22.0 percent, and 6.7 percent, respectively.) While non-Hispanic whites had become a minority of the population by 1990, they remained a majority of the city's electorate, representing an estimated 56 percent of those who voted in the 1989 elections.[10]

Given these demographic facts and the facts of geography noted earlier, the work of the Commission involved less issues of "minority" v. "majority" than divisions between and among "minority" groups.[11] As noted earlier, while African Americans and Hispanics constitute about the same number of people, the greater dispersal of the latter made it impossible to craft as many Hispanic-majority districts as African-American. As long as redistricting is understood as a zero-sum game, the tension between the two groups will continue. In a paper prepared for a Harvard University conference on African-American and Hispanic relations, Charles Kamaski, vice-president for research at La Raza, wrote:

> [W]e assumed for a long time that because African-Americans have gone through the kind of searing discrimination—some would argue worse, some would ar-

> gue not as bad as what Latinos have gone through—that they naturally would be more sympathetic and receptive to the kinds of concerns and grievances Latinos have. That was an assumption we've found was not true.[12]

In his paper for the same conference, Milton Morris, director of research for the Joint Center for Political and Economic Studies, wrote, "The Hispanic community is, compared to blacks, a relative newcomer to this whole effort. So it is logical that there should be greater representation in our case than in theirs. It's just the reality of our history."[13] And, perhaps appropriately, the last word (here) on this should be left to a New Yorker. Ruben Franco, then president of the Puerto Rican Legal Defense and Education Fund (PRLDEF) and later an unsuccessful candidate in the new tri-county district, wrote, "When we were going for the crumbs, we were bickering. Now, we're going for the big stuff and we're fighting."[14]

Other Groups

Considering issues that go beyond the Voting Rights Act raises questions about whether other population groups should be given attention when crafting legislative lines. In New York, the gay and lesbian community argued that they were a community, similar to those protected by the Voting Rights Act, who suffered discrimination and deserved representation. This was an argument that the Commission accepted, and after addressing the areas of "minority" population concentrations, the Commission crafted a district which elected an openly gay candidate. Other groups sought representation as well: some argued for class-based districts, and others for attention to gender.

Conclusion

If this "big stuff" is power for individuals, whether people of color or not, then not only is it a zero-sum game, it is politics as usual. The community benefits that the Voting Rights Act seeks to guarantee are matters of more substance. Those, such as Thernstrom,[15] who challenge the post-1982 implementation of the Voting Rights as race-based, ignore that the Act is remedy to the consequences of housing segregation and racial bloc voting, not their cause. On the other hand, Guinier is correct in noting that, "[V]oting rights case law...[has] accepted as its premise the fact that people of different races often lived and voted differently from each other. Rather than insisting that such separateness and difference be eradicated...the Voting Rights Act model of racial justice recognized racial difference."[16]

A concern expressed by many critics—both nationally and in the city—of the current stage of implementation of the Voting Rights Act is that the race-conscious basis of crafting districts would lead to "Balkanization" of the polity. While the current city council has been in office for less than two years, to date this seems not to be the case. Perhaps in only a single instance was race the fracture line in a divided vote. More important, it seems, has been geography. For example, in a decision as to the siting of a major recycling facility, all but one the votes against were cast by those members (Af-

rican-American, Hispanic, and white) whose districts were closest to the proposed plant, while all the votes for it were cast by those members (African-American, Hispanic, and white) whose districts were furthest away. This is not to say that the expanded "minority" presence on the city council has had no effect. It seems clear, for example, that the majority support for a Civilian Review Board (of police misconduct) had much to do with the increase in "minority" members of the council.[17]

John Lewis, now a congressman from Georgia, whose heroism at Selma and elsewhere in the civil rights movement give him unique standing, once again offers a vision for the future:

> The goal of the struggle for the right to vote was to create an interracial democracy in America. It was not to create separate enclaves or townships. The Voting Rights Act should lead to a climate in which people of color will have an opportunity to represent not only African-Americans, but also Hispanic-Americans and all Americans.[18]

Notes

The basis of this discussion is the author's work first as executive director, New York City Districting Commission, 1990–91, and then as a court-appointed expert in the development of the lines for New York's congressional delegation, 1992. For a fuller treatment of these topics, see Gartner, 1993.

1. The Charter of the City of New York is the city's primary guiding document, or essentially its constitution.
2. Members of the Commission took the name "Districting Commission," as opposed to the more common "redistricting," as meaning that the work of the Commission was to start with a blank slate, that was to craft fifty-one *new* seats, not to build upon the existing thirty-five. Thus, for example, among the myriad "levels" of maps that the Commission developed in its data base, it did not include the lines of the thirty-five districts. The city council did hire a consultant who developed a data base for them that included these lines. And, of course, incumbents frequently talked about how "their" district was to be reshaped.
3. This requirement was challenged as a "quota." The suit *Ravitch et al. v. City of New York* was decided on August 3, 1992. District Court (S.D.N.Y.) Judge Mary Johnson Lowe, while finding the race-conscious measure justified by a compelling governmental interest to remedy past discrimination, deemed it unconstitutional because it was not narrowly tailored to achieve its goals, i.e., was too rigid, contained no expiration date, and had the potential to harm innocent people who might be precluded by race from serving on the Districting Commission. The plaintiffs asserted that they were engaged in an act of principle and that they did not wish to thwart the work of the Commission; to this end, they stipulated that a decision in this case would not take effect until after the election (1991) pursuant to the work of the Districting Commission.
4. The plan was supported by all four of the Commission's African-American members, one of the three Hispanic members, the one Asian-American member, and five of the seven non-Hispanic white members.
5. The plans of both the special master and the referees included six minority majority districts. In each plan, a seventh district was an "influence" district; at bottom, the dispute between the two plans involved: (1) whether the special master's seventh district with an Hispanic population majority was vi-

able; and (2) whether it's constitution threatened the other six "minority" districts.

6. The partisan nature of this process is discussed in *Spears* (1992). Of course, the Democrats do not come to these issues with clean hands either.
7. The non-Hispanic white population is the most segregated, with 53 percent living in 80 percent white VTDs and 84 percent living in 50 percent white VTDs.
8. While contemporary Geographic Information Systems (GIS) permit achievement of zero population deviations, to seek to do so for Congress, I believe, is a mindless quest. First, it is time and resource consuming. With current computer capacity, population equality within reasonable deviations of several percentage points is fairly easy to achieve. Driving to zero population deviation requires a qualitative increase in time (and resources) expended. A further consequence of this is to make it harder for citizen organizations to effectively participate.

   Second, there is something anomalous in the requirement of zero population deviation among the congressional districts within a state at the same time as there are huge interstate differences in the number of individuals in a congressional district.

   Third, even in equal population districts there is a substantial disparity in the number of persons who are citizens, as well as in the ratio between the district with the largest number of voters and the smallest.

   Fourth, it is at the least peculiar to insist upon honoring the "one person, one vote" standard at zero population deviation in light of the acknowledged inaccuracy of the census, both overall and specifically among poor people and people of color.

   Fifth, with congressional districts in the range of a half million persons, there can be no credible argument that deviations among districts within a state of as many as several thousand persons would have substantial statistical or political consequence for the equal weight given to each individual's vote. Sixth, driving to zero population deviation not only results in peculiarly shaped districts, it requires a near absolute disregard for any semblance of community.

   None of this is to quarrel with the requirement of equally weighted votes nor is it an argument to return to the pre-Baker era. However, the standards applied to legislative and local districting would suffice, such as accepting deviations of plus or minus a small statistically insignificant percent from the mean when (1) uniformly applied, (2) done without implicating the protection guaranteed by the Voting Rights Act, and (3) done for the purpose of maintaining communities. The governing case, *Karcher v. Dagaet* (1982), would seem to permit application of these principles. However, rather than be subject to challenge for a deviation of a percentage point (or less), those who do redistricting find it prudent to go to zero population deviation, regardless of its consequences, costs, and foolishness. The courts would do well to send a more sensible message.
9. See, for example, Reed (1992).
10. Mollenkopf, 1992, table 4.1
11. The Bronx Democratic machine and its appointee to the Commission argued for dividing the six districts in the county evenly, with "whites" keeping three districts despite the fact that they constituted less than a third of the population. This claim was dismissed if not without some political turmoil and the loss of that member's vote for the Commission's plan.
12. These excerpts are from Morris (1991).
13. Ibid.

14. Ibid.
15. Thernstrom, 1987.
16. Guinier (1991a).
17. Beyond the scope of what we can discuss here are those "third stage" issues that Guinier has so cogently addressed. In a sense, it is an achievement of note that we must now address issues beyond access to the polling booth (stage 1) and equality of votes (stage 2) (Guinier, 1991a, 1991b, 1992).
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Georgia's Reapportionment and Redistricting Process in 1995: Reflections of a Participant Observer

Robert Holmes

Southern Center for Studies in Public Policy,
Clark Atlanta University
Georgia State Representative, District 53

Introduction/Framework

There are three major models or frameworks that one can use to understand the role of black legislators in the reapportionment process. Manning Marable wrote in *How Capitalism Underdeveloped Black America*[1] that many black elected officials (BEOs) often serve as buffers between the African-American population and the capitalist state. The British colonial technique of "Indirect Rule" through tribal chieftains in Nigeria and India is seen as the model for this modern day phenomenon. Aspiring indigenous politicians could choose to either become a part of the system and perpetuate their colonial master's domination of the populace or they could seek to struggle for independence and use government to improve their constituents quality of life.

In contemporary America, BEOs also have two options. On the one hand, they can accept the legitimacy of the existing rules of the political system and work closely with the white political and economic elites to maintain the status quo. Marable describes these politicians as petty bourgeoisie opportunists who utilize their positions to further their individual careers to the detriment of the interests of the masses. On the other hand, the positions in which BEOs serve can provide them with an opportunity to use the political process for the benefit of their African-American constituency to redress past injustices, redistribute societies' resources more equitably, and generally improve the quality of life of the masses. The members of the Georgia Legislative Black Caucus (GLBC) were faced with this not so Hob-

besian choice in the 1995 special session of the general assembly on redistricting/reapportionment.

Kwame Nkrumah, leader of the independence movement and later president of Ghana, coined the phrase "Seek ye first the political Kingdom and all other things shall come thereafter." Many black leaders of the civil rights movement and political struggles in the United States seemed to adopt Nkrumah's dictum which also created unrealistic expectations about what political representation could accomplish for African Americans. However, they seem to have forgotten another dictum which several philosophers of liberation theory, such as Franz Fanon, have noted, "the greatest weapon of the oppressor is control of the mind of the oppressed." By this is meant that the dominated oppressed group may become so socialized that they often times identify with their "masters" and undertake actions contrary to the interests of their own people.

A second model is described by Claud Anderson in his book *Black Labor, White Wealth.*[2] He writes that this phenomenon is a unique legacy of slavery during which time some slaves "sold out" their brethren in order to gain favor with the slave master. And several black political scientists, such as Mack Jones,[3] have written that BEOs, particularly mayors, have exhibited a propensity to resist fundamental changes in this status quo, reject expansion of government's purposes, and have exhibited an inability to conceive of new ways for government to serve the interests of their African-American and poor constituents.

In other words, the role of "gatekeeper" is one that many BEOs have come to epitomize. In the 1995 special session of the Georgia General Assembly on redistricting of congressional seats and reapportionment of state house and senate districts, each member of the GLBC was given an opportunity to choose the role he/she would play. After one half of the black senators and more than 80 percent of black house members voted for the new state house and senate plans, Walter Butler, president of the Georgia Conference of NAACP chapters wrote, "the most disturbing aspect of the plans adopted...is that for the first time since the passage of the 1965 Voting Rights Act (VRA), significant numbers of African-American state legislators have voted to dilute the voting strength of African American voters."[4]

The plans to which Butler referred were those proposed by the white Democratic leadership in their efforts to "save" six districts of white committee chairpersons and protect nine other powerful white legislators by reducing the black percentages in eleven house districts and four senate districts.[5] The special session was called because a June 26, 1995, Supreme Court decision, *Miller v. Johnson,* had sustained a federal district court's ruling that declared the Georgia congressional redistricting plan unconstitutional. However, the white Democratic leadership of the Georgia general assembly convinced the governor to add state house and senate reapportionment to the agenda in his call for the special session.

A third theoretical approach to the issue relates to coalition politics. Stokley Carmichael and Charles V. Hamilton wrote their classic text, *Black Power,*[6] in 1967 in which they discussed three myths or fallacies of coalition politics: (1) that the interests of black people are identical to liberal, labor, and other reform white groups; (2) that a viable coalition can be forged between the

politically and economically secure and the politically and economically insecure; and (3) that coalitions can be sustained on a moral, friendly, and sentimental basis. The events surrounding the 1995 Georgia General Assembly special session will provide us with some valuable insights concerning the relative success of the efforts of black legislators to use coalition politics to achieve their goals in the reapportionment/redistricting process.

This article attempts to provide the reader with a summary of the session from the perspective of someone who had the opportunity to observe and participate in this historic event. We shall examine the session from the perspective of Marable's concept of "Indirect Rule," Anderson's and Jones' "gatekeeper" framework, and Carmichael and Hamilton's theory of "coalition myths." We shall analyze the events of 1995 in terms of these conceptual frameworks. From the beginning, it was clear that the eyes of the nation would be upon Georgia because this was the first attempt by a state to respond to the U.S. Supreme Court's ruling on congressional redistricting. The author will attempt to provide an overview of the process, and also point out some lessons to be learned from this case study in the hope that it will help others to avoid repeating them in the future.

Background

During the 1991 session, the U.S. Department of Justice (DOJ) had required Georgia to adopt a three black majority district Congressional plan as a condition for preclearance. Georgia is required to seek preclearance from the DOJ of any changes in its electoral districts under the VRA. During the 1991 special session, congressional redistricting plans containing only two majority black districts were rejected on two occasions, and it was only after the Georgia General Assembly adopted and submitted a three majority black plan was it approved.

In 1992, State Representative Cynthia McKinney and State Senator Sanford Bishop were elected to the two newly created seats and joined incumbent Congressman John Lewis as new African-American members of the Georgia delegation. In January 1994, George DeLoach, the white candidate whom McKinney had defeated in the 1992 Democratic run-off primary election, and four other plaintiffs, filed a suit in the U.S. District Court of the southern district of Georgia in which they claimed that racial gerrymandering had been used to create the district in violation of the equal protection clause of the Constitution. In September 1994, citing testimony of defendants House Speaker Thomas B. Murphy and Lt. Governor Pierre Howard, the district court declared in a 2–1 decision in *Miller v. Johnson* that race had been the decisive factor in drawing the map to satisfy the DOJ's "black maximization policy."

On June 26, 1995, in a 5–4 decision, the Supreme Court said the plan was unconstitutional because race was the predominant factor in the redistricting process. Associate Justice Anthony Kennedy, writing for the majority, criticized the DOJ for its "short sighted and unauthorized" application of the Voting Rights Act saying the law "did not require race based districting nor the maximization of black representation."[7] It remanded the case back to the district court for further action. Selwyn Carter, director of the Southern Regional Council's Voting Rights Programs, characterized the decision

as "erecting new barriers to the voting rights and political representation of African Americans and other minorities."[8] The court ruling reduced the DOJ's authority and weakened its ability to protect the franchise of African Americans. Carter said the decision of the court reflected an ignorance of history and an effort to turn back the clock on the civil rights gains of minorities.

The four dissenting justices led by John Paul Stevens and Ruth Bader Ginsburg asserted that the majority had misapplied the term "racial gerrymander." Stevens said that a plan that favors the politically weak does not violate the equal protection clause because its purpose is to promote fair representation of different groups. Justice Ginsburg asserted that redistricting should be left to the state legislatures except where intervention was necessary to prevent minority vote dilution. Thus, she argued the court should have approved the plan.

The Aftermath of *Miller v. Johnson*

The Supreme Court's decision sent political shock waves through Georgia and southern politics. American Civil Liberties Union (ACLU) attorney Laughlin McDonald said, "I really fear this court is sending us back to the dark days of the 19th century." Black Georgia leaders labeled the decision an attack on black political gains that would lead to suits challenging hundreds of black majority districts at all levels of government. It was believed that the Georgia General Assembly would wipe out two of the majority black congressional districts as well as reverse the GOP's gains in the 1994 election.[9]

After a meeting with Speaker Murphy, Lt. Governor Howard, and the general assembly Democratic leadership (only one of the ten legislators present was black), Governor Miller called for a special legislative session to convene on August 14, 1995, to consider congressional redistricting as well as state house and senate reapportionment. The consideration of general assembly seats came as a surprise since there was no court ruling to respond to, nor had a suit been filed in federal district court concerning the issue. However, A. Lee Parks, the attorney for the plaintiffs in *Miller v. Johnson*, had threatened to file a suit against seventeen house and five senate districts alleging that the legislature had drawn racially gerrymandered districts.[10]

The sixty-six GOP and thirty-two black Democrats in the house and twenty-one Republicans and ten black members in the Senate constituted majorities in both chambers of the legislature. Prior to the session convening, there was speculation about a coalition between black and Republican legislators to retain the existing districts. In 1995 the Georgia congressional delegation had eight white Republican and three black Democratic members. There was uncertainty regarding whether the Georgia legislature would attempt to redraw only the eleventh congressional district and readjust adjacent districts or redraw the entire state congressional map. The data in the congressional map, which had been precleared by the DOJ and was declared unconstitutional by the federal district court and sustained by the U.S. Supreme Court is cited in Table 1 below.

The GLBC chair, Senator Diane Harvey Johnson, had scheduled a strategic planning retreat at Lake Lanier Islands in Gainesville, Georgia, for mid-July and she added redistricting to the agenda. She appointed a Task Force

Table 1
Georgia Congressional Map

District Number	Total Population % Deviation	Black Population % of Total	VAP % of Total	Black VAP % of VAP
1	589546	133616	429079	87200
	0.10	22.66	72.78	20.32
2	591681	334433	416052	217320
	0.47	56.52	70.32	52.23
3	591712	105893	429385	70042
	0.47	17.90	72.57	16.31
4	588293	67968	448179	48225
	-0.11	11.55	76.18	10.76
5	586485	365206	440910	253413
	-0.41	62.27	75.18	57.47
6	587118	35366	438847	25567
	-0.31	6.02	74.75	5.83
7	588071	75813	431939	50533
	-0.15	12.89	73.45	11.70
8	591249	124253	427130	78517
	0.39	21.02	72.24	18.38
9	586222	21516	436725	15161
	-0.46	3.67	74.50	3.47
10	591644	106916	439254	72631
	0.46	18.07	74.24	16.54
11	586195	375585	413413	249533
	-0.46	64.07	70.52	60.36

on Redistricting to devise a congressional plan, to negotiate with the general assembly leadership, to monitor the work of the senate and house Reapportionment Committees, and to regularly report to and dialogue with the full caucus on reapportionment/redistricting issues before and during the special session. Black lawmakers were concerned that the general assembly leadership might destroy the three black majority districts by dispersing loyal black Democratic voters among several districts, thus enhancing the electoral prospects of white Democrats. The GLBC emerged from its retreat espousing the slogan "3 Seats, No Retreat" and its chair presented the plan in Table 2 below to the house and senate legislative Reapportionment Committees which embodied this concept. The plan made changes in the three majority black districts and reduced the black percentages from 56.52 to 54.45 (2d), 62.27 to 56.70 (5th) and 64.04 to 56.56 (11th).

Senator Johnson had also contacted several organizations and individual lawyers to provide legal advice to the GLBC as it prepared for battle to retain the three black majority districts. Among those who worked with the GLBC on the issue were Selwyn Carter, head of the Voting Rights project of the Southern Regional Council (SRC), and lawyers from the NAACP Legal Defense and Education Fund, Lawyers Committee for Civil Rights Under Law, the American Civil Liberties Union, and other civil rights attorneys. On three occasions, they met with the GLBC prior to the special session to

Table 2
Georgia Congressional Districts Plan
Presented by the Georgia Legislative Black Caucus

District	White	% White	Black	% Black	Total VAP	White VAP	% White VAP	Black VAP	% Black VAP
1	398607	67.74	179805	30.56	426375	301018	70.60	118451	27.78
2	259587	44.11	320418	54.45	414393	200257	48.33	208194	50.24
3	455817	77.39	124222	21.09	431175	341617	79.23	83421	19.35
4	509790	86.38	51161	8.67	450110	392142	87.12	37193	8.26
5	240478	40.84	333895	56.70	447848	203393	45.42	233875	52.22
6	526103	89.34	45908	7.80	440796	396858	90.03	32183	7.30
7	506077	85.96	76946	13.07	427992	372984	87.15	51123	11.94
8	435636	73.98	146096	24.81	423174	325735	76.97	92566	21.87
9	568015	96.38	14588	2.48	437597	422418	96.53	10530	2.41
10	454892	77.25	120640	20.49	437714	346904	79.25	81129	18.53
11	245146	41.65	332886	56.56	413739	187088	45.22	219477	53.05

provide technical assistance on drawing maps and legal advice regarding constitutional issues; several of the civil rights attorneys testified before the house and senate committees. There were many individual contacts with GOP members, but there was never a formal meeting held between the GLBC and GOP leadership to discuss state reapportionment or congressional redistricting plans.

On August 2, the Southern district court of Georgia set a hearing date for August 22, and it invited the parties to the suit to submit plans and ideas by August 15 (one day after the special legislative session was to convene). The judges also asked the parties to indicate why the court should not draw a redistricting plan.[11]

In a meeting between the GLBC Reapportionment Task Force and the house leadership held a few days after the court order was issued, Representative Bob Holmes suggested that the defendants (Speaker Murphy, Governor Miller, Lt. Governor Howard, and Secretary of State Max Cleland) petition the court to ask for a delay, but the suggestion was rejected. Georgia Attorney General Michael Bowers said a progress report on the general assembly's actions during the special session would be sufficient. However, House Speaker Murphy attempted to use the August 2 court order to pressure the GLBC to agree to a congressional plan, which was not based on racial considerations, before the convening of the legislature.

While the court's intentions were unknown and its actions "highly unusual," there was a consensus that the general assembly should try to draw a congressional redistricting map. Joint meetings of the senate and house Reapportionment Committees began on July 31. Senator Peg Blitch, chair of the senate reapportionment, expressed frustration at the lack of guidance from the federal district court and the conflicting legal advice from several lawyers who had presented testimony concerning the proper remedy.[12] Pamela Susan Karlan, an adviser to the GLBC, and a professor of law at the University of Virginia, told the panel, "You are walking a tightrope right now. Whichever way you draw the districts, someone is going to sue."[13]

State Reapportionment

While most of the public focus was on redrawing the congressional boundaries before the convening of the special session, once it opened on August 14 the legislature's concern immediately shifted to state house and senate reapportionment. There was much evidence to indicate that the priority interest of the white Democratic leadership was to change the house and senate districts. This was apparent not only from the almost complete concentration on the reshaping of state legislative districts during the first two weeks of the special session, but also from their unwillingness to work on the congressional and state plans simultaneously. There were indications in the pronouncements by the federal district court judges that they favored the plaintiff's position and would likely draw a plan with only one black majority congressional district, thus allowing more white Democrats to be elected. Since it was unlikely that black legislators would agree to such a plan, the most viable strategy for the white Democratic leadership would be to pass the state legislative reapportionment plans and then allow the court to draw the congressional plan.

During the entire first week of the session, the reapportionment staff huddled with groups of legislators from different regions of the state in an effort to reshape their districts. It was apparent that the "real agenda" of the general assembly leadership was to protect several white Democratic committee chairs, the majority leader, and a few other close associates of Speaker Murphy in the house and some allies of Governor Zell Miller in the senate. The *Atlanta Journal* editorialized that the general assembly had apparently forgotten why it had been called into session. With only two working days before the scheduled court hearing date on August 22, neither chamber had even considered a congressional plan. The newspaper accused the general assembly leaders of playing politics in focusing on helping some powerful members to get re-elected in 1996 rather than waiting to redraw the lines in 2001 after the next census. Also, it was conjectured that the Democratic leaders recognized they could not get the votes of enough black Democratic lawmakers to pass the type of congressional plan desired by them (one majority black district), so they decided to wait for the court to draw a new congressional redistricting plan.[14] The newspaper was to prove prophetic in this assertion.

Despite this criticism, the legislature moved ahead. While some black legislators expressed concerns about the new strategy of the legislative leadership, several GLBC members whose districts were mentioned as targets for a future court suit by the plaintiffs' attorneys began to negotiate with their legislative colleagues in adjoining districts to redraw their districts.

The senate reduced two majority black districts represented by the white Democratic chairman, Senator Steve Henson (55-Consumer Affairs), and Senator Harold Ragan (11-Agriculture) from 62.4 to 43.44 percent and from 58.72 to 41.59 percent respectively. Obviously, these significant changes would make it very difficult for prospective black challengers to get elected. Only one of the four black members of the senate Reapportionment Committee, Senator David Scott, chair of the GLBC Task Force on Reapportionment, opposed this plan. An attempt by the Governor's senate floor leader, Sena-

Table 3
Changes in Senate Districts

Senator/Position	Black Population Percentage 1992	Black Population Percentage 1995	Black % Change
Loyce Turner (8), Chair, Banking and Finance	18.50	31.25	+12.75
Harold Ragan (11), Chair, Agriculture	58.72	41.59	-17.13
Mark Taylor (12), Governor's Floor Leader	62.37	55.55	-6.82
George Hooks (14), Chair, Appropriations	35.91	42.17	+6.26
Hugh Gillis (20), Chair, Natural Resources	31.37	37.40	+6.03
Terrell Starr (44), Chair, Finance	15.83	29.64	+13.81

tor Mark Taylor of Albany, to reduce his district below 50 percent black failed, but he did succeed in having it decreased from 62.37 to 55.55 percent. By reducing the black voting age population in his district to 50.44 percent, Taylor thereby enhanced his reelection prospects. Scott said the Senate was illegally trying to change the 1992 plan. The Senate plan also helped to bolster the re-election prospects of several Democratic senate leaders by increasing the number of black voters in their districts to help them withstand expected strong Republican challenges in the 1996 general election. Table 3 reflects the changes that were made in some key senators' districts.[15]

House Bill 7EX (Smith 169, Holland 157, and Perry 11), which contained significant changes in many of the state house districts, was introduced shortly after the general assembly convened. The house Reapportionment Committee decided to make even more extensive changes, twenty-two of which benefitted white Democrats while only two were advantageous to incumbent black lawmakers. Among the powerful white Democratic legislators who benefitted from these changes were the governor's assistant floor leader, Tom Bordeaux (151), 61 to 52 percent black, Majority Leader Larry Walker (141), 59 to 26 percent, House Agriculture Chair Henry Reeves (178), 63 to 27 percent, and Representative Bob Hanner (159), chair of the Natural Resources and Environment Committee, 62 to 39 percent. However, black Representative Eugene Tillman (173) saw his district slashed from a 60 percent black voting age population to 38 percent, and GLBC Vice Chair Carl Von Epps' (131) district was reduced from 67 to 47 percent. Overall, the final version of the house Legislative and Congressional Reapportionment Committee made changes in sixty-nine house districts despite claims by the leadership that their only purpose was to take preemptive steps to avoid a threatened lawsuit on seventeen house districts. Table 4 below lists the major changes in eleven majority black districts.

The GLBC held several meetings to discuss strategy on the state house reapportionment bill. After one marathon meeting lasting over four hours,

Table 4
Major Changes in Majority Black House Districts
(percentages)

	1992 % Black Pop.	1992 % Voting Age Pop. (VAP)	1995 % Black Pop.	1995 % Voting Age Pop.	Decrease
Jimmy Lord (121), Chair Insurance Committee	62.60	58.84	53.60	49.83	-9
Larry Walker (141) Majority Leader	59.06	54.04	26.03	23.90	-33.03
Tom Bordeaux (151) Governor's Assistant Floor Leader	61.14	56.25	51.65	46.88	-9.94
Bob Hanner (159), Chair Natural Resources & Environment Committee	62.22	57.43	43.11	40.39	-19.11
Henry Reaves, (178) Chair Agriculture Committee	63.10	58.01	27.20	24.64	-35.9
Gerald Greene, (158) Secretary Appropriations Committee	63.62	58.79	55.70	50.89	-7.92
Kermit Bates (179)	63.28	59.13	37.32	33.51	-25.96
Frank Bailey (70)	57.24	54.18	52.90	50.05	-4.34
Mickey Channell (111)	54.45	50.11	36.57	32.64	-17.88
E.C. Tillman (173) (Black Legislator)	60.58	57.29	48.124	7.48	-12.46
Carl Von Epps (31) (Black Legislator)	60.07	51.07	55.68	47.27	-4.39

Source: Compiled by author.

there was unanimous agreement among the thirty-two black house members to vote against the house leadership's plan. They were upset over the fact that there had been no formal consultation with the caucus by the house leadership before making the drastic reductions in the black population of numerous house districts. However, Speaker Murphy refused to postpone the vote on the plan. House GOP Minority Leader Bob Irvin (45) attacked the proposed changes as "a deliberate assault on both black and Republican districts using the Supreme Court as a poor excuse. It's a deliberate calculated attempt to undo the elections that resulted in more blacks and Republicans being down here."[16]

On the day of the vote, the house leadership increased the black percentages in the two black representatives' districts, Tillman's from 38 to 48 and Von Epps from 47 to 51. However, several GLBC members argued that its members should still vote against the plan because there was no legal reason to change the existing 1992 plan, and that defeating the plan was essential to gain leverage to force passage of an acceptable congressional redistricting plan. Representative Bob Holmes (53) suggested that the two

plans be "paired" and that no action be taken on either one until there was agreement on both. However, Speaker Murphy rejected this idea and the house leadership brought its plan to the house floor over the objections of the GLBC. A GLBC-GOP coalition managed to narrowly block the passage of the house leadership's plan by a vote of eighty-nine to eighty-seven, two votes short of the required constitutional majority of ninety-one votes. While ten Republicans voted with the white Democrats, all thirty-two black members opposed it. Majority Leader Larry Walker served notice that he would ask for reconsideration of the vote on the next day.

Meanwhile, the state senate passed its state reapportionment plan with five GLBC members voting yes and five voting no. Senator Scott led the opposition, calling the plan a "terrible mistake" and criticized his Democratic colleagues for diluting the black vote by "dismantling black majority districts." The caucus members who voted for the plan justified their position on the grounds that they "got the best deal" possible to preserve the seats of two black incumbents. Black Senator Charles Walker said, "I can hardly lose something I never had"—a reference to the fact that the diluted senate districts were currently represented by white Democrats.[17] During the 1991 special session, the GLBC had adopted the philosophy that any new congressional and state legislative seats created may not be won in the 1992 or 1994 elections, but if they were not drawn at that time, then blacks would never have the opportunity to win them. Thus, Walker's position seems to have been contrary to the GLBC's 1992 perspective on redistricting.

Some black legislators believed that the defeat of the house leadership's reapportionment plan on the state house districts might enhance black and Republican leverage in the congressional redistricting battle. As long as both plans were on the table, the GLBC would be able to bargain for a better deal in protecting incumbent black lawmakers in the state house, senate, and congressional delegations. In one of the many meetings held on the issue, Representative Holmes cautioned his GLBC colleagues that if they passed the state reapportionment plans first, there may not be a vote taken on the congressional plan. However, this opportunity was lost when more than 80 percent of the GLBC members voted in favor of Majority Leader Larry Walker's motion to reconsider the failed plan. This was done despite pleas from caucus members who argued that to do so would be a step backward and amount to giving away hard fought gains without securing anything in return. However, several caucus members publicly proclaimed their allegiance to the Democratic party and called the earlier 89–87 vote in which they voted with a majority of the Republican legislators only a coincidence, and not an alliance or coalition. They asserted that no meetings had occurred and that they vowed to work with the Democratic leadership in the general assembly.

There was a lengthy GLBC late night meeting marked by an acrimonious debate over the indefensibility of voluntarily diluting eleven majority black districts currently represented by white Democrats. Again the issue of "pairing" was raised, but Representative Calvin Smyre (136), the leader of the caucus house negotiating team, reiterated that the house leadership had rejected this proposal. Afterwards, five house members on the GLBC Task Force went to a meeting with Speaker Murphy and other house Democratic leaders in the reapportionment office. In a last ditch attempt to salvage the

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situation, Representative Holmes went into the meeting and told the gathering that several caucus members wanted the speaker to instruct the staff to work on state and congressional plans simultaneously. The speaker exploded and screamed to Smyre, "I told you not to bring Holmes to our meetings. He's the most unreasonable person in the legislature." Speaker Murphy then stormed out of the room. The speaker's closest ally, Democratic Caucus Chair Bill Lee, lamely said there was inadequate staff to work on both plans at once, to which Holmes responded, "Don't insult my intelligence." When the other GLBC members remained silent after these verbal exchanges, Holmes left the meeting.

The next day, twenty-six of the GLBC members in the house reversed their previous position and voted for the Democratic leadership's slightly modified plan, three voted no, and three members were absent. The plan passed easily. It was adopted in the senate, signed by Governor Miller, and forwarded to the DOJ. As was the case with the senate plan, the house reapportionment plan helped white Democrats' re-election prospects in 1996 by increasing the black population by percentages ranging from 2.94 to 27.21. Table 5 below includes this data.

After the adoption of the state senate and house reapportionment plans, Walter Butler, president of the Georgia Conference of the NAACP chapters,

Table 5
Changes in 13 Other House Districts to Assist White Democrats

	1992		1995		
	Black Population	Black %	Black Population	Black %	Change %
Earl O'Neal (75)	5,253	15.14	8,568	24.47	+9.33
Tom McCall (90)	10,012	29.19	13,453	36.37	+7.18
Bill Lee (94) (Majority Caucus Chairman)	6,899	18.52	7,741	21.46	+2.94
Jack Cornell (115) Speaker Pro Tem	10,825	28.75	11,978	33.64	+4.89
Emory Bargeron* (120) Chair, Journals	12,666	36.92	19,697	56.05	+19.13
Bobby Parham (122) Chair, Motor Vehicles	10,742	29.93	15,654	42.94	+13.01
Robert Ray (128)	5,800	15.75	9,552	25.35	+9.6
Jimmy Skipper (137)	11,225	29.77	15,583	43.01	+13.24
Johnny Floyd (138)	5,529	14.93	13,491	38.01	+23.08
Richard Royal (164)	12,341	36.01	15,596	42.29	+6.28
Hinson Mosley (171)	7,594	21.32	10,433	28.40	+7.08
Jay Shaw (176)	7,659	20.29	9,017	25.48	+5.19
Tim Golden (177)	5,935	16.00	16,193	43.21	+27.21

The strategy of the Democratic leadership was obvious: increase the black percentage in the fifteen house districts to help the re-election prospects of white Democratic incumbents.

* Bargeron announced before the special session that he would not be running for re-election in 1996.

criticized the general assembly and called the vote "an attempt to turn back the clock on the voting rights of African Americans in the state" and "retrogression and vote dilution" in violation of Sections 2 and 5 of the Voting Rights Act. Criticizing the black house and senate members who voted for the plans, Butler wrote,

> The most disturbing aspect of the plans adopted this week is that for the first time since the passage of the 1965 Voting Rights Act, significant numbers of African American state legislators have voted to dilute the voting strength of African American voters. The decision by several members of this caucus to support plans to reduce the number of majority black districts sets a dangerous precedent. The actions of some of the black legislators will make it harder to convince the Department of Justice to interpose an objection to these discriminatory plans. Even worse, by siding with the white majority against the voting rights of African Americans, black legislators have made future litigation against these plans more difficult, time consuming and costly.[18]

The Congressional Redistricting Battle

With the August 22 public hearing less than twelve hours away, the Georgia house committee passed a congressional plan, House Bill 8EX (Smith 169, Holland 157, and Perry 11), similar to one outlined by Speaker Murphy and the plaintiffs' attorney A. Lee Parks. Its primary features were: one 57 percent black majority district (Congressman John Lewis) and two influence districts; the eleventh district (Congressperson McKinney) at 41 percent confined to two metro Atlanta counties (Dekalb and Clayton); and the second district (Congressman Bishop) at 39 percent.[19]

In a *New York Times* Op Ed article, A. Lee Parks lamented the fact that no white Democrats were in the Georgia congressional delegation because blacks were concentrated in a few districts, and he urged blacks to work with white Democrats against the Republican party. Parks said African Americans should try to elect candidates based on biracial coalitions, and warned that the court would draw the plan if the legislature did not seize the opportunity.[20] The fundamental flaw in Park's argument was his refusal to acknowledge that the major reason for the absence of white Democratic congresspersons was the shift in the white vote in Georgia (53 percent to 62 percent between 1992 and 1994 among white males) to the Republican party. Also, efforts in three statewide elections in 1990 and 1992 of notable black candidates who attempted to build coalitions with white voters in statewide elections, such as former congressman, mayor, and ambassador Andrew Young for governor and former state senator and acting/appointed Labor Commissioner Al Scott for commissioner of labor and public service commission, saw their hopes dashed by white polarized voting patterns.

At the August 22 hearing, the federal judges again criticized the DOJ and blamed it for Georgia's predicament. Judge Dudley Bowen said the state had been "bludgeoned into passing a monstrosity Congressional redistricting plan." The three judge panel then set a deadline of October 15 for the general assembly to draw a new plan and secure approval from either the Justice Department or the Washington, D.C., federal district court.

The GLBC Task Force members worked long into the nights and on weekends to craft a compromise congressional plan that could gain the support of their white Democratic colleagues. In contrast to its action on the state house and senate plans, the GLBC held firm and resisted all efforts by the white Democratic leadership to stampede it into supporting a one black majority district plan. Numerous meetings were held with the house leadership, and finally, on August 24, a plan that seemed to offer the possibility of re-electing the three black incumbent congresspersons as well as perhaps three white Democrats was agreed to and introduced by Speaker Murphy as a floor substitute to the above mentioned committee plan. This congressional plan passed the house 103 to 66 with all GLBC members voting in favor. It contained two majority black districts (the fifth at 56.31 percent and the eleventh at 53.37 percent), while the second district had a 49.5 percent black population. This plan passed after the house voted to defeat (62 to 108) a Republican-backed plan sponsored by GOP Representative Tom Lawrence (63) and black legislator Tyrone Brooks (54) which had been submitted to the federal district court by Congressman John Lewis and Speaker Newt Gingrich. Under this plan, the fifth district (Lewis) was 57.1 percent black; the eleventh district (McKinney) had a 54.85 percent black majority; and the second district (Bishop) was 49.36 percent black. The house plan adopted was then submitted to the three-judge federal court panel to show movement by the general assembly in meeting the court's mandate.[21]

However, in the senate, charges of betrayal were made after a congressional redistricting plan with only one majority black congressional district passed thirty-four to twenty-one in a racially polarized vote. Senator Mark Taylor, the governor's floor leader, who had apparently set his sights on the second congressional district seat, introduced the plan as a floor substitute. In an obvious appeal to the "angry white male" and the anti-affirmative action mood of the senate, Taylor urged senators to support the plan "if you're tired of paying for the sins of your fathers and grandfathers." However, black Senator Ed Harbison said, "to put it plainly, it (the plan) stinks and represents a deliberate attack" against Georgia's black congresspersons. His colleague, Senator Charles Walker, accused Taylor of trying to further his own congressional ambitions.

The plan excluded Congressman Bishop's home county of Muscogee from the second district and reduced the black population below 40 percent. All ten black senators voted against the plan, but a coalition of GOP and white Democratic lawmakers voted in support of it. Unlike the house version, the senate plan did not put Speaker Gingrich and Congressman Bob Barr in the same district. However, it "kicked" Bishop out of his second congressional district and put him into the third district with GOP Congressman Mac Collins. Also, Speaker Murphy objected to the senate plan's placing of Cobb County in the seventh congressional district. It was clear that the house and senate were too far apart for a quick resolution of their plans and that a six-member conference committee would have to try to work out major differences. GLBC member Charles Walker was named a senate conferee, and Speaker Murphy placed veteran black legislator David Lucas on the house conference committee.

The leaders of a coalition of black civil rights organizations, including the Concerned Black Clergy, NAACP, Rainbow Coalition, and SCLC, condemned the senate action as "racist and absurd" and characterized the dilution of black voting strength in state legislative districts as "illegal, immoral and unwarranted." Their statement accused the white Democrats and Republicans of "abandoning and emasculating" the Voting Rights Act. Referring to the black legislators who voted to dilute black state legislative districts, they said "the strategy of divide and conquer is as ancient as slavery and yet it continues to succeed." They urged the legislature to adopt a plan similar to the one passed by the house. If a version of the senate plan were adopted, they threatened to file a lawsuit under Section 2 and to urge the Department of Justice to reject the plan under Section 5 because it diluted black voting strength. The group planned a series of town hall meetings around the state to educate and inform the public regarding the efforts to dilute black voting strength. The concluding sentence of their statement said, "We have come too far, marched too long, prayed too hard, wept too bitterly, bled too profusely, and died too young to let anybody turn back the clock on our journey to justice."[22]

A black newspaper, *Augusta Focus*, editorialized that white Democrats are apparently seeking affirmative action in terms of congressional representation. Blacks were urged to adopt an independent posture because the alliance with white Democrats was obviously unworkable since political survival was at stake.[23]

When the senate and house each insisted on their positions, a conference committee was appointed. The black legislators were still reeling from the white Democrat-Republican senate action and tried to stake out their position and effect an acceptable compromise. The GLBC gave up its battle to secure three majority black districts, and some expressed concern that house Republicans and Democrats might somehow coalesce and pass a plan similar to the senate version which had only one majority black district.

The house negotiators focused on Speaker Murphy's priority of getting Cobb County completely out of the seventh district, thus placing two Republican congressmen, Barr and Gingrich, in the same district. This was obviously unacceptable to house and senate Republicans. Many political games were being played with multiple agendas, including efforts by several senators to position themselves for a congressional race. For example, Senator Taylor, whose plan would push Congressman Bishop into the third district and cut the black population to 39 percent, was said to be contemplating a congressional bid. Senate Majority Leader Sonny Perdue was believed to be interested in the eighth congressional district seat and favored a plan which added the northern, majority-black portion of the city of Macon to the district and shifted incumbent GOP Congressman Saxby Chambless's home county of Colquitt out of the district. Lt. Governor Pierre Howard's former executive assistant, Lewis Massey, reportedly had his sights on the ninth district and sought to move Clarke County (home of the University of Georgia) from the tenth to the ninth district. These were only a few of the "subplots" that complicated the efforts to reach an agreement on congressional redistricting.

Eleven days after the conference committee had been appointed, the frustration level of the senate led to the passage of an adjournment resolu-

tion on September 8 by a vote of thirty to twenty-one, with seven of the ten GLBC members voting in favor of the resolution to adjourn. This action was taken without any consultation with the black house members. However, by a seventy-three to eighty-eight vote, with all GLBC members opposing the "sine die" resolution, the house refused to end the special session. Speaker Murphy had allegedly sent a state plane to fly in some legislators in an attempt to muster enough votes to pass the adjournment resolution. The house also convened on Saturday, September 9, with the expectation that its members would have an opportunity to vote on a conference committee plan. There was a vote to reconsider the failed vote to adjourn, and it passed eighty-two to seventy. However, this was still nine votes shy of the ninety-one votes needed to adjourn.

The session then turned into a surrealistic, Rod Serling "Twilight Zone" event. Some days lasted from 10 A.M. until 1 A.M., with members being asked to "stand at ease pending the call of the Chair (Speaker)" for two or three hours at a time, only to reconvene for two to three minutes and then recess again for an undetermined amount of time. A conference committee report was submitted, but it was so unacceptable that it received only two of fifty-six votes in the senate and nineteen of 180 in the house.

Factionalism existed among the GOP as well as white and black Democrats. The U.S. House Speaker Newt Gingrich urged his Republican colleagues to end the session to minimize the possible damage that could happen if the Democrats united. Most of the GOP house members publicly rejected his request, some from the house floor, but an overwhelming majority of the Republican senators heeded his call. Meanwhile, many house GLBC members became suspicious of a possible move by dissident white house Democrats and Republicans to pass a one majority black district congressional plan. This fear eventually outweighed their concern that the federal district court might draw the plan. As it turned out, this was a very serious miscalculation.

Tempers flared almost continuously among the senate and house conferees as each blamed the deadlock on the other side. The black house conference committee member, David Lucas, accused the Democratic senate negotiators of "cutting a deal with the devil" in voting for a plan that helped Republicans rather than black Democratic congresspersons. Senator Jack Hill retorted that the house was being unreasonable in its insistence on dealing with the seventh district first at Speaker Murphy's request. Citing their "fixation" on this part of the map, he said, "Let's be real clear that one fix the blame where the blame ought to lie: your unwillingness to negotiate on the rest of the map until the 7th is completed." After the conferees adjourned on Sunday at 10 P.M. on September 10, the speaker said publicly the legislature should go home.[24] After another day of acrimonious negotiations, a clear majority of the house members had had enough. Finally, in the early afternoon of Tuesday, September 12, the members of the house voted 102 to fifty to adjourn and the senate voted forty to thirteen to go home.

Post-Mortem on the Special Session

The media and the public were critical of the general assembly for staying in session for more than five weeks at a cost of $500,000 ($25,000 per

day) and leaving without accomplishing its task. The legislature was accused of abdicating its responsibility to the federal judges. The media focused on the time spent on state legislative districts as a clear indication of the legislators' priorities—"to protect their own political interests." All three factions of the general assembly (Republicans, African Americans, and white Democrats) were blamed for putting "their narrow political agendas ahead of the larger interests of the voters, thus resulting in a deadlock."

Atlanta Constitution political editor Tom Baxter called the session "a watershed event" that marked the end of the old monolithic politics of the past.[25] The *Atlanta Business Chronicle* referred to three political parties—Republicans, Democrats, and black Democrats—emerging in the general assembly and conjectured whether the legislature would be able to resolve other tough issues in upcoming sessions. There was speculation that the Republican-white Democrat alliance that had passed the senate congressional plan might become the controlling force in future sessions. Speaker Gingrich said he was glad the session ended because the legislature was "on the verge of becoming destructive." However, Congresswoman Cynthia McKinney called it a shame that the legislature decided "to throw in the towel."[26]

Reverend Joseph Lowery, president of SCLC, blamed white Democratic senators for their refusal to agree to a modified version of the house-passed congressional plan. Congressman Bishop asserted the legislature did its best, but there were too many "serious disagreements." Republican Congressman John Linder commented that he was happy that the court would decide the matter rather than the "spiteful Speaker (Murphy)." And Lt. Governor Howard said any map passed would have been suspect because of the focus on race in drawing any plan. Representative Denny Dobbs perhaps best characterized the reason why the special session ended without drawing new congressional lines in these words: "We just split up into too many factions."[27]

Black and white Democrats were split over how many majority black districts to draw. Some legislators were jockeying to create districts in which they could run for Congress. Republican efforts to retain their eight congressional seats caused them to refuse to compromise. And many white Democrats objected to their counties being placed in districts with large urban counties. Even the specter of court intervention proved insufficient to force action by the general assembly.

The GOP decided to take their chances with the court rather than accept a house map placing Congressmen Gingrich and Barr in the same district. Black legislators, who observed how the momentum in the house seemed to be shifting to the Senate-passed version, decided they too would take their chances with the federal judges. And white Democrats became confident that the judges would reconfigure the eleventh congressional district and disperse black voters into other adjacent districts, thus increasing the prospects of electing more white Democratic congressmen. To some GLBC members, the media, and other political pundits, this seemed to have been the "game plan" from the initial days of the session. According to the house Reapportionment Committee chair, Representative Tommy Smith, "There's a large segment of the General Assembly that has felt from the beginning

that the courts would draw it (congressional plan) more to their liking."[28] Smith proved to be clairvoyant on this matter.

Conclusion

The GLBC retained its unity on congressional redistricting, but this was not enough to gain the support of their house or senate white Democratic colleagues. The fragile coalition of Democrats was divided along racial lines, perhaps beyond repair. It remains to be seen whether this division will carry over into future sessions of the general assembly. It has long been said that legislative redistricting/reapportionment is politics in its rawest form, and many general assembly members found out just how ugly the process can be.

Finally, on December 13, 1995, federal district judges Dudley H. Bowen, Jr., and B. Avant Edenfield put an end to the speculation concerning what the Georgia congressional map would look like as they released the new congressional map they had drawn. After the special session ended, the court had also declared the second congressional district unconstitutional. The judges' map made drastic changes, shifted more than 60 percent of Georgia's residents into new congressional and districts, and reduced the number with black majorities from three to one. Table 6 below shows the black population in the new districts. The plan drawn by the court is likely

Table 6
1995 Congressional Map Drawn By Federal District Court

District Number	Total Population % Deviation	Black Population % of Total	VAP % of Total	Black VAP % of VAP
1	588541	179809	426558	118631
	-0.07	30.55	72.48	27.81
2	587583	230419	415407	145948
	-0.23	39.21	70.70	35.13
3	589630	145377	424974	95713
	0.12	24.66	72.07	22.52
4	589322	215700	450500	147784
	0.07	36.60	76.44	32.80
5	589359	365330	442885	253212
	0.07	61.99	75.15	57.17
6	589600	37597	440475	27122
	0.11	6.38	74.71	6.16
7	589405	77871	432683	51911
	0.08	13.21	73.41	12.00
8	587912	182636	425122	120107
	0.17	31.07	72.31	28.25
9	589420	21520	439083	15164
	0.08	3.65	74.49	3.45
10	588046	220803	423299	145950
	-0.15	37.55	71.98	34.48
11	589398	69503	429927	46600
	0.08	11.79	72.94	10.84

to be the one under which the 1996 elections take place. The options of African-American Georgians are somewhat limited: (1) the plan can be appealed; (2) an attempt can be made to get a Supreme Court justice to block the implementation of the plan; and (3) the legislature can make another attempt to redraw the map during a regular or a special session in 1996. However, Governor Miller said enough money had already been spent on reapportionment legal matters, and Lt. Governor Howard said he did not want to deal with reapportionment in 1996.

The court plan made far reaching changes in seven of the eleven congressional districts, including putting two black Democratic congressmen in the same districts with two white GOP incumbents in the fourth (Cynthia McKinney and John Linder) and the third (Sanford Bishop and Saxby Chambliss). Two districts, the eighth and eleventh, were left without an incumbent. Table 7 below compares the new plan with the 1992 plan in terms of the black population by each congressional district. While Congressman John Lewis' district was untouched, Congressman Bishop's second district had its black percentage reduced from 50.52 to 39.21 percent while Congresswomen McKinney's eleventh district declined from 64.07 to 11.79 percent black.

Perhaps the most significant changes were in the creation of four districts with black populations between 30.55 and 39.21 percent black. Such districts are considered ideal for white Democratic candidates because they have a strong Democratic base of black voters and a core of "Yellow Dog (white Democrats)," and this coalition is likely to constitute more than 50 percent of the electorate. Thus, the prospects are good for four new white Democrats to be elected in the 1996 general election, and for the number of black congresspersons to decline to one.

Supporters of the VRA were devastated and said the decision voided the application of the legislation. They surmised that in other states where mi-

Table 7
Comparison of Old and New Congressional Maps

		1995		1992	
District	Black% Change	Black Population	Black Percentage	Black Population	Black Percentage
1	+7.89	179,809	30.55	133,616	22.66
2	-17.31	230,419	39.21	334,433	56.52
3	+6.76	145,377	24.66	105,893	17.90
4	-25.05	215,700	36.60	67,968	11.55
5	-0.28	365,330	61.99	365,206	62.27
6	-0.36	37,597	6.38	35,366	6.02
7	-0.32	7,787	13.21	75,513	12.89
8	+10.05	182,636	31.07	124,253	21.02
9	-0.02	21,520	3.65	21,516	3.67
10	+19.48	220,803	37.55	106,916	18.07
11	-52.28	69,503	11.79	375,585	64.07

Source: U.S. District Court of the Southern District of Georgia.

nority districts have been challenged that Georgia would be used as a model, thus leading to a decrease in minority congressional seats in 1996 as well as further reductions in the next round of redistricting after the year 2000 census. Essentially, the plan adhered closely to the one submitted by the plaintiffs' attorney, A. Lee Parks. Several incumbent GOP congressmen accused the two judges, both of whom were Democrats, of playing politics. Congressman John Linder said Speaker Murphy managed to get the court to do what he was unable to push through the legislature—namely, to draw a map favoring white Democrats.

Lessons Learned

In the 1991 round of reapportionment/redistricting politics, black legislators used a multifaceted strategy involving the following techniques:

1. Creating a task force/negotiating team to meet with the general assembly leadership to discuss increasing black majority districts.
2. Developing alternative plans to be submitted to the Reapportionment Committees.
3. Threatening to appeal to the DOJ to object to any legislative plan considered detrimental to the interests of African Americans.
4. Forming coalitions with Republican legislators to achieve mutually beneficial goals.
5. Using three groups of black legislators: (a) "insiders," members of the house and senate Reapportionment Committees; (b) "outsiders," members who developed maximum ("max black") black majority district plans; and (c) a GLBC "Task Force," whose role was to negotiate compromise plans.

During the 1995 special session, the GLBC only used two of the five strategies, basically ignoring numbers three, four, and five. As noted above, twenty-six of the thirty-two house GLBC members and five of the ten black senators discarded the opportunity of aspiring black office seekers in nine house districts and two senate districts to gain more general assembly seats without securing anything in return except a smaller decrease in the black population percentage in the districts of two incumbent GLBC members. This happened despite the unity displayed in the first vote on the house plan and without any new development occurring prior to the second vote. The state NAACP president, Walter Butler, noted this precedent of black legislators voting to dilute African-American voting strength. Interestingly, there was a reluctance to vote a second time with the GOP to maintain the opportunity for more blacks to win state legislative seats currently held by white Democrats.

In fact, the incumbent black representatives were also foregoing the opportunity to assume additional chairmanships in the house which would have been possible with the likely defeat of four white Democratic chairmen. For example, the chair of the Insurance Committee had already announced his plans to retire from his seat, then a 62 percent black majority

district, but which now stands at 49.83 black voting age population. He will now seek re-election. Likewise, the chair of the Agriculture Committee had won his election in 1994 by only seven votes in a 63.1 percent black majority district. His district was not only reduced to 27.2 black percent, but his African-American female opponent in the 1994 election was removed from his district. Unlike the congressional situation where there was the allegation that the GOP had benefitted from the 1992 district configuration, the maintenance of the 1992 state legislative map would only benefit black Democratic political aspirants. It is incredulous to believe that the legislators bought either the argument that they "could not lose something they never had" or that they were saving the state the cost of a legal suit! It may have been possible for blacks to win six to eight new seats in the house, but this prospect may have been eliminated.

Party loyalty apparently was given the highest priority by twenty-six GLBC members who sought to be good team players and Democratic party loyalists on the state plan. However, they asserted that they had protected two black incumbents and got the best deal possible. In searching for other explanations for the actions of more than 80 percent of the GLBC, one might posit that the black legislators ignored Carmichael and Hamilton's warnings about the myths of coalition. Despite the obvious evidence of the white Democratic leadership's ad hoc alliance with ten Republican legislators to impose a plan on them without consultation, the GLBC house members subsequently opted to support a plan which clearly seemed to be detrimental to black political interests. There was no effort by the GLBC to seek any community input before reversing their vote on this matter. The lead GLBC negotiators, Representatives Lucas and Smyre, have said they made the calculation that the federal district court might draw new districts that would be even worse based on what the judges did in the congressional plan. Thus, they hoped to minimize black losses.

Two other plausible explanations relate to Fanon's concept of the master's "control of the mind" of the oppressed. One can only speculate whether their actions were motivated by an effort to help the Democratic party rather than black Georgians. However, there was a clear reluctance to consider even a tacit alliance with Republicans on the issue of state legislative reapportionment or congressional redistricting. Instead, they showed their allegiance to the Democratic leadership by words and deeds that seemed to be detrimental to the interests of their black constituents.

On the other hand, the GLBC refused to "give in" to pressures from the speaker and other house leaders on the congressional redistricting battle. There was even some indication that an implicit trade-off was considered by black legislators who proclaimed that voting with the Democratic leadership on the state house plan would actually help gain white support for the GLBC's congressional plan. However, there was never any negotiations on this matter and there was neither an explicit or even implicit commitment from the speaker or lieutenant governor on the issue. It was apparent that neither presiding officer could guarantee a majority in either body to support a plan favored by the GLBC. And when the speaker initially pushed the state reapportionment bill over the unanimous opposition of the GLBC, it should have been crystal clear to all black legislators that the house lead-

ership had not entered into even a tacit agreement. And the speaker's attempt to orchestrate a motion to adjourn shortly after the passage of the state plan was further evidence that there would be no quid pro quo. In sum, it would appear that the GLBC made a major miscalculation. Based on what happened during the 1995 session, organizations such as the Concerned Black Clergy, NAACP, Rainbow Coalition, and SCLC have pledged to "educate the public" about the votes cast on the state house and senate plans with the goal of ensuring greater accountability in the future.

Notes

1. (Boston: South End Press), 1983.
2. (Englewood, MD: Duncan and Duncan, Inc., 1994), chapter 8.
3. Mack H. Jones, "Black Mayoral Leadership in Atlanta," *National Political Science Review* (1990): 138–44.
4. Letter to GLBC members, August 25, 1995.
5. See House Bill 7 EX (1995) and accompanying statistics on districts in 1992 compared to the 1995 changes adopted.
6. (New York: Random House, 1967, 1992), chapter 3.
7. *Miller et al. v. Johnson et al.*, 1995 U.S. LEXIS4462.
8. "Willful Retreat From Justice," *Southern Changes*, 17, 2 (Summer 1995: 1–3.
9. "Will Democrats Get Back on Map?" *Atlanta Journal/Constitution*, 30 June 1995.
10. See confidential memorandum from Larry Chesin (Park's law partner) to Lee Parks, July 21, 1995.
11. U.S. District Court for the Southern District of Georgia, Augusta Division, No. CV194-008, Filed 2 August 1995.
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Social Movement Theory in the Examination of Mobilization in a Black Community: The 1991 Sacramento Redistricting Project

David Covin

California State University, Sacramento

Introduction

This research uses social movement theory in a case study of black community mobilization at the local level. Much of the social movement literature has been used to define and develop significant conceptual tools for examining social movements.[1] This study is intended to apply some of the salient concepts of that literature to a specific set of conditions. In that way this work is intended to contribute to the empirical grounding of social movement theory. It also is intended to use social movement theory to help explain how a specific black population was able to mobilize for specific objectives.

Social movement theory, together with the work of James C. Scott, enables the application of great analytical power to what would otherwise simply be descriptions. It enables at least partial explanations of what would otherwise be unexplained.

This paper utilizes the following elements of social movement theory as its analytical fulcrum:

1. Spaces exist where suppressed groups can articulate their own critiques and visions of society (Evans and Boyte, 1986: vii, ix, 17). *By spaces I mean meetings, political campaigns, social events, and publications.*
2. Particularly in social movements, free spaces for suppressed groups are important for leaders to articulate the vision of the social movement, for cadres to be trained, and for participants in the movement to have their consciousnesses raised (Morris, 1984: x, xii, xiii, 8, 9).

3. Narratives conducted in these free spaces constitute the means by which an ideology counter to the hegemonic ideology is developed and sustained (Evans and Boyte, 1986: 19). *Narratives, as taken from the social movement literature, refer to statements of activists and leaders on political questions, and to publications of activist organizations. The narratives take many specific forms such as speeches, discussions, slogans, popular documents, and articles.*
4. These narratives provide a living memory for participants in the movement, a memory that both sustains and directs their actions (Couto, 1991: 289–91). *The community of memory refers to a collective recognition of the importance and significance of specific events, activities, experiences, leaders, and traditions.*

The paper focuses on an organization called the 1991 Sacramento Redistricting Project. The organization was formed in early 1991 to enhance the prospects for black political representation in the Sacramento area. The opportunity for improving black political representation would arise out of constitutionally mandated redistricting following the 1990 census. The Redistricting Project's parent organization, the Summit on African-American concerns, was formed in 1990 to bring some coherence to the programs of Sacramento's black organizations.

A long, rich, and contextually dense institutional and community history preceded the Summit and the Redistricting Project. This is particularly true on the issue of districting and redistricting for the Sacramento City Council.

Though the Redistricting Project was concerned with redistricting all local representative districts, this paper is restricted to the Project's work in the city council redistricting process.

When I refer to institutionalization I do not mean a specific set of institutions. I refer, instead, to the institutional infrastructure of the black population, the capacity to create, sustain, operate, and replace institutions, the capacity to carry out work through institutions. Hence, institutionalization does not necessarily refer to the perpetuation of specific institutions, but rather to the continuation and enhancement of overall institutional capacity.

History

Sacramento's city charter was amended in 1970 to provide for the election of city council members from districts. Prior to that, members of the city council were elected at large. The charter amendment also provided that the mayor would be elected at-large. The Sacramento City Council, as a result of that amendment, is now a nine-member body, composed of the mayor and eight council members, elected by district.[2]

The initial council districts were drawn up by an in-house procedure, dominated by the city council and staff. There was, however, a significant black input from two black activists who drew up their own plan. These two men, Les Gary and Luke Conley, were primarily concerned with giving black people a best-chance scenario to elect someone to the council. Les Gary was the director of a large, primarily black, service organization called the Lincoln Christian Center. He was also an early member of a fledgling political organization called the Sacramento Area Black Caucus (SABC). The

SABC had organizational members from a diverse spectrum, ranging from the Urban League to the Republic of New Africa.

Luke Conley was a new attorney and new to town. He had been stimulated to community involvement by the radicalism of the late 1960s. In addition, he had some technical proficiency in the districting process.

The 1970 census showed Sacramento's black population dispersed in several areas throughout the city. Among them were neighborhoods known as Oak Park (OP), Del Paso Heights (DPH), Glen Elder, Lincoln Village, and a growing presence in what was called the South Area. Since this entire dispersed population represented only 11 percent of the city's population, it could not constitute a majority in any district that might be devised.

The two areas with the heaviest concentrations of black people were Oak Park and Del Paso Heights. They were also the two most venerable of the neighborhoods with significant black populations. There were other neighborhoods with black populations of longer standing, but their black populations had been greatly dispersed and diluted by urban renewal. In neither OP nor DPH, however, did the black population constitute a majority. Though there were specific census tracts in which each of their black populations were over 80 percent, that condition did not prevail throughout the entire neighborhoods. Moreover, neither OP nor DPH was large enough, by itself, to constitute a city council district. Each would have to be combined with mostly white neighborhoods.

Les Gary's and Luke Conley's map produced a council district including Del Paso Heights, which was approximately 30 percent black, and one in Oak Park, which was approximately 25 percent black. In each of those districts there was also a significant, but smaller, Latino population. The two men's recommendations were incorporated into the final districting plan adopted by the city council.

Among black organizations and black activists, the two districts—district two, including DPH, and district five, including OP—were designated as the black districts. This is an interesting designation of space. Black activists were identifying specific council districts as black spaces, jurisdictions over which black people should exercise political control. This is a somewhat different conception of space from that considered in much of the social movement literature. But these claims were developed within spaces much more recognizable in social movement theory—in meetings, organizational settings, discussions, both formal and informal—where black people came together and talked about local politics. They took place within the ranks of supporters of black candidates who intended to run for the new city council positions. Black people articulated a narrative in all of those spaces which said that council districts two and five belonged to black people. This narrative was carried on to broader public spaces. As a result, many white activists began to think of districts two and five as black political spaces.

For the first city council elections held after council districts were established (in 1971), black candidates ran in many districts. The former vice-mayor, who was black, ran for mayor.

After the primary election, one black candidate remained. He was in district two. He was the director of the United Christian Centers, Les Gary's boss. His name was Rosenwald "Robbie" Robertson and he had deep roots

in the DPH black community. Because of his position he was well known throughout Sacramento's elite community. He was also widely respected, and known as a man of substance and integrity.

Many of the black people in "the heights," as DPH was popularly known, had raised their families there. They had a connectedness to the area and to each other. Moreover, DPH had its own elementary school district. Four of the five board members were black, and the fifth, a Latina, was married to a black man. The district superintendent was black and 88 percent of the children in the district's five schools were black. Through the school district the heights had significant experience with community involvement, electoral mobilization, and candidacy. Black people in the heights were used to running their own affairs.

DPH had also been designated by the city and the Redevelopment Agency as a redevelopment target area. It had, subsequently, its own Project Area Committee (PAC), composed of local residents, leaders of nonprofits, and business people, all of whom were elected. The community had been mobilized for that effort. In addition, DPH had its own elected Neighborhood Council with a paid administrative staff running the anti-poverty program in the heights. The heights had a successful, community-developed and administered Headstart program. There were several active, respected, and influential black churches in the area.

There was, in short, a dense, mobilized, and highly dynamic black infrastructure in the heights which actively exercised ownership over its territory. Black people of DPH claimed both "the heights" and district two as their space. They had already demonstrated command over significant jurisdictional spaces in the heights: the elementary school district, the PAC, the neighborhood council, the Headstart program. In those arenas, and in the churches, in social institutions such as the Elks, they had significant institutional spaces wherein they dominated the narrative, the substance of discourse. This empowered black population mobilized for the general city council election. Robbie Robertson won. The heights became the first black neighborhood to put a black person on the council through the district system.

Robbie Robertson's victory was primarily a neighborhood victory. Black people in the heights were the primary engine behind his election. They were his base. His good name helped carry the day with enough white voters to take the district.

But though Robbie Robertson as a council member was essentially the product of the DPH infrastructure, once he was elected, as the sole black member of the city council, he became the lightning rod for the entire county's black population. There were no other black elected officials at the countywide or citywide level. Through Robbie Robertson and his identification with the heights, black people throughout the city and county came to claim district two as their space, a space which they felt should be controlled by black people.

Sacramento remained small enough and the prevailing political culture among black organizations collegial enough that on the political scene organizational activists tended to stay in touch with each other. On hot items they came together. Heated rivalries tended to be within organizations rather

than between organizations. Nowhere was this tendency of black organizations to come together more pronounced than in the area of governance.

Robbie Robertson, who proved to be a very popular member of the city council, died in office before his first term was completed. Sacramento's entire, organized black population mobilized to pressure the council into appointing a black person to succeed him. The black population at large had staked a claim to district two as black space. They incorporated that perception into the narrative that they brought to the council as it considered candidates for the vacancy.

That narrative, arising in black spaces, came to dominate the council's thinking on the appointment process. As a result, the council appointed a black successor, Herman "Ace" Lawson. He had been one of the original Tuskegee Airmen. "Ace" was a heck of a flier, but not much of a councilman. As a result, when his term was up, representatives from throughout Sacramento's black population entreated him not to run for re-election, but to no avail. He ran against other black candidates. The result was a primary election that produced one white candidate and one black candidate (not Ace), and the white candidate won the general election.

The city's black population was without representation on the city council. At the next mayoral election, the council representative in district five was elected mayor. That opened up his district seat for appointment. Again, the whole, organized black population mobilized, arguing that they needed a representative on the council. They believed that district five was the most logical location from which to choose such a representative. The new mayor supported that position and appointed Callie Carney, a long-time Democratic party and black community activist, to fill the district five slot.

When the seat came up for election in 1977, Mrs. Carney was challenged and defeated in the primary by Dan Thompson, a young, black, entrepreneurial college student. In the general election, Dan Thompson was elected. Black people still controlled "their" slot on the city council, and "their" jurisdictional space in the city.

The 1981 Redistricting Effort

One striking feature the 1980 census revealed was a dramatic shift in Sacramento's black population. Twenty-five percent of the city's black population had concentrated in the South Area, in a large expanse of territory roughly labeled "Meadowview." While heavy black populations persisted in DPH and OP, they did not hold the great proportions of the city's entire black population, such as those in the South Area.

The conclusion for redistricting was evident. Design a black plurality district in the South Area. Mark out a new black jurisdictional space. As the redistricting process began, the SABC became intimately involved. Its aim was to point out the demographic shift, its significance, and the importance of carving out a black plurality district in the South Area. The SABC developed a narrative based on these points. According to the demographics, and according to court criteria, the case articulated in the narrative was unshakable.[3]

The SABC carefully prepared a series of maps, with explanatory position papers. The SABC attended community hearings held by the city council

on redistricting proposals and made its case frequently and systematically. By the dictates of reason and the court criteria, the case was unassailable for the SABC plan. The city's major newspaper, the *Sacramento Bee*, came out against the caucus plan because the proposed black plurality district was oddly shaped.

The council's single black member, Thompson, did not play a leadership role in the redistricting decision. His motion to adopt the SABC plan didn't even get a second. Two incumbents were threatened by the black plan. Neither they nor the rest of the council recognized the South Area as black jurisdictional space. The council resolved the threat the SABC plan posed to the incumbents by cutting the Meadowview black population in half, giving half to each of the threatened council members. That so diluted the black population in each of the two districts that in neither did it have a chance of determining the electoral outcome.

The SABC was outraged. Its members went throughout the community, to areas dominated by black people where authentic black voices could be heard uncensored. These were organizations and major church congregations. The SABC laid out the case, raised money for a legal challenge, and called on organizations and churches to join the SABC in a legal challenge of the redistricting scheme.

The text of the narrative was that black people had a community of interest in the South Area, which should have been kept intact in a single council district. The city council, the caucus said, ignored the reasonable, fair, and right thing to do, ignored, in fact, the interests of the black population, and put the interests of two, incumbent white city council members above the interests of the whole black population. The caucus said that the city council had shown disrespect to the black community, had ignored their say in their matter, and had trampled on their well-being with impunity.

The SABC did not stimulate sufficient backing, and no legal challenge emerged. Even so, a black schoolteacher, Sam Pannell, challenged the incumbent in the South Area district with the higher percentage of black voters (25 percent). Sam forced the incumbent into a run-off, and lost the general election by a 300 vote margin.

Eventually, Dan Thompson declined to run for a second term. His seat was won by a Chicano, and long-time Democratic party activist, Joe Serna. The city of Sacramento was again without a black representative on the city council.

The Emergence of Grantland Johnson

In DPH the black community had never backed down in its efforts to assert ownership over its territory. The narrative among black activists throughout the county, not only in the heights, maintained that district two was black space. It belonged to black people, and if they could stop squabbling over who should be "the" black candidate, they could retake control of the space. The narrative asserted that white people had "stolen" the space because of wrangling in the black population, that white people did not and could not win it legitimately, because it belonged to black people.

After the heights lost the district two seat for the first time, at the next election the black community in the heights held a convention to determine

which single, black candidate should enter the primary. Charles Bradley, the candidate chosen by the convention, had lost to Blaine Fisher in the last general election. The second time, however, Bradley's campaign, run by Grantland Johnson, did an all-out voter registration drive, as well as a grassroots GOTV for the primary. The campaign fell less than fifty votes short of winning the election in the primary. With all the other white candidates out of the race in the general election, Fisher won again.

For Blaine Fisher's third attempt to capture the district two seat, the black community decided to challenge him again. This time the candidate was a battle-scarred campaign veteran, Grantland Johnson. In his early thirties, Grantland had run his wife's campaign for the Del Paso Heights Elementary School District when they were both in their late twenties. He had run campaigns for two members of the Grant Union High School District, a district that had elected a black majority school board in an overwhelmingly white district. He had run the two Charles Bradley campaigns against Blaine Fisher. In addition, he had run the campaign in the Meadowview area for Sam Pannell.

Grantland had the backing of a whole crew of young, black activists who had fought along side him in his campaign wars. The biggest part of his action group lived in the heights, but he had the support of progressive black activists from all over the city and county.

Grantland was the top vote getter in the primary, but that was nothing new. Blaine Fisher had made his city council career by defeating in the general election black candidates who had outpolled him in the primaries.

In 1983, however, Grantland Johnson won both the primary and the general elections. Control of district two had returned to the heights. Grantland won the election with his base in the heights, and with the backing of a new generation of activists, trained in the thickets of contemporary political campaigning.

Grantland went on to win re-election in district two, and eventually became the first black person elected to the Sacramento County Board of Supervisors. But when he left the city council to take his seat on the Board of Supervisors, Sacramento was again without a black city council representative.

The effort to correct that deficiency was undertaken by an entirely new organization, a latter day attempt to resurrect the original concept of the Sacramento Area Black Caucus.[4] The name of the new organization reflected the consciousness of a historical period coming twenty years after the SABC. The new umbrella organization called itself the Summit on African-American Concerns.

The Summit on African-American Concerns

The Summit on African-American Concerns was convened in late 1990 by the Black Sacramento Christian Club Organizers (BSCCO), 100 Black Men, the NAACP, and the Sacramento Urban League. These were all black organizations that embodied spaces where the dominant narratives were conducted by black voices. They articulated narratives for the society based on perspectives salient within the black population. Those perspectives produced, in separate spaces, a shared perception that black people needed to

come together, that black people needed to create a larger public space for the discussion of black concerns.

The purpose of the Summit on African-American Concerns was to bring some unity of approach to a whole host of problems confronting Sacramento's black population. The key ones had to do with gangs and drugs, the destruction of a whole generation of black youth. But those problems had legions of fellow travelers. The Summit divided into a number of committees. One of them was the Economic Development and Political Action Committee. Out of it arose the Summit's most successful effort, the 1991 Redistricting Project.

Its initial aim and motivating force was to keep Meadowview in tact through the redistricting process. The 1990 census showed that the two council districts into which Meadowview had been split (districts seven and eight) contained 34,445 of the city's 56,521 black residents, or 61 percent. Sixty-one percent of the city's black population lived in a contiguous area split between two council districts. The perpetuation of that condition was unacceptable to the Redistricting Project. Its members were determined to resist it. To that end they turned their formidable abilities and prodigious energies.

The 1991 Redistricting Project

In a report on the Redistricting Project prepared for the Summit on African-American Concerns, on May 4, 1991, Vincent Harris wrote, "The perception that the African-American community was gerrymandered by the City Council in 1981 is widespread" (Harris, 1991: 2). He said later, "This opinion is not only shared by the leader-activists associated with the Summit, but also by County Supervisor Grantland Johnson" (Harris, 1991: 2).

The focus of the Project was explicit and clear: "At its April 6 meeting, the Economic Development and Political Action Committee established the 1991 Redistricting Project to monitor the City's process *to insure that such a gerrymandering in the southern portion of the City does not happen again*" (emphasis mine) (Harris, 1991: 2).

Two co-chairs were selected: James Reede, Jr., and Robert Pernell. The report notes that, according to the 1990 census, African Americans constituted 15.3 percent of the city's population at 56,521 and that the county black population fell just short of 100,000 (97,129) (Harris, 1991: 2).

The Project established four goals:

1. To monitor the redistricting process of local jurisdictions subject to redistricting.
2. To vigorously organize the African-American community to advocate and support redistricting plans that empower the African-American community and our allies.
3. To develop formal opinions and positions to be advocated by the 1991 Redistricting Project and to inform the community about them.
4. To utilize all political and legal means necessary to defeat efforts to disenfranchise the African-American community (Harris, 1991: 2).

The report said, "The 1991 Redistricting Project intends to (serve)...as one, *if not the primary,* channel of African-American community opinion"

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(emphasis mine). What this statement meant was that the Redistricting Project was the sole, legitimate voice of the entire black community on this question. Indeed, the Project's theme was "With One Voice" (Harris, 1991: 4). The intent of this narrative, dominant in black political spaces, was to intimidate any alternative perspective. In black public spaces, on this issue, there was but one voice, that of the Redistricting Project.

The report emphasized that the Project would focus on local, nonpartisan elections. (Harris, 1991: 3). It also said that the Project "is organized as a specific, limited term initiative" (Harris, 1991: 4). In short, it was task-oriented, and it had only one task.

Finally, the Project developed a conscious strategy to require organizations that wanted to participate in the project to formally affiliate with it. To do so, such organizations had to: (1) designate someone as liaison to the project; (2) make a financial contribution to the project; and (3) agree to inform their memberships about the importance of redistricting (Harris, 1991: 5).

In order to meet the terms, each subscribing organization had to sign a resolution of affiliation with the 1991 Redistricting Project. The resolution committed the Board of Directors to support the Redistricting Project, specified the financial contribution, designated a liaison, certified that a majority of the Board of Directors had voted for the affiliation, and was signed by the president and secretary (Summit on African-American Concerns, 1991).

Costs for affiliation ranged from a high of $250.00 for national organizations, large churches, and nonprofits to a low of $75.00 for neighborhood organizations (Summit on African-American Concerns, 1991). One obvious purpose of the affiliation was to give the Project a financial base. But an even more important one was to create a buy-in, an ownership by the whole range of black organizations in Sacramento. This was to be their organization. They had a stake in it (Harris, 1993).

The project organized itself into various task forces. Some were numbers crunchers, designed to do the gut work of going over census and precinct data and developing detailed district maps for the whole city of Sacramento. The participants recognized early on that the only way to make a case for a Meadowview district was to have it as an integral part of an equitable citywide plan which kept in tact all significant communities of interest (no small matter in a city as diverse in population and as dispersed as Sacramento). Other task forces were concerned with public information and community outreach, with coordinating public testimony, with monitoring the city council. The Project was determined to know at all times where the votes were—and to know what had to be done to change the ones needing changing (Harris, 1993; Haynes, 1992). In developing the maps, the numbers crunchers worked closely with old hands who knew the neighborhoods intimately. The census told one set of stories—ethnicity, SES, housing stock; the old hands told others—just how important a barrier, a railroad track, or a freeway was, what neighborhoods felt linked to others and why.

The Project purposefully developed a routine of meeting every Monday night with the affiliates. These meetings were spaces where narratives were conducted. The project workers themselves had a working meeting once every week whether there was nothing to do or a lot to do. They would go over important developments, bring everyone up to speed, identify prob-

lem areas, make plans, and struggle over priorities and approaches. This was a critical space for project members, a space where they individually engaged in narratives with one another, and a space that they used to develop, sharpen, and integrate their collective narrative (Harris, 1993; Haynes, 1992).

One key to the continuity and effectiveness of the Project was staff. The Project actually had no staff. It was entirely a volunteer effort, led by Vincent Harris, the assistant to the executive director of the Women's Civic Improvement Club (WCIC, a black organization which had come out of the Colored Women's Club Movement, and which had actually been sanctioned in person by Mary McCleod Bethune), Mrs. Callie Carney, a former city council member. Thus, the Project had a staff person of the highest caliber who was willing to put in overtime as a professional, unpaid Project staff member. Callie Carney consented to Harris using some of his 8–5 schedule on Project work. The reality was that his schedule for the WCIC was never simply 8–5. It was more like 8–10, Monday–Sunday, but Mrs. Carney let him use his own discretion as to when he would put in time for WCIC and when he would put in time on the Project, subject, of course, to WCIC imperatives.

The Project was able to use WCIC computers, secretaries, and mailing facilities. Similar facilities were sometimes available from the Urban League (Harris, 1993). This was possible only because black people controlled institutional space, whose resources they could direct as they chose. Newsletters, reports, fliers, and letters could be and were turned out regularly and systematically using the resources of black institutions. Black physical space enabled the creation of more black narrative space in the form of publications.

This combination of efforts produced the best districting plan the city of Sacramento had ever seen. It was a districting plan whose combined map and rationale for the map drove the whole city redistricting process. Try as they might, others, including the city staff, were never able to come up with a better plan, or even an equal one.

The project's map was finished and in the hands of the city's staff before the city staff's own maps were ready. Not only that, but the Project published a newsletter, *Civic Action: Redistricting News and Views*, which it distributed to all of its affiliates and at the public redistricting hearings. This publication was a valuable space, whose entire narrative was that of the Redistricting Project (Redistricting Project, 1991a, newsletter). It was space that people could literally take home with them, and to the job with them, spreading the Redistricting Project's narrative.

The community outreach task forces turned out people for the public hearings. The Project got people to speak who were tied to specific issues germane to each neighborhood where public hearings were held. People who had participated in the 1981 effort to keep Meadowview in one district testified about the blatant racism and favoritism rampant throughout the 1981 process. They went through the official record, citing chapter and verse.

In community centers all over the city, wherever the hearings were held, such presentations received overwhelming supportive vocal responses from the audiences, as the city council members listened. In every neighborhood the majority of people in attendance, and usually the overwhelming major-

ity, were black. As Civic Action #2 put one such instance, "More than half the audience of nearly a hundred were African-Americans, despite a change in the location of the hearing announced the day before" (1991 Redistricting Committee, newsletter).

The scene was repeated over and over. At the hearings held in Meadowview, the largest turnout for any hearing (200), 90 percent of the audience was black (1991 Redistricting Committee, memo).[5] In fact, the Project turned the public hearings into black spaces dominated by the black community's narrative, which, in this instance, was that of the Project. In these hearings no other narratives achieved the degree of legitimacy as that of the black community. By turning the hearings into black spaces, the Project was able to control the narrative which emerged in the hearing process.

The Project also developed a close working relationship with the Latino Coalition for Fair Sacramento Redistricting, which eventually adopted the Project's basic map (Harris, 1993; Haynes, 1992).

Just when it looked as if the plan would steamroll to victory, a monkey wrench was thrown into the game by the Sacramento Asian/Filipino/Pacific Islander Coalition for Fair Sacramento Redistricting, which claimed its interests would be crushed by the plan (Harris, 1993; Haynes, 1992; 1991b Redistricting Project, memo). This group was composed primarily of affluent Asians who felt that their voting strength was being diluted (by combining them in a district with poor Asians). Their action constituted a stab in the back because the 1991 Redistricting Project had worked closely with them all along, including supplying them with the Project's plan early on, consulting with them regarding modifications in the plan, and even supplying them with the Project's data-rich computer discs (Harris, 1993; Haynes, 1992).

The Asian Coalition's efforts were successful to the extent that the 1991 Project's map was modified to keep most of the affluent Asians in their own district. The modification, however, did result in an improvement in the proportion of the black vote in the Meadowview district from 30 percent to 33 percent. But the critical issue on which the Asian coalition prevailed was another vote taken the same night. That issue concerned renumbering districts. The Project wanted the Meadowview district number to be changed to an even number because even numbered districts would be up for election in 1992. With an election in 1992 the Project would be able to carry the momentum it had built up throughout the black community into the election. Renumbering district seven to district eight was a key part of the Project's strategy. But by a six to three vote the Asian coalition prevailed upon the council not to renumber district seven.

Here, it turns out that the Project's decision not to go to the floor in the battle with the Asians over modifying the shape of the Asian district was a good one. Most observers concede that had the Project fought out that battle, they could have won it. But the Project chose to concede the point. By doing that Project members had earned considerable good will among some council members and among other activists in the redistricting process (Harris, 1993).

The decision not to renumber district seven was a serious defeat for the Project. The Project members decided not to accept it. The people who had tailored the whole redistricting process in Sacramento to fit their vision con-

cluded that they would attempt to get the city council to reverse its own decision on renumbering. That would require someone who had voted against renumbering to move to reconsider.

The Project pulled out all the stops. Hard ball began in earnest. Project members who lived in council districts of those who had voted against renumbering met individually with their council members. The Asian member of the council, in fact, was told that Project members who lived in his district would pledge their lives, their fortunes, and their sacred honors to see to it that he never won another election if he didn't vote to renumber (Haynes, 1992).

Other political leaders in the Sacramento area were called upon to exert pressure on those who opposed renumbering. And, as usual, the Project and its affiliates packed the city council meeting on October 5 when the renumbering issue was to be raised again (Harris, 1993; 1991 Redistricting Committee, memo). That city council meeting became a black space in which the black narrative prevailed.

The council member who would be spared a re-election effort in 1992 if the Meadowview district were renumbered made the motion to reconsider. The motion was seconded and it passed. Phase one of the 1991 Redistricting Project was over. There remained yet the winning of a city council election.

Reflections on Institutionalization and Racial Memory in the 1991 Redistricting Project

In Sacramento almost all of the individuals who were involved in the 1981 redistricting effort had neither the inclination, the time, nor the ability to participate in the 1991 efforts. They were not available. If the capacity to carry on the work had not been afforded through institutional efforts—efforts that enabled the participation of new individuals, "new blood"—the Project would have been impossible. It was the ability of the community to develop and sustain such an institutional apparatus that enabled the very substantial victories won by the black community in this struggle.

Neither Robert Pernell, Joe Debbs, James Reede, Lauren Hammond, Pam Haynes, nor Vincent Harris, the key members of the Project, had been active in the 1981 redistricting effort. Indeed half of them hadn't even lived in Sacramento at that time.

In 1981 the Summit on African-American Concerns hadn't existed. Neither had the BSCCO, a local chapter of 100 Black Men, the Harold Washington Democratic Club, nor the Meadowview Community Action. Though present in Sacramento, neither the Sacramento Urban League, the NAACP, the Sacramento Black Women's Network, Black Advocates in State Service, nor Kappa Alpha Psi had been involved in the 1981 effort.

Moreover, the black population of Sacramento had changed dramatically. Not only had it increased by 20,000 people, but as demographers are quick to inform us, a great number of the base 36,000 were not the same 36,000 people who had been living in Sacramento in 1981. Significant numbers of people had died or moved away. Many of the base 36,000 were, in fact, people born in the intervening years. Many had moved in from elsewhere. So, the 56,000 people in the city were a very different group from the 36,000

in 1981, and the 97,000 in the county were a very different group from the 60,000 in 1981. Yet there was a strong, explicit, and motivating racial memory in the latter group. Why?

Social movement theory is very instructive in helping us to understand this phenomenon. I propose that the answer lies in two sets of factors: (1) the link between institutionalization and racial or social memory; and (2) the use of black narrative in black spaces to develop the content of racial memory and to direct the actions of institutions. Institutions carried the memory through black narrative in black spaces of what had happened in 1981 to new people who came to the area, and to people who—not involved in 1981—became involved in 1991.

Only one key player remained from 1981, Sam Pannell. All the others were new. But the SABC in its rage over the decision in 1981 had gone throughout Sacramento—to churches and organizations (black spaces)—calling down fire on the members of the city council for the decision they had reached (black narrative). Reminiscent of the refrain from the Jewish Holocaust, they proclaimed, "Never Again! We shall not forget!"

The message was heard. All over Sacramento, the lesson was built into institutional memory as it was told time and time again. When 1991 arrived, along with new players, there was an institutional memory and consciousness prepared for battle. The players were new, but they were sustained by an organizational base with a long and vivid memory.

Institutions are necessarily the human beings who constitute them acting in specific roles. In Sacramento between 1981 and 1991 there was a great deal of interaction between black people in political organizations, *black spaces*. This interaction involved a good deal of political discourse, *black narrative*. People who had been involved in the 1981 effort were angry about it and talked about it. Their soliloquies became part of the lore of political discourse in black Sacramento, perpetuated through the organizational settings in which such discourse took place.

Moreover, these activities tended to repeat the pattern of being community-wide with respect to activist participation. As a result, the 1981 story gained currency and presence throughout the Sacramento area. Newcomers heard it and incorporated it into their fund of political knowledge.

Sam Pannell's 1981 city council campaign, Grantland Johnson's 1983 campaign for city council, the Jessie Jackson 1984 primary campaign and the Sacramento Valley Rainbow Coalition, the Grant Joint Union School Board Campaigns, Grantland's 1987 re-election campaign, the 1988 Jackson campaign—all were political arenas where campaign organizations were formed, cadres trained, leadership skills honed, and political talk exchanged. In the language of social movement theory, they were all spaces permeated by narrative.

The 1981 betrayal became a cornerstone of the political litany. When Grantland ran for the County Board of Supervisors in 1989, the census was already going on. Everyone knew what that meant for Meadowview. The formation of two black Democratic Clubs, the Fannie Lou Hamer Democratic Club and the Harold Washington Democratic Club—both active in local election campaigns—constituted two new spaces which, through narrative, held the 1981 debacle as part of their legacies. They passed those

legacies on to people who had not been in California in 1981, to people who had not been of voting age in 1981. This was an institutional legacy passed on, not through a single institution, but through an institutional capacity.

The 1991 Redistricting Project had built into it the "ownership" legacy of DPH, the struggles of Callie Carney, Dan Thompson, and the CBOs in Oak Park. It had incorporated such histories in concrete ways—in the institutional memory as passed on through a host of organizational experiences in which project members had worked, even though few had worked in the specific activities that had generated the memories. The whole legacy had been transmitted to the project participants through the activities in which many of them had worked, had been trained, and had gained experience: elections at every level, CBO experience. All these activities had been connected by political discourse, which included social memory, to earlier efforts and earlier political workers, many of whom no longer lived in Sacramento, some of whom no longer lived.

Even with specific bases in DPH, OP, and later on, Meadowview, the black political organizational experience in Sacramento tended to be community-wide. That meant that the experiences in DPH were widely shared in organizational memory. The same result held with other experiences. There were also living links in the chain—people who were present in a line of organizations, connecting organizations and experience. Grantland Johnson had been Sam Pannell's campaign manager. They were both active in black Democratic Party Clubs. Sam had worked in Grantland's campaigns. Grantland Johnson was a key presence in pressuring city council members on the renumbering vote (the second time around). Sam Pannell and James Reede were both Kappas. James Reede, new to Sacramento, was also active in the NAACP and 100 Black Men. Vincent Harris had worked for the Urban League. He was also active in Grantland's campaigns, the Rainbow Coalition, Jessie Jackson's campaigns, and the black Democratic Party Clubs. Callie Carney, former city council member, understood very well the importance of redistricting. As executive director of WCIC she put her organization and her most valuable lieutenant at the Project's disposal.

These kinds of links enabled people who in 1981 knew little or nothing of the battle being waged to include all of Meadowview in a single council district, by 1991 to have become champions of that cause.

Indeed, Pam Haynes, also a newcomer to Sacramento, had no idea that many of the people she was working with in the Project who spoke so passionately about the events of 1981 had been no more involved in them than she had.

The 1991 Redistricting Project enables us to uncover the kinds of empirical circumstances on which much of social movement theory rests. The Project is a living manifestation of social memory incorporated in human beings, by narrative within spaces, and expressed through institutional activity.

Notes

1. This is to make a distinction within social movement theory. I do not mean this reference to include what has been called "New Social Movement theory," which has overwhelmingly been concerned particularly with cultural charac-

teristics of developments in the United States and Western Europe, especially as related to the feminist movement, the ecology movement, and the peace movement. I refer more to the work of Couto, Morrison, Morris, McAdam, Evans and Boyte, and Scott. Though, strictly speaking, much of Scott's work is not concerned with social movements, his work uses a deep application of the same kinds of conceptual approaches. See Couto, 1993; Morrison, 1984; Morris, 1984; Evans and Boyte, 1986; Scott 1985; Scott 1990; and McAdam 1982.

2. This information and the subsequent historical review in this section come from the writer's long and intimate involvement in and observation of Sacramento politics, as well as his scholarly observations presented in two unpublished papers (Covin, 1983, 1986).
3. See "Sacramento Area Black Caucus, Legal Challenge to the Sacramento City Council's Redistricting Decision," (SABC, 1981). Contains a number of pertinent legal citations, e.g., *Burns v. Richardson* 384 U.S. 73; *Forton v. Dorsey* 379 U.S. 433, 439; White Register 412 U.S. 755; *Washington v. Davis* 426 U.S. 229.
4. The Sacramento Area Black Caucus had quickly lost its character as an umbrella organization. Frustrated with the need to get permission from member organizations before taking action, the leaders developed an independent stance, and the caucus simply became one more particularistic black political organization.
5. This count is from an October 2, 1991, memo of the 1991 Redistricting Project Organizing Committee to Project Affiliates. Percentage is writer's estimate.

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The Voting Rights Act and Judicial Elections: A Horse of a Different Color or Canary in the Coal Mine?

Pamela S. Karlan

University of Virginia School of Law

Before the passage of the Voting Rights Act of 1965, there were fewer than seventy-five black elected officials in the South (U.S. Congress, 1975: 14). Over the next twenty years, the complexion of the executive and legislative branches of southern state governments changed dramatically. By 1968, after less than a full quadrennial election cycle, the number of black elected officials had doubled (U.S. Commission on Civil Rights, 1975: 49), and by 1982, when the Voting Rights Act was amended, there were nearly 2000 (U.S. Congress, 1981: 7).

The Voting Rights Act did an impressive job of integrating most organs of southern government (Davidson and Grofman, 1994). But long after substantial numbers of black elected officials had begun to serve as state legislators, county commissioners, and school board members, state courts remained largely untouched by the voting rights revolution. As late as 1982, there were less than two dozen black judges on southern state courts of general jurisdiction (Joint Center for Political Studies, 1982).

A key explanation for this phenomenon lies in the dearth of litigation challenging judicial election methods; only the threat and reality of lawsuits under Sections 2 and 5 of the Voting Rights Act had forced southern jurisdictions to adopt more racially fair election schemes. During the first two decades of the Act, however, there were no reported cases involving judicial elections; the only reported case involving a claim of racial discrimination in judicial elections was brought directly under the Fifteenth Amendment, with its stringent discriminatory purpose requirement (*Voter Information Project v. City of Baton Rouge*, 1980).

Starting in 1985, black voters began to challenge judicial election schemes. First, they established that Section 5 of the Voting Rights Act covers judicial elections; thus, states must seek federal preclearance for all changes in the

election process, including the creation of additional judgeships (e.g., *Clark v. Roemer*, 1991; *Haith v. Martin*, 1985). Second, and potentially of greater significance, they confirmed Section 2's coverage of judicial elections (e.g., *Chisom v. Roemer*, 1991; *Houston Lawyers' Association v. Attorney General*, 1991; *Martin v. Allain*, 1987).

In the early spring of 1993, every southern state that used popular elections to select its judges had been sued under the Voting Rights Act,[1] and given the relatively plaintiff friendly standard laid out for vote-dilution cases (*Thornburg v. Gingles*, 1986), it looked as if these lawsuits would transform the selection of state-court judges. Arkansas, Louisiana, North Carolina, and Mississippi had already each settled Section 2 lawsuits; these settlements had given black voters the ability to elect candidates of their choice to judicial posts and had substantially increased the number of black judges on the bench. Alabama, Florida, Georgia, and Texas—as well as several nonsouthern states—had litigation pending.

Since 1993, however, the momentum has completely shifted. Both the Fifth and the Eleventh Circuit Courts of Appeals have shown themselves decidedly hostile to judicial election challenges (e.g., *LULAC v. Clements*, 1994; *Nipper v. Smith*, 1994). Moreover, the District Court for the District of Columbia, which adjudicates declaratory judgment actions by jurisdictions dissatisfied with the outcome of the administrative preclearance process,[2] has shown itself especially willing to preclear judicial-election schemes to which the Department of Justice has objected (e.g., *Georgia v. Reno*, 1995; *Arizona v. Reno*, 1995; *New York v. United States*, 1994). Finally, despite the general judicial presumption in favor of settlement in voting rights cases, courts have been remarkably willing to reject settlements in judicial election cases (e.g., *LULAC v. Clements*, 1993; *Brooks v. State Board of Elections*, 1994).

What accounts for the lower courts' resistance to judicial election lawsuits? To what extent is it a function of distinctive features of judicial elections, and to what extent might it be a harbinger of a more general shift in judicial attitudes toward vote-dilution lawsuits? In this essay, I offer some necessarily tentative suggestions about these questions.

One obvious starting point is the fact that judicial election cases strike rather close to home. Many federal judges served first as state-court judges, even those who didn't often have close personal and professional ties to the state judiciary. Federal judges are loath to treat their state-court brethren as just another species of elected politician; indeed, the Fifth Circuit at first held that Section 2 did not cover judicial elections at all because judges do not represent constituents, but are instead impartial arbiters of justice who fall outside the scope of a statute that provides an equal opportunity to elect "representatives" (*LULAC v. Clements*, 1990).

Although the Supreme Court rejected this perspective in *Chisom* and *Houston Lawyers' Association*, this general sentiment—that judicial elections are different because judges are different from other elected politicians—has played a continuing, if somewhat more subtle, role. *Gingles* had identified the "extent to which minority group members have been elected to public office in the jurisdiction" as one of the two "most important Senate Report factors bearing on § 2 challenges to multimember districts" (*Thornburg v. Gingles*, 1986: 48 n.15). Although the Voting Rights Act expressly eschews

any right to proportional representation, in legislative cases courts often found substantial disparities between the percentage of minorities in the relevant jurisdiction and the share of offices held by minorities at least probative of dilution. But unlike most elective offices, for which the sole qualifications are age, citizenship, and residency (and where the pool of candidates is thus virtually unlimited), judgeships are normally restricted to members of the bar with some degree of legal experience. Thus, courts have sometimes implied that the minuscule representation of blacks on the bench has very little probative value (*SCLC v. Sessions*, 1995: 1286–87; *LULAC v. Clements*, 1994: 865–66).

This suggestion reveals the courts' fixation on what judges do after they are selected, to the exclusion of the electoral process. The question in a Section 2 lawsuit is not whether minority *lawyers* have an entitlement to some fixed share of the seats on the state bench but rather whether minority *voters* have an equal opportunity to elect their preferred candidates. As long as the minority community has candidates it prefers who cannot win in the currently configured system, it ought to be irrelevant whether a higher proportion of the minority bar than of the white bar will be raised to the bench. Moreover, the paucity of minority lawyers is itself largely a function of prior discrimination: until the 1960s, blacks were almost entirely barred from state-sponsored law schools, and a plausible explanation for their continued underrepresentation in law schools and in the profession rests on the lingering socioeconomic effects of past discrimination. To use this scarcity as a justification for keeping at-large elections perpetuates past discrimination.

Beyond the view that who judges are and what they do after they are elected should somehow insulate judicial election schemes from attack, there is a separate doctrinal distinction that creates another opportunity for federal courts to eviscerate vote-dilution claims. One-person, one-vote does not apply to judicial elections (*Wells v. Edwards*, 1973). The Supreme Court rightly rejected the attempt to bootstrap this immunity into an exemption from the Voting Rights Act: one-person, one-vote combats *quantitative* vote dilution that frustrates "the *majority* will" (*Reynolds v. Sims*, 1964: 576), and one-person, one-vote claims do not require any consideration of the electoral preferences of the plaintiff class, while the Voting Rights Act attacks *qualitative* dilution of a numerical *minority's* ability to elect its preferred candidates and thus necessarily requires an "intensely local appraisal" of "political reality" within the relevant jurisdiction (*Thornburg v. Gingles*, 1986: 79). But without a requirement of equi-populous districting, as well as its practical corollary—decennial reapportionment—it is hard to identify a clear baseline from which to measure dilution or to identify an alternative to the current system which would provide more equal opportunity for the minority to elect candidates of its choice. Courts have seized on this ambiguity both to find that the addition of new judgeships does not cause retrogression (*Georgia v. Reno*, 1995), and to suggest they see no possible remedy for any dilution and thus no cause of action (*Nipper v. Smith*, 1994). Moreover, the fact that judges who sit on multi-judge courts are so seldom elected from single-member districts (as opposed to multi-member legislatures whose members are often elected from single-member districts) both makes the usual Section 2 remedy seek a radical departure from existing practice

and enables courts already hostile to judicial election challenges to raise the specter of *too* representative a judiciary (the "home cooking" problem) if judges are elected from small constituencies.

The recent decisions are troubling enough on their own terms. But a large portion of the recent *en banc* decisions in both *LULAC* and *Nipper* is taken up with a more wide-ranging attempt to recast voting rights jurisprudence. In particular, both the Fifth and the Eleventh Circuits, which together cover most of the deep south, seem interested in revamping the test for racial bloc voting, the linchpin of Section 2 cases generally (Issacharoff, 1992). First, they suggest that an inference of racial bloc voting can be negated by evidence of partisan voting patterns (*LULAC v. Clements*, 1994: 862–63). When race and political affiliation are as closely correlated as they are in much of the south, where blacks support the Democratic party monolithically while whites are increasingly Republican, this perspective may make it virtually impossible to prove racial bloc voting even if blacks consistently prefer different candidates than whites and the black-preferred candidates consistently lose. Second, and even more sweepingly, the Eleventh Circuit has held that plaintiffs "must prove invidious discrimination" in a Section 2 lawsuit; that is, they must show that white voters purposefully refuse to support the black community's preferred candidates because white voters are racially biased (*Nipper v. Smith*, 1994: 1524). Taken literally, that requirement would be impossible to meet: there is no mechanism for determining precisely why individual voters supported or opposed a particular candidate. The court of appeals implicitly recognized this point by explaining that showing racial bloc voting through the second two prongs of the *Gingles* test would provide sufficient "circumstantial evidence" of racial bias. But this analysis points to a profound shift in attitude: towards skepticism about claims of racial vote dilution even when black voters are prevented from electing candidates of their choice. The courts' very reluctance to brand white voters as racist makes a requirement that is especially likely to limit the power of Section 2. If this analysis is applied to conventional Section 2 lawsuits challenging at-large elections for city councils or school boards, it may make such cases far more difficult to win.

Finally, it is worth noting that the courts of appeals have managed to recast the Voting Rights Act without any active oversight from the Supreme Court, which has refused to review any judicial election cases since *Chisom* and *Houston Lawyers' Association*. One explanation for this forbearance—beyond an assumption that the Court agrees with the lower courts' restrictive application of the Act to judicial elections—is that the Court is already overloaded with voting rights cases spawned by its decision in *Shaw v. Reno* (1993). There, the Court identified a new, analytically distinct cause of action for voters who object to race-conscious districting that virtually guarantees that the Court will see literally dozens of cases after each decennial reapportionment (Karlan 1995a; Karlan 1995b; Karlan 1993). These cases invoke the Court's mandatory jurisdiction, because they are decided by three-judge district courts and thereby skip the courts of appeals altogether. The presence of so many voting rights cases on its appellate docket will likely make the Court reluctant to take too many voting rights cases from its certiorari (discretionary) docket. This provides the lower federal courts with

greater latitude in interpreting the Voting Rights Act. Perhaps lower courts will use the perspective advanced in the judicial election cases to gut the Act from below while the Supreme Court whittles it away from the top with its newly developed wrongful districting doctrine (Karlan 1995b).

Notes

1. South Carolina and Virginia use so-called "legislative elections," that is, the state legislature picks judges.
2. As a matter of law, a jurisdiction is free to a declaratory judgment from the U.S. District Court for the District of Columbia without first seeking preclearance from the Department of Justice. See 42 U.S.C. § 1973c. As a practical matter, very few jurisdictions do so, since administrative preclearance is so much faster and cheaper a process.

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Redistricting in the Multiracial Twenty-First Century: Changing Demographic and Socioeconomic Conditions Pose Important New Challenges

Susan A. MacManus
Lawrence Morehouse

University of South Florida, Tampa

"The nation's racial dialogue...is changing so rapidly that the familiar din of black-white antagonism seems increasingly out of date. Partly because of immigration—and partly because diversity is suddenly hip—America is beginning to revise its two-way definition of race. Though this process will surely take years, it is already blurring our sense that racial identity is fixed, immutable, and primarily a matter of skin color" (Morganthau, 1995: 63–64).

The demographic and socioeconomic make-up of the United States is changing rather rapidly. Without question, in the twenty-first century, the nation will be more *pluralistic* racially, ethnically, economically, and, of course, politically. Consequently, ensuring that redistricting plans comply with the Fourteenth and Fifteenth Amendments to the U.S. Constitution and the federal Voting Rights Act will pose an even greater challenge to elected officials at all levels (national, state, local)—and to the courts.

Most of the high profile U.S. Supreme Court cases of the 1990s (*Shaw v. Reno*, 1993; *Miller v. Johnson*, 1995; and *Shaw v. Hunt*, 1996) have focused on the fairness of redistricting plans drawn in predominantly biracially populated settings, mostly black-white or Hispanic-white. However, the Court's historic focus on biracial districting is destined to change.

Two recent cases are exemplary of the likely trend toward multiracial/ethnic redistricting conflicts. The *Johnson v. DeGrandy* case (1994) involved a challenge to state legislative seats in Dade County, Florida, where no one

racial group comprised a majority of the voting age population.[1] The *Vera v. Bush* case (1996) challenged congressional districts in Texas. At the core of the controversy was whether to construct one Hispanic and one black district or two majority black districts and no majority Hispanic district in virtually the same geographical space.

We predict that the redistricting issues likely to surface in the 2000s will have a more multiracial dimension *and* that traditional definitions of race will be challenged, along with assumptions about the relative strength of race as a predictor of candidate, party, and/or policy preferences. We now point to the evidence that has prompted us to make these forecasts.

The Nation's Changing Demographics

For several decades, the population growth rates of racial and language minorities have outpaced those of Anglos. Over the past thirty years, immigration from Latin America, the Caribbean, and Asia has added some 18 million people to the U.S. population (Morganthau, 1995). By 1994, 8.7 percent of the total U.S. population was foreign born—nearly double the percentage in 1970 (Rich, 1995). Hispanics made up nearly 10 percent of the population, blacks 12 percent, Asian Americans nearly 3 percent, and non-Hispanic whites 73 percent (Amos, 1994). Projections are that if current immigration and birthrate trends continue, Hispanics will outnumber blacks by the year 2010 (Morganthau, 1995).[2] (The Hispanic population is younger and has a higher birthrate than other immigrant groups [MacManus, 1996].) In many cities, the influx of immigrants and the outmigration of whites has already produced more racially diverse constituencies.

The Trend Toward Plurality

According to the 1990 Census of Population, two or more nonwhite racial/ethnic groups (blacks, American Indian or Eskimo, Asians or Pacific Islanders, Hispanics)[3] *each* comprised at least 10 percent of the populations of forty-five of the 195 U.S cities with 100,000 or more inhabitants. In 1980, just twenty-six cities had such population profiles (Jennings, 1992). By 1990, blacks and Hispanics made up at least 10 percent of the population in thirty-one of the forty-five significantly multiracial cities. In five others, the combination was Asian-Hispanic, and in two black-Asian. In seven cities, blacks, Hispanics, and Asians each made up at least 10 percent of the population. In twenty of these forty-five multicultural cities, Hispanics were the largest minority group; in nineteen, African Americans; and in six, Asians. In thirteen, the largest minority groups were virtually equal. Whites were in the minority in twenty-four of these cities (see Table 1).

Minority Migration to the Suburbs

The "pluralization" of America's suburbs is one of the newest demographic trends. Recent analyses of U.S. Census Bureau data by demographer William H. Frey have shown that, "After decades in which America's cities worried primarily about white flight, cities now are facing the increasingly

Table 1
U.S. Cities with Populations of 100,000 or More Where Two or More Minority Groups Each Make Up at Least 10% of the Population

City	% Black	% American Indian, Eskimo, Aleut	% Asian, Pacific Islander	% Hispanic	% Minority[1]
Alexandria, VA	21.9	0.3	4.2	9.7	36.1
Austin, TX	12.4	0.4	3.0	23.0	38.8
Berkeley, CA	18.8	0.6	14.8	8.4	42.6
Boston, MA	25.6	0.3	5.3	10.8	42.0
Bridgeport, CT	26.6	0.3	2.3	26.5	55.7
Chicago, IL	39.1	0.3	3.7	19.6	62.7
Dallas, TX	29.5	0.5	2.2	20.9	53.1
Denver, CO	12.8	1.2	2.4	23.0	39.4
Elizabeth, NJ	19.8	0.3	2.7	39.1	61.9
Ft. Worth, TX	22.0	0.4	2.0	19.5	43.9
Hartford, CT	38.9	0.3	1.4	31.6	72.2
Hayward, CA	9.8	1.0	15.5	23.9	50.2
Houston, TX	28.1	0.3	4.1	27.6	60.1
Inglewood, CA	51.9	0.4	2.5	38.5	93.3
Jersey City, NJ	29.7	0.3	11.4	24.2	65.6
Las Vegas, NV	11.4	0.9	3.6	12.5	28.4
Long Beach, CA	13.7	0.6	13.6	23.6	51.5
Los Angeles, CA	14.0	0.5	9.8	39.9	64.2
Lowell, MA	2.4	0.2	11.1	10.1	23.8
Miami, FL	27.4	0.2	0.6	62.5	90.7
Moreno Valley, CA	13.8	0.7	6.6	22.9	44.0
Newark, NJ	58.5	0.2	1.2	26.1	86.0
New Haven, CT	36.1	0.3	2.4	13.2	52.0
New York, NY	28.7	0.4	7.0	24.4	60.5
Oakland, CA	43.9	0.6	14.8	13.9	73.2
Pasadena, CA	19.0	0.4	8.1	27.3	54.8
Paterson, NJ	36.0	0.3	1.4	41.0	78.7
Pomona, CA	14.4	0.6	6.7	51.3	73.0
Providence, RI	14.8	0.9	5.9	15.53	7.1
Sacramento, CA	15.3	1.2	15.0	16.2	47.7
San Bernardino, CA	16.0	1.0	4.0	34.6	55.6
San Diego, CA	9.4	0.6	11.8	20.7	42.5
San Francisco, CA	10.9	0.5	29.1	13.9	54.4
San Jose, CA	4.7	0.7	19.5	26.6	51.5
Seattle, WA	10.1	1.4	11.8	3.6	26.9
Springfield, MA	19.2	0.2	1.0	16.9	37.3
Stamford, CT	17.8	0.1	2.6	9.8	30.3
Stockton, CA	9.6	1.0	22.8	25.0	58.4
Sunnyvale, CA	3.4	0.5	19.3	13.2	36.4
Tampa, FL	25.0	0.3	1.4	15.0	41.7
Torrance, CA	1.5	0.4	21.9	10.1	33.9
Vallejo, CA	21.2	0.7	23.0	10.8	55.7
Waco, TX	23.1	0.3	0.9	16.3	40.6
Waterbury, CT	13.0	0.3	0.7	13.4	27.4
Yonkers, NY	14.1	0.2	3.0	16.7	34.0

[1] Racial and language minority population.

Source: Abstracted from U.S. Bureau of the Census, *Statistical Abstract of the United States 1993*. Washington, DC: Government Printing Office, 1993, Table 46, pp. 42–44.

rapid departure to the suburbs of middle- and working-class minority members" (*New York Times*, 1994). From 1980 to 1990, the black population in the suburbs grew by 34.4 percent, while the Hispanic population grew by 69.3 percent and the Asian population by 125.9 percent. (The comparable figure for whites was 9.2 percent.) Projections are that minority outmigration will continue in the coming years.

There is considerable variation in the proportional minority population make-up of America's suburbs. It tends to be highest in the suburbs surrounding high-growth metropolitan areas and lowest in America's older Rustbelt suburbs. According to one study, "the nation's most racially integrated neighborhoods may be suburban developments built in the last 15 years" (Marshall, 1994: 9).[4]

The "minority flight" pattern observed by Frey (1994) and others (O'Hare, Frey, and Fost, 1994; Garreau, 1994) has paralleled the emergence of the black middle class and rising educational and income levels among all racial and ethnic minority groups. This trend, too, is likely to continue into the twenty-first century as the socioeconomic gap between white and nonwhites narrows, particularly among the younger generations (Leo, 1995; Loury, 1995; Sabir, 1995; U.S. Bureau of the Census, 1995).[5]

More importantly from a redistricting perspective, minorities who have moved from inner cities to the suburbs have left for the same reasons whites fled before them: more affordable housing, better schools, lower cost of living, more open space and greenery, and "to escape the violence and incivility associated with center cities" (*New York Times*, 1994). Thus, the traditional argument that minorities and whites have markedly different policy priorities necessitating race-based districting arrangements may be less valid in the years ahead, especially at the local level.

More Racially Heterogeneous Districts Expected

The demographic and socioeconomic trends we have just highlighted, including the pluralization of suburbia, lead us to predict even more racially/ethnically *heterogeneous* jurisdictions and legislative districts in the twenty-first century. (There is, however, some chance these districts may become more economically homogeneous based on the strong correlation between residential location and income). Recent court rulings emphasizing the importance of compactness, contiguity, and maintenance of communities of interest (including keeping political subdivisions whole), and other traditional districting standards will continue to push the nation, albeit somewhat incrementally, in the direction of a more racially colorblind society. Perhaps a more critical question is: How will we define race in the year 2000?

Changing Definitions of Race: The Multiracial Category

The growing incidence of interracial marriages and the "arrival of millions of new immigrants from racially mixed societies is undermining the de facto consensus on the meaning of race in the American context." As one prominent journalist describes it: "All of this portends an era of increasing

multiethnic and multiracial confusion: Diversity 'R' Us. The question now is whether America's traditional concept of race is relevant to the nation's changing demographics—and the answer, almost certainly, is 'no'" (Morganthau, 1995: 64).

Traditional Census Bureau Categories

The racial categories traditionally used by the U.S. Bureau of the Census have come under severe attack as being outmoded, inaccurate, and, in some cases, even irrelevant (Sandor, 1994). The traditional categories are: white, black, Asian or Pacific Islander, American Indian, Eskimo or Aleut, and "other." Hispanic is an ethnic identification category. Hispanics can be of any race.

Among the groups commonly classified as Hispanic are: Puerto Ricans, Mexicans, Cubans, and identifiable clusters of groups from the Caribbean (Haitians and Dominicans), from Central America (Salvadorans, Guatemalans, and Nicaraguans), and other Latin American nationalities (de la Garza et al., 1992; Hero, 1992). As noted by many, the term Hispanic, or Latino, represents neither a "race" nor an "ethnic group" but a language group. In fact, Latinos "are a disparate collection of nationalities variously descended from Europeans, African slaves, and American Indians" (Morganthau, 1995: 64). The general conclusion of most studies is that these groups differ considerably in their political party affiliations, participation rates, and policy preferences.

The category "Asian" includes Chinese, Japanese, Koreans, Filipinos, Vietnamese, Asian Indians, Laotians, and Thais (Barringer, Gardner, and Levin, 1993). Most studies have found there to be little binding these groups together politically (Gurwitt, 1990).[6] Even the label "Caucasian" includes "hundreds of thousands of dark-skinned East Indians, Pakistanis and Bangladeshis" (Morganthau, 1995: 64).

But the category evoking the most criticism is "other." In the 1990 census, some 10 million Americans so classified themselves. When asked to define what "other" meant, nearly 300 "races," 600 Indian tribes,[7] seventy Hispanic groups, and seventy-five combinations of multiracial ancestry were identified.

Groups like the Association of MultiEthnic Americans and Project RACE (Reclassify All Children Equally) have lobbied the U.S. Census Bureau hard, pushing for the inclusion of a multiracial category in the 2000 census. Their efforts have already paid off at the state level. A number of states, including Florida, Ohio, Illinois, Georgia, Indiana, and Michigan, have added a multiracial category to their state forms (Dozier, 1995).

Many of the activists pressing for a multiracial category have children who are the products of an interracial relationship or marriage. (U.S. Census statistics show that the number of interracial married couples has increased from 310,000 in 1970 to 1,195,000 in 1993 and is projected to continue.) In the words of one such activist: "It's very hurtful to be told your child has to identify with one race when there are two participants in the union. It can be psychologically damaging to kids not to be able to claim who they really are" (Leslie, 1995: 72). In response to the pressures from activist groups, and

to changing demographic realities, the U.S. Census Bureau is formally considering adding a multiracial and/or biracial category to the 2000 census.

The Census Bureau is also considering a number of other changes. One is to add a "Middle Easterner" category to the ethnic designations. (This is a fast-growing ethnic group; see El-Badry, 1994.) Another is to revise several existing racial and ethnic categories:[8] changing black to "African American"; American Indian/Alaskan Native to "Native American"; and including "Hispanic" as a racial designation rather than an ethnic category (Dozier, 1995: 6; Wynter, 1995). To help it decide, the Census Bureau will conduct a survey of a number of households across the United States.[9] It will then forward any change recommendations to the Office of Management and Budget, which will make the final determination for the 2000 census (by April 1997).

The proposed addition of the multiracial category is shaping up to be the most contentious issue, primarily because of its potential impact on redistricting (Morrison and Feinberg, 1995; Lester, 1995).

The Effect of a Multiracial Classification on Redistricting

The inclusion of a multiracial category in the 2000 census has already sparked considerable controversy, especially within the African-American community. Some black leaders fear it will erode black solidarity because of "defections" to multiethnic status (Morganthau, 1995: 65). Others project that it will dilute the group's statistical strength for purposes of affirmative action programs and redistricting (Sharp, 1995; Morin, 1995b; Page, 1995; Lester, 1995).

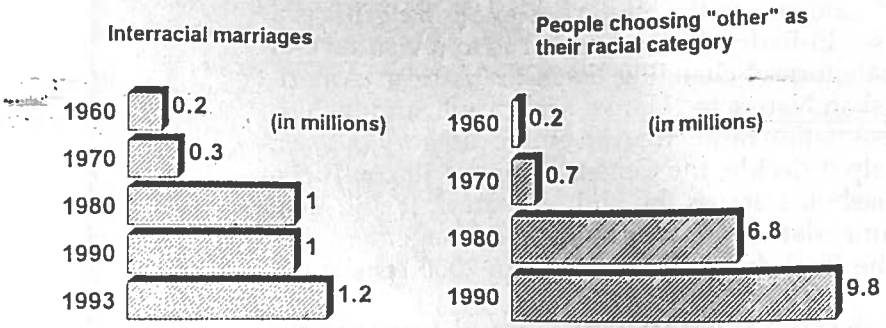
But some in the black community see the multiracial category issue as one of individual rights. Newspaper columnist Clarence Page (1995) has argued: "Speaking as an African-American who plans to continue checking the 'black' box, my response to those who do not want to check it is: Let them go. If they don't want to be simply 'black,' that should be their right. Of the biracial people I know, some will check the box, some won't. That should be their decision, not someone else's."

These same differences of opinion characterize other racial and ethnic groups. While these opinion differences may slow down the political decision to include a multiracial category, they will not reverse the multiracial trend in America (see Figure 1). The reality is that among all racial groups, the percentage who view themselves as multiracial will increase. Our guess is that the Office of Management and Budget will eventually approve some sort of multiracial category (if not for census 2000). It will be hard to ignore the Census Bureau's own socioeconomic data showing an upward trend in interracial marriages. It may help that there has been little political fallout in states that have already added such a category (Sharp, 1995), although, admittedly, these states often force the data back into the traditional categories for the purpose of qualifying for federal funds.

The rather high probability that a multiracial category will be added to the census has already prompted several new questions—and debates: "How will the multiracial category population be treated for redistricting purposes?" and "What classifications of people are pertinent to public policy?"

Figure 1

The Multiracial Trend in the U.S.



Note: The number of interracial marriages in the USA grew from .3% of all couples in 1960 to 2.2% in 1993. Likewise, the number of people who fit into the "other" category for race on Census Bureau surveys grew from .1% of the population in 1960 to about 4% in 1990.

Source: U.S. Bureau of the Census statistics. Adapted from report by Nick Galifiankis, *USA Today*, September 5, 1995, p. 3A.

(Morrison and Feinberg, 1995: 11A). The latter question has emerged because there is other evidence showing that racial and ethnic groups are becoming more splintered along age, income, and educational lines.

Changing Levels of Political Cohesion within Racial Minority Groups

National survey data and election exit surveys have increasingly shown that across all racial and ethnic groups, party identification patterns are changing (more persons are calling themselves independents), conservatism is more prevalent (fewer persons label themselves as liberals), and cross-over voting (partisan and racial) is on the upswing. In summary, there is a trend toward less, not more, political cohesiveness within racial/ethnic groups.

This trend obviously has important implications for future redistricting efforts because it suggests that the strength of race as *the* primary voting cue is weakening and the importance of age, income, and education may be getting stronger. This trend, juxtaposed on changing residential patterns and composition, will ultimately mean it will be more difficult to draw *meaningful* race-based districts in multiracial and more politically plural areas. We look now at the emerging schisms within the largest minority groups.

Emerging Schisms within the Black Community

For years, conventional wisdom has held that blacks are *the* most cohesive group politically. They have been portrayed as consistently identifying themselves as Democrats and voting for Democratic candidates. But recent

polls show that a growing number of blacks, especially the younger generation, prefer to *label* themselves as political independents, rather than as Democrats or Republicans (Dawson, 1994; Tate, 1994; Stanley and Niemi, 1995; Knight-Ridder Newspapers, 1995; McClain and Stewart, 1995; Ladd, 1996).

An April 1995 Gallup survey found that 57 percent of all blacks surveyed said they considered themselves to be Democrats, 5 percent said they were Republicans, but 38 percent labeled themselves as independents (Stanley and Niemi, 1995: 149).[10] In contrast, a Gallup survey taken three years earlier in 1992 found that 73 percent called themselves Democrats, 4 percent Republicans, and 23 percent independents (Stanley and Niemi, 1994: 161).

The propensity of blacks to *vote* Democratic is often stronger in national level contests than in statewide contests. For example, an analysis of black voting patterns in the 1994 congressional races found that 90 percent voted for the Democratic candidate and 10 percent for the Republican candidate—a pattern no different from that observed over the past 25 years (Knight-Ridder Newspapers, 1995).[11] However, other studies showed that around this same time, black voters helped elect white Republican candidates in six gubernatorial and eight Senate campaigns (McCoy, 1995; Rosentiel, 1995). Black sociologist John Sibley Butler has argued that "blacks are comfortable with Republican values on family, crime, school prayer, entrepreneurship, regulatory reform and, historically at least, self-reliance" (Rosenstiel, 1995: 30–31). These issues are increasingly the focus of many state and local electoral contests.

A growing number of blacks, like whites, are willing to cross party lines and support candidates who "actively court" them especially at the state and local levels. Those who tend to cross-over are perceived to be the younger, college-educated, and middle-class blacks (Knight-Ridder Newspapers, 1995).

But there is also disenchantment with the choices. A 1993–94 national survey of African Americans by Michael C. Dawson and Ronald E. Brown found that half of those polled agreed that blacks should form their own political party. Those most in favor were "the young, the poor, and those who believe blacks are doing economically worse than whites" (*Campaigns & Elections*, August 1994: 54).

While the majority of blacks still describe themselves as liberal or moderate, polls have shown that 25 to 40 percent now say they are conservative (Rosenstiel, 1995: 31). Surveys show that this trend toward conservatism is strongest among young, well-educated blacks and entrepreneurs. It also parallels the growing number of college-educated blacks going into business-related areas of study and into the professions (engineering, law).

Black conservatives, while still relatively a small proportion of the black electorate, are becoming a more powerful political force, as evidenced by the rising popularity of black conservative radio talk show hosts, newspaper columnists, conservative magazines (*National Minority Politics*), and legislative, congressional, and presidential candidates (Jones, 1995; Jacoby, 1995; Williams, 1995; McCoy, 1995). Their emergence has created a real schism, often between older political leaders from the civil rights establishment and newly emerging younger political aspirants whose primary experience has been in the private sector.

Many of the younger, more conservative, black leaders have come to politics "along highly personal paths: through a traditional religious upbringing, a disappointing flirtation with the civil rights movement or the struggle of building a business" (Jacoby, 1995: C1). They are also often more accustomed to working in majority-dominated environments where their personal success is greatly affected by their ability to coalesce with whites. This explains why this type of black candidate often has a different perspective on the need to create heavily majority-minority districts. (They are more open to influence districts, a point to which we will return later.)

Emerging Schisms within the Hispanic Community(ies)

Many of the schisms emerging within the black community are also apparent with the Hispanic community, or communities. (As noted, most agree that the Hispanic label encompasses many diverse groups.) Hispanics are becoming more Republican and more independent. Sociologists Barry Kosmin and Ariela Keysar (1995) analyzed 4,868 Hispanic respondents to a 1990 survey and found that 41 percent identified themselves as Democrats, 24 percent as Republicans, and 27 percent as independents.[12] They concluded that younger, wealthier, and better-educated Hispanics were far more likely to be Republican (Alsberg, 1995). They projected that a growing number of Hispanics would become Republicans if current immigration patterns from Latin and Central America continue.

Kosmin and Keysar (1995) also analyzed exit poll data from the 1994 congressional elections and found that four in ten Hispanics voted for the Republican House candidates. Such figures do not lead one to conclude the group is cohesive. Neither do the figures showing that "six in 10 Latino voters in Florida, largely of Cuban and Central America ancestry, are Republicans but two out of three of California's largely Chicano Hispanic population are Democrats" (Alsberg, 1995: C6).

Hispanics are quite diverse in their ideological predispositions as well. Studies have shown that Cuban Americans are more conservative (59.5 percent) than Puerto Ricans (46.8 percent) or Mexican Americans (36 percent) (de la Garza et al., 1992: 84). But in each group, the percentage who say they are conservative outnumbers those who say they are liberal.

Emerging Schisms within the Asian Community(ies)

There have been fewer studies of Asian political preferences and ideology. But the pattern observed is that a "high proportion of Asian Americans consider themselves political independents rather than members of either political party" (McClain and Stewart, 1995: 70). Nonetheless, there are considerable differences in the party identification patterns of Chinese Americans, Japanese Americans, and Asian Pacifics (Vietnamese, Hawaiians, Guamanians, and Samoans). Chinese Americans are far more likely to be Republicans—and political independents—than the others (Nakanishi, 1991: 42–43).

In terms of ideology, a 1993 national survey found that one-quarter of Asians identify themselves as liberal, half as moderates, and slightly more than one-fifth as conservatives. But Chinese Americans and Filipinos are

more conservative than either the Japanese or Koreans (McClain and Stewart, 1995). While no within-group breakdowns by age, income, or education were reported, we believe the same patterns observed among blacks and Hispanics probably hold true here—younger, more educated, and more affluent Asian Americans are more likely to be Republicans or independents than their older, poorer, counterparts.

Across all these racial/ethnic groups, our data show growing political differences, and schisms *within* each, often driven by age, education, and income. The simultaneous trends toward within-group socioeconomic and political diversification and multiracial community make-ups will increasingly change the nature of political coalition building (and districting).

Changing Politics: The Need to Build Racial Coalitions

Different, and *shifting*, electoral coalitions, are likely to be the rule rather than the exception in multiracial environments. These coalitions will vary as changes in relative group size, cohesion, resources, partisan make-up, residential concentration patterns, issue priorities, and candidate preferences occur. In multicultural settings, it will be more difficult and inaccurate to use the standard biracial analytic modes[13] to determine whether there are violations of fair representation standards. The sparse data we have on multiracial/ethnic coalitions support the notion that they are volatile—and often combustible, especially when redistricting issues emerge.

Some scholars theorize that when redistricting issues are perceived as a zero-sum game, there is more competition than coalition building among the various racial/ethnic minority groups. This is especially the case when each is fairly large and nearly equal in size or when one group has historically been politically dominant and less sympathetic to the other(s) (Kamasaki and Yzaguirre, 1991; Regalado and Martinez, 1991; Villarreal and Hernandez, 1991; Butler and Murray, 1990; Strange, 1989; Butler and Cain, 1992; Jennings, 1992). Such scenarios are increasingly sparking litigation when one racial/ethnic minority group perceives district lines have been drawn to favor the other racial/ethnic group(s). Such incidences are likely to increase, not decrease, as our nation's population transforms into a more culturally diverse one (Jennings, 1994a).

Others see interminority group coalition efforts more positively and regard them as imperative (Jennings, 1994a). This situation most often occurs when one minority group is considerably smaller than the other(s) and perceives its effectiveness vis-à-vis whites as enhanced by coalition building. For example, some scholars have reported that Latinos and blacks were fairly cohesive in electoral redistricting struggles in Los Angeles and Boston (Jennings, 1992). In Boston, the black community is significantly larger than the Hispanic population; the reverse is true in Los Angeles, although high rates of noncitizenship and a younger age profile bring the two groups closer together in terms of the size of their voter-eligible populations. (Others dispute the presence of a black-Hispanic coalition in redistricting efforts in Los Angeles; see Regalado and Martinez, 1991.)

There are plenty of examples of minorities getting elected from constituency bases where *their* racial/ethnic group is in the minority. Data gener-

ated by the Joint Center for Political and Economic Studies (1993) show that in 1992, twenty-one of the thirty-seven black mayors in cities over 50,000 were elected from constituencies where blacks were not the majority. A 1993 study by the National Association of Latino Elected and Appointed Officials (NALEO) reported that in several states (California, Florida, New York), at least half the Hispanic elected officials were elected from constituencies where Hispanics make up 50 percent or less of the population: And a study of minority representation on a wide array of state and local legislative bodies in Texas found that Mexican Americans and African Americans are frequently elected from such districts. The study concludes that "coalitional single member districts...work and work well" (Sanders-Castro, Ross, and Korbel, 1994: 3).

In multicultural settings, the key decision in crafting minority influence districts is often who else to place in that district. For example, there is evidence that in certain tri-ethnic communities, black-Hispanic voting coalitions are effective; in others black-Anglo or Anglo-Asian succeed in electing minority candidates of choice. Elsewhere, the evidence is mixed. A study of electoral coalitions in Austin, Texas, over a ten-year period found that the most frequent pattern was for all three groups (Anglos, blacks, Hispanics) to support the same candidate. But it also found that when a Hispanic candidate won, it was often due to a black-Hispanic coalition; when a black won, it was more often a black-Anglo coalition (Bullock and MacManus, 1990).

In many places across the United States, coalitions have been fragile and volatile, shifting in response to various changes in the political environment (Jennings, 1994a; Henry, 1994; Marable, 1994; Harris, 1994; Lott, 1994; Jennings and Lusane, 1994; Umemoto, 1994). Coalitions will continue to be dynamic as our nation becomes more multiracial and more divided politically along age, income, and education lines. Social scientists must continue to study electoral coalitions in such complex environments. Hopefully, such studies will offer some insights as to who should be placed together in districts to enhance better, and fairer, representation.

Influence versus Majority-Minority Districts: A Battle Likely to Continue

In October 1995, the U.S. Supreme Court upheld a lower court's decision (*Rural West Tennessee African-American Affairs Council v. Sundquist*) interpreted by many to mean that "districts in which black [minority] voters are numerous enough to influence the outcome of elections may in some circumstances be valid alternatives under the Voting Rights Act to the creation of additional majority-black districts"[14] (Greenhouse, 1995a: A10).

Intense divisions over whether "influence" or "access" districts are a more pragmatic approach than heavily majority-minority districts have long been observed within minority groups and show no signs of disappearing anytime soon. (Influence districts are those with a large enough minority citizen voting age population to, with the support of other racial/ethnic groups [white and/or nonwhite], effectively elect a group's candidates of choice—often members of their own group.)[15]

Support for Influence Districts

Many see influence districts as the only way for more minorities to get elected in the 1990s and beyond, especially after the 1993 *Shaw v. Reno* case which gave more weight to district compactness in judging whether districts are racially gerrymandered. Swain (1993) has argued rather convincingly that relatively few areas remain where blacks (or other racial/ethnic minorities) are sufficiently concentrated for courts and state legislatures to create new districts. (A similar argument has been made by Grofman and Handley, 1991.) This means that gains in minority representation in the coming years will most likely occur from minority candidates capturing either white-majority or mixed (plurality) districts, the latter of which will certainly increase in the twenty-first century.

Some black elected officials, especially those in leadership positions and of longer tenure in office, see the creation of more "safe" (high percentage) majority-minority districts as a huge deterrent to the passage of legislation of high priority to minority constituents, regardless of the district in which they reside. (The argument is less viable or common among Hispanic elected legislators because Latinos are less cohesive and may differ in their partisan preferences or policy priorities.[16]) Perhaps the best example of some black elected officials' opposition to safe majority-minority districts occurred in an Ohio court case (*Voinovich v. Quilter*, 1993). There, four black members of Congress (Mike Espy of Mississippi, Louis Stokes of Ohio, Craig Washington of Texas, and Alan Wheat of Missouri) each signed the brief of a plaintiff suing to create more minority influence state legislative districts and less majority-minority districts. Swain (1993: 205) quotes Washington as having told her:

> If you have four districts in a state like Alabama, for example, with a sufficiently large black population to neutralize Republicans on some issues, and if you can create one black district by gathering up all the blacks in such a fashion that they could elect a black person to Congress, and in the process you lose the leverage that you had in the three other districts, then that's foolish to me. Every time the one person votes for the things that I'm for, and that the black community is for, the other three from the state will probably vote against them.

Support for Majority-Minority Districts

Other black leaders are just as adamant that majority-minority districts are preferable to influence districts. In their view, minority candidates elected from majority-minority districts are more "legitimate" or "authentic" representatives of the group. They do not have to compromise or tone down their message or campaign styles to attract minority votes. Walters (1992: 198) critiques the views of those who "tout the phenomenon of 'crossover' or 'mainstream' politics [the election of blacks from minority-majority districts] as the wave of the future." He concludes (1992: 204) that, "*In terms of the meaning of black politics as it emerged from the civil rights/black politics movement, black leadership of white majorities is not properly speaking to be regarded as black politics*" (italics are from the original citation).

The major question as we head into the twenty-first century is not whose view on this difficult, contentious issue (influence versus majority-minority

districts) is right, but rather whose view will adapt more easily to the pluralization of our society based on demographic, socioeconomic, and political changes—and, of course, whose view will be sustained by the federal courts.

What About Minority Voter Turnout?

Another growing concern of some minority leaders and scholars, especially Hispanics, is that drawing "safe" minority-majority seats has a highly undesirable side effect, namely, reducing electoral competition. This, in turn, depresses minority voter turnout in the years between reapportionment or redistricting efforts (de la Garza and DeSipio, 1994; Wolfinger, 1993; Butler and Cain, 1992; Bullock, 1990). (Incumbency lock is just as prevalent in these "safe" nonwhite majority districts[17] as in "safe" white majority districts.) Tied up in all this is the growing concern on the part of many minority leaders and scholars that political parties are increasingly taking minority voters for granted and making little effort to campaign in minority neighborhoods or support voter mobilization efforts necessary to get out the vote. In *Barrio Ballots*, de la Garza and DeSipio (1994: 34–35) articulate these concerns well and criticize the unanticipated impact of the Voting Rights Act (VRA):

> [I]ronic is that the creation of VRA-required districts in the barrios may also be contributing to the decreased efforts parties are making to mobilize barrio residents. VRA-mandated districts produce homogeneous local, state legislative, and congressional districts which, with few exceptions, are contested only when they are created or when there is a vacancy. Thus, in these districts, incumbents have few electoral incentives to mobilize new voters; moreover, they are not indebted to their party for their office, and they have no reason to seek party support to win re-election. These districts are also safe districts for the incumbent's party. Thus, neither the incumbent nor the party is likely to try to mobilize voters in these districts. The design of these districts, therefore, may effectively eliminate the party's need to mobilize the grass roots.

Redistricting in the Future: A Coalitional Focus

The trends we have observed suggest that it will increasingly be harder to draw homogenous districts of any sort in the twenty-first century. Court decisions promoting influence districts and prohibiting the drawing of districts predominantly on the basis of race, the changing composition of our nation's population, and the growing socioeconomic and political differences within racial and minority groups each make it more unlikely that any "group" will be taken for granted. Race itself is likely to take on a new meaning as a greater proportion of the population describes itself as "multiracial." Coalitional politics will be vitally important—and the major focus of redistricting battles in the years ahead. In the words of Vernon E. Jordan, Jr., (1995:A14): "The only sane course of action [to guide America] lies within the context of an open, pluralistic, integrated society."

Notes

This article expands on Susan A. MacManus, "The Appropriateness of Biracial Approaches to Measuring Fairness of Representation in a Multicultural World," *PS: Political Science & Politics* (March 1995): 42–47.

1. According to the 1990 census, Dade County's voting age population was: 31.8 percent white, 16.3 percent black, and 50.5 percent Hispanic (Hispanics may be of any race). Hispanics and blacks argued they had been short-changed in the number of state senate and house minority-majority districts created—that more could (and should) have been drawn. The state argued that Dade County Hispanics already had greater-than-proportional representation under the state-adopted plan. The lower court agreed with the Hispanic and black plaintiffs in the case of the house of representatives and ruled the state had not complied with the Voting Rights Act. But in the case of the senate, the lower court ruled that to remedy the situation would necessitate the adoption of plan that would disadvantage African Americans. Thus, the court ruled that the state's senate redistricting plan was the fairest to *both* Hispanics and blacks, each a covered class under the Voting Rights Act. The U.S. Supreme Court in *Johnson v. DeGrandy*, 1994, affirmed the state's position with regard to both the house and senate seats.
2. The U.S. Census Bureau estimates that by the year 2020, Hispanics will constitute 15.7 percent of the population, blacks 13.9 percent, Asian Americans 7.0 percent, and American Indians nearly 1 percent (Day, 1993: xxii).
3. Persons counted as Hispanic may be of any race, as reported in the *Statistical Abstract of the United States, 1993*, Table 46, p. 44.
4. The article cites work by Reynolds Farley of the University of Michigan's Population Studies Center. The ten most integrated metropolitan areas were identified as: Jacksonville, NC; Lawton, OK; Anchorage, AK; Fayetteville, NC; Lawrence, KS; Clarksville-Hopkinsville, TN-KY; Ft. Walton Beach, FL; Cheyenne, WY; Anaheim-Santa Ana, CA; and Honolulu, HI.
5. Statistics that often go unnoticed are those showing that the black dropout rate from high school has come way down and is now 5 percent, versus 4 percent for whites. There are almost seven times as many black college students today—1,410,000—as in 1960. Among college-educated full-time workers, 28 percent of blacks have executive, administrative, or managerial jobs versus 30 percent for whites. The wages of second-generation Mexican-Americans are nearly identical to those of similarly educated non-Hispanic whites (Leo, 1995: 10A). Loury (1995: 20) reports similar closings of the gap, based on his review of the Census Bureau's March 1994 Current Population Survey, and a study by Duke University researchers Phillip Cook and Jens Ludwig of the National Educational Longitudinal Survey, a large national 1990 survey of high school sophomores. Loury, like Leo, blames the press and certain minority leaders for "seeing [America's] problems in racial terms, when race is not the real story" but rather powerful economic forces that have slowed growth and caused jobs to disappear in many industries and regions.
6. One study has concluded that Asian Americans should be treated as a collective entity because "the host society (the U.S.) has treated them all alike, regardless of what differences might have existed in their cultures, religions, and languages, or in the status of their homelands" (Chan, 1991).
7. Peroff (1992: 267) notes that:

   > As a minority group in America, Indians are unique.... There are at least two reasons for this.... First, Indians are only 0.6 percent of the U.S. population.... The second reason...is more complex. Paradoxically, American Indians are both a homogeneous and a heterogeneous group. They are homogeneous in the sense that they share elements of a common history.... Their heterogeneity derives from their long history as separate and distinct tribal nations dispersed throughout the continent.

8. Some of these considerations emerged from a U.S. Department of Labor survey of about 60,000 households designed to determine what ethnic and race

categories to use in employment, wage, and other statistics. The study found that among black households, about 44 percent want to be called black; 28 percent prefer African-American; 12 percent Afro-American. The survey also found that nearly half of American Indians prefer that label, while 37 percent prefer Native American. A majority of the Hispanics surveyed indicated they prefer to be called Hispanic rather than Latino or "of Spanish origin." An overwhelming majority of whites said they prefer to be called white, but 3 percent opted for European-American (*Wall Street Journal*, November 7, 1995, p. A1).

9. This survey, to be conducted in June 1996, has been labeled the Race and Ethnic Targeted Test (RAETT). The test will solicit responses from about 90,000 urban and rural households representing American Indians, Alaska Natives, Asians, Pacific Islanders, Hispanics, blacks, white ethnic groups, and multiracial persons. The test will examine alternatives such as: a "Multiracial or Biracial" category; alternative sequencing of the race and Hispanic origin items; a combined race, Hispanic origin and ancestry question; a combined "Indian (American) or Alaska Native" category; and a "Native Hawaiian" category. The test will assess how the proposed changes might affect the distribution and quality of responses in the current race and Hispanic origin items. Substantial changes, the bureau hypothesizes, could affect the historical continuity of race and ethnic data and the usefulness of data for federal agencies that monitor and enforce legislation, such as the Voting Rights Act (Consortium of Social Science Associations, 1995: 4–5).
10. A survey by the Times Mirror Center for The People & The Press in October 1995 showed that among those surveyed (all races), 42 percent of those eighteen to twenty-nine years of age labeled themselves as independents compared to just 25 percent of those 65 and older. (Figures were not available for the black population alone.)
11. Few congressional races ever feature an independent candidate.
12. An October 1995 survey by The Times Mirror Center for The People & The Press found that among Hispanics, 22 percent called themselves Republicans, 31 percent Democrats, and 43 percent independents. The increase in the percent who see themselves as independents parallels that observed among all racial groups.
13. *Shaw v. Reno* (1993) reaffirms the Court's position first laid out in *Thornburg v. Gingles* of the preconditions for challenging the construction of a single-member district under Section 2 of the Voting Rights Act. Members of racial minority group claiming Section 2 vote dilution must prove three threshold conditions: that the minority group "is sufficiently large and geographically compact to constitute a majority in a single-member district"; that the minority group "is politically cohesive"; and that "the white majority votes sufficiently as a bloc to enable it...usually to defeat the minority's preferred candidate." To determine whether a group is politically cohesive and whether whites (in the majority) vote together enough to block the election of a minority group's preferred candidate requires the calculation of the degree of racially polarized voting of groups placed together in the same district. Such a calculation depends on use of ecological regression and homogeneous precinct analysis. The difficulty with such approaches in multicultural settings is that, first, whites may be a racial minority group. Second, there may be no majority racial/ethnic group in a district. Third is the issue of whether to combine nonwhite groups in such analyses and treat them as one and look at how whether there is white-nonwhite racial polarization. Experts have warned against doing this, especially in places where there is conflict between the various nonwhite racial/ethnic groups (Regalado and Martinez, 1991;

Kamasaki and Yzaguirre, 1991; Butler and Murray, 1990; Strange, 1989). Fourth, if districts are drawn using common socioeconomic, ideological, or partisan criteria, along with race (as defendants of majority-minority districts must now claim under the *Shaw v. Reno* ruling), it is necessary and appropriate to use multivariate analytic techniques—techniques which the federal courts have disallowed since the *Gingles* case. One of the biggest ironies of the *Shaw v. Reno* ruling is that lawyers and experts representing blacks and Hispanics must now argue for use of *multivariate* techniques that are less likely (but more accurately) to show that race is the most important factor in individual vote decisions. This argument is the *exact opposite* of the position they have taken in the past which resulted in favorable court rulings ordering many states and localities to draw majority-minority districts. But if they argue that race should be the primary factor in constructing districts, it legitimizes vote dilution claims by whites under the Fourteenth and Fifteenth Amendments.

14. Chief Judge Gilbert S. Merritt (U.S. Court of Appeals for the Sixth Circuit) wrote in the opinion that the court was confident that a minority population of at least 25 percent "will have significant influence on candidates in virtually every election" and added that "a serious candidate for office cannot ignore 25 percent of the population that tends to vote as a block" (Greenhouse, 1995b: A10).
15. Some scholars make a distinction between influence and functional-majority districts (Lichtman and Hebert, 1993: 14–15). Functional-majority districts are those in which minorities comprise less than a 50 percent majority and depend more heavily on minority turnout and cohesion, and white coalition voting. In these districts, "coalition voting provides minorities a realistic potential to elect candidates of their choice, despite the lack of a numerical population majority." In contrast, these authors define an influence district as one simply enabling minorities "to affect the political process short of the election of candidates of choice and are incapable of precise definition." Influence districts "include the ability to elect candidates of choice among whites only or to make white representatives responsive to minority interests."
16. For example, in Florida, Hispanics in South Florida (Miami, Dade County) are mostly Republicans who see foreign policy and immigration issues in a different light than Hispanics in central Florida (Tampa) who are more likely to register as Democrats. But even in the Miami area, there are significant differences in the political behavior and priorities of Hispanics from South American countries (e.g., Nicaragua, El Salvador, Haiti).
17. Other research in nonpartisan settings finds that if elections quickly become noncompetitive (i.e., incumbency lock sets in) following the election of a high profile minority to office, especially if he/she is the first to occupy it, minority group voter participation declines thereafter (Browning, Marshall, and Tabb, 1984; Tate, 1991, 1994; Morris, 1992).

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Race and Representation: A Commentary

Carol M. Swain

Princeton University

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Overview

The essays in this volume deal with topics of grave importance to racial and ethnic minorities. They cover issues of representation and redistricting in a political climate that voting rights advocates view as inimical to minority interests. Bernard Grofman, Lisa Handley, and Wayne Arden offer evidence that the Voting Rights Act of 1965 has had a measurable impact in terms of increasing the number of black elected officials nationwide and particularly in the south. Pamela Karlan argues that the Supreme Court should apply the concept of vote dilution to the selection of judges. Several other contributors, including Alan Gartner, Winnett Hagens, Robert Holmes, and Donald E. Stokes, discuss the politics of redistricting in specific states. In addition, Susan MacManus and Larry Morehouse raise important related issues that they believe policymakers will be forced to confront as America enters the twenty-first century.

While each of the essays presented here deals with a timely topic, it is surprising that few of the authors have tried to address the implications of evolving constitutional doctrine as it relates to these issues, and more specifically, the implications of the restrictions imposed by recent decisions of the U.S. Supreme Court, a majority of whose members now have clearly rejected aggressive race-conscious districting as a constitutionally permissible strategy for apportioning America's legislative bodies. Moreover, only in the Stokes article and in the article by MacManus and Morehouse is there any attempt to come to grips with the critical tradeoffs that are often involved in electoral strategies such as race-conscious districting that can increase the numerical representation of black and Latino office holders, while at the same time reducing the number of liberal white elected representatives outside their districts that can be counted upon to support their legislative agendas. Even more surprising, none of these essays provide any real

discussion of alternative electoral systems such as cumulative voting or limited voting which have been promoted by advocates such as Lani Guinier, Pamela Karlan, Joseph E. Zimmerman, and Edward Still. This latter state of affairs is particularly puzzling given the considerable public discussion on these topics and given the fact that Karlan herself is one of the contributors to this volume.

Summary of Articles

Susan MacManus and Larry Morehouse provide readers with one of this volume's more provocative essays in which they discuss the extraordinary challenges that changing socioeconomic trends and demographics may pose for judges and policymakers grappling with redistricting decisions in the decades ahead. They predict that Supreme Court decisions will increasingly focus on multiracial and ethnic disputes rather than the biracial imbroglios that characterized the 1990s. "Traditional definitions of race will be challenged," they say, "along with assumptions about the relative strength of race as a predictor of candidate, party, and/or policy preferences." Because it will be harder to draw homogenous districts in the future, MacManus and Morehouse expect more value to be placed on coalitional politics and multivariate measures to detect racially polarized voting patterns. As they point out, the latter change will mean that lawyers and expert witnesses will have to take a position different from the one they took in the past when they convinced judges that ecological regression and homogenous precinct analysis were the most accurate means to detect racially polarized voting.

Already multiracial and biracial groupings have shown themselves vulnerable to conflicts in geographical areas where no single group constitutes a majority of the voting-age population or where policymakers must decide whether to create black districts or Hispanic ones (as was the case, for instance, in *Johnson v. DeGrandy*, 114 S. Ct. 2647, 1994, and *Bush v. Vera*, number 94-805, 1995). An example is provided by Alan Gartner, a former chairman of the New York District Commission, who offers an account of the multiracial politics of New York City where a racially diverse body made the key redistricting decisions. Although the Commission's demographic diversity guaranteed the representation of racial, ethnic, and political minorities, including gays and lesbians, intense conflict ensued nevertheless between black and Hispanic leaders. Commenting on this, the former president of the Puerto Rican Legal Defense Fund, Ruben Franco, remarked that, "When we were going for the crumbs, we were bickering. Now, we're going for the big stuff and we're fighting." Gartner concludes that "if this 'big stuff' is power for individuals, whether people of color or not, then not only is it a zero-sum game, it is politics as usual."

Although the race of voters has usually played the dominant role in the redistricting of most southern states, in Virginia partisan politics superseded race. Democrats gerrymandered the state in such a manner as to pair fifteen of thirty-nine Republican incumbents. Without the gerrymander, Republicans would have won control of the Virginia House of Delegates, argues Winnett Hagens, co-director of Norfolk State University's Redistricting

Project. He states that African-American voters gained less representation than they were entitled to have. He points out that four of seventeen majority-black districts were retained by white incumbents. His article raises a number of interesting questions. What, for instance, were the conditions that made it possible for white incumbents to retain control of black districts? Do the legislative records of these incumbents show responsiveness to the black community? What was the nature of competition in the district? Left unsaid is a full discussion of the significance of the Afro-American Bobby Scott's representation of a majority-white state legislative district and his position on race-conscious districting. The article also makes no mention of the ambivalence that then Governor L. Douglas Wilder, the nation's only elected black governor, displayed over the creation of black districts.

The state of New Jersey happily found a way to reduce though not eliminate conflict during its redistricting process. Donald E. Stokes, a political scientist who served as an independent member of the New Jersey Commission on redistricting, argues that New Jersey did an excellent job of balancing conflicting interests while still retaining population equality and geographic communities. Stokes notes the tradeoffs between increasing minority representation and preserving other traditional goals associated with redistricting. He would like to see more states adopt bipartisan commissions because he believes they would have greater legitimacy before courts since they remove the task of redistricting from the hands of clearly self-interested legislators (Durning, 1994).

Using data from the 1990 and 1992 elections, Bernard Grofman, Lisa Handley, and Wayne Arden present more than eight tables designed to demonstrate that increases in African-American representation between 1990 and 1992 were a function of the number of majority-black districts drawn—facts hardly open to dispute. The authors note that in 1990, 86 percent of the blacks serving in state legislatures represented majority-black districts and that that number increased to 89 percent in 1992. Moreover, the percentage was even greater for the U.S. Congress where the number of blacks representing majority-black districts jumped from 79 percent in 1990 to 91 percent in 1992. According to Grofman et al., these data show the near impossibility of electing black politicians from nonblack districts. The authors fail, however, to recognize a major reason for the increased percentage of blacks elected in black districts. In some instances, policymakers made decisions to increase the black population in nonblack districts already electing black politicians. Some black incumbents were drawn safer districts with higher percentages of black voters, which would, of course, increase the percentage of black politicians elected from majority-black districts. There is another difficulty with this analysis: Grofman et. al. have avoided the use of black voting-age populations in their calculations, opting instead for the overall black population percentages. This approach can give an inaccurate picture of the actual electorate, however, since it includes persons under age eighteen and, therefore, ineligible to vote. The use of overall black population figures understates the percentage of nonblack districts electing black politicians. In future analyses, it would be nice to see these authors use black voting-age population in their calculations, or at least explain their failure to do so.

State Representative Robert Holmes's description of the special session of the Georgia legislature charged with redrawing the state's legislative districts after *Miller v. Johnson* highlights divisions among Black Caucus members. After several weeks of haggling in which legislators could not agree on an acceptable plan, the legislature adjourned and turned the task over to a three-judge panel which drew a new plan that obliterated the districts of two of the state's three black representatives and affected some of the state legislative districts as well. Some black Democrats joined forces with white Democrats to draw districts that protected incumbents by not concentrating blocs of black voters. Holmes's article is mostly a one-sided diatribe in which the author accuses a subset of the black caucus of selling out the interests of black voters in order to maintain their own privileged status and the approval of white elites. These black legislators committed the crime of showing party loyalty when they voted with white Democrats. Holmes, however, fails to acknowledge the genuine concerns of Georgia Democrats after the 1994 elections in which Republicans captured the Congress and made significant statewide gains. Since 1992, a nine-to-one Democratic advantage in the Georgia congressional delegation has gone to a seven-to-three Republican advantage, and as of 1996, the state's only Democrats in the House were black representatives of black districts. Given the Republican agenda, it is not surprising that some blacks would chose to protect black interests by enhancing the electoral prospects of Democrats even if this meant reducing the number of safe black-majority districts.

Final Comment

Many of the scholars represented in this volume have confused descriptive representation with substantive representation. Descriptive representation occurs when voters are represented by members of their own racial or ethnic group, whereas substantive representation occurs when voters' policy preferences and interests are actively promoted by their legislator regardless of the legislator's race or ethnicity. Many who write on the redistricting issue seek to increase the number of minority faces in legislative bodies without regard to the real costs that minority voters may pay in terms of lost political allies. These people seem to forget that the Voting Rights Act was passed primarily for black voters and was not intended as—nor should it be treated as—unemployment insurance for black politicians. Rather than clinging to the past and prematurely eulogizing the death of the Voting Rights Act, well-meaning scholars would do well to focus on issues such as term limits, campaign finance reform, and the pros and cons of alternative electoral systems. In addition, they should consider the findings of other scholars, such as David Epstein and Sharyn O'Halloran, who have demonstrated that, "outside the South, dividing black voters equally across districts maximizes [their] representation, while in the South," the optimal concentration is districts that are from 45 percent to 47 percent in black voting-age population. Epstein and O'Holloran have concluded that minority candidates have a *substantial* chance of being elected in districts *less* than 50 percent black (Epstein and O'Holloran, 1995: i). Future research on race and

representation must, by necessity, exceed the boundaries of what is commonly done in this area today.

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The Messages and the Messengers: Opinions from the Million Men Who Marched

Joseph P. McCormick, II

Howard University

I pledge that from this day forward I will strive to love my brother as I love myself, I from this day forward, will strive to improve myself spiritually, morally, mentally, socially, politically and economically for the benefit of myself, my family and my people.

—from the pledge taken by thousands of African-American men at the Million Man March, October 16, 1995

The Million Man March, held in Washington, DC, in October 1995, was the largest gathering of African Americans that had ever come together in that city for the symbolic purpose of demonstrating racial group solidarity to the nation. Controversy preceded and followed this historic event. Much of that controversy centered around two individuals who were most closely associated with the organization of the March itself, Minister Louis Farrakhan, the leader of the Nation of Islam, and Reverend Benjamin Chavis, the former executive director of the National Association for the Advancement of Colored People (NAACP).

Relying on survey data collected on the day of the Million Man March, this article examines some of the controversy surrounding the March by focusing on some of the reasons seen as "very important" by those who attended it. Particular attention is devoted to making an empirical distinction between how those who attended saw "the messages" that they felt the March represented and how they viewed the "messenger"—Louis Farrakhan, who put forth the clarion call for the March. As the data will show, while appeals to racial solidarity were identified by the overwhelming majority of those surveyed as "very important" reasons for their attendance, smaller proportions of those surveyed identified the clarion call of

Farrakhan as a "very important reason" for their decision to attend the March. The importance of certain "messages" and the "messenger," the research indicates, is a function of socioeconomic-occupational location, which, in turn, is an objective indicator of a series of subjective "real world" experiences. The article concludes with a discussion of two questions that emerge from the data: (1) Do the indicators of racial solidarity in the "messages" deemed "very important" by the marchers constitute the foundations of an emerging black nationalism among African Americans? (2) Given that Minister Louis Farrakhan is one of the most highly visible African Americans who is most closely associated with these messages of racial solidarity, what is *his leadership potential* of extending his attraction beyond the organizational boundaries of the Nation of Islam? These questions are answered in the conceptual context of what can be called "the politics of the black nation."

Data and Methodology

A survey of participants in the Million Man March was conducted on October 16, 1995, by a team of Howard University political science faculty members, graduate students, undergraduate students, and private researchers.[1] This survey research team was employed by the Wellington Group, an African-American market research firm based in Oaklyn, New Jersey.

The survey data were acquired via a thirty-seven item questionnaire that was co-developed by a four-person team of Howard University political science faculty members and graduate students who worked with personnel from the Wellington Group. The actual administration of the questionnaire was done by six teams of predominately undergraduate students from Howard University who had been recruited for this project by faculty members in the Department of Political Science. Student interviewers received some training in interview procedures from a staff member of the Wellington Group a about a week before the March. On the day before the March, approximately half of the students who carried out actual interviews on the day of the March went to the Mall area (the twenty-two block grassy area between the U.S. Capitol and the Washington Monument) and conducted some pre-tests.[2] While approximately 1,200 actual interviews of randomly selected persons were conducted on the day of the March, the database on which this research is based consists of 1,070 completed interviews.[3]

The Rationale for the March and the Attendant Controversy

The last scheduled event of the twenty-sixth annual meeting of the National Conference of Black Political Scientists, held in Baltimore, Maryland, in March 1995, was a roundtable entitled, "The Challenges of Black Leadership." Chaired by Ronald Walters of the Department of Political Science at Howard University, this panel included a scholar who was then research director of the Congressional Black Caucus Foundation, a representative from the National Rainbow Coalition, the executive director of the National Urban Coalition, a representative of the National Conference of Black Lawyers, and Minister Alim Muhammad, who represented the Nation of Islam. In the course of a lively discussion on the political aftershocks of the No-

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vember 1994 congressional elections, the multifaceted nature of the black predicament in America, and the implications and challenges of these events for the national African-American community and its putative leadership, Minister Muhammad announced that the leader of the Nation of Islam, Minister Louis Farrakhan, had called for a million African-American men to assemble in Washington, DC, in October 1995.

Perhaps few of those who were present when Minister Muhammad made this announcement knew that Farrakhan had publicly called for a Million Man March (as it came to be known) three months earlier in the pages of *The Final Call*, the newspaper of the Nation of Islam. In its December 14, 1994, issue, in an article that lead with the Marcus Garvey inspired quote, "Up you mighty nation, you can accomplish what you will," Farrakhan said:

> We, as students and followers of the Honorable Elijah Muhammad, are calling on all able-bodied Black men to set aside a day, October 16, 1995, for an historic March on Washington to declare to the Government of America and the world, that we are ready to take our place as the head of our families and our communities and that we, as Black men, are ready to shoulder the responsibility of being the maintainers of our women and children and the builders of our communities.[4]

Over time, Farrakhan and others came to refer to October 16, 1995, as "A Holy Day of Atonement and Reconciliation." In this same December 1994 article, Farrakhan indicated that the idea for such a march had come to him as a result of a discussion he had had with the founder of the Nation of Islam, Minister Elijah Muhammad, as they both watched the 1963 March on Washington (presumably on television). Farrakhan proclaimed that it had been the Honorable Elijah Muhammad (as he is known by members of the Nation) who had inspired the call for the Million Man March. The current leader of the Nation of Islam went on to say, "[I]t is time for us as Black men and as Christians, Muslims, Nationalists, Agnostics, young and old members of every fraternal, civic, political organization to stand together as one to declare our right to justice and our right to determine the future of our people."[5]

By the fall of 1995, the idea of the Million Man March had become embroiled in controversy over personalities, gender conflict, and religious differences. Attention in this part of the article will be limited to the controversy surrounding the two key personalities associated with initiating and organizing the March, Ministers Louis Farrakhan and Benjamin Chavis, and the gender conflict that was linked with these two men. The issue of so-called religious controversy will be examined in the next section.

Within black America debates occurred over the appropriateness of supporting an event that had been initiated by the Nation of Islam and its fiery leader Louis Farrakhan. Farrakhan's role had been complicated by the fact that he had been joined in the planning and organizing of the March by the Rev. Benjamin Chavis, Jr. Chavis had been ousted from his post as executive director of the NAACP in 1994 following allegations of using the organization's funds to settle a sexual harassment complaint.[6]

Gender conflict within the African-American community also came to the surface in view of the fact that Farrakhan had called for a million "men"

to come to Washington. In his December 14 article, Farrakhan wrote, "We are asking our wives and daughters to stay at home on that day; not because we don't need you; not because we don't think that you can be of great support to us.... we want you to aid us in this march by staying at home with the children teaching them in sympathy [sic] with what your Black men have finally decided to do."[7] This position, no doubt reinforced by the male-dominated character of the leadership structure of the Nation of Islam, led some African-American women to denounce the March as sexist. In fact, some women, such as chairperson of the U.S. Civil Rights Commission Mary Frances Berry, saw Farrakhan's attitudes as "anti-Semitic," "racist," "sexist," and "homophobic."[8] In a letter to *The Washington Post*, Berry wrote that while African Americans "as a community [was] in deep trouble at this hour," she did "not trust Louis Farrakhan or Benjamin Chavis to lead us [Black people] to the Promised Land."[9]

In spite of controversy that surrounded the two most visible persons associated with organizing the march—Louis Farrakhan and Benjamin Chavis, Jr.—a *Washington Post*-ABC News poll conducted about three weeks before this historic event found that half of the African Americans who were surveyed were aware of Farrakhan's call for a million men to come to Washington, DC, and an overwhelming majority stated that they supported such a march.[10] This same survey however found that most African Americans drew a distinction between the March, "which some respondents viewed as an opportunity for Black men to defy negative stereotypes about them, and its two primary organizers, who have controversial personal histories."[11]

On the eve of the March, it had also been endorsed by such black leaders as Jesse Jackson,[12] Congressional Black Caucus Chair Donald Payne (D-N.J.), Caucus members William Jefferson (D-La.), Charles Rangel (D-N.Y.), and Floyd Flake (D-N.Y.), and Rev. Joseph Lowery, the president of the Southern Christian Leadership Conference.[13] At least one white public official, Philadelphia's Mayor Edward Rendell, endorsed the March as a means of focusing attention on congressional budget cuts in social programs and as a way for "young Black boys to see a large group of African-American men doing something positive."[14] Such an endorsement generated criticism from a regional director of the Anti-Defamation League of B'Nai B'rith who maintained that Farrakhan was a "messenger of hate" who would "reap great benefits as a result of this march." Rendell, who is also Jewish, replied, "I do think you can separate the message from the messenger," adding, "this march is a whole lot bigger than Louis Farrakhan."[15]

A Demographic Profile of the Marchers

As can be seen in Table 1, the men who attended the Million Man March appeared to be older (mean age: 34) and better educated than African-American men generally. Almost one-third of those surveyed reported possessing at least a bachelor's degree.[16] The respondents in this sample also reported extraordinarily high household incomes (median: est. $43,000) as compared to African-American households generally.[17] While not indicated in this table, about 17 percent of those interviewed reported that they held blue-collar unskilled jobs (e.g., construction worker or security guard); almost 40 per-

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Table 1
Selected Demographic Characteristics of Participants in the Million Man March Compared with U.S. Census Data

	MMM Sample	U.S. Census Profile
Age		
18–29	4.3%	NA
30–44	43.2	23.6
+45	22.5	20.9
Median:	34.0	26.4
Education		
Less than HS	3.7%	28.2%
Completed HS	19.1	36.9
Some College or Technical School	38.3	22.1
Completed 4 Yrs. of College	22.7	12.8
Some Graduate School	6.1	NA
Income		
Under $15K	7.4%	50.6%
$15–24,999	11.7	21.8
$25–49,999	36.7	22.3
$50k+	41.1	5.3
Refused to Say	3.1	NA
Median	$42,499 (est.)	$19,333
Employment Status		
Employed Full/Part-time	87.6%	86.1%
Unemployed	10.3	14.0

Sources: Final Results: Million Man March Poll (The Wellington Group & Howard University Political Science Faculty & Students), October 16, 1995, selected tables; on Census data, see Bennett (1995), selected tables.

cent said that they held blue-collar skilled jobs (e.g., policeman, fireman, or production foreman); about 15 percent said that they had white-collar non-professional jobs (office worker, government employee, or sales person); while approximately 29 percent indicated that they held white-collar professional jobs (e.g., attorney, consultant, doctor, or teacher). Again, when compared with the national averages for African-American men, the respondents to this survey disproportionately held managerial and professional jobs.[18] The presence of all of these men, from a range of socioeconomic backgrounds, is an obvious indication of their interest in the March, yet the disproportionate number of older, better educated, and comparatively well-paid African-American men who held managerial and professional jobs also clearly speaks to the economic ability of these men to get to the March.[19]

Reasons for Attending the March: The Messages and the Messengers[20]

In Table 2, attention is directed to the reasons that the marchers gave for attending this historic event (see the question from the survey at the bottom of Table 2). Those reasons have been divided into five messages and three

Table 2
The Messages and the Messengers (N = 1,070)

	Percentage of those who said "very important"*	"not at all imp."
Messages (rank ordered)		
Calls for Improving & Affirming Moral Values in the Black Community	88.2%	0.6%
Encourages Building Broad-based Black Unity	85.1	1.0
Calls for Self-determination by the Black Community	85.0	0.8
Calls for Atonement & Reconciliation among Blacks		
Supports Independent Black Economic Programs	74.9	1.4
Messengers (rank ordered)		
Involved Various Christian Ministers	36.6%	21.9%
Was Initiated by Min. Louis Farrakhan	32.1	20.7
Was Endorsed by Jesse Jackson	17.3	33.1

* Question wording: "As I read this short list of statements, please tell me how important they were in helping you to decide to attend this March. Using a scale from one to six where '6' is 'very important' and '1' is 'not at all important,' how important was it to you that the March...?"

Source: The Wellington Group & the Howard University Political Science Faculty Group, *The Million Man March Poll*, October 16, 1995.

messengers. The proportion of those who indicated "very important" or "not important at all" is reported for each message and each messenger. Each reason is also rank-ordered within the message and messenger categories. From these data it can be seen that the proportion of marchers who indicated that the five messages were very important reasons as to why they attended the March ranged between about 88 percent at the "high" end, and about 75 percent at the "low" end of the rank ordering for this category. Almost eight out of ten of the marchers indicated that they attended the March because they saw it as a "call for improving and affirming moral values in the Black community." Seventy-seven percent of those surveyed indicated that they attended the March because of the twin messages of atonement and reconciliation. By contrast, (see Table 2) the proportion of those surveyed who said "very important" for the three "messenger" reasons ranged from a "high" of almost 37 percent (because the March involved Christian ministers) to a "low" of about 17 percent (because it was endorsed by Jesse Jackson). That the March was initiated by Minister Louis Farrakhan was recorded as "very important" by 32 percent of those surveyed. The first two of these "messenger" reasons sheds some empirical light on the impact of some of the controversy in the African-American community that preceded the March. In Chicago, in August 1994, a prominent black clergyman, Reverend James Meeks, sent a letter, which later became public, to a select group of other black ministers in that city. Meeks, according to one newspaper account, objected to the March on religious grounds. According to this account:

> Noting that Farrakhan began his call for the March with the traditional Muslim proclamation that "there is no God but Allah and I bear witness that Muhammad is his Messenger," Meeks wrote [in his letter sent to other black ministers] "To say that there is no God but Allah declares Christ who is God nonexistent. How can we follow or allow our men to follow one who denounces our Christ?"[21]

One cannot determine from the reporting of this incident what actual impact the Meeks' letter had on those from Chicago who attended the March. Available evidence does indicate that the leadership of the two largest black Baptist organizations in the United States, the National Baptist Convention U.S.A. (with 8.2 million members) and the Progressive Baptist Convention (with 1.2 million members), did not endorse the March because of Farrakhan's central role.[22] However the fact that over one-third of those who were surveyed indicated that they considered it "very important" that the March involved various Christian ministers *and* that it was initiated by Louis Farrakhan, as the reasons that they attended the March, would suggest that for these respondents, the denunciations of Farrakhan had no adverse affect. Lest one conclude that Farrakhan's appeal may have been linked to the religious inclinations of the marchers, the survey data also indicate that about 55 percent of those surveyed identified themselves as Protestants (within this category, about 38 percent identified themselves as Baptists), while only 8 percent saw themselves as Muslims. About 36 percent of the respondents gave either some other religious affiliation or indicated having no religious affiliation.

The Relationship between the Messages and Socioeconomic Status

The data from the preceding section of this article indicate that when one compares the reasons those surveyed gave for attending the March, *much larger proportions of marchers identified "messages,"* for example, "calls for improving and affirming moral values in the Black community," "encourages building broad-based Black unity," and so forth, *as being "very important," than those who linked the rationale for their attendance with a group of messengers* (Christian ministers) or with individual messengers (Louis Farrakhan and Jesse Jackson). This finding empirically corroborates the views of some who had argued before the March that, "this march is a whole lot bigger than Louis Farrakhan." While the various messages were clearly important to the overwhelming majority of those who attended the March, the proportions of those who considered the messages and the messenger (Louis Farrakhan) to be "very important" varied by socioeconomic class.

Before proceeding, however, a few words are in order about what the economist Thomas Boston has referred to as "the tedious but necessary task of defining class."[23] Boston tells us that, "Social consciousness, political actions and inactions are greatly influenced by the institutional arrangements within which people earn their means of livelihood."[24] He adds the important observation that, "most contemporary notions of class have been criticized...because they cannot identify a collective interest or subjective behavior peculiar to class members."[25] This he calls the "boundary problem." This reality, where the attitudes held by those in one objectively defined "class" may be shared

with those in another objectively defined "class" is very much in evidence in the opinions that are analyzed in this article. For some of the race-specific issues that are discussed below, objectively defined notions of socioeconomic class—as measured through such indicators as level of education, household income, and occupation—appear to have little empirical utility in terms of demarcating one "class" from another. As will be seen below, however, this caveat does not uniformly hold across all of the reasons that men gave for attending the March. For some of these reasons, the objectively defined indicators of socioeconomic class that are utilized herein *do appear* to demarcate one socioeconomic group from another.

In Tables 3 through 7, each of the "messages" found in Table 2 above was cross-tabulated by the three previously mentioned "class" indicators: level of education, income, and occupation.[26] Given that the overwhelming majority of respondents indicated that each of these reasons was "very important" in their decision to attend the March (see Table 2), analysis was restricted to this choice of responses. *Statistically significant variations* (at the $p < .05$ confidence level), along socioeconomic lines, were found to exist for each of the "messages." The theoretical significance of these differences will be discussed at the end of this section of the article.

The general pattern that emerges among the "message" responses is one where higher percentages of marchers at the upper end of the socioeconomic continuum were more likely to say that these reasons were "very important" than those respondents who similarly responded at the lower end of the continuum. Inasmuch as

Table 3
Demographic Profile on Selected Messages
(percentage who said "very important")

Message: Calls for Improving and Affirming Moral Values in the Black Community				
Education				
HS Graduate or Less 81.1% (198) r = .1271		Some Coll. or Technical Sch. 90.2% (370)		College Grad. or More 90.5% (371) p < .0001
Income				
$15,000 82.3% (65) r = .0732	$15,000–$24,999 88.8% (111)	$25,000–$34,999 88.5% (161)	$35,000–$49,999 88.2% (186)	$50,000+ 88.4% (389) p < .018
Occupation				
Blue Collar Unskilled 88.3% (203) r = - .0387	Blue Collar Skilled 93.2% (110)	White Collar Non-Prof. 87.8% (280)	White Collar Professional 88.1% (119) p < .231	

Source: The Wellington Group & the Howard University Political Science Faculty Group, *The Million Man March Poll*, October 16, 1995.

Table 4
Demographic Profile on Selected Messages
(percentage who said "very important")

Message: Encourages Building Broad-Based Black Unity

Education

HS Graduate or Less	Some Coll. or Technical Sch.	College Grad. or More
79.1%	87.3%	86.6%
(193)	(358)	(355)
r = .0857		p < .005

Income

$15,000	$15,000–$24,999	$25,000–$34,999	$35,000–$49,999	$50,000+
78.5%	84.8%	85.2%	85.3%	86.6%
(62)	(106)	(155)	(180)	(381)
r = .1024				p < .001

Occupation

Blue Collar Unskilled	Blue Collar Skilled	White Collar Non-Prof.	White Collar Professional
82.2%	82.2%	85.3%	91.9%
(189)	(97)	(272)	(124)
r = .0842			p < .017

Source: The Wellington Group & the Howard University Political Science Faculty Group, *The Million Man March Poll*, October 16, 1995.

Table 5
Demographic Profile on Selected Messages
(percentage who said "very important")

Message: Calls for Self-Determination by the Black Community

Education

HS Graduate or Less	Some Coll. or Technical Sch.	College Grad. or More
77.9%	88.8%	85.6%
(190)	(364)	(351)
r = .1289		p < .0001

Income

$15,000	$15,000–$24,999	$25,000–$34,999	$35,000–$49,999	$50,000+
75.9%	84.0%	83.0%	86.7%	87.3%
(60)	(105)	(151)	(183)	(384)
r = .1121				p < .0001

Occupation

Blue Collar Unskilled	Blue Collar Skilled	White Collar Non-Prof.	White Collar Professional
81.5%	85.6%	82.2%	86.5%
(110)	(273)	(97)	(199)
r = -.0033			p < .926

Source: The Wellington Group & the Howard University Political Science Faculty Group, *The Million Man March Poll*, October 16, 1995.

Table 6
Demographic Profile on Selected Messages
(percentage who said "very important")

Message: Calls for Atonement and Reconciliation among Blacks

Education

HS Graduate or Less	Some Coll. or Technical Sch.	College Grad. or More
74.6%	80.0%	75.4%
(182)	(328)	(309)
r = .01268		p < .67955

Income

$15,000	$15,000–$24,999	$25,000–$34,999	$35,000–$49,999	$50,000+
70.9%	80.0%	79.7%	79.1%	75.0%
(56)	(100)	(145)	(167)	(330)
r = -.00544				p < .86115

Occupation

Blue Collar Unskilled	Blue Collar Skilled	White Collar Non-Prof.	White Collar Professional
80.0%	79.0%	72.9%	67.8%
(108)	(252)	(86)	(156)
r = .1486			p < .001

Source: The Wellington Group & the Howard University Political Science Faculty Group, *The Million Man March Poll*, October 16, 1995.

Table 7
Demographic Profile on Selected Messages
(percentage who said "very important")

Message: Supports Independent Black Economic Programs

Education

HS Graduate or Less	Some Coll. or Technical Sch.	College Grad. or More
71.3%	75.6%	76.3%
(174)	(310)	(313)
r = .0625		p < .042

Income

$15,000	$15,000–$24,999	$25,000–$34,999	$35,000–$49,999	$50,000+
74.7%	79.2%	69.8%	74.4%	76.1%
(59)	(99)	(127)	(157)	(335)
r = .0263				p < .397

Occupation

Blue Collar Unskilled	Blue Collar Skilled	White Collar Non-Prof.	White Collar Professional
80.0%	79.0%	72.9%	67.8%
(108)	(252)	(86)	(156)
r = .1486			p < .001

Source: The Wellington Group & the Howard University Political Science Faculty Group, *The Million Man March Poll*, October 16, 1995.

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the analysis is restricted to the "very important" response option, these differences are ones of "degree or intensity" as opposed to being differences in "kind." The *level of education* indicator was the socioeconomic indicator where the most consistent "class" differences were found to occur. For four of the five messages (see Tables 3, 4, 5, and 7) statistically significant differences were found to exist along the level of education continuum. The income and the occupation indicators were not quite as consistent in the patterns of difference that emerge but statistically significant differences were found. For the *income indicator,* statistically significant differences were found for three of the five reasons (see Tables 3, 4, and 5). Finally, for the *occupational indicator,* statistically significant differences were also found for three of the five reasons, though the observed pattern differs somewhat (see Tables 4, 6, and 7).

As one attempts to explain these socioeconomic differences it is important to repeat that for the overwhelming majority (at least 70 percent) of the respondents, each of the five messages was considered to be a "very important" reason for attending the March. Collectively these "messages" reflect a vision of racial solidarity that historically have been most pronounced when the African-American community has felt threatened by external forces. Throughout the history of this nation, the most consistent external threat has been the ideology of white supremacy and its behavioral manifestations of individual and institutional racism.[27] Anecdotal data are legend throughout America of instances of black men, regardless of socioeconomic class, being the subject of various racial insults, for example, the inability to catch a taxicab in many urban centers, unusual delays in being served in a department store or restaurant, being stopped by the police without probable cause and in some instances arrested and so forth. While African-American men, within the black community, do not necessarily have a monopoly on these examples of racial insult, it appears that these anecdotes have been universally associated with African-American men.

As the data on the responses to the "messages" reveal, higher proportions of those at the upper ends of the socioeconomic continua selected the "very important" choice than their brothers at the lower ends of these continua. In his book *The Rage of the Privileged Class,* Ellis Cose, a *Newsweek* magazine contributing editor and an African-American, describes the negative racial experiences of a number of middle- to upper-income African Americans, male and female, that he interviewed: petty indignities, the false "fronts" that become necessary to "make it" in white-controlled institutions, and the ways in which many of them have become pigeonholed in so-called "black jobs."[28] Similar personal experiences have been recently chronicled by *Los Angeles Times* reporter Sam Fulwood, also an African American, in his book, *My Life in the Black Middle Class.* As one review of Fulwood's book points out: "Fulwood includes anecdotal evidence of the tribulations suffered by his black middle-class friends.... [Fulwood] concludes that his generation is 'so disillusioned by the persistent racism that continues to define and limit us that we are abandoning efforts to assimilate into the mainstream of society.'"[29]

These nonempirical journalistic accounts serve as interpretive lenses through which to view the empirical data collected during the Million Man

March. Members of the black middle class are some of the most frustrated and angry members of the African-American community, for as they have climbed the material ladder toward the proverbial American dream, they have tended to encounter barriers that they do not see standing in the way of their white counterparts. The principle barrier, it appears, is the ideology of white supremacy and its behavioral manifestations of individual and institutional racism. In this regard, the survey data indicate that even though no *statistically significant* difference was found, those respondents who reported household incomes of $50,000 or above (56.4 percent) were more likely to have indicated that they or some member of their family had been denied a job or promotion due to discrimination within the past five years than respondents in any other income category. Similar proportions of respondents who reported holding at least some college or technical education, as well as those who reported having earned a bachelor's degree were also more likely to have reported the occurrence of discrimination. *Quite interestingly, those with a high school diploma or less and those who reported household incomes under $15,000 were the respondents least likely to have reported that they or some member of their family had been denied a job or promotion due to discrimination within the past five years.*

Added to these more individual levels of racial insult, there have been the more institutionally based assaults on African Americans seen in recent electoral outcomes and public policy: the ascendancy of the conservative wing of the Republican party as the majority party in Congress in the 1994 mid-term elections;[30] a collection of anti-"big government" policy proposals called the "Contract with America" (described by one black member of Congress as a document "overburdened with inflammatory, coded messages designed to arouse the over-taxed, underpaid, financially insecure White middle-class to revive racist policies of the past");[31] and a series of conservative decisions from the U.S. Supreme Court that have had chilling effects on affirmative action in minority contracting and in maintenance of majority-minority congressional districts (e.g., *City of Richmond, Va. v. Croson* in 1989; *Shaw v. Reno* in 1993; *Miller v. Johnson* in June 1995; and *Adarand Constructors v. Pena* also in June 1995). While none of these events necessarily targeted African-American men *per se*, the Million Man March afforded the opportunity for African-American men to come to Washington, DC, and a make a symbolic statement to the nation about their outrage with these perceived external racial assaults. A combination of concerns about these external assaults and their material ability to attend the March may therefore account for the disproportionate numbers of middle-class African-American men who expressed the "very important" positions described herein.

The Relationship between the Messenger and Socioeconomic Status

We come full circle in the analysis of the data with a consideration of *one* of the "messenger" reasons that those surveyed saw as being a "very important" one in their decision to attend the Million Man March: that it was initiated by Minister Louis Farrakhan. As seen in Table 8, *for each of the socioeconomic indicators—level of education, income, and occupation—those at the "upper" end were less likely than their brothers at the "lower" ends of these continua to*

Table 8
Demographic Profile of Those Who Indicated that It was "Very Important" that the March was Initiated by Minister Louis Farrakhan

Education				
HS Graduate or Less		Some Coll. or Technical Sch.		College Grad. or More
41.2%		32.7%		26.6%
(100)		(134)		(109)
r = -.1405				p < .0001
Income				
$15,000	$15,000–$24,999	$25,000–$34,999	$35,000–$49,999	$50,000+
24.1%	42.2%	38.5%	32.2%	28.0%
(19)	(53)	(70)	(68)	(123)
r = -.1046				p < .001
Occupation				
Blue Collar Unskilled	Blue Collar Skilled	White Collar Non-Prof.		White Collar Professional
43%	37.6%	24.6%		23%
(58)	(120)	(29)		(53)
r = .1731				p < .0001

Source: The Wellington Group & the Howard University Political Science Faculty Group, *The Million Man March Poll*, October 16, 1995.

have said that the initiation of the March by Minister Farrakhan was a "very important" reason in their decision to attend. All of these observed differences were found to be statistically significant (at the $p < .05$ confidence level). In the cases of the level of education and income indicators, fewer than 30 percent of the respondents at the upper end of each of these continua reported the Farrakhan clarion call as a "very important" reason for their attendance at the March. By contrast about four in ten respondents with a high school education or less indicated that Farrakhan's role in calling for the March was "very important." Only in the case of the income indicator were those at *the lowest end* (24.1 percent) of this continuum *less likely* than those at the uppermost end (28 percent) to have given the "very important" response to the Farrakhan initiative. Above the $15,000 household income level, however, the proportion of respondents who said "very important" progressively falls. A similar drop in the proportion of those who indicated "very important" was found to have occurred along the occupational continuum. It is along this continuum where one of the starkest differences was seen among these three socioeconomic indicators with only 23 percent of those in the white-collar professional category indicating "very important" as their response to the Farrakhan initiative compared to 43 percent of blue-collar respondents who stated that Farrakhan's initiative was a "very important" reason in their decision to attend the March.

These data suggest that there is some variation along socioeconomic lines in how Farrakhan's initiative was seen among these men. In an attempt to further examine the possibility of such a class variation, the response to an

additional question was examined where the respondents were asked to rate various leaders and organizations in terms of their "leadership importance."[32] In his seminal work on the Nation of Islam published almost four decades ago, C. Eric Lincoln then reported its membership was drawn principally from "the lower socio-economic strata of American Negroes."[33] While the focus here is not on the membership of the Nation of Islam, the available data from the Million Man March, thirty years after Lincoln's seminal work, suggests that this organization and its current leader are still found to be considered "very important" by higher proportions of African-American men who have a high school education or less, who earn $15,000 or less, and who held (at the time of the March) blue-collar unskilled jobs than by those at the upper ends of the educational, income, and occupational levels.

Two critical questions therefore emerge from the data that have been examined in this article: (1) Do the indicators of *racial solidarity* in the "messages" deemed very important by the marchers constitute the foundations of an emerging black nationalism among African Americans? (2) Given that Minister Louis Farrakhan is one of the most highly visible African-Americans who is most closely associated with these messages of racial solidarity, what is *his leadership potential* of extending his attraction beyond the organizational boundaries of the Nation of Islam? A set of concepts developed over two decades ago by the African-American political scientist Matthew Holden, Jr., is of some value in helping to answer these questions and in putting the findings of this research in the analytical context of "the politics of the Black 'nation.'"

The Messages and the Messenger and the Politics of the Black "Nation"

As was seen in Table 2, the very high proportions of those surveyed who saw the five "messages" as very important suggests that *racial solidarity was a very important theme expressed by those who attended the March.* It can be added that there was indeed an almost electric sense of "peoplehood" on the Mall that day where something *more than* skin color and common ancestry appeared to be very much in evidence. One might say that what one saw, heard, experienced, and empirically recorded on that October day is evidence of behavior on the part of "citizens" who make up what Matthew Holden, Jr., once characterized as *the black "nation."* In this regard he points out:

> If any two groups differ significantly as to physical places of residence, cultural styles and outlooks, levels of capital and income, political habits, legal rights, and habits of communication and exchange, then it may be quite reasonable to describe them as separate "nations."...In this light, it is sensible to speak of blacks as constituting a separate socioeconomic "nation," though domiciled in North America and constrained within the legal system of the United States.[35]

What Holden has in mind is a black "nation" vis-à-vis a white "nation." While this dichotomy is perhaps overly simplistic given the increasing reality of ethnic and racial diversity in the United States, but for the issue of a commonly shared geo-political space,[36] the notion of a black "nation" has some analytical utility as a construct for interpreting and understanding contemporary African-American politics. Another concept coined by Holden

that complements and further clarifies the notion of a black "nation" is his idea of a *"quasi government":*

> One can observe the stability of this quasi government by observing patterns of interdependence between institutions in black communities both local and nationwide; by observing the consistency of symbolism in black politics; and by observing the remarkable stability in the groups of people who provide leadership. Under extreme conditions, when very specific issues are presented and those issues have a strong emotional aspect.... blacks are very likely to perceive themselves as attacked by the outside world, and to move toward some specific form of common front.[37]

The most useful conceptual contribution that Holden makes to our understanding of data that emerge from the Million Man March, however, is the connection that he makes between the black "nation," its quasi-government, and black leadership:

> [The] "quasi government" is held together by the interdependent elites of the major black socioeconomic institutions. It would thus be quite realistic to regard anyone holding a key role in such an institution as a "black leader." As a term of art, however the term refers to men and women who have at various times been regarded, or have sought to have themselves regarded, as conscious architects of some definite strategy for "race uplift," "redemption," "race advancement," "equality," "civil rights," or (the most fashionable word [that is as it was in the 1970s]) "liberation." Black leadership thus *generally means those who seek (or claim to seek) the interest of the "whole" black population....* and who would purport to do so by defining for blacks how they should relate to whites. (Emphasis in original.)[38]

With these concepts in mind, let us now turn to the first of the two questions posited above: Do the indicators of *racial solidarity* in the "messages," deemed very important by the marchers, constitute the foundations of an emerging black nationalism among African-Americans? Notwithstanding the expressions of racial solidarity that were evident in the messages that the overwhelming majority of those who attended the Million March Man said were "very important," these expressions are not necessarily—at this point in time—expressions of an emerging black nationalism.[39] Racial solidarity and black nationalism are not the same thing. As one astute observer of the politics of the black "nation" pointed out recently:

> Racial solidarity is the simplest expression of racial feeling. It has no ideological or programmatic implications beyond the desire that black people organize themselves on the basis of their common color and oppressed condition to move in some way to alleviate their situation. This sentiment is undoubtedly increasing in black America.[40]

In an attempt to further clarify this analytical distinction between racial solidarity and black nationalism, this student of African-American politics goes on to say:

> Black nationalism is an extension of racial solidarity. It has many different forms, organizing strategies and expected political outcomes or fantasies. The most prominent variety today is the religious nationalism of the Nation of Islam. At

> the core black nationalism is the segregation or the territorial separation of blacks and whites with the belief that the two races will never reach common ground or mutual respect.[41]

Traditionally, black nationalism has served four important ideological functions for African Americans: (1) it has spelled out a sense of ancestral and racial identity for Americans of African descent; (2) it has sought to place the blame for the inequitable material conditions of black folk on white people and white-dominated political and economic institutions; (3) it has preached a message of self-help, self-improvement, and self-reliance as means for remedying these inequitable material conditions; and (4) it has alternatively advocated colonialization, emigration, and internal physical territorial separation as a complement to the self-help ethic.[42]

If one accepts the proposition that the Nation of Islam is the most prominent example of black nationalism in practice today, then it can be argued that this well-known institution in the black "nation" has had mixed success in effectively operationalizing these four ideological functions. Some evidence of these ideological functions as integral parts of the cosmology of the Nation of Islam is to be found in one of the key works of Minister Farrakhan's "messenger," Elijah Muhammad, *Message to the Black Man in America*.[43] With respect to a sense of identity, the cosmology of the Nation of Islam identifies African Americans as "descendants of the Asian black nation and of the tribe of Shabazz."[44] The blame for the inequitable conditions of African Americans has been placed at the feet of white Americans: "Our condition and lack of love for ourselves must be attributed to the slave-master. He has been our teacher until the coming of Almighty God, Allah. The slave-master has robbed my people of their God, religion, name, language and culture."[45] The salvation for and deliverance from these inequitable conditions are seen in the calls for self-help and territorial separation:

> *On self-help:*
>
> We must instill within our people the desire to learn and then use that learning for self. We must be obsessed with getting the type of education we may use toward the elevation and benefit of our people—when we have such people among us, we must make it possible for them to acquire this wealth which will be beneficial to us.[46]
>
> *On separation:*
>
> Separation of the so-called Negroes from their slave-masters' children is a MUST. It is the only solution to our problem.[47]
>
> The American white man is not going to move out of his estate to give to the so-called Negroes. We are not asking you to do any such thing. No, only unless you prevent our going to our own. If you are going to prevent us from going to our own, or back where we came from, where you found us, then give us a place here to ourselves.[48]

While elements of the Muslim religious black nationalist cosmology have obviously had some appeal to African Americans, it has not had sufficient appeal to lead large numbers of African Americans to embrace it by joining the organization. The data from the survey suggests, however, that if such

an increase in the membership ranks of the Nation of Islam was to occur, under present circumstances, it would come from the ranks of those at the lower ends of the socioeconomic continua given the appeal of Farrakhan and the Nation of Islam to those who occupy that socioeconomic location. The desperate material conditions of those at the lower ends of the socioeconomic continua when combined with the absence of a competing worldview—religious or otherwise—render them open to a point of view and salvation that provides identify, an explanation for one's desperate material condition, and a "solution" for addressing this problem. Perhaps those African Americans who accept this cosmology are those who have the greatest material and spiritual needs to accept what could appear to some as a "complete" explanatory system for understanding the problems of one's people and for taking corrective measures to address these problems. The spiritual and nonspiritual experiences in the larger society of those African Americans who are *not* at the lower end of the socioeconomic continua, then, are perhaps such that the aforementioned aspects of the black Muslim cosmology simply do not have the same appeal, notwithstanding their black nationalist character. Again the messages that proved to be "very important" appear to be indicators of racial solidarity for most of the respondents, rather than precursors of black nationalist sentiment as it currently manifests itself through the Nation of Islam.

Now let us turn to the second question: Given that Minister Louis Farrakhan is one of the most highly visible African-Americans who is most closely associated with these messages of racial solidarity, what is *his leadership potential* of extending his attraction beyond the organizational boundaries of the Nation of Islam? Minister Louis Farrakhan is undoubtedly one of the most charismatic figures within the black "nation." He commands one of the most well-disciplined organizations in the "nation." His organization offers a program that appears to address some of the more troubling aspects of the multifaceted black predicament: drug use and the attendant acts of violence, alcoholism, teenaged pregnancy, and so forth. The Nation of Islam is certainly one of those institutions that makes up what Holden would call the black "quasi-government." What arguably endears him to a number of African Americans, across the socioeconomic continua, is his enthusiasm in carrying on a rhetorical tradition that has distinguished the leaders of the Nation of Islam from all other leaders of black organizations in the black "nation." This tradition can be described as "talking bad to the white man." Minister Louis Farrakhan, like one-time Nation of Islam minister Malcolm X and Elijah Muhammad, the major architecture of the black Muslim cosmology, in the view of many African Americans, "tells it like it is." Farrakhan says things to white America that many African Americans would like to say but choose not to say in all likelihood because of their dependence on jobs and positions that they hold in white-dominated and controlled institutions in both the public and private sectors. Given that reality, Farrakhan has become a vicarious release value for a great deal of racial frustration that African Americans experience in the larger society.

As we understand what Holden has described as the black "nation," what is Farrakhan's leadership potential within this political construct? If we accept Holden's definition of black leadership as those within the black "na-

tion" "*who seek (or claim to seek) the interest of the 'whole' black population....* and who would purport to do so by defining for blacks how they should relate to whites," then Farrakhan's potential for leadership for the "whole" black population falls short. His racially intemperate language, his occasional anti-Semitic outbursts, his questionable alliances at home (with Lyndon LaRouche) and abroad (with Muammar Qaddafi of Libya), and his occasional claims of extraterrestrial contact, while nonproblematic for some African Americans, constitute serious problems for many others.[49] While the data from the Million Man March survey do not permit us to readily test whether these issues associated with Farrakhan are deemed important by African Americans, one cannot readily dismiss their impact in shaping the opinions of him that are held by African Americans. To these issues, it must be added that many of the organizations that make up what Holden calls the black "quasi-government" have material ties to interests outside of the black "nation" that would make Farrakhan's ascendancy as a key leader of the black "nation," at best, highly problematic. Many of these black organizations have titular leaders who come from socioeconomic strata, where, as this research indicates, Farrakhan has his "softest" support. As such, while Farrakhan will remain influential,[50] particularly as individual and institutional racism remain the norm in American society, he will fall short of being a leader of the "whole" black "nation."

The prospect for the expansion of any form of black nationalism in the United States, whether it be the religious form associated with the Nation of Islam, or some more secular form, will largely depend on the general state of economic and political conditions in the nation at-large and on the tempo of race relations. If these larger conditions worsen—as they appear to be as this article is being written—then the possibility of the expansion of a more militant form of black nationalism will increase. Open pursuit of territorial separation may cease to be a point of advocacy given the de facto racially segregated nature of much of urban America where most African Americans currently reside. Ironically, the racial power equation in the United States is such that the prospects for a shift from benign expressions of racial solidarity—which is what the Million Man March essentially was—to a more demonstrative political-economic expression will be significantly affected by the behavior of white males who control the levers of popular culture, idea exchange, financial, and formal-legal executive power.[51] An important message that comes out of the Million Man March is that African-American people (and not just men) who are concerned about tomorrow can ill afford to patiently wait for others to act to resolve the multifaceted black predicament. We must seize the time, we must take the initiative to clearly analyze the predicament and take corrective actions while we still have some options. The March is over; the more difficult, long-term task of "nation" building must now begin.

Notes

1. To the best of this author's knowledge, this was one of two comprehensive surveys that was conducted on the day of the March. The other survey was conducted by Ronald Lester and Associates for the *Washington Post*. The *Post*

survey contains 1,047 randomly selected participants compared to 1,070 randomly selected participants in the Howard-Wellington survey. The margin of sampling error for both surveys is plus or minus 3 percentage points. Demographic profiles for both samples have been found to be remarkably similar. Responses to some of the questions asked in the *Post* and a demographic profiles of those surveyed can be found in "Million Man March Poll," *The Washington Post*, October 17, 1995, p. A23.

2. The survey instrument that was used the day of the March was pre-tested for a completion time fix by the Wellington Group approximately one week before the March. Pre-test data indicated that the thirty-seven item questionnaire could be completed in fifteen minutes. Actual field experience on the day of the March revealed, however, that the time on the pre-test was slightly underestimated. Most of the interviews took about twenty minutes to administer.
3. The author of this essay participated in the various stages of the design of the questionnaire that was used in this research. I was also involved in the pre-test phase and on the day of the March directed one of the six interview teams.
4. This article, "Minister Louis Farrakhan Calls for One Million Man March," originally appeared in *The Final Call*, vol. 14, no. 4 (December 14, 1995). The Nation of Islam maintains a site on the World Wide Web and this organization constructed a home page in connection with the Million Man March. It was from this web site that this article was obtained (http://www.afrinet.net/~islam?March/march.html).
5. Ibid.
6. See Edward Walsh, "Chavis Accused of Hiding Payment," *The Washington Post*, August 27, 1994, p. A3.
7. "Minister Louis Farrakhan," *The Final Call*.
8. See Marc Fisher, "Behind the Scenes, the Women Count," *The Washington Post*, October 14, 1995, p. D1ff.
9. Ibid. Berry was not alone in her denunciation of the March. Another African-American woman, Julianne Malveaux, was critical of the conscious exclusion of women from the March by Farrakhan. She aptly articulates her position in "A Woman's Place is in the March," *The Washington Post*, Outlook Section, October 8, 1995, p. C3. For print media treatments that reported on the support of the March by African-American women however, see Hamil R. Harris, "Despite Paradox, Black Women Support March," *The Washington Post*, October 1, 1995, p. B1ff; Jonetta Rose Barras, "Ain't Nothing But a He Thing," *Washington City Paper*, October 13, 1995, pp. 20–30; and Fisher, note 8 above.
10. This survey was conducted between September 29 and October 1, 1995. It was a national telephone survey of 1,530 people, including 1,271 whites and only 120 African Americans. It appears to have been the only national public opinion survey of all races about the Million Man March *before* the March occurred. The margin of error for the entire sample was plus or minus 3 percentage points, but the margin of error for the African-American portion of the sample, given its small size, was plus or minus 8 percentage points. See Michael Fletcher and Mario Brossard, "March Has Solid Support of Blacks, Poll Finds," *The Washington Post*, October 5, 1995, p. A1ff.
11. Ibid.
12. See Hamil Harris and Michael Fletcher, "Jackson Endorses Men's March," *The Washington Post*, September 23, 1995, p. A1.
13. See Michael A. Fletcher, "Supporting March a Big Step for Some," *The Washington Post*, October 11, 1995, p. A1.
14. Edward Walsh, "Criticism of Farrakhan's Million Man March Muted," *The Washington Post*, October 8, 1995, p. A22ff.
15. Ibid.

16. U.S. Census data indicate that in 1993 the proportion of African-American men who had at least a bachelor's degree or more was 11.9 percent. See Bennett, 1995, Table 7, p. 45.
17. All of the bivariate correlations between the socioeconomic variables were found to be statistically significant: education and income ($r = .2857$, $p < .000$); income and occupation ($r = .1371$, $p < .000$); and education and occupation ($r = .4025$, $p < .000$).
18. U.S. Census data (see Bennett, 1995) indicate that about 18 percent of African-American men held managerial or professional jobs. The portion in the Howard-Wellington sample is about 29 percent.
19. Within the Howard-Wellington sample, respondents claimed residence in forty of the fifty states. At least fourteen states had at least twenty residents in attendance and nine (including the District of Columbia) had at least forty or more residents in attendance. The top five states and the number of respondents in our sample are: Maryland (157), DC (105), New York (93), Virginia (87), and Pennsylvania (74).
20. At this juncture of the data analysis, it should be pointed out that there are undoubtedly numerous reasons that each person who attended the Million Man March actually had for having made that momentous decision. The empirically based portrait in this section of the essay has been shaped by the choices that the respondents were given on the survey questionnaire. This instrument did not allow for open-ended responses. See the technical appendix at the end of this essay for the actual question and related choices that were used.
21. Walsh, note 14.
22. See Fletcher, note 13.
23. See Boston, 1988: 9–10.
24. Ibid., 9.
25. Ibid., 10.
26. See the technical appendix for a discussion on how each of these indicators was derived.
27. One of the most current and insightful empirical treatments of individual and institutional racism can be found in Smith, 1995.
28. Mark Whitaker, "Black & Black Lies," *Newsweek Magazine*, vol. 122, no. 20 (November 15, 1993): 54; see also Cose, 1993.
29. This excerpt is taken from a review of Fulwood's book by Jabari Asim, "Rage at the End of the Rainbow," *The Washington Post*, May 21, 1996 (downloaded from *The Washington Post* On-Line, http://www.washingtonpost.com).
30. See Bositis (undated) and Clay (1995).
31. Clay, 1995: 9–19.
32. Respondents were asked, "Please rate the following groups or individuals on their *leadership importance* to the Black community. On a scale from '1' to '6' where '6' is very important and '1' is not at all important, how important is....?" Among the selections for *individual persons* that respondents could select were: Johnnie Cochran, Benjamin Chavis, Maxine Walters, Colin Powell, Jesse Jackson, Mary Frances Berry, Louis Farrakhan, Al Sharpton, and Clarence Thomas. A more extensive discussion of the "appeal" of these persons to those surveyed on October 16, 1995, and how that appeal varied along the same socioeconomic continua as described in this essay, will appear in Joseph P. McCormick II, "Black Leadership as Seen by the Million Men Who Marched" (forthcoming).
33. Lincoln, 1961: 88–89, quoted in Brisbane, 1970: 216.
34. See Holden, 1973.
35. Ibid., 1–2.

36. Of course one could make the case that the de facto racially segregated nature of urban America, and many of its central city school districts, are such that there is, in fact, a *de facto Black "nation."* The *formal-legal leadership* of *predominately African-American geo-political places* are city councilpersons, mayors, school board members, state legislators, and a number of U.S. congressional representatives. This, arguably, is the *formal leadership of what could be called the de facto black "nation."* Alternatively, *the informal leadership* of the de facto black "nation" are those individuals who are the titular heads of *predominately African-American organizations.* What I have in mind here are many of those persons who are annually named as comprising *Ebony Magazine's* 100 most influential black Americans, e.g., those members of the 104th Congress who represent predominately black congressional districts (Sanford Bishop, D-Ga.; William Clay, D-Mo.; Barbara-Rose Collins, D-Mich.); titular heads of black fraternal and sisterhood organizations (Prince Hall Masons, Alpha Kappa Alpha, Zeta Phi Beta, Kappa Alpha Psi, etc.); various predominately black "civic"/service organizations (the National Council of Negro Women, the National Association of Colored Women's Clubs, Jack and Jill of America); the "old line" civil rights organizations (the National Association for the Advancement of Colored People, and the National Urban League). Rounding out this list would be the titular heads of the largest predominately black religious organizations in the United States (the National Baptist Convention of America, Inc., the Christian Methodist Episcopal Church; the Progressive National Baptist Convention, Inc., AME Zion Church, the AME Church, and the Nation of Islam). The important qualifier is that *leadership* within the conceptual boundary of what Holden would call the black "nation" would *exclude* those African Americans, though *racially black, who are the "heads" of public, professional, or corporate organizations normally thought of as white controlled or whose membership is predominately white.* With this qualifier in mind, Ann Fudge, president of Maxwell House Coffee Company, Shirley Ann Jackson, chair of the Nuclear Regulatory Commission, Johnnie Edward Wilson, the only four star active duty general in the U.S. Army, Supreme Court Justice Clarence Thomas, Congresspersons Gary Franks (R-Conn.) and J. C. Watts (R-Okla.), Marian Wright Edelman, president of the Children's Defense Fund, Colin Powell, retired chairman of the Joint Chiefs of Staff, Norman Rice (D), mayor of Seattle, Washington, and Willie Brown, Jr., recently elected mayor of San Francisco, would not be thought of as leaders of the de facto Black "nation." See "100 Most Influential Black Americans," *Ebony,* vol. 51, no. 7 (May 1996): 118–30.
37. Holden, 1973: 3.
38. Ibid., 4.
39. A useful treatment of black nationalism in the United States from the emphasis on colonization in the early 1800s through the Black Power era of the late 1960s can be found in Draper, 1970.
40. Gray, 1994: C3.
41. Ibid.
42. See Draper, 1970.
43. See Muhammad, 1965.
44. Ibid., 31.
45. Ibid., 37.
46. Ibid., 41.
47. Ibid., 36.
48. Ibid., 317.
49. The reader may wish to examine these issues at greater length in a recently published "authorized" biography on Minister Farrakhan; see Magida, 1996.

50. As this essay was concluded, *Time Magazine* published an issue with the cover title, "America's 25 Most Influential People." One of those named was Minister Louis Farrakhan. About Farrakhan, *Time's* editors wrote:

> Leo Tolstoy was taken with the idea that the masses always find just the right leader to address the crisis of the age. Last October, with all the fuss about just how many men showed up in Washington for the Million Man March, it was easy to overlook Tolstoy's observation at work. Those who arrived at the National Mall had to come to move beyond the pieties of "We Shall Overcome," and to bear witness to their experience of tragic social and economic dislocations that have touched the poor, the well-to-do, the brightest and best among them. And they came to do so at the fiery beckoning of Louis Farrakhan.

As the data herein have attempted to point out, many of those who came to Washington on October 16 came for reasons other than the Farrakhan clarion call. See "Time's 25 Most Influential Americans," *Time Magazine*, vol. 147, no. 25 (June 17, 1996): 67.

51. The editors of *Time Magazine* unabashedly identify "the 10 most powerful," people in the United States as "10 white guys in suits." These list includes: Bill Clinton, Bill Gates (CEO, Microsoft), Alan Greenspan (chief, Federal Reserve), Rupert Murdoch (CEO News Corp.), Michael Eisner (CEO, Walt Disney Inc.), Jack Welch (CEO, General Electric), Andrew Grove (CEO, Intel), Jack Smith (CEO, General Motors), Ned Johnson (CEO, Fidelity Mutual Funds), and Newt Gingrich (R-Ga., speaker of the House of Representatives). See Lacayo, 1996: 83.

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Progress and Resistance

Two Paths to Minority Empowerment

William J. Grimshaw

Illinois Institute of Technology

According to the orthodoxy, minority mayoral candidates must form a coalition with white liberals in order to succeed. Rufus Browning, Dale Rodgers Marshall, and William Tabb's ten-city California Study, *Protest is Not Enough* (1984), established the orthodoxy, and it has been sustained time and again. We have studies showing that minority-white liberal coalitions elected Thomas Bradley in Los Angeles, Carl Stokes in Cleveland, Ernest Morial in New Orleans, Maynard Jackson in Atlanta, Federico Pena in Denver, Harold Washington in Chicago, Wilson Goode in Philadelphia, and David Dinkins in New York City.[1]

In the same vein, effective minority governance is said to require a coalition with white liberals, in the form of an enlightened business elite. This seems to be the case even in cities with predominantly minority populations. Among such cases, we have Richard Arrington in Birmingham, Henry Cisneros in San Antonio, Sidney Barthelemy in New Orleans, and Andrew Young in Atlanta (Browning, Marshall, and Tabb, 1990). Getting elected is one thing, governing is another, as urban regime theory tells us.

There is, then, a substantial body of literature supporting the orthodoxy. Nevertheless, a more critical look at the relationship is warranted. There is some countervailing evidence that when marshalled together indicates that the relationship is far more limited than we have been led to believe. The limitation is fixed by a profound level of disagreement over both the ends and means of politics, which forms a divide between white liberals and minorities in general and blacks in particular. This divide generally restricts the amount of white liberal support that is available to minority mayoral candidates, and it imposes narrow limits on the accords that white liberals are willing to strike with minority mayors.

Yet for a variety of reasons—failure to appreciate the magnitude of the divide, nostalgic attachment to the strong white liberal-minority relationship that flourished during the heady days of the civil rights movement, inability to perceive alternative paths to minority empowerment, and prob-

lems with measuring electoral results—we tend to exaggerate the extent of white liberal support for minority candidates and mayors.

The White Liberal-Minority Relationship

The political relationship between white liberals and minorities has received a remarkable amount of attention inasmuch as it amounted to little more than a brief fling. It began late—during the high tide of the civil rights movement—and it ended early—crashing on the shoals of Black Power, urban riots, and Richard J. Daley's political machine (Carmichael and Hamilton, 1967; Anderson and Pickering, 1986). After the crash, white liberal support became increasingly harder to come by.

Prior to the civil rights movement, the outlook of white liberals toward minorities in general and blacks in particular generally ranged between skeptical indifference and decided hostility. Thus, as Charles Hamilton (1992) has pointed out, advocating an alliance between blacks and white liberals requires an extraordinary leap of faith. Time and again the relationship has foundered. The two great engines of the modern liberal state, the New Deal and organized labor, proved to be no more hospitable to black interests than the Populist revolt and the Progressive movement had been. Indeed, President Franklin Roosevelt, fearful of a southern revolt, did not even take up the issue of racial discrimination until his fourth and final campaign (Drake and Cayton, 1945). In Hamilton's estimation, which puts a racial spin on the pluralist fallacy, blacks simply lack the political capital to attract the interest of the big white players, and so the game is played without them.

James Q. Wilson's *Amateur Democrat* (1962), a study of big-city liberal Democratic clubs, employed a more complex line of reasoning to account for white liberal relations with minorities; however it reached the same dismal conclusion. Wilson's study encompassed an array of liberal Democratic clubs in the three biggest cities—Chicago, Los Angeles, and New York—and he found very little minority participation in any of them. Numerous formidable barriers on both sides prevented the development of any kind of meaningful relation.

On the white liberal side, Wilson argued that a commitment to universal and meritocratic values prevented the Democratic clubs from giving any serious consideration to black interests. The clubs paid lip service to the liberal ideals of equal opportunity and racial integration; however, their more fundamental commitment to universal standards prevented them from taking the practical steps required to achieve racial equality in a racist society. Equal opportunity remained an empty abstraction for the clubs because affirmative action, even in its modest infancy, was understood to be "discrimination in reverse," which violated the clubs' very reason for being (Wilson, 1962: 288).

The same thing with representation and patronage. Representation had to be achieved on a color-blind basis, and patronage was simply an abomination, the venal device of the political machines that the clubs opposed. As Wilson explained, the reform clubs conceived of politics as an enterprise that "seeks to mobilize intellectual, not material discontent" (p. 288). It thus would be misleading to characterize the clubs as merely racist. Their lofty

politics of ideals and ideas prevented them from forming coalitions with not only minorities but virtually everyone else as well. Still, for our purposes, it is important to note that the clubs dismissed most black political ventures as "too race-conscious," "so rabid," and "too racist" (p. 285).

On the black side, Wilson found barriers across the board. Blacks were not banging at the doors of the white reform clubs. Indeed, they formed hardly any reform clubs of their own. Black politics, as Wilson saw it, amounted to material politics, seeking jobs, housing, better working conditions, improved welfare benefits, and more police protection. Furthermore, black political leaders discouraged the formation of reform clubs; activists, after all, were not so plentiful that they could be squandered on such dubious and potentially harmful ventures. Finally, black politics was overwhelmingly Democratic politics, which left little room for the nonpartisan debates and choices around which reform was centered.

The black middle class, seemingly a fertile ground for alliance, also proved hostile to the white liberal clubs. Its politics, according to Wilson, revolved strongly around the goal of increasing black representation. This placed those few blacks who participated in the white clubs in a dilemma. They were required to set aside the goal of black representation in favor of the clubs' universal standard, accept the validity of the clubs' color-blind conception of merit, and then buy into the assumption that the clubs actually were honoring the merit standard, rather than covertly employing racial preferences of their own. Little wonder, then, that Wilson found virtually no black participation in the liberal Democratic clubs.

In a study I made of black and white conceptions of reform politics, based upon participant observation in Harold Washington's 1983 mayoral campaign (1984), I also concluded that the white liberal-black political relationship was fundamentally circumscribed. I found a much stronger black commitment to reform politics than Wilson had. However, I also found that a critical distinction had to be drawn between white and black conceptions of reform.

Conventional Chicago politics, which is to say, machine politics, revolves around power, with benefits conferred upon those who support the machine, "friends," and withheld from those "enemies" who fail to support it. White reform politics, on the other hand, is more an economic than a political enterprise, revolving more around efficiency than power by seeking high cost-benefit ratios and the like. Rational calculations, then, take the place of partisan considerations. Where the model for machine politics is the club (in actual practice it often has been a gang), the business corporation is the model for white reform politics, hence the clarion call to conduct government on a more business-like basis.

Black reform politics, in contradistinction, possesses a distinct moral dimension, which revolves around an ethic of equity, as opposed to the machine's ethic of power and white reform's ethic of efficiency. Thus, the mantra of Washington's campaign and his administration was "fairness," wherein need made substantial inroads on the machine's standard of reciprocity and white reform's standard of economic rationality in determining the distribution of benefits.

Rather than the club or the corporation, the model for black reform politics is the church. Historically, the black church has played a critical role in

black politics. It was the sole institution to which blacks had access during the long haul of a brutally repressive history. Then after blacks made their great migrations to the northern cities, the urban churches were widely expected to perform (although, of course, many of them did not) secular political and economic roles as well as a religious role, in large part because of the powerful hold whites had over other black institutions (Drake and Cayton, 1945; Frazier, 1964). The civil rights movement that emerged in the 1960s dramatically displayed the enduring bond between black politics and the black church. To this day an exceptional number of black politicians are closely tied to the church, the Reverend Jesse Jackson being the most prominent among them.

Given these formidable barriers separating white liberals from minorities, it may well be asked how the two sides managed to come together in the 1960s. To begin with, the 1960s were an extraordinary time. Such a combination of stirring events and strong leadership rarely emerges. The compelling civil rights movement and Martin Luther King's charismatic leadership, the attendant host of insurgencies—by college students, women, gays and lesbians, migrant workers—that swept across the country, and the dramatic presidential leadership of John F. Kennedy and Lyndon Johnson generated a powerful belief that radical change was not only essential but actually within reach.

Yet for all that, the massive uprising that emerged on behalf of change had more to do with the mobilization of new forces than with the conversion of established players. Numerous studies have shown the decisive role played by generational change in the civil rights movement. Young activists swept aside their established elders, just as protest and demonstration in the streets displaced negotiation and compromise in the political corridors and corporate boardrooms. The basic understanding breached by the movement was that change could only be achieved gradually, at a cautious, incremental pace established by prudent and practical civic elites.

This profound break with prevailing custom came about because the civil rights movement was a moral enterprise as well as a youth movement. In a well-documented study of the Chicago Freedom Movement, Alan Anderson and George Pickering (1986) found that nearly one-third of the groups involved in the Chicago Council of Community Organizations (CCCO), the Freedom Movement's umbrella organization, were religious organizations. Moreover, they were not mainline religious organizations, but peripheral and new groups that emerged during the insurgency. Thus, most of the city's religious faiths were represented in the CCCO through "interracial councils," even though in highly racially segregated Chicago few churches had or even sought racially integrated congregations.

As for the liberal Democratic clubs in Chicago that James Q. Wilson had studied in the 1950s, they displayed little interest in either the Chicago Freedom Movement or the civil rights movement in general. This was in part because they were primarily focused on conventional electoral politics. Yet the more basic limitation was the one Wilson had identified. The liberal clubs could not come to terms with the movement's equity agenda. For a time, Dr. King's charismatic leadership and moderate, conciliatory appeals proved enticing. However, as the conflict between the liberal and movement agendas

became more apparent, after the cities began erupting in riots, and when the advocates of Black Power began challenging the movement's moderate agenda, the fragile coalition between liberals and blacks collapsed.

The White Liberal-Minority Electoral Coalition

In order to better gauge the distance separating white liberals from minorities, it may be helpful to look at some concrete cases. A useful comparison involves contrasting the support Harold Washington, Chicago's black reform mayoral candidate in 1983, received from white liberals with the support that white liberals conferred on white reform candidates. This can be done by examining the voting behavior of the so-called "lakefront liberal" wards, a set of five of the city's fifty wards which is located along the north shore of Lake Michigan.

The lakefront liberal wards actually are of fairly recent origin, being the peculiar product of nascent gentrification in the 1960s and a violent police "riot" at the city's 1968 Democratic Convention, where rampaging police officers herded, gassed, and clubbed several hundred young protestors into submission. A majority of Chicagoans approved of the police department's strong "law and order" stance, as Mayor Richard J. Daley characterized it. However, many young lakefronters were appalled by it, and they were politicized by it. Thus, during the 1970s the north lakefront wards emerged as the principal opposition to Daley's political machine, transforming the city's traditional social-class political divide into a novel ideological liberal versus conservative divide.

The political effect of the coupling of gentrification and police riot showed up almost immediately. In a hotly contested aldermanic election in 1970, a young liberal attorney, William Singer, defeated the machine in the forty-fourth ward, establishing the beachhead from which the liberal assault on the machine would be launched across the lakefront wards. A year later, following a revision of ward boundary lines, Singer emerged victorious again, this time from the adjacent forty-third ward. He was joined by a second liberal alderman, Dick Simpson, a young college professor, from the forty-fourth ward. The local media, many of whose members lived in these two fashionable lakefront wards, had a field day speculating about the implications of the extraordinary liberal breakthrough. The first of several premature obituaries for the machine was written during this period.

In 1975 Singer made the great liberal leap forward by taking on no less an opponent than Mayor Daley in the Democratic primary. Daley had served as mayor since 1955, and Singer's bold move marked Daley's first challenge from within his party's ranks. Needless to say, Singer ran well behind Daley citywide. However, reflecting the rising discontent of the lakefront liberals, Singer ran ahead of the mayor along the lakefront. He carried the forty-third and forty-fourth wards, and he ran well enough in the other three lakefront wards to defeat Daley by a few thousand votes overall. Four years later, Jane Byrne, running as something of a reformer against the deceased Daley's successor, Michael Bilandic, swept all five of the lakefront liberal wards. This provided her with a narrow citywide victory, and it gave the machine its first mayoral defeat since its inception in the 1930s.

Ultimately, the city's main political divide shifted once again, with ideological conflict giving way to racial conflict. Beginning during the latter half of Daley's mayoralty, racial conflict reached conflagration levels under Mayor Byrne, and in the process the lakefront liberal wards emerged as critical "swing" wards. Virtually everywhere else in the city, whites voted white and blacks voted black. (When several Latino wards emerged in the 1980s, they joined the lakefront wards in this swing vote role.) Accordingly, the lakefront liberal wards are an excellent laboratory in which to examine the structure and composition of the white liberal-minority coalition that emerged during the 1980s.

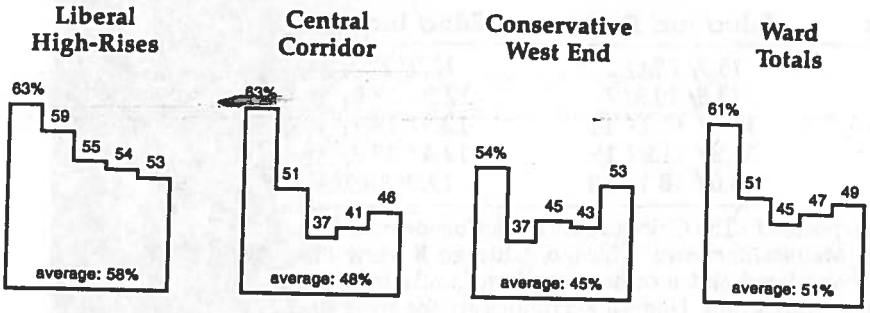
Two additional points need to be made about the lakefront wards before we take up their voting behavior. The term lakefront liberal ward is actually something of a misnomer. As Thomas Guterbock's intensive study (*Machine Politics in Transition* [1980]) of one lakefront ward shows, the lakefront wards generally consist of three distinct sub-areas, only one of which holds a liberal orientation. The liberal sub-area, mainly composed of young, well-educated professionals, is located in the high-rise apartment area along the east end of the lakefront wards. Next to the high-rises, there is a central corridor consisting mainly of a low-income, transient population, which comprises a bedrock of support for the Democratic machine. Then, along the west end there is a white ethnic, working-class population with a high level of homeownership. The west enders tend to support the machine; however, they are better understood as conservative voters, rather than as machine Democrats. Thus, the so-called lakefront liberal wards are actually a hotly contested battleground, where the liberal high-risers are pitted against the machine's variant backers—dependent slum dwellers in the corridor and conservative homeowners along the west end.

Additionally, Guterbock's east-west axis needs to be augmented by a north-south axis. The two wards at the south end of the lakefront liberal area, the forty-third and forty-fourth wards, provided the liberals with their greatest success during the 1970s. This was principally due to the gentrification of the central corridor area, which displaced an increasing number of the slum dwellers who backed the machine. Thus, it was this gentrification that gave the liberals a decisive advantage over the machine. However, this liberal advantage proved short-lived, as a second critical demographic shift took place. Large numbers of doctors, corporate lawyers, investment bankers, and the like, who held far more wealth and much less liberalism, invaded both the high-rise and central corridor areas, displacing the young liberal teachers, store-front lawyers, and social workers. Thus, by the close of the 1970s, these two wards were providing Reagan, Bush, and other conservatives with the same margins they once had given to liberal candidates.

The two wards in the center of the lakefront district, the forty-sixth and forty-eighth wards, most closely conformed to Guterbock's tripartite model. Accordingly, with the unswerving support of the poor central corridor residents and firm backing of the conservative west enders, the machine handily turned back all liberal challenges throughout the 1970s.

The ward at the north end of the lakefront district, the forty-ninth ward, represents yet a third type, containing significantly less of the east-west variation found in the other lakefront wards. Levels of education, income,

Figure 1
Support for Singer in the Lakefront Liberal Wards: Democratic Mayoral Primary, 1975



Note: The wards appear in left to right order: 43, 44, 46, 48, 49. Thus, in the liberal high-rises area, Singer won 63 percent of the vote in the forty-third ward. The figures indicate Singer's share of the vote against Daley. Two other candidates in the race received negligible support and were not included in the calculations.

and homeownership are spread far more evenly across the forty-ninth ward. The ward even lacks the high-rise element of the other lakefront wards. Thus, distinctive areal voting patterns are far less evident here. Gradually, as more young professionals moved into the ward during the 1970s—many of them refugees fleeing the rising rents and soaring restaurant prices of the increasingly posh forty-third and forty-fourth wards—its reform bent increased to the point where liberals were able to wrest the aldermanic seat away from the machine by the close of the 1970s.

If we plot the configuration of support that the white reform mayoral candidate Bill Singer received from the five lakefront wards when he opposed Mayor Richard Daley in the 1975 Democratic primary election, we can see how the two axes, east-west and north-south, came into play, in what proved to be a paradigmatic contest between the white liberal reformers and the conservative Daley machine.

Singer's support, as Figure 1 clearly indicates, was firmly rooted in the liberal high-rise area. In each of the five wards, he ran better in the high-rise area than in any other part of the ward. Singer also carried the gentrified central corridor area of the forty-third and forty-fourth wards. Finally, he defeated Daley in two west end areas—in his "hometown" forty-third ward and in the forty-ninth ward, the ward in which the least amount of area difference exists.

Overall, then, Singer carried nine of the fifteen lakefront areas, and as it turns out, there is a perfect correspondence between Singer's success and the socioeconomic status of the areas that supported him. Singer carried the nine highest socioeconomic areas, and the machine won in the six poorest areas. Thus, the election starkly reflects the socioeconomic underpinning of the ideological conflict between the white reformers and the Daley machine. Table 1 below provides the particulars.

The pattern of the liberal Singer versus the conservative Daley contest is paradigmatic; it displays the basic contours of the liberal versus conserva-

Table 1
Socioeconomic Profile of the Lakefront Liberal Wards

Ward	Liberal High-Rises	Central Corridor	Conservative West End
	Educ/ Inc/ Rank	Educ/ Inc/ Rank	Educ/ Inc/ Rank
43rd	*15.8/ 36.7/ 1*	*15.7/ 28.0/ 2*	*13.9/ 21.4/ 5*
44th	*15.3/ 32.1/ 2*	*13.8/ 19.3/ 7*	12.0/ 17.9/ 13
46th	*14.6/ 24.3/ 4*	11.8/ 12.2/ 14	12.3/ 18.1/ 11
48th	*13.0/ 18.6/ 8*	11.8/ 11.9/ 15	12.4/ 17.7/ 12
49th	*14.0/ 21.3/ 5*	13.0/ 18.1/ 10	*12.9/ 18.9/ 9*

Note: Data are from 1980 census, as reported in The Chicago Fact Book Consortium. (1984). *Local Community Fact Book Chicago Metropolitan Area.* Chicago: Chicago Review Press. Education is median school years completed and income is median family income for 1979. Rank is a composite of education and income. Underlined figures are the areas Singer won in the 1975 Democratic mayoral primary election.

tive conflict that prevailed in all lakefront elections during the 1970s. Thus, both of the successful aldermanic candidates, Singer in the forty-third ward and Simpson in the forty-fourth ward, won by amassing high levels of support in the high-rise area and coupling it with a strong show of support from the central corridor, which in these two wards had become gentrified. In the other three lakefront wards, white reform candidates could only rely upon the high-rise area for support, since their central corridors remained populated principally by low-income voters, who were tightly bound to the machine. The conservative west enders also generally supported the machine, although at lower levels, against its liberal challengers.

Having established the structure of support for white reform in the lakefront liberal wards, we now can turn our attention to the question of how the black reform mayoral candidate, Harold Washington, fared in 1983 along the north lakefront. Figure 2 compares Washington's performance with that of Singer in 1975.

Figure 2 clearly indicates that the decisive difference between the performance of the two reformers was in the support they secured in the liberal high-rise area. That traditional bastion of support for reform gave the black

Figure 2
Support for White and Black Reformers in the Lakefront Liberal Wards

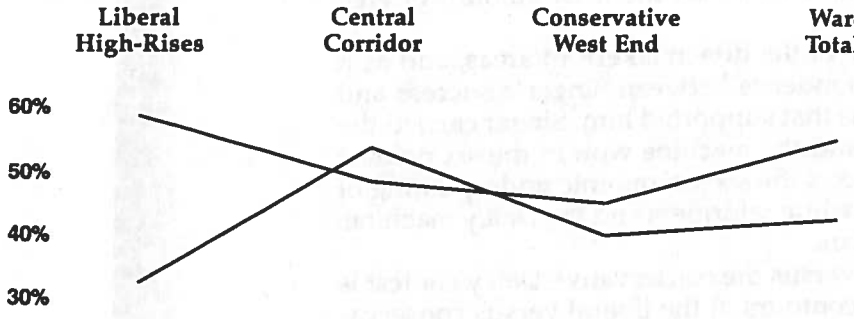
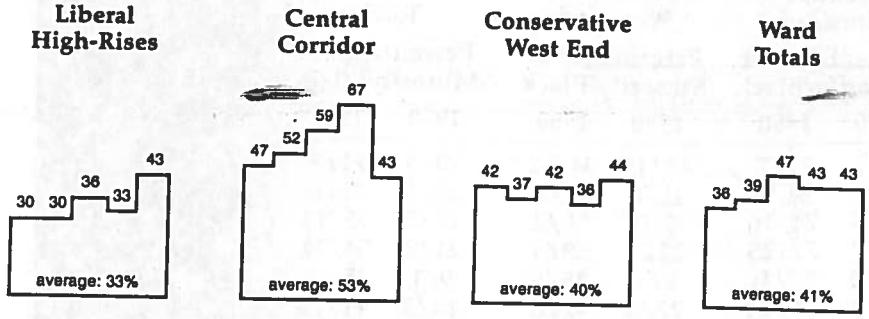


Figure 3
Support for Washington in the Lakefront Liberal Wards: Mayoral General Election, 1983



Note: The wards appear in left to right order: 43, 44, 46, 48, 49. Thus, in the High-Rise area of both the forty-third and forty-fourth wards Washington won 30 percent of the vote.

reformer hardly any support at all. No less remarkable, Washington carried the central corridor area, which always had been the machine's electoral stronghold. Among the conservative west enders, Washington fared less well than Singer had. However, this comparison is misleading in light of Washington's overall very poor performance in white conservative areas beyond the lakefront wards, where his share of the vote was less than 10 percent. Thus, Washington's performance in the west end actually was remarkably strong. In sum, then, the patterns of support for white and black reform are strikingly at odds in every respect.

Moreover, when a closer look is taken at the structure of support for black reform, measuring each ward's performance, two additional critical differences involving the central corridor come to light. The black reformer secured his strongest support in the corridor's poorest parts, in the forty-sixth and forty-eighth wards, exactly where the machine had always been at the zenith of its strength. Washington also ran well, however, in the upscale gentrified parts of the corridor, which stands in marked contrast to the very low level of support he received in the high-rise area. Figure 2 supplies the details of Washington's structure of support.

Before we take up these unusual findings, one more critical piece of evidence is needed: the racial composition of the lakefront wards. During the 1970s, the lakefront wards experienced an extraordinary rate of minority population growth, which increased the proportion of minorities from less than 20 percent in 1970 to over 40 percent by 1980. Moreover, in keeping with the lakefront wards' complex structure, both the rate of growth and the distribution of minorities varied along both the east-west and north-south axes.

Table 2 indicates that at the outset of the 1970s the complexion of the lakefront wards was overwhelmingly white. In particular, the liberal high-rise area constituted a white enclave, with fewer than one in ten minority residents. Accordingly, the lakefront's reform revolution at the outset of the 1970s was almost entirely a white liberal undertaking. In more general terms,

Table 2
The Changing Minority Composition of the Lakefront Liberal Wards, 1970–1980

Ward	Liberal High-Rises		Central Corridor		Conservative West End		Ward Totals	
	Percentages of Minority/Black		Percentages of Minority/Black		Percentages of Minority/Black		Percentages of Minority/Black	
	1970	1980	1970	1980	1970	1980	1970	1980
43	7/1	16/5	17/2	22/7	43/13	34/12	20/5	21/7
44	5/1	15/6	35/1	54/9	15/0	52/2	21/1	41/6
46	8/1	29/15	31/4	74/16	3/0	56/2	21/3	55/13
48	15/2	42/19	34/7	77/25	23/1	58/4	21/3	54/17
49	7/1	32/14	10/2	37/11	9/1	35/8	9/1	35/11
Sum	9/1	28/12	25/3	53/14	22/3	47/6	18/3	41/11

Note: The figures were taken from The Chicago Fact Book Consortium (1984). *Local Community Fact Book Chicago Metropolitan Area.* Chicago: Chicago Review Press. The minority figure consists of "Black," "Of Spanish Language," and "Other Non-White," which is mainly composed of Asian groups.

the Table 2 indicates that the lakefront wards' minority population primarily consisted of Latinos and Asians, with few blacks to be found anywhere along the lakefront, despite their dominant minority status citywide.

The lakefront's demographics changed dramatically during the 1970s. The minority population increased by 128 percent, rising from 18 to 41 percent of the lakefront's total population. In both the forty-sixth and forty-eighth wards, the minority population became the majority population, and the forty-fourth and forty-ninth wards also acquired substantial minority populations, ranging between 35 to 41 percent. Only the forty-third ward, the most affluent lakefront ward, remained overwhelmingly white.

The high-rise area experienced the least amount of racial change, retaining its status as the lakefront's white enclave. In marked contrast, the central corridor acquired a majority of minority residents, and it housed the most diverse minority population, with an equal number of Latinos and Asians and a substantial number of blacks. The conservative west end acquired nearly as many minority residents; however, unlike the corridor, very few blacks lived in the west end. In overall terms, although blacks experienced the highest rate of growth during the 1970s, they remained the smallest of the lakefront's minority groups.

An Alternative Path to Minority Empowerment

The conventional path to the mayor's office for minority candidates is to form a coalition with white liberals. At the outset, this appeared to be the path that Washington would follow. In racially polarized Chicago, the white lakefront liberals were among the few whites he could approach with any expectation of success. Thus, when the city's leading white liberal reform organization, the Independent Voters of Illinois-Independent Precinct Organization (IVI-IPO), endorsed his candidacy, the Washington campaign received a critical boost in the city's liberal quarters.

However, it quickly became apparent that in the lakefront liberal wards the endorsement was a hollow prize. Although Washington's lakefront organizers made strenuous efforts to recruit campaign volunteers from the IVI-IPO's mailing list, remarkably few lakefront liberals joined the campaign. The IVI-IPO members informed Washington's lakefront organizers that Washington lacked name recognition on the north side and published polls indicated that he stood no chance of winning; however, what really bothered them was the candidate's "shady past" (Grimshaw and Clark, 1983). Rumors swirled along the lakefront—which in the general election became major issues—that Washington had failed to pay income taxes for a number of years and that he had been disbarred as an attorney. In actuality, he had failed to file tax returns, amounting to a debt of some $500 over a dozen years, and his law license had been suspended for a year, for failing to represent clients who had not paid him. However, these clarifications were not issued until the charges were made publicly in the general election. Thus, Washington's lakefront organizers had to seek volunteers beyond the usual cadre of IVI-IPO workers, particularly in the liberal high-rise area.

The general election returns verified the white liberals' decided lack of enthusiasm for the black reformer. The liberal high-rise area yielded far less than its usually large supply of votes for reform. Singer had won nearly 60 percent of the high-rise vote in 1975; Washington received just over 30 percent. Indeed, Washington wound up winning far more support in the machine's traditional stronghold, the central corridor 53 percent and in the conservative west end 40 percent, than in the liberal high-rise area.

Thus, the Washington campaign devised, then—partly on the basis of strategy and partly out of necessity, given the paucity of liberal support—an alternative, more complex path to the mayor's office. Two distinct, but overlapping coalitions were formed: a coalition with minorities and a coalition with white progressives, who consisted largely of neighborhood and various social activists, many of whom had limited political experience.

The minority coalition was centered primarily in the poorest area of the lakefront, in the central corridors of the forty-sixth and forty-eighth wards, where Washington received over 60 percent of the vote. This remarkable political transformation, from machine stronghold to reform stronghold, stemmed mainly from its demographic transformation, along with a strong effort by the Washington campaign. A huge influx of minorities during the 1970s had created a new community that was three-quarters minority, with equal numbers of Latinos and Asians, but with a substantial black presence, as well.

The other part of the minority coalition was located in the working-class west end. Here Washington received only 40 percent of the vote. However, compared to his very poor performance in white conservative areas with high levels of homeownership, where he won less than 10 percent, this amounted to a remarkably strong show of support. Once again, as in the central corridor, the racial transformation of the west end largely explains its political shift toward reform. Here the minority population rose during the 1970s from 22 to 47 percent. Once again this consisted primarily of Latinos and Asians; however, very few blacks lived in the west end, a mere 6 percent, which was even less than the proportion of blacks in the liberal high-

rise area. In overall terms, then, the minority coalition that Washington created mainly consisted of lower-class and working-class Latinos and Asians, along with the support of poor central corridor blacks.

Washington's white progressive coalition also was located mainly in two distinct parts of the lakefront, in the gentrified areas of the central corridor and in all three parts of the forty-ninth ward, where far less of the lakefront's usual socioeconomic differentiation is to be found. In socioeconomic terms, these areas are mainly lower middle class but with a substantial number of managers and professionals, which puts them in the middle range of the lakefront's social strata—below the more affluent liberal high-risers and above the lower-class and working-class minority members of Washington's coalition. In terms of racial integration, the gentrified corridor area and the forty-ninth ward also stood at the middle range. Overall, minorities made up 41 percent of the five lakefront wards, and four of the five progressive areas contained somewhat fewer minorities, but more than the white-enclave high-rise area held. Electorally, Washington received the most support from the gentrified corridor area, winning between 47 to 52 percent. Reflecting the undifferentiated character of the forty-ninth ward his support there was an evenly balanced 43 to 44 percent.

Given the diverse composition of Washington's lakefront coalition, which ranged from an array of very poor minorities to middle-class white professionals with substantial numbers of lower middle-class whites and working-class minorities in between, it remains to be determined on what terms this broad and unusual coalition was assembled. The critical formative element was the progressive focus of Washington's agenda. As one account by an assembled group of Washington administration heads, community activists, and critics of the administration described it (Clavel and Wiewel, 1991: 1), there was general agreement that Washington pursued a "redistributive economic development agenda," which involved the reallocation of resources "from downtown to the outlying neighborhoods." In negotiations with the downtown "growth machine" Washington incorporated "community-based organizations," as a counter-balance, into the policy-making process. In more general terms, he created several new structures—commissions, advisory groups, and neighborhood forums—in an effort to foster "broad public participation."

This perspective on the administration is consistent with what interviewers found in talking to Washington's lakefront organizers shortly after the 1983 campaign (Grimshaw and Clark, 1983). The organizers drew a sharp distinction between their own progressive neighborhood-oriented, material agenda, involving jobs, housing, health care, and schooling, with their conception of the lakefront liberal agenda, which was more centrally focused on "good government" reforms such as merit selection of judges—a perennial cause of Chicago liberals, during the 1970s it was a major issue along the lakefront.

Accordingly, Washington's redistributive agenda, with its emphasis on material benefits, broad grass-roots participation, and neighborhood development was far more likely to appeal to the poor and working-class minorities and the white neighborhood activists, who wound up supporting it, than to the high-rise liberals, who gave it little support. It was not that the

liberals had abandoned reform, but that Washington's conception of reform was so radically at odds with their understanding of what reform meant. Indeed, there was a small liberal wing inside the Washington campaign, dubbed the "honky caucus" by its detractors, who unsuccessfully proposed putting the main emphasis on managerial reform, and not on redistribution, for the express purpose of generating greater liberal support (Rivlin, 1991).

Finally, something needs to be said about the general feasibility of this progressive-minority path to the mayor's office. It worked in Chicago; yet how well is it likely to fare elsewhere? In turn, are its prospects better than the conventional liberal-minority alliance? Although not without its drawbacks, the progressive-minority strategy would appear to hold some critical advantages over the liberal-minority strategy in terms of building both electoral coalitions and governing coalitions.

One electoral advantage involves demographics. What we observed in Chicago's lakefront wards amounts to a microcosm of what is taking place in most big cities. Their minority populations are growing by leaps and bounds, while their white middle-class continues the flight to the suburbs it launched in the early post-World War II years. Thus, not only Chicago, but New York, Los Angeles, San Francisco, and several other cities now have predominantly minority populations. Accordingly, building a coalition with minorities and neighborhood-oriented white progressives makes more sense than building one with a declining number of increasingly leary white liberals.

A second electoral advantage of a progressive strategy is that it is more likely than a liberal strategy to win over the conservative white ethnics who oppose reform. The neighborhood-building, material focus of progressive reform can serve as an effective bridge between competing minority and ethnic interests. Thus, when Mayor Washington launched the largest streets and sewers repair program in the city's history, with benefits dispensed equally across the city's fifty wards, he received the most praise from the white ethnic areas that had vehemently opposed his election. It is difficult to imagine a liberal reform program that might win as much praise. Neighborhood building is a shared citywide interest.

In terms of building a governing coalition, the progressive strategy, given its neighborhood-building focus, confers benefits far more broadly across the board than the liberal strategy is designed to do. This provides mayors, then, with a stronger base of support in their negotiations with the powerful downtown developers. The vast resources of these "growth machines," as numerous studies have shown (Stone, 1989), frequently compel mayors to pursue a downtown, as opposed to a citywide, development program. However, a neighborhood agenda with a broad base of support behind it provides mayors with a logical and coherent basis for negotiating a range of neighborhood linkages and concessions from big developers.

The progressive strategy is not, of course, without a down side. Neighborhoods generally are not cohesive, but competitive, as several studies have observed (Stone, 1989). Thus, progressive mayors must go to great lengths in devising not only policies but processes that are broadly representative and equitable. The same holds true for improving relations among minority groups, who hold in common high levels of need and histories of neglect by

the city. Thus, when their turn comes, as it were, they can be demanding constituents with low levels of both trust and patience. Thus, despite providing a number of venues for policy discussions and input, Mayor Washington frequently was castigated by his own supporters for favoring one minority group over another, one neighborhood over another, and, in general, one interest over another.

These problems of competition, mistrust, and need are compounded by the problem of increasingly scarce resources. Building neighborhoods, as well as providing jobs, affordable housing, better health care, and improved schooling, is not only hard, but expensive, and the cities, like most of the neighborhoods that comprise them, have fallen on hard times. Thus, one of the overlooked virtues of a coalition based upon a liberal good government ideology is that it is cheaper to deliver than a progressive program of shared material interests. Nevertheless, the easy way out, which far too many mayors pursue, is not the same thing as the best way forward. Thus, Ester Fuchs (1992: 290) concluded her study of fiscal policy in Chicago and New York with the observation that although fiscal stability is a critical goal, "without a change in public policy the cost in human suffering will be so high, and the deterioration of the quality of life will be so great, that the very survival of America's cities will be in question."

Note

1. See Browning, Marshall, and Tabb (1990) on several of these mayors, and also Nelson (1982), Stone (1989), Arian et al. (1991), and Grimshaw (1992).

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Limited and Cumulative Voting in Alabama: An Assessment After Two Rounds of Elections

Richard L. Engstrom
Edward Still
Jason F. Kirksey

University of New Orleans
Attorney-at-Law, Birmingham, Alabama
Oklahoma State University

The majority-minority single-member district (SMD) was once viewed as the exclusive remedy for minority vote dilution. A fairly drawn set of SMDs was the remedial response to dilution by submergence within multi-member districts or at-large elections. It was also the answer to discriminatory districting plans that unfairly dispersed a minority group's voting strength across two or more districts and/or packed that voting strength into one or a few districts. Indeed, the majority-minority SMD so monopolized the consideration of remedies that the U.S. Supreme Court, in *Thornburg v. Gingles*, held that a demonstration by the plaintiff that it was possible to create such a district was a "necessary precondition" to a valid claim of vote dilution.[1]

While the majority-minority SMD is still probably the remedy preferred by the plaintiffs and their lawyers in most voting rights lawsuits, it is no longer viewed as the only remedial option. Two modified multi-seat election systems, limited and cumulative voting, have also proven to be viable remedial alternatives. These systems can provide minority voters with an opportunity to elect the candidate(s) of their choice in a multi-seat election, even when voting is polarized along group lines. Indeed, when minority voters live in geographically dispersed rather than concentrated residential patterns, they may have much better opportunities to elect candidates of their choice through either limited or cumulative voting than they would

through SMDs. Experience with elections under these systems, which are certainly no less, and arguably more, democratic than the SMD format, have demonstrated that the SMD requirement imposed in *Thornburg* is an unnecessary limitation on claims of dilution.[2]

The state in which there has been the most experience with these alternative remedies is Alabama. Twenty-one municipalities in Alabama now elect their governing councils through limited voting, and three others elect their councils through cumulative voting. In addition, cumulative voting is used to elect the county commission and the school board in one Alabama county. Two rounds of municipal elections, in 1988 and 1992, have been held in Alabama since the adoption of these systems. There have also been two commission elections and one school board election in the county employing cumulative voting. The experience in Alabama with these systems, reviewed below, has provided considerable empirical evidence of their nondilutive nature.

Modified Multi-Seat Systems

Limited and cumulative voting systems involve a change in the rules that have traditionally governed how votes may be cast in multi-seat elections in the United States.[3] The typical voting rules employed in the multi-seat format, whether the election is within a multi-member district or held at-large, have been: (1) every voter is allowed to cast as many votes as there are seats to be filled, but (2) only one of those votes may be cast for any particular candidate. In limited or cumulative voting elections, the multi-seat format is retained, but one or the other of these voting rules is relaxed.

The simplest change is with limited voting. Under this system, each voter in a multi-seat election is provided with a number of votes that is less than the number of seats to be filled. For example, if five people are to be elected to a governing body from a particular geographical district (or five people are to be elected at-large), each voter in the district (or, in the at-large context, the entire jurisdiction) may be limited to casting only a single vote. The limitation could also be set at two, or three, or even four. The defining characteristic of limited voting is simply that the number of votes be fewer than the number of seats. The single vote for any candidate restriction, however, remains. Winning candidates are determined by a simple plurality rule; the top N vote recipients are elected to the N seats at issue.

In cumulative voting, each voter in a multi-seat election may continue to be provided with as many votes as there are seats to be filled, but the restriction that only a single vote may be cast for any particular candidate is removed. Voters may still vote in the more traditional fashion, providing several candidates with one vote apiece, or if they wish, they may cumulate, or aggregate, their votes behind fewer candidates than there are seats being filled. Generally, the only restriction in distributing votes among the candidates is that the votes be cast in whole units. In a five-seat, five-vote election, for example, voters retain the option of voting for five different candidates, giving each of them a single vote. But if a voter prefers some candidates more intensely than the other candidates, he or she may cast the five votes for fewer than five candidates. A voter with a strong preference

for two particular candidates, for instance, could cast two votes for each of them and another vote for a third candidate. If a voter strongly preferred the election of one particular candidate over all of the others, that voter could cast all five of his or her votes for that candidate (a practice known as "plumping").[4] As with limited voting, winning candidates are determined by a simple plurality rule.

Both limited and cumulative voting satisfy the basic "one person, one vote," or individual voter equality, requirement because, just as under the more traditional voting rules for the multi-seat format, every voter has the same number of votes and the same options with which to cast those votes. Every voter, in short, is treated equally.[5] The alterations in the voting rules under these systems, however, can cleanse the multi-seat format of its well-documented tendency to dilute the vote of a minority group (Engstrom and McDonald, 1992, 1986; Welch, 1990; and Grofman et al., 1986). These changes counter the submergence effect that so often accompanies the traditional rules, and thereby provide minority voters with opportunities to elect candidates of their choice, even when voting occurs along group lines.

When voters are provided as many votes as there are seats to be filled, as in the more traditional multi-seat system, a majority of the voters can determine the winners of all of the seats. That system, in short, allows a "majority take all" result. The votes of a minority group, when it does not share the same candidate preferences as the majority, can simply be submerged within the larger number of votes cast by the majority. Limited voting's restriction on the number of votes reduces this ability to submerge. The smaller the number of votes allocated to each voter, the fewer votes the majority has to distribute across the candidates of its choice, and the less dominant it is likely to be. The more limited the vote compared to the number of seats, therefore, the greater the opportunity minority voters will have to place a candidate or candidates of their choice among the winners.

The cumulative option, despite the absence of any limitation on the overall voting strength of the majority, can provide minority voters with similar electoral opportunities. By lifting the one vote for any particular candidate constraint, cumulative voting permits minority voters to cast, in effect, a more efficacious type of "single-shot" vote than they can in other multi-seat elections. Under the more traditional voting rules, when a group employs the single-shot strategy, it does not fully exercise its franchise. The group's voters cast a vote for the candidate that they want elected, but then simply withhold the rest of their votes from all of the other candidates so as not to add to the vote totals of those other candidates. The idea behind single-shot voting is that by voting for one particular candidate and not contributing votes to the others, the candidate preferred by the group might finish among the top N vote recipients and win one of the seats.[6] With cumulative voting, a group will not need to withhold its remaining votes, but can cast those votes as well for the candidate of its choice. Cumulative voting allows minority voters to concentrate their votes much more powerfully, and thereby increases their opportunity to elect a candidate or candidates preferred by them.

Thresholds of Exclusion

The opportunities to elect candidates of their choice that limited and cumulative voting provide minority voters can be demonstrated, theoretically, through a coefficient known as the *threshold of exclusion* (Rae et al., 1971). This coefficient identifies the percentage or proportion of the electorate that a group must exceed in order to elect a candidate of its choice *regardless of how the rest of the voters vote.* The coefficient is based on a set of worst case assumptions, from the minority group's perspective, about the behavior of the other voters. These assumptions are:

1. The other voters cast all of the votes available to them.
2. None of their votes are cast for the candidate preferred by the minority voters.
3. Rather, their votes are concentrated entirely on a number of other candidates equal to the number of seats to be filled.
4. Their votes are divided evenly among those other candidates.

The other voters, in short, are assumed to cast their votes as efficiently as possible in a multi-seat election.

The value of the threshold of exclusion for limited voting systems depends on both the number of seats to be filled and on how limited the vote is. The formula for calculating this threshold for limited voting systems, expressed as a percentage, is:

$$\frac{\text{(Number of Votes)}}{\text{(Number of Votes) + (Number of Seats)}} \times 100$$

If the vote is limited to one, for example, the threshold value for a three-seat election is [1/(1 + 3)] * 100, or 25 percent In other words, if 251 voters out of 1000 (25 percent + 1) all voted for candidate A, then candidate A must be elected to one of the three seats. Even if the other 749 voted according to the worst case assumptions, casting all of their votes for only three candidates, B, C, and D, with B receiving 250, C also receiving 250, and D 249, candidate A would be the highest vote recipient and therefore win a seat. If the other voters did not vote according to the worst case assumptions, but instead cast their votes unevenly so that B received 260 and C 255, for example, then the most D can receive is 234 and the minority preferred candidate, A, still wins one of the three seats. Illustrative values of the threshold for limited voting, for various seat and vote combinations, are reported in Table 1. For any number of seats, the more limited the vote is, the lower will be the value of the threshold. Likewise, for any number of votes, the larger the number of seats, the lower the threshold value. The threshold for a two-vote, three-seat election, for example, is 40 percent, while that for a one vote, five-seat election is 16.7 percent.

Table 1
Threshold of Exclusion Values

Number of Seats	Limited Voting			Cumulative Voting
	1 Vote	2 Votes	3 Votes	
2	33.3%	—	—	33.3
3	25.0	40.0	—	25.0
4	20.0	33.3	42.9	20.0
5	16.7	28.6	37.5	16.7
6	14.3	25.0	33.3	14.3
7	12.5	22.2	30.0	12.5
8	11.1	20.0	27.3	11.1
9	10.0	18.2	25.0	10.0

The formula for calculating the threshold value for a cumulative voting system, expressed as a percentage, is:

$$\frac{1}{1 + (\text{Number of Seats})} \times 100$$

This is the same as that for limited voting when the number of votes is one. In the three-seat cumulative context, for example, the value of the formula is again 25 percent. In other words, if those 251 voters out of 1,000 (25 percent + 1) each "plumped" all three of their votes for candidate A, giving him 753 votes, then A again must win one of the seats. The other 749 voters could distribute their 2,247 votes evenly across only three candidates, so that B, C, and D each receive 749, and A would still be a winner. Again, if the other voters deviated from the worst case assumptions, giving more votes to two of their choices, their third choice would have even fewer votes and A would still win a seat. As with the one vote limited context, the more seats at issue, the lower will be the value of the threshold for cumulative voting. Illustrative values of the threshold for the cumulative context, for different numbers of seats, are reported in Table 1.

The threshold of exclusion, it must be remembered, identifies the percentage of the voters in a particular election that a group sharing the same candidate preference must exceed in order to elect that candidate with no assistance whatsoever from the other voters. If the behavior of other voters deviates in any way from the worst case assumptions, then a minority group may be smaller and/or less cohesive in its preference and still have a realistic opportunity to elect a candidate or candidates of its choice through one of these voting systems.

Both limited and cumulative voting systems have been adopted, in response to vote dilution lawsuits, by local governments in several states, and elections employing these voting rules have almost invariably resulted in the election of candidates, specifically minority candidates, who have been the preferences of minority voters.[7] The most extensive experience with these systems, however, has been in Alabama, and it is to that experience that we now turn.

The Alabama Experience

All of the limited and cumulative voting systems in Alabama were adopted as a result of the settlement of vote dilution claims contained in the omnibus *Dillard* case. In 1986, in *Dillard v. Crenshaw County,* a federal judge in Alabama held that the state's use of at-large elections was infected with a racially discriminatory purpose, and therefore in violation of Section 2 of the Voting Rights Act.[8] State legislation concerning local at-large elections, especially the state-mandated use of a place system that would preclude single-shot voting, was found to have been adopted for the specific purpose of impeding the ability of African-American voters to elect African-American candidates.[9] Following this decision, the plaintiffs in the case, which initially had been focused on only a few county commissions, expanded their dilution claims to include the at-large election systems employed to elect other county commissions, county school boards, and municipal councils across the state. At-large systems in local government jurisdictions in which African Americans constituted at least 10 percent of the population were included in the expanded suit. The amended complaint covered almost 200 units of local government (Still, 1988).

Most of the affected jurisdictions settled the dilution claims by adopting SMDs. The plaintiffs, however, offered to settle the claims against a number of the less populous jurisdictions, and against some in which the African-American populations were geographically dispersed, if those jurisdictions would adopt limited voting schemes. Twenty-one municipalities, ranging in population in 1990 from 96 to 2,214, agreed to the adoption of limited voting. Six other jurisdictions, four municipalities and the commission and school board in one county, responded by offering to adopt cumulative voting arrangements, to which the plaintiffs assented (Still, 1988). The populations in these municipalities ranged from 182 to 2,893 in 1990, while the county had a population of 32,458.

As noted above, the first elections conducted under these alternative voting rules were held in 1988. A second round of elections under these rules was held in all of these jurisdictions in 1992, with the exception of the school board, to which the term of office is six years. The municipal elections have been nonpartisan contests, while the county elections involve both partisan primary and general elections. The results of these elections have demonstrated that when African Americans have been candidates in contested elections conducted under these alternative voting rules, they have almost invariably been elected.

Limited Voting Elections

Most of the elections under alternative voting rules in Alabama have been limited voting elections. Nineteen of the municipalities employing this system have five-member councils, of which twelve provide voters with only a single vote and seven provide voters with two votes. The threshold of exclusion for the one-vote, five-seat combination is 16.7 percent, while that for the two-vote, five-seat combination is 28.6 percent. The two remaining limited voting municipalities have seven-member councils, and allow voters to

Table 2
Limited Voting Municipalities with African-American Candidates in 1988 and 1992

Municipality	African American % of Voting Age Population	# of Votes	# of Seats	# of African Americans Elected 1988	1992
Waldo	35.32	2	5	2*	2
Lowndesboro	28.83	2	5	0	1*
Silas	28.33	2	5	1	1
Pine Apple	27.21	1	5	1*	1*
Loachapoaka	26.34	1	5	1*	1*
Goshen	26.25	1	5	1	1*
Faunsdale	26.03	2	5	1*	1*
Pennington	25.53	1	5	1*	1*
Ariton	22.39	1	5	1	1
Madrid	17.65	2	5	1*	1*
Fulton	16.93	2	5	1	1*
Dora	12.80	1	7	1	0

*Elections were not contested, as the number of candidates did not exceed the number of people to be elected.

Table 3
Limited Voting Municipalities with African-American Candidates in Either 1988 or 1992

Municipality	African American % of Voting Age Population	# of Votes	# of Seats	# of African Americans Elected 1988	1992
Toxey	24.55	1	5	1*	NC
Kinsey	21.49	1	7	2	NC
Pickensville	60.53	1	5	NC	1*
Rutledge	12.43	1	5	NC	1

*Elections were not contested, as the number of candidates did not exceed the number of people to be elected.

NC=No African-American candidate.

Table 4
Limited Voting Municipalities without African-American Candidates in 1988 and 1992

Municipality	African American % of Voting Age Population	# of Votes	# of Seats
Orrville	25.41	2	5
Providence	20.52	1	5
Waverly	15.50	1	5
Webb	11.11	1	5
Cuba	10.06	1	5

cast only one vote in the councilman elections. The threshold of exclusion for this combination of votes and seats is 12.5 percent.

Reported in Table 2 are the African-American percentages of the voting age populations, the votes/seats combinations, and the number of African Americans elected to the councils in each of the municipalities in which African Americans sought seats in both 1988 and 1992. Table 3 contains the same information for the municipalities in which African Americans were candidates in only one of these elections. Table 4 contains the voting age percentages and votes/seats combinations for the five municipalities in which no African American has sought a seat on the council in either of these elections.

African Americans were candidates in fourteen of the limited voting municipalities in 1988. In seven of them, African Americans were elected without opposition, as the number of candidates did not exceed the number of seats. Among the other seven, African Americans were elected in six of them. The African-American percentages of the voting age populations in these six municipalities ranged from a low of 12.8 in Dora to 28.33 in Silas. In the only municipality in which an African-American candidate did not win a seat, Lowndesboro, that candidate placed sixth, one vote behind the winning candidate with the lowest vote. Thus, in all but one of the municipalities in which African Americans were candidates, African Americans won a number of seats at least proportional to their share of the voting age population. In ten of these fourteen municipalities, this was the first time an African American had ever been elected to the municipal council (Engstrom, 1992: 759). The major disappointment in 1988, from the African-American perspective, was the number of limited voting municipalities, seven (33.3 percent), in which no African American filed as a candidate (see Tables 3 and 4) (Still, 1992).

The 1992 limited voting elections had a similar result. While African Americans were now candidates in two of the municipalities that had not had minority candidates in 1988, no African Americans ran in two others in which African Americans had been elected in 1988 (see Table 3). Thus, the number of municipalities in which African Americans were candidates remained at fourteen, and the number in which African Americans were elected was again thirteen. This time African Americans were elected without opposition in nine municipalities, and won contested elections in four of five. The African-American percentage of the voting age populations in these four municipalities ranged from only 12.43 in Rutledge to 35.32 in Waldo (where two African Americans were elected). The only municipality in which no African-American candidate won a seat was Dora, where an African-American candidate finished eighth, just eight votes behind the winning candidate with the lowest vote. In 1992, therefore, as in 1988, African-American candidacies usually resulted in African Americans winning a number of seats proportional to the African-American share of the voting age population within a municipality.

Cumulative Voting Elections

Four municipalities adopted cumulative voting systems rather than limited voting when settling the dilution claims against them. These were Cen-

Table 5
Cumulative Voting Jurisdictions

Municipality	African American % of Voting Age Population	# of Votes	# of African Americans Elected 1988	1992
Centre	8.50	7	1	0
Guin	10.71	7	1	1
Heath	7.64	5	NC	NC
Myrtlewood	15.86	5	NC	NC
County				
Chilton County Commission	9.93	7	1	1
Chilton County School Board	9.93	7	1	NA

NC=No African-American candidate.

tre, Guin, Heath, and Myrtlewood. Centre and Guin have seven-member councils, and the threshold of exclusion for their elections is consequently 12.5 percent. Heath and Myrtlewood have five-member councils, and the threshold of exclusion for their elections is 16.7. The African-American percentages of the voting age populations in these municipalities, and the election outcomes for the 1988 and 1992 elections in each, are reported in Table 5.

In the 1988 cumulative voting elections, African Americans were elected for the first time to the councils in two of these municipalities, Guin and Centre. An African American has been elected in both of the cumulative voting elections in Guin, a municipality with only a 10.71 percent African-American voting age population. In Centre, where African Americans constitute just 8.5 percent of the voting population, an African American was elected in 1988, but two African-American candidates failed to win seats in 1992. No African American has been a candidate in either Heath or Myrtlewood, the other cumulative voting municipalities. According to the census, however, there were only eleven African Americans of voting age (7.64 percent) residing in Heath in 1990, and only twenty-three (15.86 percent) residing in Myrtlewood.

The largest local governmental unit in Alabama with an alternative election system is Chilton County, in which cumulative voting is employed to elect both the county commission and the school board (see Table 5). The total population of Chilton County, according to the 1990 census, is 32,458. African Americans constitute just 9.93 percent of the residents of voting age. Both the commission and the school board are seven-member bodies elected through partisan primaries and general elections. The threshold of exclusion for these elections is 12.5 percent.

In the 1988 cumulative voting elections in Chilton County, African Americans were elected for the first time to both the county commission and the school board. Each of these African-American candidates had finished first in their respective Democratic party primary elections. In the subsequent

general elections, the African-American candidate for the county commission finished first, and the African-American candidate for the school board finished second. Only four of the Democratic nominees were elected to each of these boards, as Republican candidates also won seats on each for the first time. The African-American member of the county commission was reelected in 1992, after finishing first in the Democratic primary and then second in the general election that year. Republicans won only two, rather than three, commission seats in 1992.

Conclusion

Fairly drawn SMDs are no longer viewed as the only remedy for minority vote dilution. Advocates of minority voting rights have added multiseat election systems with modified voting rules, specifically limited and cumulative voting, to the list of remedial options worthy of serious consideration. Experience with these election systems has provided empirical evidence of the nondilutive nature of these alternative voting arrangements.

The most extensive experience with these systems has been in Alabama, where twenty-one municipalities have now held two elections under limited voting rules, and four municipalities and one county have held two elections under cumulative voting rules. African Americans have been elected to most of these local governing bodies since the adoption of these electoral systems. In many of these jurisdictions, these elections have resulted in African Americans gaining seats on the governing bodies for the first time. African-American candidates have even been elected under these voting rules in communities in which African Americans constitute only about 10 percent of the voting age population. While many of the successful candidacies have resulted from uncontested elections, when African Americans have been candidates in contested elections, they have almost always won a number of seats proportional to the African-American share of the voting age population in the local jurisdiction.

When approving the settlements of dilution claims based on the adoption of limited and cumulative voting, the federal court in Alabama found that both of these alternative systems provided "fair, reasonable, and adequate" remedies.[10] The subsequent experience with these systems in Alabama confirms that judgment. While this experience has been confined to jurisdictions with relatively small populations, and to only one of the minority groups protected by the Voting Rights Act, African Americans, the successful use of these systems has not been unique to this context. In other states, Hispanics and Native Americans, as well as African Americans, have also used these systems with success, and done so in communities more populous than these jurisdictions in Alabama (Cole and Taebel, 1992; Engstrom and Barrilleaux, 1991; and Cole et al., 1990). This experience in Alabama and elsewhere has demonstrated that dilution by submergence need not be tolerated just because a SMD remedy may not be available.[11] With limited and cumulative voting, minority groups may be provided with electoral opportunities based on the extent to which they are politically cohesive, rather that the extent to which they are residentially segregated.

Notes

1. 478 U.S. 30, 50 (1986). The *Gingles* case concerned dilution by submergence in multi-member districts. In 1993, the Supreme Court held that this precondition also applies to claims of dilution in the context of single-member districts. See *Growe v. Emison*, 507 U.S. (1993), sl. op., at 14–15. For a critique of this requirement, see Engstrom et al., 1989, and Karlan, 1989.
2. For a more complete explanation of why this requirement should be viewed not only as unnecessary but also as unfortunate, see Engstrom et al., 1989, and Karlan, 1989.
3. This and the following section rely heavily on Engstrom, 1993.
4. It is not necessary that voters cast votes in whole units, however. In Peoria, Illinois, for example, a five-vote cumulative system has been adopted whereby voters simply identify up to five candidates they wish to vote for, and then their five votes are allocated evenly among those candidates. If a voter votes for only one candidate, for example, five votes are allocated to that candidate. If a voter votes for two candidates, then two and one-half votes are allocated to each. If a voter votes for three, four, or five candidates, then one and two-thirds votes, one and one-fourth votes, or one vote, respectively, is allocated to each of the chosen candidates.
5. See *Kaelin v. Warden*, 334 F. Supp. 602,605 (E.D. Pa. 1971); *LoFrisco v. Schaffer*, 341 F. Supp. 743, 748 D. Conn.), *aff'd*, 409 U.S. 972 (1972); *Orloski v. Davis*, 564 F. Supp. 526, 530 (M.D. Pa. 1983).
6. The successful application of the single-shot strategy depends not only on a group's voters complying with it, but also on the other voters dispersing their votes across more candidates than there are seats to be filled. Single-shot voting can occur only in multi-seat elections in which the seats are not divided into separate places or posts for election purposes and in which voters are not required by "full-slate" provisions to cast as many votes as there are positions to be filled. On the incidence and impact of these anti-single shot features, see Engstrom and McDonald, 1987.
7. For analyses of elections outside Alabama employing either limited or cumulative voting, see Engstrom, 1993; Engstrom et al., 1989.
8. 640 F. Supp. 1347 (M.D. Ala. 1986). Section 2 of the Voting Rights Act is codified at 42 U.S.C. § 1973 (1982 & Supp. IV 1986).
9. *Dillard v. Chilton County Board of Education*, at 1354–61.
10. See, e.g., *Dillard v. Chilton County Board of Education*, 699 F. Supp. 870 (M.D. Ala. 1988) (cumulative voting), and *Dillard v. Town of Cuba*, 708 F. Supp. 1244 (M.D. Ala. 1988) (limited voting).
11. See *Thornburg v. Gingles*, 478 U.S. 30, 50 (1986), and *Growe v. Emison*, 507 U.S. (1993), sl. op., at 14–15.

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Fiscal Neglect as a Response to School Desegregation: Defunding Desegregated Schools

James F. Sheffield, Jr.
Joseph Stewart, Jr.

Wichita State University
University of New Mexico

A significant part of the energy of the civil rights movement in the south was expended pursuing the promises of *Brown v. Board of Education* (1954, 1955), the landmark decisions that found segregated schools to be "inherently unequal" and sought to outline how dual school systems should be dismantled. By 1970 southern schools were the most desegregated in the United States (Feagin, 1980: 37), but this status was achieved in spite of a variety of obstacles placed in the movement's path by white southerners. Furthermore, there is evidence that "post-desegregation" or "second-generation" discrimination continues in the forms of racially differential ability grouping of students, disciplinary practices, and hiring and assignment of education personnel (Meier, Stewart, and England, 1989). Clearly, to understate the situation, large numbers of white southerners were dissatisfied with the *Brown* decisions, and many continue to evince dissatisfaction.

There is an extensive social science literature that discusses how individuals or organizations respond to dissatisfaction (e.g., Thibaut and Kelly, 1959; Hirschman, 1970; Lyons and Lowery, 1986, 1989; and Lyons, Lowery, and DeHoog, 1992). In its most advanced form (Lyons and Lowery, 1986: 327), this literature suggests that dissatisfied individuals may: (1) *exit*, that is, opt out of the dissatisfying situation; (2) give *voice*[1] to their dissatisfactions; (3) exhibit *loyalty*, that is, remain in the situation while waiting for conditions to improve; or (4) engage in *neglect*—"passively allowing conditions to worsen." Each of these responses is found in the post-*Brown* historical record. Whites who could not abide the idea of desegregation and had the ability to do so were likely to exit from the school system to private,

segregated academies (Giles and Gatlin, 1980). Led by elected officials, there was no shortage of "voices" among white southern citizens under the rubric of "massive resistance" (Bartley, 1969). Other white citizens and school officials supported their local public school systems during the desegregation process, and significant numbers came to admit benefits over time (Rodgers and Bullock, 1976: 106–107). Less well-documented are instances in which whites, perhaps in addition to their other reactions, passively allowed the public schools to deteriorate—the definition of neglect.

This research explores one possible means of neglect—the failure to raise money for desegregated schools—in a sample of school districts in Mississippi. The logic of the analysis is straightforward. Citizens in districts that had long evaded desegregation are not expected to fund desegregated schools adequately. If they could not avoid distasteful policies, at least they could avoid paying for them. Given the lengths to which whites went to resist school desegregation, it would be surprising if this particular form of response to dissatisfaction were not found.

Previous Research on School Desegregation and School Finance

Despite the compelling logic of a desegregation-defunding nexus, the scant literature on the topic has not revealed a systematic linkage. Jackson (1975: 245) reports that sometimes, but not always, tax proposals and bond referenda in newly desegregated districts were defeated. Raffel (1980) reports, in his study of New Castle County, Delaware, desegregation, that even among suburban parents who grossly exaggerated the costs of implementing desegregation, there did not appear to be consequences for school finance decisions. Feagin (1980: 43) suggests a possible link between school desegregation and the tax revolts of the late 1970s. And Pride and Woodard (1985: 72) note that opposition to appropriating additional monies to buy buses was a major issue in the politics of desegregating Nashville's schools. None of these studies, however, focuses on the impact of desegregation on school finance.

The single extant study of the import of desegregation for public school finances is Wainscott and Woodard's (1986) examination of changes from 1967 to 1977 in per pupil expenditures and the extent of reliance on locally generated revenue in a sample of southern public school districts. They analyze equivalent data from a variety of districts, use a straightforward measure of desegregation, and consider both revenue generation and expenditures. Their conclusion is that "the effects of school desegregation on school district finance were, at most, indirect" (p. 594).

Despite its pathbreaking nature, Wainscott and Woodard's study leaves avenues for further inquiry. First, they examine only the revenue generated, not the basic tax decisions that lead to revenue for public schools. Second, their sample of districts minimizes the number of smaller, rural districts. While such districts do not enroll a majority of the nation's public school students, either black or white, they are the sites of some of the most vigorous resistance to desegregation and are thus important venues for the study of responses to dissatisfaction. Third, Wainscott and Woodard do not have the advantage of contextual data which allow assessment of the im-

pacts of the racial politics and the presence of the civil rights movement in the areas in which desegregation occurred. They appropriately employ demographic measures drawn from Census reports but cannot consider the impact of nonschool-related civil rights activism and other circumstances of the environment in which desegregation occurred. Thus, the call for research on the consequences of desegregation for school finance issued by Hawley, Rossell, and Crain (1983: 178) remains valid after a decade.

The Model

The crux of the analysis is quite simple. The central hypothesis is that to the extent that segregation can be maintained, financial support for public schools should continue. But the more schools are desegregated, the more likely it is that revenues will be decreased.

Obviously, such a simple hypothesis must be qualified. Several other factors could affect the level of revenues, so one must control for these variables as much as possible to be sure that any relationship detected between desegregation and fiscal change is not spurious. One such variable is the degree to which whites have opted for exit or loyalty. The advent of desegregated public schools stimulated white flight to schooling alternatives (e.g., private and parochial schools, home schooling). The percentages of public school students who are white were thereby reduced. The greater the decline in the percentage of public school students who are white, the less tax support we expect to find. This is the product of two considerations. First, the dominant (white) community will have less reason to invest in public schools because fewer of their children will be affected. Second, taxing in support of public schools with proportionally more nonwhite pupils would be inconsistent with the opposition whites had previously demonstrated.

It is also important to take into account manifestations of voice. In the civil rights movement, both proponents and opponents exhibited "voice" behaviors. In Mississippi, blacks engaged in collective action under the banners of various organizations of the civil rights movement such as the Student Nonviolent Coordinating Committee, the Mississippi Freedom Democratic Party, and the Council of Federated Organizations. In 1967, some blacks even ran for and won elective office for the first time in the state's modern history. Although not an exclusive focus of this collective action, school desegregation was nonetheless an integral part of the movement to both blacks and whites.

While blacks were voicing their dissatisfaction with the status quo, whites were using "voice" to express their dissatisfaction with the broad demands of the civil rights movement for change. The effects of this type of voice and other variables for school desegregation can be seen in the amount of effort it took to desegregate Mississippi schools. Massive federal coercion was required before Mississippi complied with the letter of *Brown*, although there was variation among the districts within the state in how much pressure was required before blacks entered formerly all-white schools.

No analysis would be complete without controlling for the setting in which school desegregation occurred. Even among recalcitrant districts, there were local variations that affected the dynamics of the desegregation process and

its aftermath (Rodgers and Bullock, 1976). The concentration of the black population must be considered, as must the general level of education. Proportionally larger black populations are perceived as greater threats to white hegemony, and white opposition to the civil rights movement in general has been found to be greater in such milieus (Key, 1949: 5; Black and Black, 1987: 9). A better educated populace is expected to be more open to change, more tolerant of differences among people, and to see intrinsic value in education. Thus, one would expect to see a less negative response to school desegregation in counties with more highly educated populations.

A third contextual characteristic for which one must control in examining revenue generation is the extent to which dwellings are owner-occupied. Even though local contributions do not comprise as significant a portion of school funding in southern states as they do in the rest of the nation (and Mississippi is no exception) (Anderson, Brady, Bullock, and Stewart, 1984: 211), the property tax, levied by the school district, is the source of locally generated revenues for education, and taxpayers generally prefer lower to higher taxes. Thus, to the extent that owner-occupants are numerous relative to tenants, one would expect there to be downward pressure on tax rates and, consequently, less money available for spending on education. Inclusion of this variable prevents overattribution of effect to desegregation when, in fact, a lack of growth in revenues or their shrinkage expenditures might simply be the result of homeowners, absent any reaction to school desegregation, acting in their short-term self-interest to minimize their tax bills.

In sum, the analysis attempts to explain variation in changes in school finance in Mississippi school districts attendant to the desegregation process. To prevent overattribution of effect to desegregation, measures of white exit/loyalty to the school systems, of the presence of the civil rights movement, of white resistance, and of key socio-demographic factors are included in the analysis.

Data and Measures

The model outlined is evaluated using data for the 1968–69 and 1972–73 school years from a sample of seventy-four public school districts drawn from across Mississippi.[2] Although the four-year time span is relatively brief, it covers the period of significant desegregation in the state and allows the capture of the initial reaction to the change, which was often the most dramatic reaction.

The Dependent Measure

The imposition of desegregation upon communities that had long evaded, avoided, and delayed desegregation may well have triggered a negative response in the form of reduced financial support for public schools. Funding would both symbolically and tangibly support a public policy long opposed, would transfer resources from the more affluent white community to support black youth, and would be less justifiable in terms of student enrollments as white pupils left public schools for various educational alternatives.

Two separate school finance measures are used as dependent variables in the analysis. They deal with revenue generation to see if opposition to desegregated schools continues in the form of reduced resources made available to public schools. The local share of public school revenues in Mississippi is essentially derived from property taxes, so the first revenue measure is the ratio of the 1972–73 mill levy to the 1968–69 mill levy multiplied by 100.[3] Thus, the mill levy variable equals 100 if the tax rate in 1972–73 is exactly the same as in 1968–69. A value greater than 100 indicates increased tax effort; a figure less than 100 indicates decreased tax effort.[4]

Overt tax levy changes pose such major political problems that policymakers will avoid them if at all possible. It should not be surprising that a mill levy would not change over a short period, even in the face of an unpopular policy (to whites) such as desegregation. In the sample, thirty-four of the seventy-four districts score 100, that is, they have exactly the same mill levy for the 1972–73 school year as they do for the 1968–69 school year. To assess the model for the mill levy, then, our analysis employs only the forty districts in which the mill levy changes between 1968 and 1972.

The second measure is the ratio of the portion of school system revenues generated locally for 1972–73 to the same figure for 1968–69 multiplied by 100. Just as desegregation may have diminished a district's enthusiasm to tax in support of desegregated schools, so might desegregated districts be more reluctant to keep pace with other levels of government in generating revenues for schools. While a community may have little control over the revenues flowing into its school system from state and national governments, neglect could be manifest as a decline in the extent to which revenues are locally generated. Even if tax levies do not change, increased state or national support dollars, coupled with unchanging local dollars, would effect a reduction of local support for schools. Both measures are taken from appropriate issues of the *Annual Report and Recommendations of the Superintendent of Public Education to the Legislature of Mississippi.*

The Independent Measures

Desegregation. The impact of public school desegregation is the phenomenon of principal import in this analysis. The measure of desegregation is the change in the commonly used index of dissimilarity (Taeuber and Taeuber, 1965: 235–38). The index indicates the proportion of members of any given group that must be relocated to achieve equality of group representation and is computed for each district using the enrollments by race in each school in the district. To ease interpretation, the index is multiplied by -1 so that perfect segregation results in an index of 0; perfect desegregation is an index of 1.0. Index scores are computed for both the 1968–69 and 1972–73 school years, and the former is then subtracted from the latter for each district. For this sample of districts, the mean change in the index of dissimilarity is .55 (range: .99 to -.26), indicating that the average district was significantly more desegregated in 1972–73 than it was four years earlier. The range shows that significant variation exists; some districts became more segregated. The hypothesis is that the greater the extent of desegregation, the less the local tax support of the district. This measure is computed from

data in editions of the *Directory of Public Elementary and Secondary School in Selected Districts* published by the Office for Civil Rights of the then-U.S. Department of Health, Education, and Welfare.

Exit/Loyalty. To control for white exit/loyalty we focus on white public school enrollment, specifically the percentage in 1972–73 who are white minus the same percentage for the 1968–69 school year, also taken from the *Directory of Public Elementary and Secondary Schools*. A negative value indicates that whites have become less well-represented in the student bodies of the sample districts, which in turn is expected to be associated with neglect. The average district in this sample experienced a 5.18 percentage point decline in white enrollment (range: 26 percentage point decline to a 12 point increase).

The Movement. Public school desegregation was not just the product of outside forces. Substantial school desegregation occurred in Mississippi schools only after more than a decade of intense efforts to obtain civil rights for blacks on a number of fronts. Indigenous blacks in conjunction with civil rights workers from outside the state pursued various courses in the 1960s to obtain civil rights. The best available indicator of the extent of these efforts combines three measures of groups' efforts in the state. An index is created from data compiled by Baer (1970) and used by Colby (1982, 1985) which is the sum of: (1) a dichotomous variable representing the presence or absence of the Student Nonviolent Coordinating Committee in the county between 1960 and 1964; (2) another dichotomous variable representing the presence or absence of a chapter of the Mississippi Freedom Democratic party in the county as of May 1964; and (3) the number of "Freedom Summer" projects operated in the county by the Council of Federated Organizations during the summer of 1964. This index includes efforts that were the backbone of black political mobilization in the state (Stewart and Sheffield, 1987). The index ranges from one to six.

Another indicator of the strength of the civil rights movement in Mississippi communities is the electoral success of black candidates for public office. Because it is fair to assume almost total racial bloc voting in Mississippi at the time (Salamon and Van Evera, 1973a, 1973b), black electoral victories indicate movement success in black political mobilization. The measure that taps this phenomenon is the number of black candidates elected to local office in the county in which a school district is located during the statewide elections of 1967. This is the first election cycle in which a notable number of blacks were voted into office, and the value of this variable ranges from zero to three. These data are extracted from various issues of *In the Public Interest*, published at Millsaps College in Jackson during the civil rights movement, the files of the Lawyers Constitutional Defense Committee office in Jackson, and contemporaneous newspaper accounts from around the state of Mississippi.

The expectation is that the events represented by these two movement-related variables would spur anti-civil rights efforts by the dominant (white) community. Thus, fiscal support of public schools should decline in response to the forces represented by these two variables. However, it is possible that where blacks possess enough clout to achieve electoral victories, fiscal attacks might be blunted. Black politicos might even be able to increase investment in public schools.

White Recalcitrance. Proponents of school desegregation repeatedly had to rachet up the pressure on districts to achieve desegregation. White resistance specific to school desegregation can be tapped by measuring the degree of coercion necessary to force the dismantling of the dual school systems within a district. Coercion is measured on a six-point scale, first used by Rodgers and Bullock (1976: 48–52), with a higher value indicating a more recalcitrant district. The expectation is that previous recalcitrance should be reflected in continuing biases against desegregation through taxing and spending policies.

Context. The measures of the contextual control variables—the percentage of the county's population which is black, the median education level of the county's adult population, and the percent of owner occupied housing—are drawn from census data for 1970, the midpoint of the time span under consideration.

Findings

To test the hypothesis that public school finances changed as a function of desegregation we regress each of the revenue variables on the measure of desegregation and the control variables described above.[5] Each model incorporates the full set of variables, and with the exception of the movement-related variables, one-tailed tests of significance are applied. Because expectations are not clear for the movement measures, two-tailed tests are used for these variables. Interpretation of the tables is straightforward because the dependent variables are all ratios of 1972–73 data to 1968–69 data. A positive change of one unit means that the post-desegregation number is 1 percent larger than its pre-desegregation counterpart; one unit of negative change means a 1 percent decline.

The first column of Table 1 presents the results of the statistical analysis of the impact of desegregation on local public school revenues. Again recall that many districts did not change their mill levy. This failure to make a greater tax effort in the face of increased responsibilities may in itself signal neglect. But it could also be reflective of an incremental, "politics as inertia" process. Rather than draw a perhaps erroneous conclusion by equating inactivity with neglect, this part of the analysis focuses only on those districts which enacted some kind of change. Among those districts, taxes were raised significantly. But, more important for current purposes, as hypothesized, districts that have become more desegregated are significantly more likely to have a lower mill levy. (A negative coefficient indicates a decline in the mill levy or local revenue associated with more desegregation.) A district with an average level of desegregation (index = .55) would be expected to have a 5.2 percent lower mill levy change, *ceteris paribus*, than a district that underwent no desegregation. At the other empirical extreme, the model would predict a 2.4 percent higher mill levy increase in the district with the highest increase in segregation. In short, even when considering tax rates, a measure expected to be relatively impervious to change, the findings are consistent with the argument that desegregation opponents did not resign themselves to support a situation they had fought. They continued the struggle by defunding desegregated schools.

Table 1
Regression of School Revenue Measures on Indicators of Public School Desegregation, Black Political Mobilization, White Opposition, and Contextual Factors in Mississippi

Dependent Variables:	Mill Levy	Local Revenue
Independent Variables		
Desegregation Index Change	-9.38*	-19.50***
% Change of Whites in Public School	-.22	.06
Index of Civil Rights Activism	-3.18**	-1.02
# of Black Elected Officials, 1967	.97	-12.12***
Index of Coercion for School Deseg.	.25	1.68
% Black Population, 1970	-.004	.92***
Median Education, 1970	3.08*	5.82***
% Owner Occupied Dwellings, 1970	-.01	.73***
Intercept	84.14	-33.91
F=	3.10*	7.23***
R^2 =	.44	.47
adjusted R^2 =	.30	.41
N =	40	74

*p < .05 **p < .01 ***p < .001

In contrast, the second indicator of desegregation, change in proportion of student body that is white, does not perform as hypothesized. Although the sign of this variable's coefficient suggest that a loss of white students precipitates a tax increase, the magnitude of the coefficient is statistically indistinguishable from zero. In this model, evidence of white exit/loyalty has no bearing on tax levies.

However, it should be noted that two of the control variables do achieve statistical significance in this model, and their coefficients are in the expected directions. Locales that hosted movement activity a few years earlier have significantly lower tax rate change ratios than those with less civil rights activity or none at all. This decrement to the mill levy is over and above any penalty imposed because of the degree of school desegregation. Districts with better educated populations, on the other hand, were likely to have higher tax rate increases. The value of education and enhanced educational opportunity is more likely to be apparent to and supported by citizens who themselves have more schooling.

The second column of Table 1 allows the exploration of the possibility that neglect of desegregated schools might take the form of not investing local funds in public education at the same rate as the state and national governments. All districts in the sample are used in this part of the analysis because the popular practice of not changing the mill levy rate might, in fact, be a strategy of neglect that could be detected in terms of relative available funds. Indeed, the intercept shows that in general the local share of education revenue dropped in the sample districts. This is not unexpected given that the time period under study was a period of an expanding federal role in education funding and that special funds were available for dis-

tricts undergoing desegregation. However, the question of differential patterns in relative local support remains important.

Again, the effect of desegregation is evident, and the probability of such a pattern occurring by chance is extremely remote. The average desegregated district could be expected to see a 10.7 percent decline in the share of the educational burden born by local sources, while the district observed with the most increased segregation could expect a 5 percent increase in the local level's share. The investment pattern hinted at in the first analysis is manifest in the pattern of educational revenue sources. School districts that are forced to desegregate more fully let the state and national governments pick up more of the tab; school districts that are allowed to maintain or promote segregation are willing to pay for the "privilege."

Once again, the measure of white exit/loyalty fails to achieve statistical significance in the model. This may seem anomalous at first blush, but as noted below in the case of another variable, the structure of the model may diminish the possibility of the exit/loyalty indicator contributing as to a significant degree. The desegregation dynamic, as measured by change in the Taeuber index, occurs in conjunction with white student flight or loyalty. Thus, there may be little additional variance left for the exit/loyalty variable to "explain" once the degree of desegregation is taken into account.

In this analysis, the picture painted by the control variables is richer than for the mill levy. Again, an indicator of the movement—this time the number of black elected officials—shows a significant negative impact on local revenue share. Where blacks were able to win office early, local disinvestment was even greater. In a school district located in a county where blacks were mobilized enough to elect three officials in 1967 (the maximum number observed), the model would predict a 36.4 percent decline in the share of educational revenues from local sources in addition to the decrement accruing from school desegregation. Thus, if the movement were doubly effective in an area, achieving high levels of school desegregation and political mobilization, the model would predict massive local disinvestment in the schools.

The other significant variables are socio-demographic. Black population concentration is associated with increased local effort, which at first seems anomalous. But one should remember that this is an additive model, and when this variable is considered in the context of the other variables its impact is mitigated. Consider two likely scenarios. First, black electoral success in Mississippi around 1970 is likely only where black population is concentrated. The positive effect of black population concentration is dramatically weakened if this population is mobilized sufficiently to produce electoral success for a black candidate. Second, consider the interrelationship between percent black and the degree of school desegregation. When schools become more desegregated any positive effect of black population is quickly negated. For example, only a .05 change in the index of dissimilarity, that is, a 5 percent drop in the number of students who would have to be reassigned to achieve desegregation, more than offsets the effect of 1 percent more in black population. More tellingly, when a district's schools are becoming more segregated, the presence of a larger black population serves to promote local investment in schools.

The value for median education indicates, as with the mill levy, that where more highly educated citizens are found local investment in education is promoted. Finally, districts with larger proportions of owner-occupants are likely to have significantly greater local funding shares. This last finding is contrary to the idea that this variable represents short-term economic interests and suggests that it more likely is another indirect indicator of the socioeconomic composition of the community, much like the education variable.

Conclusions and Implications

Is it realistic to think that after one and one-half decades of resisting *Brown*, southern whites would suddenly resign themselves to providing equal educational opportunity without regard to race? Students of "second-generation discrimination" (e.g., Meier, Stewart, and England, 1989) offer one form of a negative response to this question. This study offers yet another. It would seem counterintuitive not to find a fiscal reaction to school desegregation. Yet, few have explored this possibility, and the only extant empirical study focusing on this question (Wainscott and Woodard, 1986) fails to find any direct fiscal effect.

This study of a sample of Mississippi school districts is the first study to show a significant fiscal effect of desegregation. Desegregation precipitated fiscal policy changes for the public schools in Mississippi, changes that are negative for the schools and the students enrolled in them. Simply put, desegregated schools were defunded schools; the more desegregated, the greater the lag in funding.

The relative success of this effort suggests some guideposts for future projects. First, it is important to control for a variety of factors. The difference in the findings here and those of Wainscott and Woodard (1986) probably lies (1) in the sample and (2) in the control variables. Especially in exploratory research, it is helpful to look for the relationship of interest where it is most likely to be found. Thus, districts from the rural bastions of resistance in the state infamous for its intransigence are included in the sample. Even if Wainscott and Woodard are correct generally, the findings here suggest that under some circumstances fiscal effects are present.

Perhaps the most important next step in this line of inquiry is to clarify the conditions under which these findings hold, that is, the proper set of control variables. The complexity represented by the controls included here is difficult to overstate. These districts served heavily black student populations, yet were often majority white in voting population; populations that were poor, relatively uneducated, rural; and populations that were in the midst of political and social upheaval. The economic, social, and political capital that could be found in these districts was distributed in a very racially discriminatory pattern. To expect simply patterned variables to reflect these conditions, especially in the context of a public policy change so dramatic and important to the people of whom we speak, is unrealistic.

It should also be noted that we find an effect over a four-year time span while Wainscott and Woodard fail to find an effect over a decade. It may be that the negative effects we find are ameliorated over time. Even so, the importance of the findings of the short-term effect would remain. Such an

effect could have a dramatic impact on the opportunities afforded those children attending school during the critical "defunded" years. And the findings add another entry to the list of means by which southern white elites sought to undermine *Brown* and thwart the civil rights movement.

In whatever direction the next step is taken, the work should be theoretically informed. This analysis suggests the potential utility of studying neglect "behaviors" in response to the civil rights movement. Perhaps too often social scientists have fallen victim to the same instincts as journalists by focusing on the dramatic events. Yet this analysis shows that neglect, a relatively passive reaction, can be a powerful tool for expressing dissatisfaction, perhaps one with more long-lasting effects than the more dramatic gestures. Apparently crazed anti-desegregation activists might be more likely to evoke a pro-desegregation sympathetic counterreaction, but efforts to minimize or roll back tax increases could be presented in nonracial terms and their effects on racial inequality in the provision of educational opportunity ignored.

One result of the failure to consider neglect is the apparent inability of social scientists to confront assertions, popular at least since the advent of the Reagan administration, that racism is a thing of the past. Local white elites in many of the districts included in this study could accurately point to dramatic changes that had occurred in the levels of school segregation in their districts. Yet, this analysis shows that associated with those apparently positive changes were subtle and pernicious forces that served to undermine the ultimate policy goal.

Other theoretical traditions into which future scholars of the subject might tap are those concerned with organizational and policy change. Social scientists have failed to appreciate, or at least to articulate, the difficulties of successfully implementing policy change when responsibility for the change is entrusted to individuals who were responsible for the offending policy. Given what social scientists know about the difficulty of organizational (Bullock and Stewart, 1984) and policy change (Sabatier and Jenkins-Smith, 1993), we should be able to anticipate and to articulate better the effects of putting the miscreants in charge of the solution.

The fact that further work remains does not mitigate the importance of the findings here. Absent a demonstration that the findings here are spurious, there is promise in this long-neglected avenue of inquiry.

Notes

1. We take some liberties with the characterization of the "voice" response. The Lyons and Lowery model does not describe any negative equivalent of voice short of exit, so we add a negative dimension to this response.
2. All districts in the state were initially considered. Districts for which all required data were not available were excluded. The result is a sample that includes approximately one-half of Mississippi's school districts.
3. A mill represents one dollar of tax for each one thousand dollars of assessed valuation of property.
4. It is possible that a district could lower its mill levy but generate the same or more revenue because the assessed valuation had risen. We have no evidence of this occurring on either a systematic or idiosyncratic level.
5. Examination of the residuals for ordinary least squares regression reveals heteroscedasticity, which produces nonrobust estimates (Berry and Feldman,

1985: 77). To correct for this problem, the equations are re-estimated using weighted least squares (Rubin, 1983; Krasker, 1988)—specifically the sine approximation that produces coefficients "resistant to gross deviations of a small number of points and relatively efficient over a broad range of assumptions" (Andrews, 1974: 523). The equations presented here use the first estimated weights.

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The Political Science Discipline: Constraints and Concerns

The Limits of Rational Choice Theory

Michael Goldfield
Alan Gilbert

Wayne State University
University of Denver

Introduction

In recent years rational choice approaches have come to be a major paradigm, perhaps the central emerging theoretical framework, within the political science profession.[1] Its proponents and practitioners can be found within virtually every subfield of research, including in the most unlikely of places, for example, among those who think of themselves as Marxists and even in one recent book that purports to explain the development of the 1950s and 1960s civil rights movement in this country. Many of its adherents claim that rational choice theory is the basis for a new science of politics (although a few of the leading practitioners are remarkably modest in their claims; note in this regard Fiorina and Shepsle, 1982, and Hardin, 1982; although in contrast, see Ordeshook, 1986). Most proponents, however, make a strong claim that rational choice models are the only valid basis for doing rigorous work in the social sciences. Rational choice theory is thus not merely posed as an alternative to other theories or as an attractive, emerging research program, but as a universally applicable, superior orientation—the only one a reasonable, serious social science researcher ought to choose.[2] This paper examines these claims, making some preliminary remarks. Our plan will be as follows: We will first examine the most prominent, narrowly circumscribed, mathematically tractable neoclassical version of rational choice theory. We will indicate the kinds of cases in which neoclassical models are most persuasive and those where they break down. We will then examine those modifications that relax some of the more troubling neoclassical assumptions, assessing what is gained and what is lost in the less "economic" versions of rational choice. We will next attempt to see if even the more nuanced formulations run into insurmountable problems in explain-

ing certain important types of social phenomena. Finally, we will look at arguments that are counterposed, not only to the universal explanatory claims of rational choice theory, but also to a philosophical criterion of methodological individualism as an important requirement for constructing rigorous social science explanations. In contrast, we will invoke contemporary philosophy of science insights about the role of contending theories in generating scientific advance.

The Neoclassical Approach

Rational choice theory in its traditional, neoclassical form begins with a series of assumptions:

1. All fundamental social explanations are explanations about individual actions and behavior. Explanations that cannot be reduced to such terms are suspect or wrong. Those that have not been reduced are incomplete. J. W. N. Watson states a philosophical principle of methodological individualism shared by virtually all varieties of rational choice proponents in political science:

   > According to this principle, the ultimate constituents of the social world are individual people who act more or less appropriately in the light of their dispositions and understanding of the situation. Every complex social situation, institution, or event is the result of a particular configuration of individuals, their dispositions, situations, beliefs, and physical resources and environment. There may be unfinished or half-way explanations of large-scale social phenomena (say, inflation) in terms of other large-scale phenomena (say, full employment); but we shall not have arrived at rock-bottom explanations of such large-scale phenomena until we have deduced an account of them from statements about the dispositions, beliefs, resources, and inter-relations of individuals. (Watson, 1957: 106)[3]

2. Individuals have relatively fixed or constant preferences, that is, their preferences are invariant and exogenous. These preferences are ranked in a consistent, hierarchical preference structure. An individual's preferences are expressions of her perceived self-interest, measurable in material terms, almost always in money.
3. Individuals act to maximize their preferences or self-interests, that is, they carry out individual decisions. The parameters of choice that involve preference structures, the feasible set of alternatives, and the available means and costs can often be represented by a neoclassical utility function. To understand human activity as rational is to understand it as activity by individuals to maximize their utility functions. To act otherwise is irrational; virtually all humans behave rationally. Behavior that appears irrational is usually found to be rational upon closer examination.[4]
4. Individuals attempting to maximize their self-interest compete and cooperate, in order to achieve their ends, with other similarly materialist individuals (who have their own well-defined self-interests). This complex web of interactions forms an equilibrium.

There are a number of additional assumptions that are important in many formulations, but which are not as central.

5. Individuals have complete (or at least extensive) information about alternative courses of actions and the consequences of their actions. Virtually all the neoclassical formulations assume complete information. Dropping this assumption voids much of the neoclassical technical apparatus, although some political scientists attempt to maintain the neoclassical framework while looking at choices under uncertain conditions.
6. Many consider the use of game theory in social explanation to be central to rational choice theory. Yet there is no necessary connection between game theory and methodological individualism. Game theoretical approaches could be used by those interested in the structure of class conflict or the strategy of the capitalist state, problems that could be formulated, for instance, by envisioning states or classes (and their representatives) as actors, without a commitment to methodological individualism.

Merits of the Neoclassical Framework

There has been debate over whether the neoclassical assumptions have more than limited applicability to noncapitalist societies (whether conceived as traditional, tribal, feudal, etc.). It should surprise no one, however, that this framework has some initial plausibility in explaining many social and political activities in developed capitalist societies. Gary Becker, for example, gives quite useful models for illuminating some of the contours of racial discrimination in the United States and under apartheid in South Africa. Neoclassical economists have also predicted a number of important relationships that have been confirmed by empirical studies. Becker successfully predicts that families will have fewer children as the market value of a mother's time increases.[5] He also highlights many economic aspects of the marriage relationship, including the greater likelihood of divorce, the more money a married woman earns, a prediction also suggested a century ago by Frederick Engels, a decidedly non-neoclassical social scientist. Few would find it unusual to see that monetary factors play such a large role in the personal and social lives of people in capitalist societies. The young Marx, for example, a harsh critic of egoistic economic analysis, argued incisively in the 1844 *Manuscripts* that the cash nexus of the capitalist market frames and ultimately undermines all traditional values, including love, beauty, intelligence, strength, personal worth, and virtually everything else. According to the *Communist Manifesto*, capitalist development "has left no other bond between man and man than naked self-interest, than callous 'cash payment.' It has drowned the most heavenly ecstasies of religious fervor, of chivalrous enthusiasm, of Philistine sentimentalism, in the icy water of egotistical calculation. It has resolved personal worth into exchange value" (Marx, 1982: 11; see also Gilbert, 1984, 1990a).

The central question, however, is not whether economic calculations are important to individual behavior in modern capitalist societies, but whether, as the proponents of neoclassical rational choice theories argue, they are

ubiquitous, generalizable, that is, whether they can explain everything or at least everything important. Becker asserts:

> I have come to the position that the economic approach is a comprehensive one that is applicable to all human behavior, be it behavior involving money prices or imputed shadow prices, repeated or infrequent decisions, large or minor decisions, emotional or mechanical ends, rich or poor persons, men or women, adults or children, brilliant or stupid persons, patients or therapists, businessmen or politicians, teachers or students. (Becker, 1976: 8)

Without argument against competing interpretations, however, such "findings" seem little more than prejudice. For a series of counterexamples suggests that alternative assumptions or perhaps alternative theories are necessary. As Kristin Monroe's analysis shows, the neoclassical rational choice framework cannot explain the motivation of heroic persons who rescued Jews from the Nazis. Since cost-benefit calculations are almost always irrelevant to these activities, none of the cases can be subsumed under standard neoclassical accounts of altruism. Neoclassical rational choice explanations of voter apathy which purport to explain why roughly only half of eligible adults vote in American presidential elections explain too much. They show why it is irrational for anyone, except for a handful with special incentives, to vote at all. Similarly, Olson's analysis of the logic of collective action, while perhaps useful as an indicator of one type of constraint in the development of large-scale organizations and movements, leads one to predict the impossibility or at least the unlikelihood of very common phenomena, such as strikes (see, e.g., Sabia, 1988). And, to take a rather extreme case, privileging a single standard of rationality (i.e., the maximization of money) can lead to some pretty bizarre, counter-intuitive results. We speak in common terms of "crazy" people and "rational" people, rationality often having to do with whether people's actions are predictable, with whatever values or standards they choose. Very few people would think it "rational" to set their ailing grandmothers on a main thoroughfare and run away so as to avoid the financial strain. While neoclassical approaches may help us focus our attention on certain important monetary and self-interest constraints, they do not always help us understand why individuals act as they do or what actions they are likely to take. Thus, a number of theorists, committed to the general rational choice framework, have attempted to modify certain neoclassical assumptions, while preserving what they see as important aspects of the rational choice model.

Attempts to Modify the Assumptions

Robert Frank attempts to shore up the neoclassical rational choice (or as he calls it the "self-interest") model. He argues that

> many people do not fit the me-first caricature. They give anonymously to public television and private charities. They donate bone marrow to strangers with leukemia. They endure great trouble and expense to see justice done, even when it will not undo the original injury. At great risk to themselves, they pull people from burning buildings, and jump into icy rivers to rescue people who are about

to drown. Soldiers throw their bodies atop live grenades to save their comrades. (Frank, 1988: ix)

Frank also gives examples of people who tip waitresses and waiters in distant cities and of workers who endure the loss of income associated with strikes and lockouts rather than suffer what they see as an unjust settlement. Yet the self-interest model of rational choice considers all these examples and many more merely as irrational behavior. From an explanatory standpoint, one might wonder whether it is rational to have a theory of "rational" behavior that obscures so much important activity.

Frank contends that the emotions that lead us to act in ways contrary to the neoclassical model are ones that we are socialized into having. They are part of our upbringing, education, and training. More important, however, these so-called irrational actions (at least from the standpoint of neoclassical theory) confer long-term advantages. They are thus in the end rational, in a person's long-term self-interest. This is so, according to Frank, in two closely related ways.

First, they confer advantages by gaining trust and friendship, leading others to see one as the type of person who can be trusted in a business relationship, in loaning money, and so forth. Second, they allow one to have self-respect, coincident with those personal values that society values and respects. These two points, of course, are not unrelated.

Even when they know what is in their long-term self-interest, people do not automatically do it. Thus, the emotions, according to Frank, play what he labels as a strategic role in reinforcing one's tendency to act in such a manner. People who have strong feelings about fairness often feel terrible if they cheat someone. Such feelings also help us reject a favorable deal if the other person seems to be making an unfair gain. They also help us attempt to remedy injustices or obtain refunds even when the expenses of doing so far exceed our original losses. Such activities are part of the character building that establishes us as the type of people not only who can be trusted by other people, but who should not be trifled with. Frank's qualifications thus preserve the centrality of self-interest after all, but the resultant conception is devoid of the powerful (and mathematically tractable) tools of cost-benefit analysis, based as they are on immediate economic considerations. Frank's argument is analogous in philosophy to Mill's rule-utilitarianism—the adoption of moral rules without calculation is justified when they maximize happiness in the long run. This view is distinct from act-utilitarianism, which, like narrow neoclassical models, requires cost-benefit calculations about each decision (Brandt, 1979).

Yet, individual behavior is often more complex than Frank suggests. Emotional responses are often not "strategic." Pride, stubbornness, and insecurity lead people to act irrationally in ways that provide no benefits, short-term or long-term. Weakness of will, sour grapes, and a host of other common psychological phenomena subvert rationality and self-interest.

In addition, several of Frank's examples are both less and more compelling than at first sight. A social class analysis of tipping, for example, may show it to be more rational both for the upper classes (given their long and short-term self-interests) and for workers (given certain moral or solidaristic

feelings of decency and compassion). Thus, people of a higher economic strata often give tips as part of noblesse oblige or withhold them to express displeasure, and thus reaffirm their class dominance, a form of authority "rational" at home or away. For this stratum, Frank's critique of the self-interest model of rational choice fails; models sensitive to social meanings and class interests look more promising (Kratochwil, 1989). On the other hand, as a consequence of such upper-class behavior, workers often regard enforced dependence on tips (itself generally a consequence of low-wage service employment) to be demeaning. Thus, unionized workers have sometimes gotten tipping abolished in favor of either higher wages or a standard charge for service as part of the bill. Such demands, however, illustrate workers' concerns to be treated as equals, not as servants. They speak to the mutual regard that is part of genuine individuality, but which is belied by rational choice conceptions. In addition, workers as customers often regard the tips they give differently. When Goldfield worked on the midnight shift as a teamster, he and his partner would stop for lunch at 4:00 A.M. at a diner. The partner usually drank a single cup of coffee, but would leave a tip many times its price. Eventually Goldfield questioned him about this. He responded matter of factly that he took up a seat and that the waitress had to feed her family too. For these cases, moral concerns—part of substantive, not merely formal, rationality—play a central explanatory role. This solidarity and compassion, which would rate high on the Kohlberg scale of putting oneself "in another's shoes," contrasts with the calculating one of most middle- and upper-class people, with its upward or downward adjustments based on assessment of quality of service.

Frank's praise of people who don't disconnect anti-pollution devices on their cars also reveals the limits of the rational actor model (keeping such devices supposedly reflects a concern for the environment, and of the world in which the individual must live), but still has unexplored class aspects. For the skills and motivation—lower disposable income, conjoined with the supposed costs of higher fuel consumption generated by the devices—to do the disconnecting reside predominantly with working-class people. It must first, of course, be noted that for those with more disposable income, the relative price for being socially responsible is less. In contrast to rational choice analyses, the behavior of working people need not be seen as narrow and selfish. For a distinction may be drawn between narrow self-interest—always seeking additional monetary reward—and the broader Aristotelian interest in being a self—which would include the environmental concerns above. A poor person may have priorities, for instance, feeding a family or providing other support for children, which might take precedence over the use of anti-pollution devices. Thus, on a subtler account of conflicting goods, even those who disconnect might sometimes prove a counterexample to theories of narrow monetary self-interest.

In a different direction, Jon Elster goes further than Frank in emphasizing the psychological sources of "irrationality" that undermine neoclassical rational choice theory. Like Frank, he rejects the economic, material self-interest basis of much important human activity. Yet, he is less sanguine than Frank about the ultimate rationality of many emotions. He provides interesting analyses of altruism, *akrasia*, that is, weakness of will, and sour grapes,

or the modification of preferences when their attainment proves to be difficult. He finds many more fundamental, problematic, and less strategic violations of rational self-interest than does Frank. Elster locates the terrain of analysis of these violations of the neoclassical model in individual psychology.[6]

Amartya Sen offers a still more radical critique of neoclassical versions of rational choice theory. In a pithy example, Sen argues that individuals do not just give answers to questions that will maximize their gains.

> "Where is the railway station?" he asks me. "There," I say, pointing at the post office, "and would you please post this letter for me on the way?" "Yes," he says, determined to open the envelope and check whether it contains something valuable. (Sen, 1977: 332)

Sen argues that a good deal of our behavior is governed, not by gains maximizing goals, but by our commitment to public norms and rules. He suggests that many of our actions are neither totally egoistic (only concerned with maximizing one's own gains) nor totally nonegoistic (only concerned equally with the claims of all). Rather, according to Sen, much of our behavior is concerned with the claims of "family, friends, local committees, peer groups, and economic and social classes" (Sen, 1977: 318). Sen concludes that these concerns are at the core of rational behavior or what we have called concern for being a self including a concern for one's relationships with others. Thus, Sen concludes that, "The purely economic man is indeed close to being a social moron." Or, in his more poignant phrase, a "rational fool" (Sen, 1977: 336).

Sen's analysis is highly suggestive about the limits of neoclassically rooted rational choice theory. He does not, however, answer the question of whether some alternative rational choice model, such as one like Elster's, is needed or whether such a model itself is too limited to provide the basis for good social science explanations.

The Appeal to Methodological Individualism

Even the analyses of Elster and Sen (to the extent that the latter retains the rational choice perspective) have their problems. Many of these difficulties arise from the rooting of rational actor explanatory models on the philosophical principle of methodological individualism. Yet most authors who hold to the latter assumption merely assert methodological individualism as a first principle without argument.[7] Some couple this assertion with a claim that a denial of methodological individualism leads to mysticism or irrationality. Such, for example, is the stance of the economist Kenneth Arrow, who states: "A full characterization of each individual's behavior logically implies a knowledge of group behavior; there is nothing left out. The rejection of the organism approach to social problems has been a fairly complete, and to my mind salutary, rejection of mysticism" (Arrow, 1968: 641).

It is quite common to offer the vacuous tautology that all social entities (e.g., families, governments, bureaucracies, corporations, economies) are solely composed of individuals. Though true, this claim gains less than its advocates usually think. Certainly Marx and perhaps Hegel would agree

with this assertion. Once one accepts the importance of social relations, ideology, and complex psychological phenomena, virtually no types of explanation are excluded by invoking individualist principles.

A further problem is that Arrow's assertion offers no legitimate explanation of why social scientists should confine their reductions to individual human beings. For all individuals are composed solely of flesh and blood, organic matter, cells, nothing more or less; there is nothing left out. So why not say, as empiricists or physicalists often have, that descriptions and explanations of individual activities must be reduced to descriptions and explanations of organic matter?[8] Or to take an alternative tack, we might reduce the actions of individuals to the physiological, electrical stimuli and responses of the nervous system. And one need not stop here either. Organic matter, cells, as well as physiological processes are composed solely of physical matter and processes, ultimately reducible, not merely to molecules and atoms, but to those atomic components (no matter how hypothetical and problematic) that are currently regarded as the basic building blocks of the universe. There is nothing left out. Thus, the most popular arguments for methodological individualism provide one with no clear rationale for standing pat with a reduction to individual human beings.[9]

Among the few people who address this question explicitly are Donald Davidson (1986) and, following him, Jon Elster (1988: 22). Davidson argues that all human actions or behavior can only be described in terms of intention (Davidson, 1986: 229), an aspect of an individual's psychological state. On the one hand, Davidson maintains as a premise that psychological events "are describable, taken one by one, in physical terms, that is, they are physical events" (Davidson, 1986: 231). On the other hand, such events are not fully describable in physical terms, since they require reference to broader psychological aspects, to the "holistic character of the cognitive field," which itself has no direct correlate in physical terms.

> Any effort at increasing the accuracy and power of a theory of behaviour forces us to bring more and more of the whole system of the agent's beliefs and motives directly into account. But in inferring this system from the evidence, we necessarily impose conditions of coherence, rationality, and consistency. These conditions have no echo in physical theory, which is why we can look for no more than rough correlations between psychological and physical phenomena. (Davidson, 1986: 231).

This argument, echoed in Elster, denies that human actions can be completely described and explained by subintentional causality.

A similar type of argument, however, might be directed against methodological individualism itself—that there might be broader social entities, such as the state, families, the market, and the like, that cannot be perspicuously explained solely by references to the actions of individuals. In fact, one might argue that a full theory of human identity and personality (and our ability to predict certain aspects of individual behavior) might require a fuller reference to other individuals and the social entities to which they belong. We will in due course suggest that this is most likely the case.

Further, even if individualism were correct, how do we know which specifications of individual intentions are relevant or sufficiently concrete? If one

is attempting to provide an adequate explanation, for example, of why the 1917 Russian Revolution occurred, how do we decide which individual actions are most relevant? What importance do we give to Lenin's strategic arguments with other Bolsheviks about the insurrection? To what the tsar did the morning or the week before being deposed? How do we choose the proper framework for causal selection and weight? We will explore the import of such questions later.

First, however, we wish to discuss the characterization of the methodological debate offered by Arrow in the previous citation and emphasized by Elster. They propose a dichotomy between methodological individualism and methodological collectivism, holism, or even mysticism. This claim seems not just wrong, but highly ideological. A more nuanced epistemological and ontological view might suggest that social entities (institutions, groups, or structures) have various levels. These levels include physical, biological, mental, and emotional aspects of individuals, as well as social or relational aspects. The so-called higher levels presuppose and are based on the lower levels, with much interaction and mutual penetration (in the language of contemporary philosophy, particular levels supervene on others, without reductionism). But this more dialectical perspective does not entail holism, for instance, the claim of some British idealists and in certain writings of Bertell Oilman, that everything is highly related to and dependent on everything else. From an explanatory point of view, how important various substrates and levels are will depend on the particular question to be answered or explanandum to be assessed. In some cases, an account appealing to straightforward individual intentions (How did you get to work this morning? I drove.) will be evidently the best; at other times, such accounts will be insufficient. In many important research cases, it may be indeterminate (so far) as to which aspects or levels are most important. For example, consider the ongoing debate about the basis of some psychological diseases. Is there a chemical or physiological basis for some psychoses? Alternatively, or as a supplementary hypothesis, do any have broad social roots? To what extent in these instances are we dealing with social artifacts about "deviance," such as in cases of blaming the victim (Gilbert, 1990b; Chorover, 1975)? Sometimes analysis at the level of various aspects of the individual is relevant; sometimes larger social relationships and ideologies are central.

Methodological Individualism and Bad Social Science

We will explore three major arguments about social science explanation that undermine methodological individualism. We will refer to them as the ontological, the structural, and the epistemological.

The Ontological Argument

The ontological argument is traceable to Aristotle, who argues that humans are *zoon politikon,* that is, fundamentally political (and hence social) animals, who cannot be understood as isolated, autonomous individuals. Aristotle's ontological claim about what we might call social individuality

is also an explanatory one, focused on how to achieve the most reasonable explanation of the relevant phenomena among (potentially) competing philosophical or scientific opinions. Dispositions (what neoclassicists refer to as preferences) and the potential for moral character are themselves social products, the result of one's upbringing in a particular family, one's formal education, wider relationships, and the *polis* in which one is raised, including the laws that govern it. This social experience gives rise to individuals valuing diverse intrinsic goods (friendship, political community, science, art, contemplation, virtues, and the like) that shape ethical deliberation (i.e., substantive rationality). Within his conception of a polis, Aristotle includes culture (and what moderns think of as national character). His theory focuses primarily on two modes of social interaction: the family (which for Aristotle includes both the hearth or Gemeinschaft/biological relationships and the locus of economic activity) and the political association.

Both the skills needed to achieve one's ends and the ends themselves that one actually pursues in particular situations are a social product based on lengthy habituation. While individuals can engage in molding their character to some degree, that is, they choose to act in ways to develop the type of habits and virtues that would make one the type of person one wants to be, the range of choice is often quite restricted. Proper socialization is much more important, and, in any case, a necessary prerequisite.

Contrary to Elster's claims that suggest a complete dichotomy between either individual choice or complete social determinism, the recognition of the constraints and limits on choice does not necessarily eliminate choice. It would be foolish to think of the Aristotle of the *Nicomachean Ethics* and *Politics* as a methodological collectivist, or as a social determinist. To fully understand an individual, however, is to understand her as a social product. To ask why people act in certain ways, why Americans don't vote, why individuals commit crimes, why people divorce, why individual civil rights activists in the 1960s risked arrest, beatings, and death, is to ask social questions whose explanations and answers are not always best achieved by reducing them merely to questions about individuals.

Empiricists have long complained about the allegedly vague claims of "collectivists." But to what extent does Aristotle's argument actually conflict with individual-level analysis? Since the views, intentions, and deliberative possibilities people acquire as a result of experiences in the family and the polis are held by individuals, Aristotle's explanatory emphasis on the practical and theoretical primacy of the polis is consistent with the most compelling aspects of methodological individualism. Aristotle's theory differs from neoclassical theory mainly in its insistence on and specification of formative social experiences and in providing clear and coherent moral characterizations of the deliberators. Once Aristotle's views on natural slavery, women, and the alleged deficiencies of artisans are abandoned, his theory of deliberation is ironically internally more consistent and coheres better with a worked out, modern theory of individuality than does neoclassical preference theory (see Gilbert, 1990a: chapter one). In contrast to the asocial, exogenously determined preferences, and hence character, envisioned in neoclassical theory, and the reduction of even interactive versions of individualism, to these allegedly naturally based preferences, a contemporary

version of Aristotle's political theory would *prima facie* provide a better framework for investigating the social relationships within which individuality emerges (see Gilbert, 1990a: chapters 1, 7, for further comments along this line).

When looking at the assumptions of classical economics, Marx makes a similar argument:

> Individuals producing in a society, and hence the socially determined production of individuals, is of course the point of departure. The solitary and isolated hunter or fisherman, who serves Adam Smith and Ricardo as a starting point, is one of the unimaginative fantasies of eighteenth-century romances *a la* Robinson Crusoe.... It is, on the contrary, the anticipation of "bourgeois society,"...The individual in this society of free competition seems to be rid of natural ties, etc. which made him an appurtenance of a particular, limited aggregation of human beings in previous historical epochs. The prophets of the eighteenth century...saw this individual not as an historical result, but as a starting point of history; not as something evolving in the course of history, but posited by nature, because for them this individual was in conformity with nature, in keeping with their idea of human nature. This delusion has been characteristic of every new epoch hitherto.... But the epoch which produces this standpoint, namely that of the solitary individual is precisely the epoch of the (as yet) most highly developed social (according to this standpoint, general) relations. Man is *zoon politikon* in the most literal sense: he is not only a social animal, but an animal that can be individualized only within society. (Marx, 1970: 188–89).

The substance of the ontological argument is that the abstraction of individuals from their roots or social relationships is misplaced, missing the real issues of individuality, which have to do with particular deliberations in a definite setting over a lifetime, not with the predication that every choice is an achievement of individuality or freedom. Denying substantive rationality, views that emphasize "freedom of choice" distort the actual diversity of ethical goods (friendship, attention to the environment, political comity, and the like) that mark genuine deliberation and moral conflict. Further, certain "choices"—for instance, choosing to be enslaved—conflict with the maintenance of a free regime, individuality, or even the consumer sovereignty that neoclassicists extol. Technically, the argument for absolute freedom of choice is thus self-refuting. An Aristotelean view of social individuality contrasts with the arbitrary individualism of rational choice theory which systematically underestimates various aspects of the social relationships and social rootedness of individuals and downplays any notion of substantive rationality.[10]

The Structural Argument

A central claim of methodological individualism is that an explanation is not complete until it has micro-foundations at the level of individual human beings (see Elster, 1988: 23, as well as the previous quote from Watkins). In contrast, to the question whether micro-foundations provide a deeper level of explanation, we answer : sometimes yes, often no. Sometimes micro-explanations are useful, sometimes diversionary, besides the point, or wrong. We will emphasize two points here: First, as we suggested earlier,

many initially plausible explanations suggest structural accounts; yet, methodological individualism leads researchers to artificially exclude these very explanations from the outset, and consider only "individualist," or preference-based ones (we label this stance the a priori exclusion of alternate theories). Second, the methodological individualist insists on different levels of analysis, arguing that the reduced one—the level of individual intentions—is primary and deeper. We suggest that this perspective is often misleading. In many important cases, structural claims are primary; the specifying mechanisms, including those provided by game theory, are many times parasitic on the relevant structural explanation. Thus, the appropriate individualist explanation often follows from the structural insight rather than vice versa. Here some examples are appropriate.

The 1929 stock market crash. Much discussion has taken place since late 1929 over the origins of the Great Depression. Many see it as having been precipitated by the stock market crash on Wall Street in late 1929. What caused the crash? On the micro-level, it was precipitated when the first trader panicked and sold cheap, followed by others. Does it help us to know who these individuals were, what was on their minds, what were their reasons and intentions for panicking? Probably not. Of the standard analyses of the depression, monetarist, underconsumption, overproduction, declining rate of profit, Kindelberger's suggestion that no hegemonic international power existed, none focuses on the role of the particular individuals who actually brought about the crash, nor have analysts felt that further information about these individuals would aid in a deeper explanation.

Weber on the 1848 Berlin uprising. Max Weber (1949) discusses the difference between historical situations in which individual actions and decisions (i.e., the micro-level) are decisive for an explanation and those where they are not. In this respect he examines a number of contentions by the nineteenth-century German historian Eduard Meyer. Meyer believes that the decision of Bismarck led to the War of 1866 (Weber, 1949: 181). Without Bismarck's decision, according to Meyer, the war in all probability would not have happened. Weber does not challenge the claim that sometimes political decisions, taken by individuals, have great explanatory weight. Instead, he puts forward the following counterfactual rule in analyzing the causes of historical events:

> The assessment of the causal significance of an historical fact will begin with the posing of the following question: in the event of the exclusion of that fact from the complex of factors which are taken into account as co-determinants, or in the event of its modification in a certain direction, could the course of events, in accordance with general empirical rules, have taken a direction in any way different in any features which could be *decisive* for our interest? (Weber, 1949: 180).

By applying this rule, Weber offers a "non-micro" analysis of the causes of the February Berlin workers' uprising, which triggered the 1848 German revolution. The micro-explanation and narrative sequence for the Berlin uprising are, according to Weber, as follows: a crowd assembles, soldiers appear, two shots are fired by the troops, rumors spread throughout the city that peaceful demonstrators are being killed, the revolution begins. But, the

particular sequence of events was not that causally significant. According to Weber, the grievances were such, the degree of social unrest so high, that a wide variety of incidents could have triggered the revolution. A deeper causal analysis thus would look at the broader social and structural features of German society and politics before March of 1848. A micro-explanation would at best be secondary and at worst be diversionary.

Capitalist development. Marx gives a structural analysis of the dynamics of capitalism. He argues that the system compels individual capitalists and firms to attempt to maximize profits, to increase their production, to search for broader markets on pain of extinction. Capitalists are in a life and death struggle with other capitalists. Although there may be respites and truces, each capitalist tries to gain a greater share of the market, to produce his or her product more cheaply. Capitalists must also try to lower labor costs, both by technical innovation and by getting more work for less money out of their laborers. Individual capitalists like Robert Owen who try to treat their employees humanely, to pay them much more, or not to compete with other capitalists on the world market are irrelevant to capitalist development. Either they occupy a small niche which takes up a decreasing share of production and the market or they are simply driven out of business as unprofitable producers. Either way, the particular motives of individual capitalists, aside from the compunction they feel to maximize profits, are largely irrelevant. Thus, capitalism as a system cannot be understood at its deepest level at the micro-level. It must be understood structurally.

The development of the African-American freedom movement. There is a vast literature on the development of the civil rights movement in this country in the 1950s and 1960s. Among the important questions that have concerned investigators are two types: (1) What caused the existence of the patterns of racial discrimination that existed before they were challenged by the movement? Why was this discrimination so draconian, especially in the South? (2) How did the movement for social equality develop? Why was it successful in undermining many of the barriers to social and political equality?

The most insightful analysts have focused on a number of structural factors which they claim explain the existence and strength of the system of white supremacy. In turn, they argue that it was the weakening of these factors that allowed for the possibility of the system's defeat, if not its elimination. These commentators point to the importance of cotton to the southern economy for much of the nation's history, and of the need of southern planters to maintain a cheap, coerced supply of agricultural labor. While racism developed a life of its own, while all classes of whites participated in sustaining and enforcing the system of white supremacy, it was the economic interests of southern planters and their control of southern politics—and hence their influence in the Democratic party and Congress—which was its bedrock (DuBois; Key, 1984; Bloom, 1987; Piven and Cloward, 1979; MacAdam; Greenberg, 1980).

Thus, it was the changing economic environment which provided the crucial context for the success of the civil rights movement. As Piven and Cloward state succinctly, "political modernization in the South followed from economic modernization" (1979: 182). Several important economic changes had taken place in the South in the decades before the 1950s: there was a

decrease in the importance of cotton within the southern economy, especially after the 1930s; combined with this trend, mechanization had diminished the importance of agricultural labor; other important economic sectors developed that may have supported and benefited from segregation, but whose survival did not require it.

Second, a number of external factors emerged which raised the cost of the system of white supremacy for those outside the South: the increasing numbers of northern African Americans, particularly in large cities in large industrial states, pushed many Democratic party politicians to become more forceful in demanding civil rights for blacks, creating something of a crisis within the Democratic party; after World War II, the moral (and hence political and economic) costs of the system of racial discrimination increased within the world arena in which the United States was attempting to play a leading role in the conflict with the Soviet bloc. Finally, the increased urbanization of the African-American population in the South gave greater independence and strength to organizations within the black community, especially the black church.

Now certain of the factors might be reduced to and analyzed in terms of individual decision making, although in many cases this would not be very illuminating. Even in those cases most illuminated by discussions of decisions and individual actions, an exclusive focus on rational choice can lead one in the wrong direction. In a recent book, for example, Dennis Chong focuses on how individuals decide to participate and "how these individual decisions translate into collective outcomes?" (1991: 1). Despite a number of interesting insights about collective action and civil rights tactics, his analysis is obtuse to the broader context which other writers have seen as crucial. Further, his insistence on formulating all questions of group action in terms of rational choice logic leads him at times to do violence to social reality. An example is the following claim:

> In the civil rights movement, membership in the NAACP (National Association for the Advancement of Colored People) during its formative years brought solidarity and financial rewards. Association meetings gave middle-class blacks an opportunity to socialize and provided a convenient forum in which black professionals could advertise their services to prospective clients.... Clearly if the value of these incentives exceeds the cost of membership, then it is in the self-interest of the rational individual to join. (31–32)

Which clearly misses the striking fact, confirmed by numerous empirical accounts, that even NAACP membership in the deep south during the 1950s carried with it the risk of violence and death.

Finding the Best Explanation

Returning to the empiricist's worry, we may note that these two types of explanation, structural and methodological individualist, are not, as Weber's account suggests, mutually exclusive. Rather the question of which level is primary or not can only be determined by empirical examination of a particular question, not by a priori stricture. Sometimes a reduction to the level of individual decisions helps get at the fundamental explanation. Thus,

Bismarck's calculated belligerence in initiating the war of 1866 may be decisive. Often such a reduction is a useful analytic exercise that helps one identify more important causal structures. But the role of Bismarckian statesmanship might conceivably be said to arise from political *possibilities* determined by German capitalist development, the tradition of Junker militarism, the failure of the revolution of 1848, and specific social features of rival European powers. To appeal to his decision and character in explaining fundamental choices about war and peace presupposes a structural account and is not necessarily "reduction" to individual preferences. Rather, this appeal answers a specific well-formulated structural question about possibilities. Thus, from an explanatory standpoint, Bismarck's preferences for Fruhstuck the morning of the invasion are probably not as important as his penchant for conquest. Similarly, whether Bismarck made his calculations five months, five minutes, or four minutes and fifty-three seconds before—Elster's suggestion that the more specific the information, the better the explanation, notwithstanding—is probably misguided (Elster, 1985). Thus, the individualist standpoint can sometimes divert from or obfuscate important questions and relevant responses.

In what is probably the most careful study of levels of explanation, Alan Garfinkel (1981) puts forward the following criterion for whether a reduction is successful:

> [O]ne realm of discourse is reducible to another if the reduction theory gives us all the explanatory power of the theory being reduced. This gives us a criterion for assessing a reduction. Look at the explanations that are possible in one realm of discourse and see whether we can explain the same phenomena in the other. If we can, the reduction is successful. (Garfinkel, 1981: 50)

Garfinkel proposes a notion of redundant causality in looking at ecological systems. He considers a system that contains rabbits and their predators, foxes (something like an isolated forest). When the level of rabbits is high, the foxes find plenty to eat and have a high survival rate. As the fox population grows, it tends to diminish the rabbit population, thus providing less food for foxes. The foxes then diminish in number, giving the rabbits a chance to prosper. When the fox population is high, the likelihood of an individual rabbit being caught and eaten is great. Thus, it would be reasonable to say that the cause of the death of a particular rabbit was the density of the fox population. The less illuminating micro-explanation would simply be that the rabbit passed through the capture space of a particular fox. Garfinkel concludes: "The problem of reductionism is therefore: Do micro-explanations such as this enable us to dispense with macro-explanations?" Garfinkel concludes that they do not. "The micro-explanation, therefore, contains much that is irrelevant to why the rabbit got eaten and does not really answer that question at all" (p. 56). Thus, the search for micro-explanations and the assumption that they are always superior, "deeper," more fundamental, is misguided. The rabbit could have died in numerous ways. As with the stock market crash and the Berlin workers' uprising, we have a case of *redundant* causality. When redundant causality operates, the actual cause at the micro-level will be inadequate to explain the deeper cause located at the macro-level. The error of always searching for the explanation at the micro-level,

Garfinkel labels *hyperspecificity* or *hyperconcreteness*. The micro-reduction gives us a false sense of the sensitivity of the situation to perturbations at the micro-level (Garfinkel, 1981: 62). Garfinkel concludes that the best way to test whether a structural property exists, requiring a macro-explanation over and above or independent from the micro-explanation, is to pose a counterfactual question. If the micro-situation had been different—if the rabbit had not been at place x at time t—would the outcome have been different (would it necessarily have avoided being eaten)? "Whenever a global property is not simply the sum of N individual properties...the explanation of that global property will involve [structural] presuppositions" (Garfinkel, 1981: 72). In such cases, from the outset, theorists will need a different level of analysis, a structural one, to highlight the important issues. Thus, the methodological individualist assertion that the deepest explanations are never structural, that a micro-explanation is always superior is false.

The Epistemological Argument

In philosophy of science over the past twenty-five years, the empiricist arguments that underpin methodological individualism, for example, Popper's and Watkins', and that survive in today's political science and economic literature, have been largely discredited. Neo-Kantian and realist historians and philosophers of science have underlined the importance of contending theories in research design. Scientific investigation does not progress, as political science empiricists have it, through gathering data (observations) and constructing single hypotheses ("theory building") that are then tested against "the data." Rather the data to be explained are shaped by the questions characteristic of a branch of scientific investigation as it begins to mature or "become internalized" (Shapere, 1984). The important questions that guide research are determined by plausible, fairly stated, competing theories or hunches (usually no more than two) which specify the relevant "theory-saturated" observations or what empiricists sometimes call "crucial experiments." The choice among contending theories occurs not by deduction but by what Gilbert Harman (1965) calls "inductive inference to the best explanation" across a range of important cases. Thus, a complex theoretical conversation occurs in a given field to get the best (most refined) statement of the relevant alternatives and assess them across a range of important cases. On this view, Darwin's *Origins of Species*, which takes the examples most favorable to creationism, including the complexity and beauty of the human eye, explores novel evidence, and provides case by case reasons for the superiority of natural selection, is a paradigm; yet empiricist or Popperian reconstructions often allege Darwin's view to be a borderline case of science or even unscientific. For despite its great explanatory power, it provides no direct predictions of new species.

In recent years, sophisticated empiricists or falsificationists (Imre Lakatos, for example) have acknowledged the central role of conflicts of theory and the complexity of scientific research. Thus, Lakatos suggests that the progressiveness or degeneracy of a whole theoretical research program, including the relevant auxiliary statements, must be assessed against others; that no

theory gets falsified merely by a particular factual counterexample (Lakatos, 1970; Shapere, 1984; Boyd, 1984; Gilbert, 1984, 1990a). That these controversies have been unexamined in political science methodology is an interesting anomaly.[11]

This approach, exhibited in recent philosophy of science discussions, allows us to reinterpret and assimilate the grain of truth in methodological individualism. What it will not allow is the easy dismissal of broader types of explanations by "rational choice Marxists" and others who often pick extremely weak examples to criticize. The object of attack is often a type of inappropriate and crude functionalism, for example, that capitalists supposedly always get their way under capitalism even when one cannot imagine any mechanism for their doing so, or that even protests against the system, including militant strikes, somehow are functional in strengthening the capitalist system. We certainly agree that such crude examples should be ruled out. No philosophical or scientific progress is ever made, however, by concentrating one's arguments on the weakest examples and formulations of one's opponents. Such examples can be ruled out by following the simpler, *a posteriori* criterion or research guideline suggested by Gilbert (1990a: 234–35): Given the relevant contest of theories in a field, place a low research priority on badly stated, empirically implausible, theoretically uninteresting hypotheses.

The *a priori* exclusion of theoretical alternatives leads to bad social science, because of its harmful effects on the refinement of major theoretical alternatives. An example from recent literature may clarify the distinction between controversial explanatory individualist proposals and misguided philosophical individualism. A major question for those political scientists who analyze voting behavior is explaining why some people vote, why others do not, and what determines the proportions of each. The rational choice tradition tends to begin with neoclassical assumptions, looking at the costs and benefits that accrue to individual voters (explanatory individualism). Much discussion starts with Downs' model (1957). Downs argues that the likelihood of an individual's vote influencing an election outcome is infinitesimal, at least above a certain minimal number of votes (say, several thousand), for those voting in congressional, senate, and presidential elections. Thus, the benefits that one gains from seeing one's candidate win are unlikely to be affected by whether or not one votes. On the other hand, there are certain costs to voting which are real, minimally the time and energy it takes to vote. Thus, the narrow calculus of voting shows it to be an irrational and therefore unlikely act, not in anyone's self-interest. Yet many people do vote.

Thus, the analysis of voting which focuses on individual decision making must supplement the simple model by other supposed interests or concerns that a voter might have. Riker and Ordeshook (1968) propose a whole list of additional individual "satisfactions" from "affirming allegiance to the political system" to "affirming one's efficacy in the political system" (1968: 28). Ferejohn and Fiorina (1974), unhappy with these considerations, propose a new calculus of "minimax regret" as an alternative to utility maximization: A voter supposedly casts her ballot to minimize the feeling of utter despair she would feel if she did not vote and her candidate lost by a single vote.

Hardin (1982) and Uhlaner (1989) both propose additional criteria, ever farther removed from the Downsian neoclassical paradigm. Hardin (1982: 108–109) suggests that people often participate in collective actions from elections to "world-shaping historical events" out of "the desire to be there, to take part in history, to...develop through participation." Uhlaner argues that participation brings individuals "relational goods," goods that allow one to be accepted and recognized as a member of a group and to "reaffirm my sense of self" (1989: 258). While we believe that Hardin and Uhlaner's arguments move in the right direction, their proposals probably fit more easily with a paradigm other than rational choice, for instance, a more robust psychological and sociological conception of individuality.

We do not maintain, however, that even the neoclassical models of voting based on individual decision making are completely uninformative. Quite the contrary. After discussing the various costs of voting, Downs argues:

> At first glance, all these costs may appear trivial, and biases in ability to bear them seem irrelevant. However, the returns from voting are usually so low that tiny variations in its costs may have tremendous effects on the distribution of political power. This fact explains why such simple devices as holding elections on holidays, keeping polls open late, repealing small poll taxes, and providing free rides to the polls may strikingly affect election results. (Downs, 1957: 266)

Downs' analysis also provides the basis for understanding why changes in the weather (e.g., a warm and sunny day versus a cold and rainy one) have such a large effect on election turnout, allowing us to pinpoint anti-democratic features of American electoral laws.

Within political science, there is an alternative tradition of explanation of voting behavior that does not take the preferences of individuals or the framework of choice as fixed, but sees them as the main object of study. This tradition looks at the election process in comparative and historical perspective. While perhaps complementary, it implicitly claims to provide deeper explanations for turnout rates in the United States than the individual-level analysis.

Walter Dean Burnham (1982), whose work along with that of V. O. Key, exemplifies this approach, begins with three aspects of voting in the United States: (1) the decline in turnout in the United States over the last century; (2) the low percentage of voter turnout compared to Western Europe at the present time; (3) the class skew of nonvoting (i.e., nonvoting is highest among the lower classes) in the United States, a skew that does *not* exist in Western Europe.

Burnham, along with Piven and Cloward (1988), attributes these factors in part to the greater difficulties in registering to vote in the United States—largely obstacles to working-class voting. Burnham, following Hartz, also argues that there is an *"uncontested hegemony"* in the United States about "the nature of the political economy, the organization of the political system, and the role of religion in public life which was and is quite absent in any European context, even the British" (1982: 117). In contrast to Hartz, however, who glorifies this situation, Burnham sees it as an unfortunate consequence of the lack of an influential labor, social-democratic, socialist, or communist party in the United States, that is, a class-based party to rep-

resent working-class people; this absence diminishes the political efficacy of lower-class voters.

> *The structure of political choices offered the electorate in the United States, and the major decisions made by political elites, have together produced more and more baffled ineffective citizens who believe that chance rules their world.* This not only implies the long-term paralysis of democracy, but also a rapid speed-up of this paralysis in the most recent period of history. (134)

Now it might seem that rational choice analysts could try to assimilate the insights of Burnham and Piven and Cloward into their standard individual decision-making model of voting. But even this attempt would make the abstract rational choice model *parasitic* on the comparative class theory to which Burnham appeals. It would make the rational choice model explanatorily interesting *only* by conceding that another theory—one focusing on social relationships—is in fact an inference to the best explanation. For the latter looks at the American pattern voting and nonvoting as the result of a lengthy historical collective action problem faced by lower class voters. Thus, voting (along with political party activity, union membership and activism, company bowling leagues, and other forms of working-class group participation) is not best seen as the product of decisions of isolated individuals. Rather, one must look historically at how group identities and allegiances have been forged, the ties, commitments, obligations, expectations, patterns of activity, habits, and ways of life that have developed among various classes and substrata. In particular, we may rightly explain voting participation and nonparticipation as a product of the undeveloped state of working-class consciousness and organization in comparison to that in Western Europe, a result of the working-class organizational fragmentation and the "uncontested hegemony" pinpointed by Burnham. Following a group rational actor model, we might then view voting as part of a much broader collective action problem.

Burnham's argument about the stifling of political alternatives may be supplemented by looking at the rich historical literature. Mention might be made of the frequent emergence of incipient radical movements in American history and of the extent and comparative effectiveness of political repression of these movements: from the 1919 Palmer Raids against the Industrial Workers of the World and the fledgling Communist party to the post-World War II expulsion of eleven Communist-led unions, the firing and blacklisting of thousands of rank-and-file union organizers and others, including academics during the McCarthy period (Goldstein, 1978; Schrecker, 1986). An even broader explanation might appeal to historical factors in the United States that have held back the development of working-class political alternatives: the special intensity of racial and ethnic divisions among working people; the strategic decisions of communists, radicals, and labor activists at critical junctures, particularly during the 1930s; the overwhelming hegemony of the U.S. economy in the post-World War II period (Goldfield, 1990b; Prickett, 1975). The importance of radical strategic decisions, especially during the 1930s, arises, as in the case of Bismarck, in a particular structural-political context of possibilities. The theory-governed, comparative, historical, structural line of argument appears richer in examining these questions than the more abstract, "universal" analysis of costs and

benefits to every individual. Much of the tenor of post-World War II social science in the United States, at least until recently, has refused to assess or even acknowledge the evidence for alternative perspectives. Despite the considerable merits of particular neoclassical studies, adherence to methodological individualism as an *a priori* dogma has legitimized the exclusion of alternative explanations, particularly radical ones, from consideration by otherwise fair-minded researchers.[12]

In sum, we argue that individualist explanatory proposals should remain an important pole in research and debate in the contemporary social sciences. We also argue that the exclusive focus on such explanations, the methodological individualist banning of alternative explanatory perspectives, necessarily leads to bad social science.

Conclusion

In summary, we have argued:

1. Neoclassical versions of rational choice theory run into severe problems, in good part because of the narrow, egoistic assumptions they make about human behavior. These assumptions often diverge dramatically from real human conduct, thus making neoclassical models unable to account for important social phenomena.
2. Most of the criticisms of neoclassical rational choice theory, for instance, those offered by Frank, Elster, and perhaps Sen, maintain a good deal of the basic neoclassical framework and are legitimized by appeal to methodological individualism. Elster's willingness, however, to examine phenomena that are difficult to explain within the rational choice framework has led him to abandon many of the positions for which he is best known.
3. Most rational choice proponents assert methodological individualism, providing little argument. On those rare instances when arguments are given, they are weak and often besides the point.
4. Proponents of rational choice wrongly conflate philosophical, explanatory, and moral individualisms. But there is no necessary connection between explanatory rational actor models and philosophical individualism.
5. Ontologically, social entities are often constitutive of individuals (and, of course, vice versa, as methodological individualists often claim). The importance of that ontology is revealed by the best explanations of important phenomena, historically, as Marx argues, and in the life of the individual, as Aristotle claims, and in the formation of preferences, by the role of social norms and group welfare, as Sen suggests.
6. Philosophical methodological individualism often rejects *a priori* comparatively plausible, and upon examination, deep explanations for those social activities where causal redundancy exists. In those cases, structural causes play a central role in explanation; individualist arguments often take the slippery slope to irrelevant hyperconcreteness.
7. An epistemological criterion that emphasizes the importance of fairly stated, competing theories in guiding scientific research can exclude the same bad arguments that methodological individualism wishes to exclude. In contrast to methodological individualism, however, it ensures the fair and courteous consideration of plausible alternatives.

8. Our arguments cast doubt on the currently popular claims of rational choice theory to be a superior overall framework to all other alternatives for analyzing politics scientifically. The argument, however, leaves room for interest in much rational choice research, either individual or collective, where proponents advance more modest claims.

Notes

1. The term, of course, encompasses a diverse range of orientations. Here, we include those views that refer to themselves as rational expectations, rational politics, rational choice, and rational actor theories, including many aspects of strategic, individual-based analysis.
2. One of the few "rational choice" theorists who rejects the primacy of rational choice explanations over other types of explanation is Michael Taylor (1987, 1988), making him virtually unique among adherents. Our criticisms do not, of course, apply to his work. It is important to note that he is an exception in this respect who stands alone.
3. Ordeshook (1986) and Elster (1982, 1985) state this principle explicitly. Interestingly, Becker (1976) is less committed to methodological individualism since he is willing to look at the preferences and maximizing behaviors of firms, households, unions, government bureaus, and even nations, without reducing these activities to those of individuals.
4. While many practitioners insist on the element of conscious choice, a few economists such as Becker feel that it is only necessary to assume that people act as if they were making such choices.
5. Becker's explanation, of course, suggests that production of children is centrally linked to their monetary value to a family. A deeper and subtler explanation of these phenomena, however, might focus on the dynamic of gender roles and different forms of domination within marriage as well as the competing aspects of self-realization versus status achievement outside the home. This point is linked to what we call below the ontological criticism of methodological individualism.
6. Elster's early work (1986, 1987, 1988) has provided the entry into rational choice theory for many political scientists, and it is thus on this work that we concentrate. In more recent writings, however, Elster has abandoned many of the arguments for which he is best known.
7. Levins and Lewontin (1984: 1) give some suggestions about why this might be the case.
8. Ironically, sociobiologists like E. O. Wilson claim that social science can only be scientific when based on biology. This view was responsible for part of the organization of the National Science Foundation until recently, as the social sciences were a subset of biology, to the funding detriment of the former.
9. We find it especially ironic for a view that styles itself in being empiricist that it rejects other arguments and perspectives without empirical examination. Thus, we find its practitioners engaging in the *a priori* exclusion of alternative theories.
10. For a discussion of modern liberal and radical views of social individuality focused on Montesquieu, Hegel, and Marx, see Gilbert, 1990a: chapter one. For examples of similar issues that focus on the labor movement, see Goldfield, 1989b: *im passim* and especially pp. 160–62.
11. For exceptions, see the arguments in Goldfield (1989b, 1990b) about the importance of testing and comparing alternative theories about the causes of the passage of New Deal labor legislation. See also Gilbert (1990a: chapter 3).

12. It should, of course, be emphasized, in contrast to those who assert its value neutrality, that methodological individualism was popularized by Popper and Watkins as a principle that would specifically exclude Marxism and other radical approaches.

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The Study of African-American Politics as Social Danger: Clues from the Disciplinary Journals

Hanes Walton, Jr.
Joseph P. McCormick, II

University of Michigan
Howard University

In the mid-1980s, Professor Ernest Wilson III noted that political science, compared to the sister disciplines of sociology and history, has failed to generate sustained interest and scholarly breakthrough in the study of black life. There is a disciplinary mismatch between the central substantive concerns and current methodological orientations of the discipline and the most salient and interesting features of Afro-American political life.[1]

Prior to Professor Wilson's observation, Professor Jewel Presage raised the issue as well. She argued, "Political scientists in general have simply failed to adequately illuminate those aspects of politics that are of most interest to America's out-groups."[2] She stated that the field was not "responsive to the needs and aspirations with which [blacks] identify," and the problems for which they need solutions.[3]

Even earlier, in the 1970s, Professor Samuel DuBois Cook asserted, "The problem is, therefore, fundamental. For often the very categories and presuppositions of political science itself are psychologically, institutionally, and methodologically rigged—so cleverly that the uncomfortable realities of the black experience are made invisible, insignificant, or nonexistent."[4]

African-American political scientists have been aware of this inadequacy in the political science discipline for years, and although over time scholars have made the same observations, the discipline and most of its members continue to ignore the realities. For example, the first volume of the overview assessment, *Political Science: The State of the Discipline*, published by the Political Science Association in 1983, does not include any discussion of African-American politics.[5] In the recent 1993 reference book, *Ameri-*

can Political Scientists: A Dictionary, only three African Americans are mentioned in the entire volume (Charles V. Hamilton, Matthew Holden, and Lucius Barker) and the subfield of African-American politics is omitted altogether.[6]

In the past, several academic observers have offered insight about this continuing phenomenon, but none have developed a coherent and systematic theory as to its nature, and then used empirical data either to test the theory or provide some empirical support for the theory. Finally, there has been no interpretation of the evidence of this phenomenon in such a way as to provide recommendations for rectifying the situation.

The essential question remains: Why have political scientists in general and the discipline as a whole not studied race and the African-American political experience in a comprehensive and systematic way? The purpose of this article is to explore at the theoretical, empirical, and interpretive levels, the nature, scope, and significance of this recurrent phenomena by examining the articles presented in two of the oldest disciplinary journals: *The Political Science Quarterly* and *The American Political Science Review,* from 1886 through 1990 and 1906 through 1990, respectively.

We use the thematic concept of "social danger" to guide, organize, and analyze our data. Although we cannot completely test our concept in terms of the political behavioralist approach, we can find some empirical support for the concept and some patterns in the data to undergird our interpretations and recommendations for the discipline.

Theory: The Social Danger Concept

We suggest that some political scientists do not study race and the African-American political experience because they see such research efforts as a form of social danger. One of the few white scholars to talk openly about this social danger reality is historian Patrick Washburn. In the preface to his book, *A Question of Sedition: The Federal Government's Investigation of the Black Press During World War II,* Washburn wrote:

> And so a white Southerner, who virtually had never been around blacks until he was in graduate school, launched on what many considered an unlikely research topic. My mother, my relatives, and my friends, kept asking the same questions: why are you writing about the black press? Isn't there something else more important?...I would explain...[that] it is the search for knowledge and the belief that their findings will be important that drive historians, *not the fact that they are researching a subject the public finds socially acceptable.*[7]

Washburn speaks to what black scholars have always known. The study of the black experience is seen by the larger culture as socially unacceptable and therefore socially dangerous.

To begin our conceptual definition it must be understood that fear has three components: personal, political, and professional. The first component, personal fear, is rooted in the political scientist's own need for approval. Washburn asserts that scholars are driven by the importance of the subject, rather than by the responses of their public. What his statement

suggests, though, is that scholars will perhaps be opposed by members of their own families, or their friends, and frequently their professional colleagues because their area of scholarship is deemed unworthy of scrutiny. Scholars must overcome any personal fear they might have about not receiving approval for their scholarly endeavor of choice.

The second component, the political fear, centers on the political scientist's awareness that to examine the African-American political experience, and to examine the issue of race, is to become in most instances either a critic of or an apologist for the government's role in the subordination and domination of African Americans. "Serious students of politics avoided the subject instinctively. Avoidance was much the better part of valor." Samuel D. Cook explains further:

> Unconsciously no doubt, American political science, despite its heavy emphasis on empiricism, behavioralism, and realism, has not done justice to the harsh treatment of the black political experience. It has been guided by categories, perceptions, interpretations, and applications which have not reflected the unsavory facts surrounding the status of blacks within the political system. These frames of meaning are not in themselves racist, they are, rather, tacit and unwitting vehicles of racism because of the manner of conceptualization and application.[8]

By excluding or omitting the black political experience, a political scientist adopts a noncritical stance toward the political system. The very tools of the political scientist's craft are not used to describe and fully analyze the political processes and experiences. The third component, the professional fear, revolves around the political scientist's understanding of the risks involved in researching and writing about the African-American political experience, which is considered to be marginal. With the exception of Harold Gosnell, great and near-great political scientists have not studied race or African-American politics.[9] Doing so can result in fewer academic opportunities, lowered professional standing, and greater difficulty in obtaining grants and awards. With one lone current exception, the major prizes and awards have not gone to the individuals who have studied race and/or African-American politics. Recently, the work by Edward Carmines and James Stimson, *Issue Evolution: Race and the Transformation of American Politics*, won the Woodrow Wilson best book award. Yet, even these authors denied in the preface that they were studying race.[10]

Our conceptual definition of social danger encompasses the notion of fear that is derived from social, political, and/or career-based realities and which is rooted in the complex nature of race in this society. Due to this perceived social danger, political scientists and the discipline itself refrain from the study of race and African-American politics, with the major exception of those works dealing with improving and/or trying to improve race relation politics in the nation.

Now the questions is: Does this theory have some empirical bases in fact? Is there some factual support for such a thesis as social danger? At minimum our data base ought to provide us with some clues about the realities, either positively or negatively.

Data

Given that race has been an important issue in American society since the 1619 arrival of African Americans as slaves, the publishing history of political science journals was of paramount importance in our choice of journals. Using this criterion, we chose to examine the two oldest disciplinary journals: *The Political Science Quarterly*, which began publishing in 1886, analyzing 105 years (1886–1990) of coverage; and *The American Political Science Review*, which began publishing in 1906, providing 85 years (1906–1990) of coverage.[11] The mean for the two journals is 95 years of continued existence.

The second criterion was that the selected journals be *national* in scope and focus, broad-based, and judiciously balanced. Of the large number of political science journals, several are very specialized and/or regional in scope.[12] However, our selection of journals was guided by dual realities. A majority of the African-American population has been geographically located in the South. This has led many, in both the lay and academic communities, to consider the race problem as simply a regional one, but the politics of race has always had national implications and consequences. Along with this regional focus has been the view that Southerners had the best solutions to the problem. These two factors have inevitably led to a regional bias in analyzing the politics of race. To lessen this probable regional bias and approach, we favored national journals.

Both journals selected fit the two main criteria of time and scope. They provide a rich data base from which to gather empirical evidence to answer the questions that drive this research. We analyze a century of articles to construct a picture of how the discipline—via two of its journals—has dealt with the subject of race.

Methodology

We began with a systematic, chronological search through each volume of the selected journals to determine the number of single-focus and multi-foci articles that dealt with African Americans in the political system. We counted as single-focus articles those works devoted exclusively to African Americans.[13] Multi-foci works were those that treated African Americans in conjunction with other groups, institutions, or organizations, but devoted *at least* three lines totally to African Americans.[14] There are two potential findings regarding disciplinary attention to African-American politics: either the disciplinary journals did or did not address this issue. Our content analysis confirmed the former expectation. The fifty-four single-focus articles (twenty-seven in each journal—see Table 1) are then categorized topically, that is, in terms of the specific subject rather than what they merely touch upon.

Substantive Analysis of the Journal Articles

Given the complex and controversial nature of the politics of race in America as reflected in historical facts like slavery, segregation, and institu-

Table 1
The Quantity of Data on Race and Politics in the Two Political Science Journals: 1886–1990

Journal	Total # Articles	Articles	
		Single-Focus	Multi-Foci
The Quarterly	2,474	27 (1%)	33 (1%)
The Review	3,683	27 (1%)	41 (1%)

Source: The Political Science Quarterly (The Quarterly), 1996–1990; and *The American Political Science Review (The Review)*, 1906–1990.

tionalized racism, we might expect these issues to be prominent disciplinary research foci. They were not, as our findings on the small number of articles published on African-American politics reveal.

To discern what patterns and relationships emerge from the data we categorize the articles by substantive research focus. Due to the diverse and diffuse nature of the multi-foci articles, we concentrate exclusively on the single-focus articles. We analyze each journal separately and then provide an overall summary.

Political Science Quarterly Articles

When the twenty-seven single focus articles in *The Quarterly* are grouped by substantive foci, six clearly distinct topical categories emerge, as revealed in Table 2. Articles on slavery make up one-fourth of the total. Suffrage and political participation essays comprise one-fifth of the essays. Segregation essays constitute about 15 percent of the articles. School desegregation and public policy each had 7.4 percent of the articles.

Table 2
The Number and of Percentage of Articles on African Americans by Topical Categories in *The Quarterly*, 1886–1990.

Topical Category	Number of Articles	% of Total
Slavery	7	25.9
Suffrage	5	18.5
Political Participation (Protest and Electoral)	5	18.5
Segregation	4	14.8
School Desegregation	2	7.4
Public Policy	2	7.4
Other*	2	7.4
Total	27	99.9

* One article dealt with the issue of Negro labor (1933). The other dealt with black images in the movies before 1915 (1973).

Source: The Political Science Quarterly (1886–1990).

Slavery

All seven articles on slavery justify the institution. Two deal with the institution in early Texas (1898), and two, written by an apologist for the institution, U. B. Phillips,[15] consider the cost (1905) and existence of slavery in Charleston, South Carolina (1907). One article deals with the Spanish claims arising from a ship, *The Amistad*, which was captured by slave rebels and piloted to American waters.[16] Another addresses the relationship of skin color to the global slave trade (1968). Finally, one focuses on peonage, which replaced slavery as a labor system.

Suffrage

The suffrage articles are all in the historicist mold and advocate remedies for past discrimination and inequality. Three of the articles concern voting prior to the Civil War.[17] Two of these pre-Civil War articles deal with free African-American voting in New York.[18]

One of the New York focused articles[19] confronts the failure of New York State to remove voting restrictions in 1846 that were placed on African Americans in 1811. This article is a reaction to some of the errors found in an earlier article. A third suffrage article is a comprehensive survey of where African Americans could vote from the revolutionary era through the post-Reconstruction period.[20] The fourth article updates the third article and looks specifically at how the state of Tennessee in the post-Reconstruction era sought to restrict and limit the African-American vote through statutory laws.[21] The final article in the suffrage category analyzes registration drives and turnout in Harlem during the post-Voting Rights Act era.[22]

Political Participation

African-American political participation is the third substantive focus. Two of the three articles in this category address the urban riots and police behavior in the 1960s,[23] while the third looks at African-American efforts to win statewide political office.[24] One of the two articles looks at the transition from protest to political activity as launched by the Black Power era.[25] The second article expresses the Republican party's efforts in the latter seventies to build a coalition with African-American voters.[26] Clearly, the articles in this category represent a shift in attention from African-American protest to electoral participation.

Segregation

The articles grouped under the segregation category deal less with the moral or legal issue of segregation and more with the inability of African Americans to change the system of segregation. The initial *Quarterly* article offers justification for the system of segregation in eastern Georgia. A subsequent article looks at how President Woodrow Wilson segregated Washington, D.C., and the federal bureaucracy, but attributes the president's success to the shortcomings of the African-American protest movement.[27] The final

essay in this category explores the issue of racial caste in the entire western hemisphere.

School Desegregation

Two articles on school desegregation, both critical of its impact, comprise the fifth category. One deals with the issue twenty years after the *Brown v. The Board of Education Decision*, while the second looks at how school desegregation causes white flight.

Public Policy

Charles V. Hamilton, an African-American political scientist, wrote both articles in the public policy category. These articles, in the progressive and historicist vein, treat welfare policy and politics in New York City and the nation as a whole.

Other

The final category consists of two articles. One, written by an African-American economics professor, addresses the relationship of the southern Negro to the nation's labor supply pool.[28] The second article explains the way Hollywood depicted African Americans before the 1915 film *Birth of a Nation*.[29]

American Political Science Review Articles

The twenty-seven articles in *The Review* fall into five topical categories, four common to *The Quarterly* articles. As Table 3 reveals, the suffrage and the political participation categories dominate. The nineteen articles of these two categories constitute a full 70 percent of the scholarship dealing with African Americans. Clearly, African-American political experiences have attracted the attention of political scientists over the entire eighty-five years of *The Review's* existence.

Table 3
The Number and Percentage of Articles on African Americans by Topical Categories in *The Review* 1906–1990

Topical Category	Number of Articles	% of Total
Suffrage	10	37.0
Political Participation (Protest and Electoral)	9	33.3
Political Belief and Ideology	3	11.1
Constitutional Law	2	7.4
School Desegregation	2	7.4
Public Policy	1	3.7
Total	27	99.9

Source: The American Political Science Review (1906–1990).

Suffrage

The ten suffrage articles represent the behavioral thrust applied to the African-American political experience.[30] The authors tried to discern the relationship between three variables—fear, apathy, and discrimination—and African-American electoral participation. There was disagreement. Overall, the ten articles examined: (1) the south (three states—Texas, Louisiana, and Mississippi); and (2) suffrage barriers, which included the poll tax, white primaries, and the lack of constitutional protection. Of the suffrage articles, one appeared in the premier issue of *The Review* and analyzed the right of African Americans to vote. Its author, concluded that only God could assist the Negro in the full exercise of this constitutional right.[31] A second article, "Negro Registration in Louisiana," appeared just as the behavioral movement was taking root in the discipline.[32] It explored demographic reasons for the great discrepancy between Negro and white registration in Louisiana after the *Smith v. Allwright Decision*. The authors concluded that Catholicism was a key explanatory variable.

By the early 1960s, the behavioralists were beginning to bring the African-American political experience under their microscope. The final two articles appeared in the 1963 volume of *The Review.* One looked at the relationship of socioeconomic variables to Negro registration. The other addressed the relationship of political factors to Negro registration. Both articles looked at the entire south instead of one state. The research for these articles was largely funded by governmental and foundation research grants.

The six articles that supported equality as a political goal included an article that examined how the poll tax affected African-American voting in Texas.[33] It pointed out the weakness inherent in the arguments and practices in the eight southern states that had a poll tax requirement. A second article looked at the collapse of the white primary in the south after the famous *Smith v. Allwright* ruling that such a voting requirement was unconstitutional.[34] Another suffrage article appeared in the same issue.[35] It is a factually informative and spirited essay that discusses African-American voting in Texas. The state-specific focus resurfaced in 1973 when an article on registration and voting in Mississippi appeared. This article generated both a comment and rejoinder essay.[36]

Political Participation

The majority of the nine articles in the second largest category of *Review* articles probed African-American political participation at the individual or group, rather than institutional level. Despite their empirical treatment, the articles in this group provide insights that are not generalizable because of their individual-level focus and typically small sample size. Of the six articles in this vein, the initial work appeared in 1967. It explored the question of which psychological factors stimulated protest behavior among southern African-American college students. The article tested several theories about why the protest movement emerged. Because this research had a sample of only 264 individuals, it was weak in illuminating causal variables. The second article tackled the same subject, "Racial Dif-

ferences in Protest Participation," but used the city of Milwaukee instead of the south.

The next three articles, one in 1977 and two in 1978, examined three different theories about African-American protest behavior. The first article examined the J-Curve Theory and the black urban riots, while the next analyzed the diffusion and contagion effect in the urban disorders of the 1960s. The last article analyzed a developmental model of racial violence in urban areas. All three articles used the best behavioral tools of the day and represent some of the best scholarship on riots.[37] The sixth article was a 1981 essay, "Black Consciousness and Political Participation." It used National Opinion Research Center (NORC) data to explain perceived differences between "black Americans and whites in terms of electoral participation" (again at the individual level), applying the standard concept of "political efficacy to the African-American situation."[38]

The three political participation articles that embraced African-American voting regularity include an early 1934 essay that analyzed Negro political meetings in Chicago over a four-year period to discern how such meetings stimulated electoral participation. It remains one of the few essays on political empowerment. The 1980s saw a shift in attention from protest participation to the question of black political empowerment. One outgrowth of that shift was a second article that tried to ascertain if black empowerment led to an increase in municipal jobs.[39] This article, one of the first of its kind, attempted to get beyond the sheer numbers of black elected officials (BEOs) as an indication of political progress and attempted to examine system outputs or benefits of BEOs in terms of public employment. The third article focused on black empowerment and black-white differences in socio-political participation. Using NORC data, a 1987 sample of 544 blacks, the article found that "blacks in high black empowerment areas, as indicated by control of the Mayor's office, were more active than either blacks living in low empowerment areas or their white counterparts of comparable socioeconomic status."[40]

Political Belief and Ideology

The third category in Table 3 includes three articles. These articles reveal that African Americans do have a distinct belief system and that they relate to emotionally charged political slogans differently than whites. The slogan "Black Power," the African-American response to it, and the subsequent response by whites attracted much attention. In 1970, *The Review* published "The Meaning of Black Power: A Comparison of White and Black Interpretations of a Political Slogan."[41] Based on a federally funded survey of Detroit, Michigan (394 whites and 461 blacks), the authors of the article found vast differences between the races and concluded the article by noting the serious policy implications and policy needs of the African-American community. Their policy proposals sought to achieve racial harmony.

In the same year, these same researchers, using the same data, published another article in *The Review*. This essay dealt with the issue of political trust and racial ideology, not mere reaction to a political slogan. In the earlier article, the authors found that blacks did not trust the government as much as whites. In the second work, they sought to explain black-white ideologi-

cal differences. Again, they concluded with policy implications and urged quick action to preserve racial harmony. In the last article of this category, "An African-American Racial Belief System," three scholars, using the 1984 National Black Election Study, tried to map the components of the belief system and determine the relationship of one's "socioeconomic status, religiosity, and exposure to black media" to that belief system.[42] This was a pioneering effort, even though the elements the authors found in an African-American belief system were limited to those posed in the survey.

Public and Constitutional Law

This category contains only two articles, both dating from the early years of *The Review*, 1906 and 1908. Given the enormous number of Supreme Court decisions and congressional laws passed in securing African-American equality, particularly during the 1960s, it is surprising that political scientists have not revisited these policies in *The Review*. It is unclear whether this dearth was due to the inability of behavioral methods to quantify aspects of these laws or to researchers' disinterest in the topics. The 1906 article entitled "Racial Distinctions in Southern Law" described these distinctions and hinted that they were due to differences between the two races. In 1909, this same author wrote "Separation of the Races in Public Conveyances," which examined Jim Crow laws of the South. Once again, the author suggested the reasons were rooted in racial differences and the need for racial harmony and social peace.

School Desegregation

This subject received *Review* attention in 1978 and 1984. The 1978 articles tried to determine the proponents of school desegregation in a Florida community about to undergo school desegregation. The essay concluded that pro-desegregation perceptions and attitudes were crucial for success. The second article looked at the issue of educational equality in a very different way. It asked the question, "Can black school board members improve education policies for black students?" Based on "data from 82 of the largest urban school districts," the authors found that black presence on the school board "is associated with more equitable educational policies."[43] The implication is that getting more African Americans on school boards may be a better solution than an externally imposed federal policy like school desegregation.

Public Policy

The final category in Table 3 consists of only one 1934 article. This essay, "Proposals for a Federal Anti-lynching Bill," is a historical essay that explained the federal government's power to intervene in anti-lynching cases as limited by the Constitution and southern public opinion.

Summary

If one reads all of the relevant articles in two of the discipline's leading journals over the last century, what portrait of the African-American politi-

cal experience would emerge? Both journals addressed African-American politics and the struggle for equality. In the early periods of publication, the dominant foci of research and comment was slavery and suffrage. In more recent decades, segregation and political participation were prominent topics. The four common foci of journal inquiry are suffrage, school desegregation, political participation, and public policy.

The Quarterly articles on slavery largely justify this institution. Both journals offer an overview of the struggle of African Americans to get the right to vote. *The Quarterly* presents the only picture of pre-Civil War voting, while *The Review* gives a more structured look at obsolete institutional barriers like poll taxes and white primaries, as well as individual level attributes such as fear, apathy, and efficacy. Despite the publication of articles in support of suffrage in both journals (*The Quarterly* is particularly supportive in this regard), the denial of the vote is also defended.

In their attention to African-American political participation, protest, and electoral issues, the journals are mixed in their perspectives. In depicting the riots of the 1960s as protest behavior, *The Quarterly* reveals police behavior to be a factor, while the *Review* pinpoints individual level variables as of primary concern. In the area of electoral behavior, *The Quarterly* looks at party politics and statutory potential, while the *Review* focuses on racial differences, individual consciousness, and an unusual linkage of employment benefits to political power. An even more rare egalitarian focus is the essay on Negro political meetings. With its emphasis on racial differences, the *Review* adds a perspective not found in *The Quarterly*, but with some negative normative conclusions.

There is surprisingly little published on segregation, especially in the *Review*. *The Quarterly* published articles on segregation that justified inequalities in the social sphere. School desegregation also received scant attention. The four published articles on school desegregation are, for the most part, critical of this remedy. *The Quarterly*'s articles are primarily concerned with achieving racial peace and harmony with desegregation. *Review* articles depict this national policy as one that engenders conflict and taxes the sociopolitical system.

In its articles on social welfare policies, *The Quarterly* advances the equality themes of remedies, whereas *The Review* provides a look at an old and unsuccessful public policy initiative, anti-lynching laws. Finally, *Review* articles pertaining to constitutional law defend equality, but its articles on political beliefs advance equality goals.

The thrust of this summary is that once all of the articles are disaggregated into topics and substantively analyzed, clues that are supportive of our social danger thesis emerge. First, articles in both journals and in nearly all categories support or justify institutional arrangements that suppress or oppress the African-American community. To have attacked and criticized these institutions would have caused potential embarrassment and invoked social danger in some form or fashion. Hence, these articles apologized for and embraced democratic tyranny.

Second, beyond the institutional realities, there were matters inherent in the democratic political process, like voting and protest, that denied full participation and citizenship to African Americans. Professor Cook again

says, "American political thought and experience sought to resolve the dilemma of the coexistence of black oppression and the liberal democratic creed of the country by denying the reality of the contradiction at the level of definition and conception."[44] Thus, obstacles in this political process were not only explained away, but were in many instances blamed on the victims of democracy.

Third, there were those articles dealing with reform techniques like school desegregation as well as broader based public policies. Yet even when members of the profession entered this realm of study, matters of social danger did not permit them to advocate the systemic changes that were required. Usually some form of nonsystemic reform was suggested as the panacea. White public opinion was elevated to a god-like status and scholarly support of it displaced justice, fair play, and morality as the dominant goals and objectives of a political society. Again, with adoption of this posture, social danger could be diminished.

We conclude, therefore, that the total universe of articles, as well as their substantive content, offer empirical evidence that social danger has been one operative factor in limiting the discipline and its members in studying race and the African-American political experience. And, even when political scientists did study race and the African-American political experience, they did so in a halting and circumscribed fashion. The result has been that this profession, unlike its sister professions of history and sociology, has ignored a fundamental variable and reality in political life and experience.

Implications for the Profession: The Diminution of the Social Danger Factor

As we stated at the beginning of this essay, numerous scholars at different times have offered commentary on the existence of the problem. We hope that we have extended the intellectual parameters by developing the commentaries into a theoretical insight and offering some empirical grounding for the theory. Now recommendations are in order. We suggest something of an Eastonian revolution, named for David Easton, president of the American Political Science Association in 1969, who opened up the profession to minorities and women and who set up committees to facilitate their entrance and involvement in the organization and the disciplinary community.

Social danger, if it is to be diminished and eventually eliminated, must be confronted and combatted. At both the organizational and institutional levels, the profession must move to address these longstanding and enduring realities. In order to assist in this process, we offer the following strategies and techniques.

Clearly, the discipline, at the departmental level, must recognize the subfield of African-American politics and race as a legitimate area of scholarly inquiry. Those at the departmental level must help to establish a subfield specialization, and in doing so, they must understand the difference between "the race relations approach" and an "African-American political science approach." The former is oriented toward system maintenance, whereas the latter is concerned with systemic transformation.

Then, the political science establishment must recruit students with an interest in the subject matter and support both the students and the subfield. Professors with an interest in the subfield must be encouraged and supported. The discipline must take on the challenge of this professional call as seriously as it would any other subfield.

Beyond recognition and personnel, there is the matter of research focus. Social danger must be attenuated at the conceptual level. Where appropriate, researchers and authors must address racial variables at the level of systemic realities, rather than at the individual behavior level. Wishing racial variables away or pretending that they are aberrations is dishonest and perpetuates the social danger phenomenon.

This brings us to the matter of state archives. Usually storehouses of vast data collections, state archives generally lack materials on racial groups. Hence, research cannot be conducted on subgroups without methodologically strange and unacceptable procedures. Data archives must make an effort to find relevant materials and incorporate them into their data bases.

In conjunction, national funding agencies must recognize their shortcomings and accept their role in this process and assist in launching viable national level projects dealing solely with racial and ethnic minorities. These agencies must also cease perpetuating the comparison syndrome, where white and black samples must be done in conjunction with each other. Knowledge about African Americans is valuable knowledge in and of itself and not because it is acquired along with data about whites.

Finally, academic instruction must reflect the broader and more diverse dimensions of the American political system, and not simply the white majority. The tools of teaching must be integrated, for as one scholar has noted, "It will not help much, though, if black political experience is studied in isolation, apart from the larger realities and presuppositions of the political system."

Overall, the diminution of social danger in political science cannot simply wait for some invisible hand, the natural working of disciplinary forces, or the arrival of some enlightened leadership. Like its sister disciplinary areas, political science must confront race and African-American politics in a meaningful and comprehensive way. It cannot continue to sidestep this variable. As long as the political science discipline does this, its research and writings are to that degree deficient, rendering the entire field to be suspect.

Confronting social danger will not be easy given the overall conservative nature of the discipline and profession. Conservatism values order and stability over change. One group of scholars studying the political science journals noted the need for confrontation. They concluded, "More important still is the need constantly to be reminded that the social sciences are *human* sciences [and] the human sciences especially, need to encounter the world of facts, where the values and the meaning of our existence are subject to continued examination."[45]

Without the confrontation of the social danger reality, American political science can never obtain the scientific persuasion and the scholarly objectivity that it wants to claim for itself. It is now and it has been, afraid of its own political universe.

Notes

1. Ernest J. Wilson III, "Why Political Scientists Don't Study Black Politics, But Historians and Sociologists Do," *PS: Political Science & Politics*, 18 (Summer 1985): 601.
2. Jewel L. Prestage, "Quelling the Mythical Revolution in Higher Education: Retreat from the Affirmative Action Concept," *Journal of Politics*, 41 (August 1979): 768.
3. Ibid., 782.
4. Samuel DuBois Cook, "Introduction: The American Liberal Democratic Tradition, The Black Revolutionary, and Martin Luther King, Jr.," in Hanes Walton, Jr., *The Political Philosophy of Martin Luther King, Jr.* (Westport, CT: Greenwood, 1971), xxv–xxvi). See also his "Democracy and Tyranny in America: The Radical Paradox of the Bicentennial and Blacks in the American Political System," *Journal of Politics*, 38 (August 1976): 276–94.
5. See Ada W. Finifter, ed., *Political Science: The State of the Discipline* (Washington, DC: American Political Science Association, 1983). None of the nineteen chapters discussed the African-American political experience. The second volume does, however, include a chapter; see Paula D. McClain and John A. Garcia, "Expanding Disciplinary Boundaries: Black, Latino, and Racial Minority Group Politics in Political Science," chapter 10: 247–80.
6. Glenn Utter and Charles Lockhart, *American Political Scientists: A Dictionary* (Westport, CT: Greenwood Press, 1993), 17–18, 114–16, 128–30, 357.
7. Patrick S. Washburn, *A Question of Sedition: The Federal Government's Investigation of the Black Press During World War II* (New York: Oxford University Press, 1986), viii. Emphasis added.
8. Cook, "Introduction," quoted in Walton, xxiv.
9. Hanes Walton, Jr., Cheryl H. Miller, and Joseph P. McCormick III, "Race and Political Science: The Dual Traditions of Race Relations Politics and African-American Politics," in John Dryzek et al., eds., *Political Science and Its History: Research Programs and Political Traditions* (New York: Cambridge University Press, 1994).
10. Edward Carmines and James Stimson, *Issue Evolution: Race and the Transformation of American Politics* (Princeton: Princeton University Press, 1989).
11. On the evolution of the *American Political Science Review* over three decades, see Harold Zink, "The Growth of the *American Political Science Review*, 1926–1949," *American Political Science Review*, 44 (1960): 257–65. For a comparative assessment of the journals, see Albert Romil and Joseph Tanenhaus, *American Political Science: A Profile of a Discipline* (New York: Atheson Press, 1964).
12. Fenton Martin and Robert Goehlut, *Political Science Journal Information*, revised ed. (Washington, DC: American Political Science Association, 1984).
13. In counting the material in the *American Political Science Review*, we included every article, research notes, controversy comments, and rejoinder in the total number.
14. See Hanes Walton, Jr., and Joseph P. McCormick III, "Race and Political Science: The Dual Traditions of Race Relations Politics and African-American Politics," forthcoming.
15. See Ulrich B. Phillips, *American Negro Slavery* (Baton Rouge: Louisiana State University Press, 1966).
16. See Howard Jones, *Mutiny on the Amistad: The Saga of a Slave Revolt and its Impact on American Abolition, Law and Diplomacy* (New York: Oxford University Press, 1987).
17. See S. B. Weeks, "History of Negro Suffrage," *Political Science Quarterly* (December 1894): 671–703; Dixon R. Fox, "The Negro Vote in Old New York,"

Political Science Quarterly (June 1917): 252–75; and John D. Stanley, "Majority Tyranny in Toqueville's America: The Failure of Negro Suffrage in 1846," *Political Science Quarterly,* 84 (September 1969): 412–35.

18. Fox, "The Negro Vote," *Political Science Quarterly* (1917); Stanley, "Majority Tyranny," *Political Science Quarterly* (1969).
19. Stanley, "Majority Tyranny," *Political Science Quarterly* (1969).
20. Weeks, "History of Negro Suffrage," *Political Science Quarterly* (1894).
21. J. Morgan Kousser, "Post Reconstruction Suffrage Restrictions in Tennessee: A Look at the V. O. Key Thesis," *Political Science Quarterly* (December 1973): 655–83.
22. Charles V. Hamilton, "Voter Registration Drives and Turnout: A Report to the Harlem Electorate," *Political Science Quarterly,* 99 (Spring 1977): 43–46.
23. Robert M. Fogelson, "White on Black: A Critique of the McCone Commission Report on the Los Angeles Riots," *Political Science Quarterly,* 82 (September 1967): 337–67, and "From Resentment to Confrontation: The Police, The Negro, and the Outbreak of the Nineteen-Sixties Riots," *Political Science Quarterly,* 82 (June 1968): 217–47.
24. Raphael J. Sonenshein, "Can Black Candidates Win Statewide Elections?" *Political Science Quarterly,* (Summer 1990): 214–42.
25. Robert C.Smith, "Black Power and the Transformation from Protest to Politics," *Political Science Quarterly,* (Fall 1981): 431–43.
26. Pearl T. Robinson, "Whither the Future of Blacks in the Republican Party," *Political Science Quarterly* (Summer 1982): 207–32.
27. Nancy T. Weiss, "The Negro and the New Freedom: Fighting Wilsonian Segregation," *Political Science Quarterly,* 84 (March 1969): 61–70.
28. Edward E. Lewis, "The Southern Negro and The American Labor Supply," *Political Science Quarterly* (June 1933): 172–83.
29. Daniel J. Leab, "The Gamut from A to B: The Image of Blacks in Pre-1915 Movies," *Political Science Quarterly,* 83 (March 1973): 53–70.
30. We are referring to behavioralism in contrast to traditionalism. Behavioralism focuses on examining processes and individual behavior with empirical methods. According to Alan C. Tsaak, *Scope and Methods in Political Science* (Homewood, IL: Dorsey Press, 1969), 32, traditional is "a collection of approaches lumped together today mainly because of a common enemy, behavioralism. Perhaps the three most important ones are the historical, legalistic, and institutional approaches." The traditionalists explain African-American politics in terms of institutions, whereas the behavioralists do so by looking at the individual in a variety of settings, using statistical tools.
31. John C. Rose, "Negro Suffrage: The Constitutional Point of View," *American Political Science Review,* (November 1908): 17–43.
32. John H. Fenton and Kenneth N. Vines, "Negro Registration in Louisiana," *American Political Science Review,* (September 1957): 704–13.
33. Donald Strong, "The Poll Tax: The Case of Texas," *American Political Science Review,* 38 (August 1944): 693–709.
34. O. Douglas Weeks, "The White Primary: 1944–1948," *American Political Science Review* (June 1948): 510–22.
35. Donald Strong, "The Rise of Negro Voting in Texas," *American Political Science Review* (June 1948): 510–22.
36. Lester M. Salamon and Stephen Van Evera, "Fear, Apathy, and Discrimination: A Test of Three Explanations of Political Participation," *American Political Science Review* (December 1973): 1288–1306.
37. Numerous colleges and universities received federal and foundation grants to create centers and institutes to study black outburst in the urban areas. When the riots stopped, money dried up and most of the centers shut down.

38. Richard D. Shingles, "Black-Consciousness and Political Participation: The Missing Link," *American Political Science Review* (March 1981): 76–92.
39. Peter K. Eisinger, "Black Employment in Municipal Jobs: The Impact of Black Power," *American Political Science Review* (June 1990): 380–92.
40. Lawrence Bobo and Franklin D. Gilliam, Jr., "Race, Sociopolitical Participation, and Black Empowerment," *American Political Science Review* (June 1990): 377–94.
41. Joel Aberbach and Jack Walker, "The Meaning of Black Power: A Comparison of White and Black Interpretations of a Political Slogan," *American Political Science Review* (June 1989): 367–88.
42. Richard L. Allen, Michael C. Dawson, and Ronald E. Brown, "A Schema Based Approach to Modeling an African-American Racial Belief-System," *American Political Science Review* (June 1989): 421–42.
43. Kenneth J. Meier and Robert E. England, "Black Representation and Educational Policy: Are They Related?" *American Political Science Review* (June 1984): 393–403
44. Cook, "Introduction," xxiii.
45. William C. Baun, G. N. Griffith, Robert Matthew, and Daniel Scherruble, "American Political Science Before the Mirror: What Our Journals Reveal about the Profession," *Journal of Politics*, 38 (November 1976): 916–17.

Reflections

Civil Rights Policy and the Liberal Tradition: A Framework for Evaluating Social Policy

J. Owens Smith

California State University, Fullerton

Introduction

In 1967, Harold Cruse published his renowned book, entitled *The Crisis of the Negro Intellectuals,* in which he documented the problems African Americans have historically experienced in developing an ideology for liberation and equality.[1] Some thirty years later, there is still a crisis. This crisis fermented in the late 1970s and continued into the 1990s because of the protracted war that opponents of civil rights were able to successfully launch against civil rights.

Opponents started escalating their war against civil rights in November 1980. Shortly after Ronald Reagan's presidential triumph in November of 1980, a group of black neo-conservatives was summoned to the famous "Fairmont Conference" in San Francisco by a group of white conservatives to anoint them as new leaders of the black community. At the conclusion of this conference, the neo-conservatives hit the ground running, attacking the traditional black leadership. The primary aim of their attacks was to cast doubts on the legitimacy of the civil rights policies and programs that this leadership was advocating.

African-American leaders were unable to counteract these attacks because they had not developed an ideology to adequately justify civil rights policies and programs. The justification that they offered was that civil rights programs were designed to compensate African Americans for past discrimination. The opponents of civil rights counteracted this argument by arguing that civil rights, particularly affirmative action, constituted reverse discrimination. Instead of denying African Americans equal opportunities, civil rights policies now operated to deny opportunities to whites.

These two competing ideologies have caused a crisis among the African-American leadership. As a result, leaders' ability to adequately place demands on the political system to adopt positive laws to safeguard African Americans' rights to obtain their fair share of the community's material possessions necessary for their preservation has been significantly hamstrung. The most politically potent way to safeguard a group's rights to acquire and possess property is to place friendly representatives and administrators in key political positions. But this effort has been significantly undermined by the competing ideology of the neo-conservatives.

Take, for example, President Clinton's attempt to appoint Lani Guinier to head the civil rights Division of the Justice Department. Opponents were successful in launching a preemptive strike to block her appointment before it reached the Senate Judiciary Committee. Such practice is unusual. But the protracted propaganda war that opponents launched in the early 1980s had permeated the political arena in Washington. Opponents had very little problems convincing President Clinton to withdraw her nomination.

Civil rights leaders and the Congressional Black Caucus tried unsuccessfully to convince President Clinton to allow Guinier's nomination to go before the Senate Judiciary Committee so that she could have her day in court to refute allegations leveled against her. But he turned a deaf ear on their pleas on the grounds that he could not support her position on civil rights.

Opponents opposed Guinier's nomination because of her legal writings. In several articles, she argued that the government needed to adopt more stringent positive laws to ensure African Americans adequate political representation. Opponents were able to take her writings out of context and depict her as a quota queen. African-American leadership was unsuccessful in counteracting their argument.

The thesis of this paper is that the primary reason opponents have been so successful in launching protracted wars against civil rights policies and programs has been because proponents have not been able to justify civil rights within the framework of the liberal democratic tradition. Within this framework, the arguments for and against civil rights policies and programs can be evaluated based on their internal consistency.

The Function of Civil Rights within the Liberal Theory

Opponents' success in attacking civil rights policies and programs can be attributed to their strategy to zero in on the justification that proponents have offered for these programs. They have argued that civil rights measures are designed to compensate African Americans for past discrimination. The problem with this justification is that it is inconsistent with the liberal tradition. Racial discrimination has been a continuous process over a 400-year period. The constitution only allows redress injuries for individuals who are currently alive.

Once evaluated within the framework of the liberal tradition, civil rights measures, regardless of whether they are called racial preferences, goals, timetables, or even strict quotas, are nothing more than a set of property rights that operates to safeguard African Americans' interest against the

tyranny of racism. Without this protection, African Americans' property rights to place legitimate demands on the political system for their fair share of the community's possessions will be resting on the goodwill of their competitors and adversaries.

In order to find a justification for civil rights, we must turn to the political philosophies of Western intellectual giants: Thomas Hobbes, John Locke, Jeremy Bentham, and James Madison. These writers wrote in the liberal tradition which provided the philosophical framework for modern democracy. Let us now turn to an examination of the various civil rights measures within the framework of each of these writers' political philosophies to determine whether they are consistent with the liberal tradition. Specifically, let us focus on the question of whether civil rights measures infringe on the constitutionally protected rights of nonminorities, which is the basis of the conservatives' arguments.

Thomas Hobbes on the Role of Government

In the *Leviathan*, Hobbes outlined the rights of man and the duties and obligations that the state has to protect them. He argues that sovereign, or the state, has an obligation to obey the laws of nature. One of these laws is to protect man's property rights to self-preservation.[2] By the laws of nature, he maintains, a man has a right to preserve himself and his family. Whenever the state fails to protect his right to do so, it forces him to resort back to his original state of nature, that is, *a natural state of war*. In such a state, Hobbes argues, a man then would be at liberty "to use his own power, as he will himself, for preservation of his own nature; that is to say, of his life; and consequently, of doing anything, which in his own judgment, and reason, he shall conceive to be the aptest means thereunto."[3]

For Hobbes, a natural state of war does not consist of the actual fighting "but in the known disposition thereof, during all the time there is no assurance of the contrary.... In such condition, there is no place for industry; because the fruit thereof is uncertain."[4] Translating this axiom in present day language, we can easily postulate that society cannot expect the conditions in the black community to improve as long as a large segment of black males remain unemployed. A chronic high rate of unemployment is *prima facie* evidence that these men are in a natural state of war. Society can expect them to resort to whatever means they see fit for the preservation of nature, that is, drug trafficking, black-on-black crimes, teenage pregnancy, single-female headed families, and so forth.

Locke on the Role of Government

In his essay "The State of Nature," Locke carried Hobbes' argument a step further concerning the duty and obligation of government. For Locke, the chief end for men uniting themselves into a commonwealth is "the preservation of their property."[5] In a state of nature, "man is governed by the fundamental laws of nature" which state that man must preserve himself "as much as possible when all cannot be preserved, the safety of the Innocent is to be preferred: And one may destroy a man who makes War upon

him, or as has discovered an Enmity to his being, for the same Reason, that he may kill a *Wolf* or a *Lyon*."[6]

Man has a property interest in his life, liberty, person, and estate, which, in general terms, Locke calls "property."[7] In a state of nature, man had a right to do whatever he saw fit for the preservation of his nature. But when he left the state of nature and formed a commonwealth with other men, he transferred many of these rights over to the commonwealth to be regulated for the public good. But one right he does not transfer is his right to preserve himself. He does not have the right to do so, as Locke noted, because it is not his to give: it is God given.

In a state of nature, Locke argues, man has two powers at his disposal for the preservation of himself. "First he has the power to do whatsoever he thinks fit for the preservation of himself and others within the permission of the *Law of Nature*."[8] Second, he has the "power to punish the Crimes committed against" him and the law of nature. When uniting into a commonwealth, he gives up these two powers to be "regulated by Laws made by the Society, so far as the preservation of himself, and the rest of that society shall require."[9] The commonwealth, therefore, is then under an obligation to adopt and to execute positive laws "directed to no other *end* but the *Peace*, Safety, and *Public good* of the people."[10]

Because man's right to life is inalienable, the commonwealth has a duty and an obligation to safeguard their rights to means of subsistence. This must be done, Locke argues, through *positive legislation*, or affirmative action.[11] If the commonwealth fails to safeguard this right, then men have a right to revolt because the commonwealth will be implicitly asking them to destroy their own nature, that is, take their own lives. For no rational man, Locke argues, "can be supposed to change his condition to worsen it."[12]

Jeremy Bentham and the Role of Government

Approximately one century after Locke published his *Two Treatises of Government*, Jeremy Bentham published his *Introduction to the Theory of Legislation*.[13] In this book, he defined not only the role of government but of legislators as well. Here, he established the following propositions that are germane to the subject at hand. He stated:

> The only object of government ought to be the greatest possible happiness of the community.
>
> The happiness of an individual is increased in proportion as his sufferings are lighter and fewer, and his enjoyments greater and more numerous.
>
> The care of his enjoyment ought to be left almost entirely to the individual. The principal function of government is to guard against pains.
>
> It fulfills this object by creating rights, which it confers upon individuals: rights of personal security, rights of protection for honour, rights of property, rights of receiving aid in case of need.[14]

These propositions can be summarized into one: The aim of legislators ought to be to adopt policies that will *promote the greatest happiness for the greatest number*.[15] To achieve this goal, according to Bentham, the legislator "should have for his end the happiness of society."[16] The happiness of soci-

ety can be achieved, he maintains, if the legislators adopt policies designed to provide *a means of subsistence, security, equality, and abundance for its citizens.*[17] Among these objects, he ranked security as the preeminent object. With personal security, the individual is at liberty to plan his future conduct with calculation.

The second most important object is subsistence. This object is included in abundance. However, Bentham made a distinction between the two. He argues that "laws ought to do many things for subsistence which they ought not attempt for the sake of abundance."[18] Security and subsistence are "life itself." Abundance and equality are "ornaments of life."[19] Bentham's philosophy as to the role of government in promoting equal opportunities can be summarized by the following proposition: "Without security, equality could not last a day, without subsistence, abundance could not exist at all."[20]

Bentham's political philosophy has grave political significance for the civil rights measures advocated by the African-American leadership. It raises the following question: By advocating civil rights, is the African-American leadership advocating means of subsistence, equality, security, or abundance? Among these objects, a mean of subsistence is preeminent. It consists of welfare, job training, jobs, education, and the liberty to take advantage of life opportunities. Without this right, a group's, or individuals', behavior can be predicted with a high degree of certainty because they will be forced in a natural state of war. Evidence of a group being forced into a natural state of war will be manifested in a pattern of socially deviant behaviors found among them that will be disproportionate to the general.

Madisonian Democracy

James Madison is known as the father of American democracy. The basis for civil rights and affirmative action measures can also be found in his writings. His primary concern was directed toward forming a government that would safeguard individuals' natural rights from the severe deprivation of tyranny.[21]

Madison argued that if all of the power is concentrated in the same hands, regardless of whether it is the majority or minority, it is the just definition of political tyranny. He proposes that there be: (1) a separation of power, and (2) a system of checks and balances. Over the years, these checks and balances have developed into a concept known as "minority veto."[22] A minority veto has been defined as a set of legal and political devices that allows an individual to seek relief from the tyranny of the ruling class. For example, affirmative action measures such as civil rights, preferences, and quotas are various forms of a minority veto. They are legal devices whereby an individual can subject government actions to judicial scrutiny for the purpose of placing checks and balances on the tyranny of racism.

Hence, within the framework of the political philosophies of the above writers, civil rights measures advocated by the African-American leadership are consistent with the liberal tradition. Politically, they are only asking for the government to fulfill its duty and obligation to protect African-American property rights to an orderly means of subsistence in accordance with natural law. Let us now turn to an examination of civil rights measures

within the framework of modern day liberal democratic theory to determine the degree of internal consistency.

The Liberal Tradition in the Modern State

In modern day society, civil rights measures advocated by African-American leadership are consistent with the liberal tradition. Within this tradition, the government has a duty and an obligation to adopt positive laws to protect minority groups property rights to a means of subsistence. What are these property rights? They are their *exclusive* and *inclusive* claims rights.

Exclusive claim rights consist of those rights that man has a property interest in "a thing" (*ius in re*).[23] They consist of property which an individual has in his possession. Within the framework of liberal theory, these rights are defined as property that has been appropriated by law or by one's mixing his labor with it. Appropriation gives an individual a property interest in them and no one has a right to part with them without his consent. The government safeguards individuals' rights in a thing through procedural due process.[24]

Inclusive claim rights, on the other hand, consist of those rights which a person has a "property to" (*ius ad rem*).[25] A person has a property interest to those things that are necessary for his self-preservation.[26] The state, according to Locke, has an obligation under natural law to safeguard their rights by adopting positive laws to determine the distribution of the community's material possession necessary for a group's preservation. Inclusive claim rights have been translated into modern day language as civil rights for groups.

Civil rights, for the most part, are collective. They apply to groups. Civil liberties are distributive. They apply to individuals. Too often, what is called civil rights are actually civil liberties. The latter rights are appropriated by the constitution. They consist of the Bill of Rights and the Civil War Amendments, and the Nineteenth Amendment. These are absolute rights, which presupposes possession. An individual can exercise these rights by going to court seeking relief in the form of an injunction, or a writ of mandamus.

Civil rights are, for the most part, inclusive claim rights that apply to groups—not individuals. They are designed to protect individuals within a racial group against political tyranny. These rights are not absolute because they do not presuppose possession. They are measures by which the individual of a racial group can subject government action to judicial scrutiny to determine whether he is being deprived of his property rights solely because he is a member of a racial group. Such protection is needed because this group has a minority status in society in which a wide range of their property interest could possibly be foreclosed by the tyranny of racism.

The government can adopt positive laws to safeguard an individual's property right in a thing but it cannot protect his right to a thing.[27] The American economic system is based on the private market that has competition as its central principle. The individual within this market is driven by profit motives and the powerful impulses of self-interest. No one can claim a right to property unless it has been appropriated. Once appropriated, the principle of exclusive claims rights comes into play.

Property that is necessary for human subsistence, it must be created by the state through positive legislation. Therefore, the st duty and an obligation deriving from natural law to develop pr and processes to regulate the distribution of this property in such ensure that groups receive their fair share of the "community poss his support and comfort."[28] Whenever the government fails to do s argues, it transgresses "the law of nature, and men regain the natu to exercise their natural rights."[30]

Government should not intervene just for the sake of promotin criminate" equality. That is, attempting to employ the anti-discri clause of civil rights laws to every group in order to avoid discri against any group. For example, including a minority group into a that does not have a minority status will not be promoting equ abundance. A group with a minority status only needs governm vention when the structures and processes of society operate to their liberty to take advantage of life's opportunities.

Locke's defense of property rights was a refutation of Sir Robert theory of the Divine Right of the King and his exclusive rights to a property. Locke's basic argument is that God gave the world to ma common. Man had a natural right to appropriate as much of this as he could make use of for his subsistence.[31] Once he appropria than he can make use of, he violates the laws of nature.

The above definition, it must be noted, is applicable to a pre-r state. In a post-monetary state, this principle does not apply. M disrupted the natural order of things whereby man can control m his fair share of the community property. This is, according to Lo trary to the laws of nature.

Therefore, the post-monetary system imposes upon the state a tion to regulate property in accordance with the laws of nature and of God."[32] This definition of property controlled the thinking of the of the constitution.

In short, within the liberal framework, the critics of civil righ error as to the role which the government should play in adopting laws to protect African-Americans' civil rights, that is, inclusive clai to a means of subsistence.

The Liberal Tradition and Civil Rights Laws

Within the framework of the liberal tradition, the black conse arguments are inconsistent with democratic values. Take, for exam of the late Clarence Pendleton's, former chair of the Civil Rights C sion, arguments which epitomize this cohort's philosophy. He arg

> the political use of civil rights has led to the prominent perception amo and whites that blacks are still inferior, that the only way we can make affirmative action regulations, buttressed by court decisions and co crees that give us the special favors government and black leadership need. They say that without these protections we couldn't make it on o

The black conservatives are correct about one thing. African Americans cannot make it without the protection of civil rights and affirmative action laws. Without these laws, their property rights to their means of subsistence would be resting on the goodwill of their competitors and adversaries. Such status is the very essence of slavery.[34] Within a competitive society, it is not within the self-interest of groups to allow their competitors and adversaries to compete with them on an equal footing for scarce resources. Competition creates what Louis Kriesberg calls "objective consensual conflict,"[35] a conflict that can only be settled by law, in this case, by civil rights laws.

Civil Rights Laws and Property Rights

Civil rights laws have historically been misinterpreted as laws to protect African Americans. This assumption is predicated on the lack of a broad interpretation of property rights. Property has been thought of as *a thing* and not *a right*. This misunderstanding can be attributed to the U.S. Supreme Court's interpretation of the equal protection and due process clauses as property rights. The Court has repeatedly stated that the Constitution does not create rights but safeguards them through procedural due process.[36]

Any law that is designed to protect a group's, or class's, rights to enter into the mainstream of society's income redistribution system is an inclusive claim right.[37] Its basic function is to safeguard the property interest of individual members within a group: (1) to pursue a wide range of economic opportunities; and (2) to take advantage of life opportunities. It does not create a claim of entitlement to a government benefit, nor reward him for his past accomplishments based on merit. As Bentham has perceptibly noted: "Law does not say to man, *Labour, and I will reward you*; but it says: Labour, and I will assure to you the enjoyment of the fruits of your labour—that natural and sufficient recompense which without me you cannot preserve; I will *insure it by arresting the hand which may seek to ravish it from you*."[38] This is where the reverse discrimination argument breaks down. The crux of his argument rests on the assumption that benefits should be allocated on the basis of merit—and not on the basis of promoting the public good. The meritocracy argument assumes that social credentials within themselves confer upon an individual a property interest in a government benefit. As the U.S. Supreme Court noted, an individual has no legitimate claim of entitlement to a government benefit unless his claim can be supported by law, rule, or understanding.[39]

Positive Laws and Inclusive Claim Rights

A historical examination of the American political process will reveal that there has always existed a system of positive laws that safeguarded white ethnic groups' property rights to means of subsistence. These laws are not referred to as civil rights but something else. However, they were positive laws that operated to protect these groups' inclusive claims rights to enter the mainstream of society's income redistribution system.[40] For example, we have the Headright System, the Land Grant Act of 1800 and 1829, the

Homestead Act of 1862, the Morrill Act of 1862, the National Labor Relations Act of 1935, the Federal Housing Act of 1949, the Educational Acts of the 1950s and 1960s, and so forth. These laws had broad political and economic implications: they connected these groups to a bedrock of government subsidies.[41]

Until the passage of the Civil Rights Act of 1964, blacks' inclusive claim rights to an orderly means of subsistence have rested on the goodwill of their competitors and adversaries, that is, the principle of political tyranny. Madison, and his colleagues, had no faith in the goodwill of men. He argued that there can be no liberty where rights are instituted among the goodwill of men. If men were angels, he reasoned, we would have no need for government.[42] Historical data overwhelmingly supports his contention. Whenever a group's civil rights to a means of subsistence have rested on the goodwill of men, they have historically been severely oppressed by their competitors and adversaries.[43]

Here, we have historical data to support the proposition that white people do not trust each other for their means of subsistence. Yet, the black conservatives are vociferously arguing that African Americans' civil rights to a means of subsistence can best be protected by placing it on the "good faith" efforts of their competitors and adversaries groups that have historically oppressed them.

The Political Implications of Excluding Blacks

From the end of the Civil War to the passage of the civil rights acts, the American government has refused to extend to African Americans the same system of protection to safeguard their inclusive claim rights to the community's material possessions as it has done for whites.[44] The political consequence of such policy was the development of the culture of poverty among a large segment of the African Americans' population. The black conservatives have tried to attribute this development to a lack of values. Glenn Loury attributed this poverty to black men. He argues that

> young men who father children and then walk away from their responsibility to support them are not society's victims. They are their own families' victimizers. Those who carry on the drug trade in the ghettos, or who violently assault and brutalize their black neighbors, are not victims, they are the creators of victims.[45]

The most damaging aspect of this argument is that Loury, along with his colleagues, has summarily dismissed the liberal democratic theory. Within this framework, the African-American community is in a natural state of war. Drug trafficking, black-on-black crimes, single-female-headed families, welfare, and so forth, to repeat, are nothing more than symptoms of a population or a race that has been deprived of their inclusive claim rights. Consequently, they have been forced to resort back to their original state of nature, where every man is against each other.

The notion that poverty is a result of a population being deprived of its property rights is amply supported by historical data. It has been demonstrated elsewhere that many of the European immigrants developed the culture of poverty as a result of the national government's failure to offer

them a system of protection to safeguard their property rights to a means of subsistence, namely, the Irish Catholics and the late nineteenth-century immigrants, such as the Jews, Poles, and Italians.[46] These groups remained pinned down on the beachheads of the culture of poverty by their competitors and adversaries until the government provided them a system of protection (i.e., a set of bootstraps) to safeguard their civil rights to acquire and possess property, their inclusive claim rights.[47]

The operative effect of these laws was that they created inclusive claim rights; that is, they Americanized these groups by incorporating them into the mainstream of society's income redistribution systems. However, African Americans have been historically excluded from participating in this process not merely because of racism, but because America has adopted a policy of Americanizing every ethnic group, with the exception of African Americans and dark-skinned Puerto Ricans.[48]

Conclusion

The civil rights laws, affirmative action measures, and other social programs are consistent with the liberal democratic tradition. The failure of the African-American intellectuals to justify civil rights policies within the framework of this tradition can account for the neo-conservatives' relatively successful attacks on the traditional civil rights leadership. They have been successful in convincing a large percentage of the public that the national government has no obligation or duty to protect African Americans' property rights to share in the community's material possessions. The failure of the national government in fulfilling its duty and obligation historically can account for the inequality for African Americans. They have been forced into a natural state of war. In this state, as Hobbes noted, there is no room for growth and development.

Notes

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3. Ibid., 253.
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6. Locke, *Two Treatise of Government*, Section 2.16.
7. Ibid., Section 2.131.
8. Ibid.
9. Ibid.
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18. Ibid.
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20. Ibid., 97.
21. See Robert A. Dahl, *A Preface to Democratic Theory* (Chicago: The University of Chicago, 1956).
22. J. Owens Smith, Mitchell F. Rice, and Woodrow Jones, Jr., *Blacks and American Government: Politics, Policy and Social Change*, 2d ed. (Dubuque: Kendall/Hunt Publishing Company, 1988), chapter 1.
23. For a discussion of "exclusive rights," see James Tully, *A Discourse on Property: John Locke and His Adversaries* (Cambridge, London: Cambridge University Press, 1980), 95–130.
24. See *Meyer v. Nebraska* 262 U.S. 390 (1923).
25. Ibid.
26. In his essay, "Of Subordination of the Powers of the Commonwealth," Locke argues that no man, or a society of men, has a right to surrender his means of preservation. This is a God given right.
27. Tully, *A Discourse on Property*, 67–68.
28. Ibid., 167.
29. Locke, *Two Treatise of Government*, Section 135.
30. Tully, *A Discourse on Property*, 166.
31. See Locke's essay "Of Property," *Second Treatise of Government*, Section 2.33.
32. Locke, *Two Treatise of Government*, Section 35.
33. Clarence Pendleton, "Racial Politics has Distorted U.S. Quest for Equal Opportunity," *San Diego Union* (December 12, 1984), 4.
34. See *Yick Wo v. Hopkins*, 256 U.S. 367 (1886).
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36. See *Board of Regents v. Roth*, 408 U.S. 564, 92 S.Ct 2701. 33 L.Ed 548. 25. Bentham, *The Theory of Legislation*, 110.
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41. For a discussion of indirect subsidy to the middle and upper classes, see Joint Committee, Congress of the United States, *The Economics of Federal Subsidy Programs* (Washington, DC: Government Printing Office, 1972).
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Research Notes

Separate and Unequal: Incorporation, Stratification, and Reform

Edward Thompson III
David M. Brodsky

California State University, San Marcos
University of Tennessee-Chattanooga

Urbanists have long noted that political incorporation allows citizens in metropolitan areas to use government boundaries to engage in de facto segregation by race and class. Hill (1974: 1557) found governmental inequality "rooted in income inequality among families in the metropolis.... and racial discrimination is a basic component of the urban stratification system and underlies government inequality." Massey and Eggers (1990: 1185) noted that "poor blacks were increasingly isolated from other classes by a pernicious interaction between segregation and rising poverty." Stratification between governments occurs when the socioeconomic characteristics of citizens in different jurisdictions maldistribute the demand for services and the fiscal resources necessary to meet that demand. Some governments have a strong tax base for citizens who require few services, while others have great citizen need but limited resources. While proposals to address stratification are occasionally advanced (Logan and Swanstrom, 1990), reducing stratification has failed to generate significant debate over specific policy tools.

This lack of debate might reflect dominance by a powerful capitalist economic class (Feagin and Smith, 1987). Alternatively, Peterson (1981) questions the practicality of reforms that limit "choice," lack migration constraints, and reduce market efficiency. Nathan and Adams (1989) and Fainstein and Fainstein (1989) suggest that shifting benefit/tax ratios and reducing federal assistance prevent the implementation of progressive reforms. Whatever the reason, government stratification based on race and class is a long-standing problem that some consider intractable.

The Interconnected Metropolis

Metropolitan stratification could be addressed if citizens in wealthy jurisdictions perceived it as in their self-interest to assist residents from poor jurisdictions:

> urban disintegration brings economic consequences for all: in laborers removed from the workforce and the government costs of prisons and programs. Beyond economics, the poverty and disorder of the central cities lacerate a larger civic fabric, driving people from shared institutions like subways, buses, parks, schools, and even cities themselves.... The increasing concentration of urban poverty undermines faith in government as the instrument of the popular will, producing an epic tale of government breakdown. (DeParle, 1991)

Political incorporation provides affluent jurisdictions some isolation from the core city. However, ties between citizens in the metropolis can never be completely severed. The decline of the District of Columbia, for example, has an impact on suburbanites who work in Washington, D.C., as well as national and international tourists who rely on the District government to deliver basic services and amenities. While race and class discourage elites from acknowledging this shared reality, Hale (1984) and others make a persuasive case for an interconnected metropolitan polity and economy.

Structural Reform

Structural reforms (consolidation and annexation) that seek greater efficiency in government by altering spatial boundaries have been proposed as remedies for stratification. Government consolidation is perceived as an effective policy tool in the classic sense of making possible the efficient and effective use of resources by eliminating duplication and generating economies of scale. Annexation and consolidation are also seen as tools that expand the local tax base so government can rely solely on revenues raised inside local political boundaries for service delivery. It is posited that the "neutral" character of annexation and consolidation renders them less "political" than other reforms.

Critics of structural reform (Bish and Ostrom, 1973; Steen, 1987) suggest that expanded governments: have not achieved the promised economies of scale; have only a trivial effect on the welfare of low-income households; fail to increase resources available to local government. They also question the notion that local governments should rely solely on taxable resources raised within their boundaries since intergovernmental revenue sharing proceeds from the assumption that once higher levels of government define policy objectives, they can and should redistribute funds to local governments to achieve these objectives.

Critics (Johnson, 1972; Bahl, 1976) also dispute the "neutrality" of structural reforms, citing evidence that expanded governments: have greater difficulty providing the services required by a larger and more heterogenous polity; emphasize infrastructure improvements over support for social services, housing, and education; fail to correct biases in the collection and

distribution of taxes; reduce the political power of African Americans. Efforts to restructure government through referenda are typically defeated (Baldassare, 1989) and structural reform is especially unlikely when there are significant social differences between the areas to be merged.

Tax Base Sharing

Revenue sharing proposals that seek greater equity between governments by reallocating tax base have also been proposed to reduce stratification. These tax base sharing (TBS) schemes would reallocate revenues among jurisdictions in the metropolis on the basis of a formula that takes specified factors into account. A TBS plan might, for example, place a proportion of either the existing tax base or some share of growth from a particular tax (e.g., property tax) into a regional pool for eventual redistribution to all general purpose governments in a metropolitan area. Equity concerns argue for redistribution formulae that reallocate funds from more prosperous governments to those experiencing hardship.

Minneapolis-St. Paul, which has a relatively low minority population, is the only large metropolitan area to have employed a tax base sharing scheme. The Twin Cities formula placed 40 percent of all gains in commercial and industrial assessed valuations into a regional pool for eventual redistribution. Funds from the pool were then reallocated according to the tax base and population for each jurisdiction.

Several flaws were associated with the Twin Cities formula. Although the plan generally redistributed revenues from high capacity/high growth areas to low capacity/low growth areas, there were instances where affluent and largely residential jurisdictions gained revenues due to limited growth in their commercial and assessed industrial base (Fischel, 1976). The plan had a limited impact during periods of slow growth or decline because contributions to the pool were based on increases in assessed valuation (Plosilla, 1976). It was also found that areas with large low-income populations did not receive additional funds because the formula failed to consider demographic differences and service demands (Fisher, 1981). Minneapolis, which had one of the greatest proportions of "high need" residents, was at various times a net contributor to the regional pool.

Despite these problems, tax base sharing avoids some of the political difficulties associated with efforts to physically restructure local government. And because TBS maintains existing political boundaries, officials elected in the core city can continue to maintain hegemony over the outputs of local government.

Justifying a Needs-Based Formula

Stratification among local governments reflects: demography; condition of housing and infrastructure; level of indebtedness; exogenous economic trends. Any formula using some combination of these factors is "arbitrary" since it must reach decisions about what factors to include and how they are to be weighted. Previous efforts to address stratification have generated mixed and at times maldistributive outcomes (Cole, 1987; Ladd and Yinger,

1989; Weiher, 1988). However, a formula that directly incorporates demographic factors associated with stratification should generate outcomes in the desired equity direction.

Palumbo, Sacks, and Wasylenko (1990) report demographic and housing stock variables make a significant contribution to the process of decentralization (stratification through incorporation) in metropolitan areas. Formulae based on demographic and housing variables should, therefore, be sensitive to stratification. This note proposes a demographic formula because of demography's close relationship to factors associated with stratification and because of the problems associated with redistribution formulae based on housing.[1] Our formula incorporates five indicators often associated with "need": percentage of female-headed households; percentage of population under age eighteen; percentage of population over age sixty-four; percentage of population below the poverty level; percentage of labor force unemployed fifteen weeks or more. The basic formula sums each jurisdiction's score on each of the five indicators and multiplies the result by a scale factor that represents the jurisdiction's share of the area-wide population. For any jurisdiction i, the index will take the following form:

$$x_i = {}^{a}i \sum_{j=1}^{m} {}^{v}ij$$

Where ${}^{a}i$ represents the scale factor and each ${}^{v}ij$ represents an indicator of "need." Here, m = 5 because the formula under consideration incorporates five indicators. To construct the share of revenue going to jurisdiction i, simply take the ratio of its index value to the sum of all jurisdictions' index values in the revenue-sharing region. Thus, to determine the share function for any locale i, first compute its index value using the formula:

${}^{x}i = ({}^{a}i)\,({}^{v}i1 + {}^{v}i2 + {}^{v}i3 + {}^{v}i4 + {}^{v}i5)$ where
${}^{x}i$ = index value for jurisdiction i,
${}^{a}i$ = percentage of area-wide population in jurisdiction i,
${}^{v}i1$ = percentage of female-headed households in jurisdiction i,
${}^{v}i2$ = percentage of population under age 18 in jurisdiction i,
${}^{v}i3$ = percentage of population over age 64 in jurisdiction i,
${}^{v}i4$ = percentage of population below poverty level in jurisdiction i, and
${}^{v}i5$ = percentage of population unemployed 15 weeks or more in jurisdiction i.

Then compute the share formula according to the formula:

${}^{s}i = {}^{x}i \,/\, {}^{x}i + {}^{x}j \ldots {}^{x}k$ where
${}^{s}i$ = the share of the revenue pool going to jurisdiction i,
${}^{x}i$ = the index value for jurisdiction i, and
Xj through Xk = index values for all other jurisdictions sharing in the revenue pool.

Hence, the share of revenue going to each jurisdiction represents the ratio of its index value to the sum of all participating jurisdictions' index values.

Applying the Needs-Based Formula

If the proposed formula works as anticipated, it will redistribute revenues in a way that more closely matches the allocation to demonstrated indicators of need. This demographic formula was tested by comparing the reallocations it produced with those generated by the TBS formula employed in the Twin Cities. The computations used to determine the percentage of revenues allocated by the proposed formula are in Table 1. The dollar amounts allocated by each plan are derived from Baker and Hinze (1984).

The computations found that Hennepin County (Minneapolis) and Ramsey County (St. Paul) scored higher than the other counties in the Twin Cities SMSA on three of the five indicators of need. Only in Hennepin County (13.7 percent) and Ramsey County (14.4 percent) did the proportion of female-headed households exceed 10 percent. These two counties also had higher proportions of residents over age sixty-four (17.7 percent and 19 percent) and with incomes below the poverty line (7.5 percent and 8.1 percent). Also, Ramsey County placed second among the counties on the unemployment indicator while Hennepin County placed forth.

The needs-based formula allocated the largest share of revenue to Hennepin County (47.3 percent) and Ramsey County (24.7 percent), the two jurisdictions with the greatest "need." This stands in contrast to the allocation going to Hennepin County (43.6 percent) and Ramsey County (23.9 percent) under the Twin Cities formula. In dollar terms, Hennepin County gained an additional $1.3 million while Ramsey County gained $290,000.

Discussion

Growing conservatism, changing demographics, shifts in the international economy, and declining federal support have placed additional programmatic and financial responsibilities on central cities. Efforts to assist central cities by developing policy tools that address stratification are complicated by race and class. Tax base sharing has the potential to address government stratification if residents in more affluent jurisdictions are convinced that their future is inextricably linked to that of citizens in the central city. Creating this consciousness is admittedly a difficult task. However, residents throughout the metropolis are linked because disintegration in the core city imposes costs on all citizens. Hopefully, this note will spur additional research into the development of policy tools that address the problem of stratification between local governments.

Note

1. Gilbert (1978) proposed a housing formula that reallocated property tax revenues among jurisdictions according to each government's proportion of housing stock built prior to 1939. This formula provides local governments a perverse disincentive to replace older, substandard housing stock and engage in new residential development. It also fails to take economic and population changes into account.

Table 1
Separate and Unequal

	Twin Cities						
	Anoka County	Carver County	Dakota County	Hennepin County	Ramsey County	Scott County	Washington County
$^{0}1$	195,998/1,985,240 =.099	37046/1905,240 =.019	194,279/1,985,240 =.099	941,411/985,240 =.474	459,784/1,985,240 =.232	43151/1,985,240 =.022	113,571/1,985,240 =.057
$^{v}1$	4772/50/763= .094	736/9604= .077	4880/50,065= .097	32,395/236,205 =.137	16,475/114,400 =.144	802/11098= .072	2498/29073= .034
$^{v}2$	103,458/195,998 =.528	17652/37046= .476	93,504/194,279= .481	347,777/941,411= .369	179,766/459,784 =.391	22986/43,784 =.525	59,888/113,571 .519
$^{v}3$	12,885/195,998 =.066	5168/37046= .014	18170/194,279= .094	168,809/941,411= .177	87,349/459,784 =.190	5087/43,784 =.116	10,433/113,571= .092
$^{v}4$	8917/944,125 =.046	2166/36163= .060	8,280/192,702= .043	68,573/917,668= .075	35876/444,545 =.081	2345/43784 =.054	4749/111,269= .043
$^{v}5$	4140/109,189= .038	596/20722 =.029	3580/109,726= .033	19,111/568,425= .034	9998/263,299 =.038	768/23545 =.033	2,263/61,131= .037
	$^{x}1$=(.099)(.772) .076	$^{x}2$=(.019)(.656) .012	$^{x}3$=.099(.740) .074	$^{x}4$=(.474)(.792) .375	$^{x}5$=(.232)(.844) =.196	$^{x}6$=(.022)(.800) .018	$^{x}7$=(.057)(.725) =.041
				$x=^{7}x_{c}$=.792 c=1			
	$^{s}1$=.076/.792= .096	$^{s}2$=.012/.792 .015	$^{s}3$=.074/.792 .093	$^{s}4$=.375/.792 .473	$^{s}5$=.196/.792 =.247	$^{s}6$=.018/.792 .023	$^{s}7$=.041/.792 =.052

Source: Data derived from 1980 U.S. Census.

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The Political Behavior of American Blacks: A Research Note on Effects of Four Classes of Variables

Steven A. Peterson
Albert Somit

Alfred University
Southern Illinois University

Introduction

Much of the research dealing with the political attitudes and behavior of blacks proceeds by comparison with whites. We find, accordingly, such generalizations as: blacks are more likely to take part in protest (Marsh and Kaase, 1979); blacks are more likely to be overrepresented among those who are politically inactive, although "once [blacks] become involved, they may participate at high levels" (Verba and Nie, 1972: 101); blacks are more favorable toward civil rights legislation and enforcement, are more liberal, and more likely to identify as Democrats (Erikson, Luttbeg, and Tedin, 1991); blacks are less likely to vote in presidential and congressional elections (Conway, 1991); blacks are more cynical than whites (Milbrath and Goel, 1977). This research note explores somewhat different issues: What is the relative explanatory power of different variables on blacks' political participation?

In this paper, we consider four major sets of variables used to explain African Americans' political behavior: socioeconomic status, "participatory orientations," "compensation" or group involvement, and "empowerment."[1] The first holds that blacks are socially and economically separated from the mainstream of America and are thereby less likely to participate in politics. This formulation was especially dominant during the 1950s and 1960s. For instance, Matthews and Prothro (1966) emphasized the relationship between social and economic attributes of individuals (among other factors playing a role, such as the community context), as shapers of political attitudes and, ultimately, the level of participation. In effect, they explained considerable

variation of southern blacks' political inactivity in terms of social and economic attributes as these influenced political attitudes and behavior (Abramson and Claggett, 1984; Salamon and Van Evera, 1973; Verba and Nie, 1972). At one time termed "isolation theory," this explanation is now generally termed the "socioeconomic model," after Verba and Nie, although those authors find that this is an incomplete explanation of blacks' political behavior.

A second set of factors used to explain political participation among African Americans is basic participatory orientations, such as political efficacy, political interest, and trust in government. Matthews and Prothro (1966), as noted before, found these to be powerful intervening variables between socioeconomic status and participation. Some years later, Verba and Nie (1972) pointed out that socioeconomic status helps shape predispositions to participate and these, in their turn, affect political activism. The same process occurs among blacks and whites, although the specifics may vary by race (consider, for example, the role of racial consciousness).[2] Among blacks, the combination of distrust in government and sense of political efficacy may work together to increase activism. Shingles (1981: 89) has said: "The strong sense of self-confidence and a deep suspicion regarding the willingness and ability of government to respond to their needs has proved to be an important catalyst, mobilizing blacks to seek to influence the policy process."

A third has been referred to by some as "compensation" (Antunes and Gaitz, 1975; Babchuk and Thompson, 1962; Orum, 1966). Group membership is the key variable here, serving important functions for African Americans. Group involvement is vital for blacks, according to proponents of this perspective, since they have so often been excluded from mainstream American life. Groups buffer African Americans from some of the effects of racism and lack of power. Groups as support mechanisms could, then, have political consequences, leading, inter alia, to greater political activism and participatory predispositions. To complicate matters, some scholars have used the same term to refer to psychological compensation (Guterbock and London, 1983); however, psychological compensation is *not* our focus here. Involvement in organizations has been associated with political participation among the American public at large, too (Verba and Nie, 1972; Verba, Nie, and Kim, 1978).

A more recent formulation is what Bobo and Gilliam (1990) refer to as "empowerment" (although this has been adumbrated in Danigelis [1977] as "political climate" theory). They found that blacks living in cities with black mayors—symbolizing political power—are more politically active than either (1) blacks in cities without black mayors or (2) whites of comparable socioeconomic status. Bobo and Gilliam (1990: 388) consequently concluded that "race now shapes sociopolitical behavior in different ways and for somewhat different reasons than held in the past."

To date, there has been no definitive test of the relative explanatory power of these sets of variables. Indeed, it is not clear that these are mutually exclusive. It would be most unsurprising to find that each has an impact on participation. In this study, we use national level survey data to test the ability of the different "models" to account for the political behavior of black Americans.

Hypotheses

Our hypotheses are very straightforward and strongly rooted in the literature:

Socioeconomic status. The socioeconomic model suggests the following dynamic: people from certain social and economic strata (such as the more educated, wealthier, older) have greater civic orientations (such as higher political interest, greater political efficacy, and elevated sense of civic duty); this, in turn, leads to greater political participation. Hence, we expect that blacks who are more educated will be more politicized.

Participatory orientations. Literature makes clear that political interest and efficacy predict greater political participation—among blacks and whites alike. Thus, we predict that greater political interest and efficacy will produce higher levels of participation. Trust may be related to participation in more complex ways. Shingles (1981) has discovered that distrust *plus* some degree of political efficacy increases likelihood of political participation. Hence, we expect that those exhibiting both distrust and efficacy will be more active.

Compensation. The literature clearly shows that greater involvement in a variety of organizations goes with more political involvement. Hence, we expect that to be the case here.

Empowerment. Bobo and Gilliam (1990) report that blacks living in cities with black mayors are more active in politics. We would predict, then, that blacks would be more politicized in cities where black mayors hold office.

Methods

The 1987 National Opinion Research Center (NORC) General Social Survey (GSS) included a black sample in its national probability sample. All told, 544 blacks were interviewed that year. Those responses form our data base.

Independent Variables

Socioeconomic status variables. Given the importance of socioeconomic factors in explaining political behavior, some indicator of socioeconomic status is needed. We have selected education level as the key variable here (separate analyses used income, and the results were generally similar, albeit weaker). At a later point, we also consider the effects of age and sex as basic control variables, given their importance as correlates of political orientations and behavior in the mainstream literature.

Participatory orientations. We use three variables to reflect the extent to which African Americans hold political views predisposing them to participate. Political interest is the extent to which respondents are "interested in politics and national affairs." Our index of trust is the query: "How much of the time do you think you can trust the local government here?" Finally, we assess efficacy by answers to the following question: "How much influence do you think people like you can have over local government decisions?" The measures of trust and efficacy are pitched at the local level to comport with the measure of empowerment used below—an index that is based on local politics. Hence, local measures appear to make more sense (and, more

practically, there is really no direct index of national political efficacy on the 1987 General Social Survey). We devised a composite measure to assess those who are both distrustful of government and efficacious. Respondents received one point if they indicated that they distrusted local government; they also received a point if they believed that they had some influence over local government. A score of two would indicate a high predisposition to participate and a score of zero a low predisposition. Twenty-five percent of the respondents registered a score of zero; 55 percent got one point; 20 percent received the maximum of two.

Compensation. Involvement in organizations is measured as follows: One set of questions in the NORC survey asked about the number of different groups to which respondents belonged. Each person received one point per group membership. We excluded membership in political groups from this enumeration, by the way, since that represents a form of political participation and begins to confuse the distinction between group membership and political activity.

Empowerment. As Bobo and Gilliam did, we coded as empowered those blacks who lived in cities (Atlanta, Baltimore, Birmingham, Chicago, Dayton, Detroit, Los Angeles, Newark, Philadelphia, Richmond, and Washington, D.C.) that had black mayors at the time of the 1987 survey: 470 blacks did not live in such cities; 74 did. The variation is limited, but this is precisely how Bobo and Gilliam measured empowerment—using the very same 1987 NORC General Social Survey data set that we do—in their seminal analysis.

Dependent Variables

Our dependent variable is political participation. We employed an index of political activism based on the Verba and Nie questions where, regrettably, no items dealing with "nontraditional" forms of political behavior (e.g., protest participation) were included. Interviewees were asked whether or not—or to what extent—they engaged in the following: "worked with others in the community to try to solve some community problem," "taken part in forming a new group or a new organization to try to solve some community problems," "try to show people why they should vote for one of the parties or candidates," "work for one of the parties or candidates," "attended any political meetings or rallies," "gone to see, or spoken to, or written to some member of local government," "contacted or written...some representatives or government officials outside of the local community," vote regularly in local elections, voted in the 1984 presidential election, "contributed money to a political party or candidate or to any other political cause." If someone reported contacting an official, either at the local level or outside the community, that person was then asked if the contact was about a community issue or about a problem particular to the individual. A summed index was created, indicating the number of different activities carried out. This serves as our basic measure of political participation.

This participation index, though, is routinely decomposed into several separate dimensions (Verba and Nie, 1972). Table 1 shows results of a factor analysis (Varimax rotation). Three distinct dimensions emerge: activism

Table 1
Factor Analysis: Political Behavior Items

	Factors		
	1	2	3
Help with local problems	**.690**	.027	.166
Join local group	**.688**	-.063	.001
Talk to someone about voting	**.437**	**.393**	.081
Work for party	**.517**	**.315**	.097
Attend political rally	**.550**	.251	.142
Local particularistic contacting	.015	.077	**.802**
Contact local representative	**.677**	.142	-.259
Outside particularistic contacting	.046	.038	**.790**
Vote in local elections	.185	**.849**	.028
Contributed money	**.477**	.221	.184
Voted in 1984 presidential election	.070	**.874**	.048

(working in campaigns and working with others in the community to advance common goals), voting, and particularistic contacting. Factor scores for each serve as dependent variables in analysis to come as well as the overall summed index for total participation level.

Control Variables

Two control variables are used as well—age and sex. Each of these has been found to be associated with political orientations and behavior, and serves as a standard control in the literature.

Findings

Table 2 summarizes the interrelationships among the basic indicators as well as the control variables. We see that more years of schooling is associated with greater political interest, sense of efficacy in local politics, a combination of high efficacy and low trust, group involvement, being younger, and—very mildly—living in a city with a black mayor. Political interest goes with sense of local efficacy, trust for the local government, having high efficacy while exhibiting some distrust, holding organizational memberships, and being male. Local efficacy is associated with trust for the local government, organizational involvement, empowerment, and being younger. Those with high efficacy and low trust toward local government tend to live in cities with black mayors and are younger. Other than the preceding, no other noteworthy relationships emerged.

Table 3 provides findings regarding zero-order correlations that directly address our hypotheses. Education is associated with higher levels of political activism, particularistic contacting, and the overall index of political participation. Political interest is strongly associated with activism, voting, and the overall index, as is local efficacy. Trust toward the local government is very mildly correlated with greater likelihood of voting. The combination of

Table 2
Pearson's r: Correlation Matrix, Independent and Control Variables (N=475)

	ED	PI	LOC	TR	HELT	GM	EM	AGE	FEM
ED	—	.23*	.21*	-.02	.18*	.30*	.08*	-.44*	-.05
PI		—	.29*	.08*	.17*	.23*	.02	.02	-.18*
LOC			—	.19*	.54*	.13*	.13*	-.08*	-.07
TR				—	-.55*	.07	-.01	.04	-.03
HELT					—	.04	.10*	-.09*	-.01
GM						—	.02	-.01	-.05
EM							—	.02	-.08*
AGE								—	.05
FEM									—

ED=Education
PI=Political interest
LOC=Sense of local influence
TR=Sense of trust toward local government
HELT=High efficacy coupled with low trust
GM=Group memberships
EM=Empowerment
AGE=Age
FEM=Female

* P < .05

high efficacy and low trust among respondents is associated with political activism and the overall index and very weakly with voting. Of the three measures examining efficacy and trust, the sense of local efficacy is the strongest correlate of political action. Empowerment goes with greater politicization across the board. Older African Americans are more apt to vote, less likely to make particularistic contacts, and are more active all around. Gender is scarcely related to participation, although black women

Table 3
Pearson's Correlation Coefficients: Correlates of Politicization (N=475)

	Political Activism	Voting Behavior	Contact Behavior	Political Activity Index
Education	.35****	.06	.09**	.33****
Political Interest	.29****	.34****	.02	.41****
Local Efficacy	.24****	.16****	.03	.28****
Local Trust	.05	.07*	-.03	.06
High Efficacy-Low Trust	.12***	.06*	-.01	.15****
Empowerment	.12***	.14***	.12***	.15***
Age	.04	.30****	-.08**	.13***
Female	-.06	.02	-.08*	-.05
Group memberships	.35****	.11***	.16****	.38****

* P < .10 ** P < .05 *** P < .01 **** P < .001

Table 4
Multiple Regression Analysis: Predicting Political Participation (Standardized Regression Coefficients) (N=475)

	Political Activism		Voting Behavior		Contact Behavior		Overall Political Activity	
Education	.25*	.28*	.12*	.11*	.04	.05	.28*	.30*
Political Interest	.15*	.18*	.30*	.30*	-.02	-.02	.25*	.27*
Local Efficacy	.12*	—	.06	—	-.05	—	.13*	—
Local Trust	.00	—	.03	—	-.03	—	-.01	—
High Efficacy-Low Trust	—	.05	—	.03	—	-.02	—	.07
Empowerment	.07	.07	.12*	.13*	-.07	-.05	.09*	.10*
Age	.08	.10*	.34*	.35*	-.05	-.03	.27*	.29*
Female	.00	.00	.08	.07	-.07	-.07	.03	.02
Group Memberships	.22*	.20*	.01	.02	.15*	.13*	.23*	.22*
Multiple R=	.49	.48	.49	.49	.21	.18	.60	.59
Multiple R square=	.24	.23	.24	.24	.04	.03	.36	.35
P=	.001	.001	.001	.001	.008	.028	.001	.001

* P < .05

are somewhat less keen on contacting than their male counterparts. Group memberships go with greater political participation of all kinds.

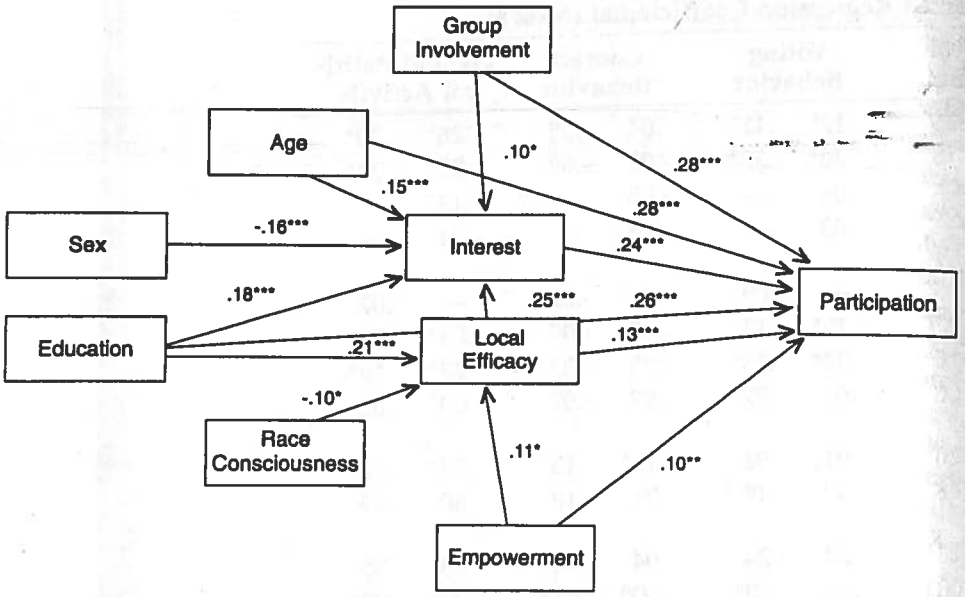
In Table 4, we consider the relative influence of each of the independent and control variables on political participation. Table 4 reports the results of list-wise multiple regression with the different metrics of political participation as the dependent variables. For each dependent variable, we report two regression equations. The first considers the impacts of local efficacy and local trust as two separate variables; the second uses the combined index of high efficacy and low trust instead of the two distinct items.

First, political activism (participation within the community as well as campaign-oriented activities). Predictors of greater activism include (in descending order) education, group involvement, political interest, and, finally, local efficacy. Twenty-four percent of the variation is explained. When the high efficacy-low trust index is substituted, it drops out and age becomes barely statistically significant as a predictor of political activism, as we call it. Explained variation drops one percentage point to 23 percent.

Voter turnout. When the predictor variables are pitted against one another, age is the dominant correlate. Political interest, education, and empowerment also influence the probability of voting. Explained variation is 24 percent. The findings are essentially unchanged when the high efficacy-low trust index is used instead of the two items separately.

Contacting. When the variables "compete" with one another in list-wise regression, only the extent of organizational memberships is related to contacting. A minute 4 percent of the variance is explained (3 percent when the efficacy-trust interaction measure is used). However, this is not surprising,

Figure 1
Predicting Political Participation (N=484)



Multiple R= .63 Multiple R^2= .39 Significance < .001

* P < .05 ** P < .01 *** P < .001

since Verba and Nie (1972) discovered that standard variables predicted other participation measures better than particularistic contacting.

Overall participation. With overall participation level as the dependent variable, we find that education, age, group involvement, political interest, local efficacy, and empowerment stand as effective predictors. Age comes to be much more strongly associated with greater overall participation with controls in place when compared with results of Table 3. Variance explained is a healthy 36 percent (35 percent when the alternate strategy of accounting for the trust and efficacy interaction is carried out). Note that the beta for age is much higher than the Pearson's r from Table 3 (from .13 at the zero-order level to .27 or .29 here). This suggests a suppressor effect with age, probably related to the lower education levels of older blacks.

Finally, to get a sense of the nexus between the four sets of variables and political behavior, we carried out a regression-based path analysis, using the overall index of political participation as dependent variable. Our assumptions are: all independent and control variables affect political participation; demographic variables, empowerment, efficacy and trust, and organizational activism predict political interest (the combined efficacy-trust measure is not reported here; data analysis not reported upon here indicated that it had no significant direct paths to participation—nor even many interesting indirect paths); demographic variables, group involvement, and empowerment are assumed to affect local trust and efficacy. Figure 1 pre-

sents the results of step-wise regression based upon these assumptions (paths not significant at .05 are dropped from the arrow diagram).

Six variables have direct pathways to participation. In descending order of magnitude, these are education, age, political interest, group involvement, local efficacy, and empowerment. A healthy 36 percent of the variation is explained by these six variables.

Group involvement, education, local efficacy, age, and being male predict higher levels of interest. What of those factors that shape local efficacy? More educated African Americans have greater confidence in their ability to affect local government. Those who are "empowered" are also more efficacious.

In the final analysis, education has powerful direct effects as well as indirect impacts through its relationships to political interest and sense of local efficacy. Group involvement, sense of local efficacy, and age have direct effects on participation as well as indirect ones through their tie with political interest. Empowerment has both indirect and direct effects as well—although not as powerful. Gender has a more distant impact on participation through its path to political interest.

Summary and Discussion

Our results can be briefly summarized: All classes of variables correctly and consistently predict political participation. The weightiest correlates are education, political interest, group involvement, age, and local efficacy. Empowerment and local efficacy are modestly linked to political action. The one "failure" was the interaction of high efficacy with low trust.

The path model suggests that each set of variables has some role to play in shaping actual levels of political activity. In the final analysis, we find that the socioeconomic status theory works quite well in explaining politicization, with empowerment also playing a role. Civic or participatory orientations and group involvement have substantial effects upon participation. Our findings with respect to empowerment, in effect, replicate Bobo and Gilliam's conclusions (using somewhat different statistical techniques) for political participation.

One additional point merits discussion—the suppressor effect with age that emerges when trying to explain participation. According to Rosenberg (1968), a suppressor effect occurs when an originally weak or nonexistent relationship between two variables becomes stronger with the effects of other variables taken into account. Other variables, in such an instance, are suppressing the true effect of the original variable. In the instant case, age has only a modest effect on overall level of political action. However, with other variables controlled, age becomes much more strongly predictive of this dependent variable. This tells us (as much current literature does with respect to nonblack elderly—see Peterson and Somit, 1994) that the actual impact of age among blacks is to increase total levels of political activity. The major reason for the low zero-order relationships is that older blacks are less educated—and education is a key correlate of politicization. Thus, older blacks' low educational attainments may well mask their true propensity to participate.

What does all this mean practically? Since many of the largest cities in the United States have large black populations, we can reasonably expect to see

more cities with black mayors. Such a development would likely enhance the politicization of blacks. This may well act to increase blacks' involvement to higher levels than would be predicted by the socioeconomic model alone. Given the continuing vexing problems of unemployment and underemployment among African Americans, there is little likelihood in the near future that changing socioeconomic circumstances themselves will generate higher levels of participation.

To the extent that (a) there is an increasing pool of older African Americans (Peterson and Somit, 1992) and (b) the effects of age represent life-cycle effects, then future decades might see expanding rates of participation among blacks. Given that some evidence shows that participation in politics can produce government responsiveness (Verba and Nie, 1972), these effects might foreshadow somewhat greater political "clout" of African Americans in coming decades.

Of course, we have to keep in mind that any conclusions made here are based upon data from 1987. And we know that change takes place in the dynamics of American politics. Hence, caution is advised about generalizing our findings too enthusiastically to other times.

Notes

1. We would like to thank Tom Smith from the National Opinion Research Center for making available to us the information needed to create the "empowerment" variable. We also thank Kyoung Keo Seo for her invaluable assistance.
2. One other significant model is "ethnic community." Verba and Nie (1972) noted an anomaly in their findings: blacks participated at higher levels than the socioeconomic model alone would predict. They discovered that once educational levels and other demographic factors are accounted for, blacks are at least as participant as whites on a number of dimensions. Black consciousness appears to lead to levels of participation above what would be expected by the operation of the socioeconomic model alone. Advocates of this explanation emphasize (Ellison and Gay, 1989: 102) "the strong sense of racial consciousness among blacks, stemming from shared experiences of deprivation and discrimination." Proponents of this theory argue that black political participation actually equals or exceeds that of whites—*ceteris paribus*—because of black consciousness. However, the 1987 NORC data set did not include fully satisfactory measures of the concept, although some have used surrogate measures from the General Social Survey. See, for instance, Hackey, 1992; Peterson and Somit, 1992.

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Early Post-Cold War Views of World Affairs

Walter W. Hill

St. Mary's College of Maryland

Peter G. Boyle, *American-Soviet Relations: From the Russian Revolution to the Fall of Communism* (London and New York: Routledge, 1993), 321 pp.; ISBN 0-415-02020-9 (paper).

Paul Joseph, *Peace Politics: The United States between the Old and New World Orders* (Philadelphia: Temple University Press, 1993), 300 pp.; ISBN 1-56639-022-2 (cloth).

J. Martin Rochester, *Waiting for the Millennium: The United Nations and the Future of World Order* (Columbia: University of South Carolina Press, 1993), 347 pp.; ISBN 0-87249-882-4 (cloth).

These three works concentrate on various features of the international world. Both Rochester and Joseph write about the current transformation of international relations following the end of the cold war. Boyle concentrates on the dyadic relationship between the United States and the Soviet Union and thereby reviews events leading to, and resulting in the collapse of the cold war. Each author has a strikingly different *Weltschauung* that helps to give some insight to the range of current academic interpretations of events.

Peter Boyle examines American-Soviet relations. Boyle teaches at the University of Nottingham in the United Kingdom, and holds a doctorate from UCLA. Contemporary events are still changing sufficiently rapidly in a number of places, including the former Soviet Union, that material summarizing the last few years may be out of date soon. The time span of the book is such that trajectory of recent events is not critical to most of his argument. The preface in fact begins with a 4 June 1990 statement by President Mikhail Gorbachev that, "The Cold War is now behind us."

Boyle makes a useful contribution to the literature on American-Soviet affairs. Frequently, texts on relations between Washington and Moscow begin within a few years of the end of the Second World War. This narrative

more thoughtfully begins in March 1917. By using the date of the abdication of Tsar Nicholas II one gets a sense of the extent to which the two powers saw themselves as adversaries at inception of the Soviet state. Boyle quickly outlines some of the major failings of the Provisional Government which held power through the Bolshevik revolution on November 7, 1917. The author cites George Kennan's 1960 book, *Russia and the West under Lenin and Stalin*, one of the best single works on Soviet affairs, yet Boyle neglects to note Kennan's main point.[1] The former diplomat saw various reasons for the success of the communist revolution. He argues that the Western powers contributed to the fall of the Provisional Government by strongly encouraging Russia to keep fighting on the Eastern Front during the World War. Boyle places blame solely on the leadership of the Provisional Government.

Of course the purges under Stalin are discussed. In 1934, Sergei Kirov, the popular Leningrad leader, was assassinated, "probably on Stalin's orders" and other political leaders were executed in the next several years. The purge of military leaders then followed. The repugnance of the terror to Americans is mentioned. It is generally agreed that the terror must have weakened the Soviet Union as was evident in the war that was soon to follow.

Boyle (p. 34) seems to suspect that Stalin's principal foreign policy wish was to have the western powers at war with Germany and Japan, leaving Stalin to pick up the carcass. Why does Boyle note, but not explain, the "treachery" of the Soviet foreign policy on the eve of World War II? One could recall that France and the Soviet Union formed an agreement in March 1935. Hitler immediately sent his army west, toward France, reoccupying the Rhineland. The West was unwilling to respond to the provocation, and London and Paris were indifferent to the German invasion of Austria, the *Anschluss*. Kennan said that Stalin must have seen the feeble Western reaction to events on its borders as an indication that London and Paris were unreliable allies. Boyle ignores key diplomatic events of the period from 1935–39, and so he is unable to explain successfully the Nazi-Soviet Pact of August 1939.

The Soviets invaded Finland in October 1939. Without comment Boyle says, "As a British diplomat noted, America regarded Finland as the one honest-debtor and the blue-eyed boy among all foreign nations." Is not a facetious comment in order? Had western banks redlined northern Europe? American aid of $100 million was unable to prevent the Finns' loss to Moscow.

A key feature of the literature dealing with the immediate post-World War II period is the division of the writers between orthodox and revisionist schools. Members of the former camp tend to see the world more or less as seen by the foreign policy elites in power. Authors in the latter camp tend to reinterpret events from a critical perspective of either the right or the left. Boyle has a balanced and extended summary of the positions taken by both camps for events in the immediate postwar years.

In the autumn of 1949 Mao Zedong declared victory in the Chinese civil war. Boyle gives a fairly extensive discussion of the question regarding the extent to which deficiencies on America's part led to the Chinese victory. Non-European themes first appear in Boyle's discussion of China. The author's main objective is to dismantle the twin revisionist theses that failed U.S. policy permitted the Chinese revolution and that American policy drove

China into the Soviet camp. The revisionists are convincingly dismissed. For example, it is observed that U.S. aid going to China in 1945–46 was "of little benefit" given the political realities of the time. General Marshall's attempts to form a coalition between Chiang's Nationalists and the Communists were unrealistic.

On the other hand, features of the revisionist position with respect to the Vietnam War are ignored. The obligatory cursory note appears that Eisenhower said the Communists would have won a free election. Kennedy's decision to send "advisors" to South Vietnam in December 1961 is seen as "the fateful decision" (p. 140). Such an analysis ignores the fact that Diem government was corrupt, and it had adopted repressive measures since the 1954 Geneva agreement. The self-immolation of Buddhist priests highlighted opposition to the regime. Furthermore, the Northern government virtually ignored pleas from the opposition in the south requesting support.

Cuba of course is an important item in the chapter on Kennedy. I could not help but notice the limited number of examples involving the developing world from the last year of the Eisenhower administration through the Kennedy years. Others refer to 1960 as the year of Africa because of the success of the independence movements. Surely some discussion is appropriate on how the Americans, and Soviets, not to mention Beijing, chose to respond to these events. The United States was clearly involved in the crisis in the Congo, now Zaïre. Kinshasa, then called Léopoldville, remains an important point of U.S. interest in Africa. In this period South Africa withdrew from the British Commonwealth, the massacre at Sharpeville occurred, and Mandela was imprisoned. Surely some of these events are noteworthy.

With the Bush era we saw the results of the policies of *perestroika* and *glasnost* which were adopted by Gorbachev. Boyle describes the crumbling of the Soviet Empire in Eastern Europe. He focuses on associated defense issues. In June 1990, Secretary of Defense Cheney is seen responding to William Gray, then the Democratic Whip. The Secretary responds to the question of why greater defense cuts were not possible by suggesting the closure of the Philadelphia Naval Yard, which was in the congressman's district. The end of the cold war is placed with the failed coup of August 1991.

Paul Joseph takes an entirely different approach than that of Boyle. He is explicitly interested in demilitarizing domestic and international politics. Hence, the large nuclear weapons systems that Boyle finds of interest because of their ability to provide security, to threaten, or to be considered central features of, say, the SALT negotiations are seen by Joseph as problems in and of themselves.

The opening chapter takes *au courant* usage and is entitled "The Bomb and the Rain Forest." In it several related problems associated with the old world order are outlined. He argues that nuclear weapons are by their very nature counterproductive. The domestic drain on resources associated with the drive for military superiority led to public deficits. Debt transformed the internal social structure of many developing countries and their response is exemplified by the deforestation of the Amazon. The scope of the chapter is vast, and the linkages presented could show global connections felt by peace researchers. I am not entirely persuaded that the links are in fact demonstrated. On the one hand, there are negative environment impacts from

the use of nuclear weapons. The author notes that turtles are radioactive in the area surrounding the weapons plant at Savannah River, South Carolina. As I write, *l'affaire* of plutonium experiments on human subjects in the early postwar years is a front page story. On the other hand, the jump to claim that U.S. defense spending leads to the Amazon rain forest is not convincing. What is the etiology that shows the link with U.S. defense spending? I could imagine that the U.S. defense buildup that started late in the Carter years and then accelerated under Reagan could have occurred without any effect on the Brazilian ecology.

Joseph also argues that deforestation results in more carbon dioxide and methane, both greenhouse gases. What about the other greenhouse gases, the chlorofluorocarbons, ozone, and nitrous oxide? Would the greenhouse effect appear anyway, even with reduced defense spending?

The chapter on Desert Storm contains an interesting analysis of the events associated with the Persian Gulf War with far more detail and from a perspective quite different than Boyle's. The nonmilitary objectives of the campaign are assayed. An allied success in the war could mean the end of the Vietnam syndrome and reduce the domestic constraints for future operations. A success would weaken the hand of the "declinists," social critics who believed America is waning. Interestingly, a success would perpetuate the significance of the "clear-eyed" realism of those who place primacy on political and military issues rather than those who are interested in environmental and economic issues.

The military principles of the cold war world system rested on a strategic arsenal of nuclear weapons, a large commitment of U.S. troops in NATO, and interventionary capability in the Third World. The first two features are of diminished importance with the collapse of the Soviet Empire. He sees the preservation of the third as essential for the defense industry (p. 64).

He cites interesting unpublished material by Fisher of Harvard suggesting that Baghdad was in fact making rational decisions in late January 1991. That is, after Allied bombing began, but before the ground phase of the war. From that perspective, the withdrawal of Iraqi forces could have led to several negative consequences, including: the possibility that the bombing would not have stopped; the implication that Iraq will yield to threat; and the prompting of Israel to strike in retaliation. Not withdrawing had a mixed, but overall positive evaluation. Iraq would have stood up to the United States and might become a hero in Arab eyes. The war would probably continue, but Baghdad might be able to negotiate a settlement.

Other reasonably well-known but interesting insights appear. For example it is noted that African Americans comprised 30, 21, and 14 percent of the army, navy, and air force, respectively. Clearly there is over-representation as that subpopulation is 12 percent of the U.S. total. In a later chapter (p. 188) on a peace economy, it is noted that the services in a way employ this large fraction of the population. Problems of conversion will not just impact on the highly skilled, but also the inner city.

Several chapters discuss various aspects of broader political questions of peace activities. For example, what now appears to be the episodic appearance of the U.S. anti-nuclear movement, which achieved important national attention around 1982, is discussed in contrast to the more long-lived *Grün*

or Green Party in Germany. Also, the reasons for what turned out to be the relatively negligible peace dividend are discussed. One example is an estimate that repairing the nation's infrastructure may cost $3 trillion. This cost is approximately ten times the maximum annual U.S. defense budget of the last decade.

J. Martin Rochester takes yet another vantage point. He is interested in the role of the United Nations in the contemporary international context. The bulk of the text appears to have been completed by 1991 so that the collapse of the Soviet Union's empire in Eastern Europe is evident, but the reemergence of Russia as a successor state to the Soviet Union had yet to occur.

Let me take the liberty of noting in passing several comments regarding issues of style. First, the book is comprehensively documented. For example, the nineteen-page chapter "The Global Problematique" contains eighty-three footnotes. Furthermore, the endnotes are easy to locate in the relevant section of the text because the pagination is referenced in the margin.

Second, I am disgruntled with usage of terms like "anarchy" without any sense of the multiple historical references of the word. Recent popularization may date to the publication of *The Anarchial Society* by Hedley Bull. Organized but decentralized systems have existed. Consider, for example, the CNT (Confederación Nacional del Trabajo) and FAI (Federación Anarquista Ibérica) during the Spanish Civil War, or Machkno's movement in the Ukraine during the Russian Revolution. Reference to the historically factual movements might have given a better sense in what was politically possible than the more impressionistic notion that we have a disorganized "anarchic system of sovereign nation-states" (p. 25).

Finally, I tend to cringe at titles like "Strategy in the 70s" because often decade boundaries are arbitrary. The decade from the Brown decision to the Civil Rights act happened to be 1954–1964, years not evenly divisible by ten. His analogous locution with the word "millennium" increases my unease. The author hints at the problem on the last page noting that the Gregorian year 2000 will be year 1421 of the Hegira on the Islamic reckoning, and he lists various dates on other calendars.

Rochester begins with ambitious essays that search for theories that cover the United Nations and which explain the behavior of international actors. He gives hints of his large scope by references to the "socio-economic entity covering" 510 million km^2 of human contact. That is, he includes the seas as well as the land mass. He places the beginning of the international system with the Peace of Westphalia in 1648, but argues that current theory should take into account multinational corporations, nongovernmental organizations, international governmental organizations (IGOs and NGOs), interactions between not only first world countries, but first world penetration into the third world.

The broad theorizing results in a useful summary of international affairs. For example, the observation that a relatively small number of states control a high proportion of resources means views of a few dominant actors are critical. The dominant actors are often not permanent members of the Security Council, which in turn suggests modifications of the present body.

Perhaps a necessary cost of a top-down approach is that smaller actors are lost in the shuffle. Rochester is generally sensitive to the problem of

different communal interests as he quotes Deutsch (p. 37) as saying pluralistic security-communities best function under a number of conditions, including shared values. The author notes various political communities. However, in other instances he fails. For example, a few paragraphs later he favorably quotes Waltz as commenting, "Never since the Treaty of Westphalia...have great powers enjoyed a longer period of peace than we have known since the Second World War." He cites American-Chinese contact during the Korean War as the only possible exception. The Soviet invasion of Afghanistan, the American involvement in Vietnam (which resulted in 58,000 U.S. deaths), the confrontation between the United States and the Soviet Union during the Cuban Missile Crisis, the involvement of France in Algeria, and the British and French attack on Egypt in 1956 come to mind quickly and do not denote a system for which nonmilitarized resolution of conflict is the norm. On the other hand, in none of these conflicts are the major participants on both sides great powers shooting at each other. A less significant but similar lapse occurs when quoting Bailey (p. 58) as saying, "By 1890 we [the United States] were the number two white nation in population." The sentiments are traditional, and the meaning is clear, but I have no hint that the author senses the heterogeneity in his society.

Rochester sees that a key result of the Iraqi invasion of Kuwait was the favorable and high profile the United Nations gained in Washington. The author optimistically views the organizational aspects following the passing of Resolution 678, which "authorized military action under Chapter VII." He notes (p. 197) "the impressive demonstration of collective security possibilities provided by the Gulf War experience." Domestic support for the United Nations increased, and public opinion polls showed a wide majority of Americans supporting a standing UN peacekeeping force. The contrast between Rochester and Joseph is interesting and highlights contradictory perspectives considering whether or not military force helps collective security.

A wide range of prescriptions for the United Nations are suggested. One is a type of functionalist eclectic approach (p. 199) where peace is promoted by severing specialized agencies. It is expected that this procedure would allow the UN proper to specialize on issues directly related to war and peace. It is posited that specialization will limit and better define the issues brought to the United Nations. A second possibility is to introduce "dirigible pluralism," which would be built around subsystem autonomy. The subsystems might look like "the nuclear proliferation regime" or "the monetary regime." Yet other possibilities relate to fine tuning to correct the system, such as trimming the organizational chart.

The contrast between the three works show a range of contemporary academic thinking on various aspects of the international affairs. We see optimistic and pessimistic interpretations of recent events, such as the Gulf War, and of the likelihood of the emergence of a peaceful new world order lead by the United Nations or the United States.

Note

1. George Kennan, *Russia and the West under Lenin and Stalin* (Boston: Little Brown, 1960).

The Devolution Decade: Assessing the States' Response

Carl E. Stenberg III

University of Virginia

Fred A. Meyer, Jr., and Ralph Baker, eds., *State Policy Problems* (Chicago: Nelson-Hall Publishers, 1993), xiv + 337 pp.; ISBN 0-8304-1337-5 (cloth).

Robert P. McGowan and Edward J. Ottensmeyer, eds., *Economic Development Strategies for State and Local Governments* (Chicago: Nelson-Hall Publishers, 1993), ix + 194 pp.; ISBN 0-8304-1298-0 (cloth).

The 1980s can be considered the "devolution decade," during which domestic leadership shifted from the nation's capital to state capitols. The Reagan administration's New Federalism philosophy, and related policy initiatives, were catalysts for these changes.

Federal grant program termination, consolidations, and reduction included in the Omnibus Act of 1981 underscored the fact that national priorities for debt service, defense, and entitlement programs were more compelling than supporting state and local service delivery efforts. As a consequence, federal aid as a percent of state and local budgets declined over the decade, and individuals rather than jurisdictions became the dominant overall aid recipients.

Budget "decrementalism" was accompanied by Reagan administration initiatives to decentralize decision-making authority and give state and local recipients more flexibility through block grants in utilizing shrinking federal monies. Efforts were made to provide subnational jurisdictions with regulatory relief, even though they proved largely unsuccessful in curbing the growth of federal preemptions, crossover sanctions, crosscutting prerequisites, and direct orders.

The most ambitious undertaking, during 1982–83, was President Reagan's proposal to "swap" responsibilities with the states, whereby the national government would assume the Medicaid program if states would take over

welfare and food stamps. The federal roles in other domestic programs, such as community and economic development, transportation, housing, and education, would be gradually turned back to states and localities and transition funding would be provided to cushion the fiscal impact. The proposal fell on deaf ears, in Congress as well as at the state and local levels, although in retrospect given Medicaid's "PAC-Man" effect on budgets, some governors and legislative leaders might regret that it was not more vigorously pursued.

Although less coherent philosophically, the Bush administration continued the general thrust of the Reagan domestic policy. As federal budget conditions worsened, the domestic spotlight was turned more intensely upon state governments.

These developments have been accompanied by an outpouring of literature on state and local government. This rekindling of interest has been welcome, but overdue. Textbooks, monographs, research reports, and articles in scholarly journals have called attention to the "rejuvenation" or "resurgence" of the states. They have chronicled efforts to modernize the executive, legislative, and judicial branches; to establish well-balanced state-local fiscal systems; to reallocate functional responsibilities in accordance with criteria such as effectiveness, efficiency, equity, and political accountability; and to give local governments greater discretionary authority over structural, functional, personnel, and financial matters. Attention also has been focused on the political leaders of the states, with many governors being compared favorably with the ablest corporate chief executive officers.

While the states' capacity-building record has been well-documented, less is known about how states have actually performed their well-publicized role as "laboratories of democracy." As they were handed the domestic policy baton by the national government, were the states capable of and committed to keeping pace with rising demands and expectations of both citizens and local governments? Or would they ratify federal cuts, retrench their budgets, and restrict their policy initiatives and program offerings? While cast studies and anecdotes seek to answer these deceptively simple questions, few systematic analyses are available which develop and test hypotheses over time.

The two volumes considered here contribute to the knowledge base of the "state of the states" during the devolution decade. *State Policy Problems* focuses on the "extent to which the states in the American system can exhibit policy innovation and responsiveness in a time of devolution of power from the federal government" (p. xi). The volume contains eighteen original articles, most authored by academics. The contributions vary in length and depth, and cover several significant policy arenas, including health, economic development, telecommunication, growth management, gender, judicial administration, rural development, and highway safety. The authors generally seek to determine how well states have responded to the devolutionary challenge. Not surprisingly, the record is mixed in terms of both substantive area and state-by-state responses. As the editors conclude, "the symposium does not lend itself to sweeping generalizations about the states' ability to be laboratories of innovation in a period of devolution" (p. xiv).

Reform, Re-Invention, and Good Governance: Politics, the Public Service, and Public Accountability

Louis F. Weschler

Arizona State University

Patricia W. Ingraham and Donald F. Kettl, *Agenda for Excellence: Public Service in America* (Chatham, NJ: Chatham House, 1992), vi + 306; ISBN 0-934540-86-1 (paper).

Donald Axelrod, *Shadow Government: The Hidden World of Public Authorities—And How They Control Over $1 Trillion of Your Money* (New York: Wiley, 1992), vi + 344; ISBN 0-471-52767-X (cloth).

Reforming and re-inventing government is nothing new. Americans always have tinkered with their governmental institutions and processes. The merit system and local public authorities are two examples of rather important innovations which are nearly universal in this country.

Current concern with reform of the national civil service responds to some major tinkering done under the Carter, Reagan, Bush, and Clinton administrations. The debate is not over. One of these books, *Agenda for Excellence*, provides a liberal response to the politicalization and erosion of the national public service.

The other book, *Shadow Government*, indirectly addresses another current movement, the re-invention and re-engineering of government. America has much experience with public entrepreneurial activities and privatization of governments. Public authorities often operate like private businesses outside regular control of elected officials and voters. This book offers evidence of out of control governance using billions of public dollars.

These volumes are not complimentary. Their foci and themes are too diverse. They do, however, examine the need for and the limits of reform and political control.

Politicalization of the Public Service

Charles H. Levine was one of the most important scholars of public affairs in this half of the twentieth century. Among his scholarly contributions are exceptional analyses of fiscal stress and civil service. His presence and work strengthened both the intellectual foundations and the practice of American governance. *Agenda for Excellence* is one of two volumes from Chatham House in his memory and in commemoration of his lasting contributions to practice, teaching, and research in public administration. The editors and contributors see this volume as a fitting testimonial to the legacy of Charles Levine. Further, they characterize it as a celebration of the potential of the public service.

Re-inventing and re-engineering are popular concepts, code words, and, by now, cliches. The power of these terms as symbolic of both the failure and promise of American governance has testimony in Vice President Al Gore's attempts to lead a reformation of the practice of American government. This from-the-top-down effort to ride and lead a popular and populist movement may or may not succeed. To date, much of the success has been media focused and symbolic.

Reformation of governance, however, is a continuing, serious substantive undertaking. The seventeen contributors to *Agenda for Excellence*, including Charles Levine, offer positive, uplifting essays on ways to improve the public service system and the management of public agencies. The focus is on civil service and management of people in public organizations.

Lloyd G. Nigro and William D. Richardson provide an interpretation of "The Founders' Unsentimental View of Public Service in the American Regime." The authors argue that the founders of the American regime were unsentimental in their insistence that the survival of the republic not be dependent on virtuous citizens lead by disinterested governors. The future of the republic and popular governance would depend on the workings of democratic, representative government rather than a professional elite. The founders hoped, so Nigro and Richardson argue, that benevolent and disinterested public servants dedicated to the public good would arise, but the constitutional regime would not depend upon them. The Constitution was designed as a means of assuring that all who seek office, elective or appointive, must do so with the consent of the governed. Consent, not virtue or benevolence, is the key to American governance. Nigro and Richardson provide a conceptual and moral argument for the continued fusion of politics with administration as prescribed by American constitutional principles.

Part Two of the book covers political issues. Peter M. Brenda and David H. Rosenbloom discuss the Hatch Act and contemporary public service. It visits the rather heated, recent debates over limits and reforms of the Hatch Act. The essay concludes with the proposition that under a constitutional (law) model of the public service, policy could decide which groups of federal employees could engage in partisan activity and which could not. The principle of complete neutrality of the federal work force is not compelling under the doctrine of fusion of politics and administration. Workable distinctions could be made with reference to level and function. First Amend-

ment participation rights could be restored from some employees without risking total politicalization of the public service.

James P. Pfiffner addresses the democracy-bureaucracy nexus in an essay about the role of political appointees and career executives in a responsive, accountable, and effective government. He feels that the capacity of the White House to make political appointees is strained and it is time to reverse the trend toward increasing numbers of political appointees. Reversing this trend, according to Pfiffner, would improve the capacity of the government of the day to function efficiently without sacrificing accountability or responsiveness.

Collin Campbell and Donald Naulls argue that the recent decline in the federal public service stems from a minimalist perspective which they place at the feet of public choice theory and, in particular, of William Niskanen's concept of "budget-maximizing bureaucrat." They use comparative budget data to assess the minimalist approach. They contend that creating conditions under which the "meanness of mind" approach to bureaucracy can work out—constraining expansive public budgets as the main tool—produces a minimalist ideology which strikes at the roots of republican governance.

Donald F. Kettl examines congressional efforts to control federal bureaucracies through micro-management. There are incentives for Congress to intervene directly in the lowest levels of management. As Kettl notes in a quote from Allen Schick, control of administration means control of government. Congress, ever jealous of its oversight role, often crosses the line from oversight to intrusive nit picking. Kettl feels congressional actions retard risk taking by administrators. He advocates that Congress reduce its micro-management of agencies and that managers be more confident and aggressive.

Part Three addresses management issues. Hal G. Ranney and James L. Perry discuss two streams of Levine's inquiry: research and professional activity regarding distinctive characteristics of public organizations and management; and management in the federal government. This is not a retrospective of Levine's work, but rather a summary and assessment of recent scholarly work in these two areas.

Barbara S. Romzek discusses a shift from the Protestant work ethic to a work ethic in which employees are less willing to sacrifice personal needs for organizational or employer needs. She argues that they now expect regular, fair income and a safe working environment. Many pressing problems arise from this change under conditions of revenue shortfall, cutbacks, and stress. Employees whose work expectations are not met are unlikely to develop strong ties to their employers. Her essay explores various dimensions of the dynamics of employees' commitment and ways to foster strong links between employee and employer.

In an article reprinted from *The Public Administration Review* 40 (May-June 1986), Charles H. Levine assesses the administrative legacies of the Reagan years. He asks: Will American (federal) public administration be ready for the year 2000? There are, he argues, reasons to be both pessimistic and optimistic. He suggests, however, than even with the diminished capacities of the Reagan legacy, all levels of governments will be successful using alternative organizational structures and processes in delivery of services. The bad news is that the public service, at the national level, has eroded. The national administrative state is not in good order. A new, consistent

doctrine of a positive administrative state is needed to guide efforts to meet the challenges of the new century.

Using Levine's essay as a bridge, Part Three considers issues for the future. Patricia W. Ingraham assesses the role of blue-ribbon commissions in changing the national executive branch. What differences do commissions make? Why are there so many? Why do they repeat the same lessons? Among the answers proposed are: varying definitions of efficiency, varying roles of commissions, variation in impacts of adopted recommendations, and changing environmental conditions. In spite of limited successes, use of commissions, argues Ingraham, are part of the American way of life and always will be a part of the search for solutions.

The longest and most important essay in the book, "The Quiet Crisis in the American Public Service," by Charles H. Levine and Rosslyn S. Kleeman, assesses the state of the federal civil service as it enters a new era. Its future is uncertain. The essay assesses the civil service by examining five questions: What is the current state of the civil service? Is its capacity deteriorating? What ideas have been proposed for better aligning the federal work force with the future? What are the feasibility and effectiveness of these ideas? Given these feasibilities, what will be the shape of the civil service in the year 2000? As implied by the last question, there is overlap with the Levine essay in Part Two. The most important part of this significant essay is the assessment of various recent proposals to further reform the national civil service. Whether or not these reforms, if and when implemented, will serve the public interest is an open question. Levine and Kleeman raise significant issues and concerns about improving the capacity of the federal service.

The last essay, "The State of Merit in the Federal Government," by Patricia W. Ingraham and David H. Rosenbloom with the assistance of John P. Knight, is supplementary to the Levine and Kleeman piece. It provides the basics of the merit system and its current status in law, courts, and administrative practice. The authors argue for a balanced understanding of the meaning of merit. They argue that the current system assumes that public employees must be coerced into meritorious behavior. The national government must be aggressive, flexible, and innovative. The current understanding of merit and the extant merit system deny the government these capacities. The authors argue there is no quick fix for the civil service and public administration. There is, they say, a dynamic need to decide what kind of public service we need and deserve.

This is a useful book for anyone interested in the state of the national public service. It provides a liberal, progressive interpretation of recent history and trends. It decries the erosion of the national public service and of its role in good governance. The essays, most written for this volume, do address some of the major concerns of Charles H. Levine's life and work: the status, promise, and future of the national public service. Persons who only have vague ideas of the principles, development, and status of the national public service will find this book rewarding. Persons who are specialists in this field will be familiar with the basics, but will find the speculative essays useful. These essays add some interesting points to the debates over the state of the public service. Collected in one place they do provide a convenient set of materials. They are a fit testimony to Levine's concerns.

Uncontrolled, Private Governments

Shadow Government blows the whistle on how public authorities including special districts operate with little direct public involvement or scrutiny. Specialists on local government or public enterprises will be familiar with most of what Donald Axelrod has to say. Other students of governance and the general public probably will not.

One problem with the book is that it does not clearly address either the lay audience or the professional audience. It is not popular enough in content nor written in a mass media style to appeal to and to communicate well with a lay audience. It is not scholarly enough and too fragmented to be convincing to professional scholars. Nonetheless, it covers an important and growing part of American political life. Continued concern with privatization, re-invention and re-engineering of governments will lead, as Axelrod says, to more use of "public" authorities and large-scale special districts.

His basic arguments are clear, but not concise. He sees large-scale public authorities operating with little or no direct oversight by elected officials or voters. He argues that the courts have further muddled things by deciding to minimize constitutional and statutory control and regulation of these special public authorities. He concludes that enterprising public executives and other governmental officials have turned over billions of dollars of public funds to special and private interests in the name of efficiency, economy and development.

Axelrod uses historical case studies of many public authorities, and especially transit authorities—Massachusetts Bay Transportation Authority (MBTA), the Bay Area Rapid Transit (BART) in San Francisco, the New York State Metropolitan Transportation Authority (MTA), the Metropolitan Atlanta Rapid Transit Authority (MARTA), the Metropolitan Transit Authority (MTA) in Houston—as well as state and federal agencies to provide evidence of insulation and isolation of these organizations from responsible public control.

One of his favorites, largely because it failed miserably, is the Washington (state) Public Power Supply System (WPPS). Regionally, it is known as WHOOPS because its spent over eight billion dollars in planning and building unsuccessful reactors for electrical energy supply. Not to be accused of regional bias, Axelrod includes cases from California, New York, New York City, Massachusetts, Illinois, New Jersey, Pennsylvania, and other cities and states. Case studies are never fully persuasive, but there are enough here to get across his principal theme: these "hidden" authorities are big time governments under little public control.

How many are there? If special districts, such as development districts, flood control, and irrigation districts, and the like, are included, the answer is: no one really knows. As Axelrod points out, few states actually know the total number of authorities and districts within their boundaries. Nor, as he shows, do they have a good picture of or much control over the financial affairs of these authorities and districts. This is for one very interesting reason: most are set up and designed to avoid taxation constraints, spending limits, or fiscal responsibility regulations. In the name of fiscal flexibility

and privatization, thousands of these agencies have been established to remove these quasi-governments from normal political and fiscal controls.

Are things as bad as Axelrod claims? Are there monstrous shadow governments out there wildly spending the public's money? Yes and no, with more emphasis on yes. These special authorities and districts are independent, limited purpose, local (regional at times) governmental units that are separate level entities with substantial administrative and fiscal independence from regular local government. And they have little connection with and control from most state governments. There may be more than 30,000 special districts and as many as 10,000 state and local public authorities, such as transit authorities or harbor authorities.

The problem, according to Axelrod and others, is that these are really quasi-public authorities. They are created by special legislation, they are distinct corporate entities legally unhitched from direct control of local and state governments, they are governed by a board, usually appointed, and they are authorized to borrow money, issue project bonds, construct and manage capital projects. Further, they usually have the power to contract with other governments and, at times, private firms. These powers are very similar to those of cities (municipal corporations). The big difference, according to Axelrod's thesis, is that municipalities are governed by elected officials directly responsible to the electorate. The shadow governments, by and large, are not.

Are they as irresponsible as he claims? Probably. Some other forms of government—school districts and municipalities—under the direct control of the electorate have participated in activities comparable to the worst cases of the shadow governments. The issue boils down to the degree to which elected assemblies, such as the state legislatures, school boards, and city councils, operating under strong constitutional constraints, bring more responsiveness, responsibility, and accountability to governmental bodies. The answer is yes. In case of rouge elected governments, the free press and the public do have recourse. In the case of shadow governments, not so effectively.

This is an important topic. The use of public authorities to amass large chucks of public funds and then put them to specialized use under little public control is not a good state of affairs in a democracy. The plea for flexibility and entrepreneurship does not overcome the need for direct public political accountability.

If the book tried less to be flamboyant and if it were better organized and written, it would be more accessible and more effective in carrying its message.

Need for Reform?

Both these books have important messages for those who wish to summarily make governments into market-like, rent-seeking organizations. The polity is not economy. Government is not market. Public agencies are not firms. Public organizations can be managed more effectively with more attention to consumer expectations, but they cannot be turned into independent, competitive enterprises without loss of public involvement and public control. In democracy, nothing replaces public involvement and control.

The Preeminent African-American Legal Scholar: J. Clay Smith, Jr.

Hanes Walton, Jr.

University of Michigan

J. Clay Smith, Jr., *Emancipation: The Making of the Black Lawyer 1844–1944* (Philadelphia: University of Pennsylvania Press, 1993), xix + 703 pp.; ISBN 0-8122-3181-3.

There are *two* major research traditions in America. The first research tradition arises out of a contextual environment designed to foster intellectual advancement—a tradition that holds a hegemony over the knowledge base. Scholars belonging to this research tradition produce scholarship that is almost always defined, described, and decorated as individuals working at major research universities, rich in resources and designed to stimulate, encourage, and support the finest academic research efforts and endeavors. Professor Aaron Wildavsky describes it as such:

> By rich research universities, I point to those institutions where research is an acknowledged central priority and that therefore provide the resources necessary to carry it on—a modest teaching load, a decent office, an excellent library, computing facilities, and more. Professors at wealthy universities are also given or have reasonable opportunity to secure such services as secretarial help, speaking to colleagues on the phone, mailing letters and draft manuscripts, even sending material express so a professor can catch up with his mail while on the road. There is no sense advising this exact course of action for scholars in departments that habitually run out of stamps.[1]

But the knowledge base cannot alone survive and suffice on this *single* tradition simply because knowledge in every field emanates and evolves from other traditions.

The *second* research tradition in America's intellectual life is the unheralded, unsung, unrecorded, but not unnoticed one. Scholars belonging to this tradition literally make something out of nothing and typically pro-

duce scholarship at the less recognized institutions of higher learning. are the places, to use Professor Wildavsky's apt phrase, where the sc "habitually run out of stamps" and where other sources of suppo nonexistent.

One such place is the historical African-American college. Here sch like Professor Carter G. Woodson, E. Earl Thrope, Ralph Bunche, E. Fra Frazier, Charles Johnson, Benjamin Quarles, Meize Tate, Elsie Lewis, jamin E. Mays, Samuel D. Cook, Robert Brisbane, Tobe Johnson, E. En Dorsey, and, to an extent, John Hope Franklin worked outside of the m stream research institutions and overcame hauntingly deficient reso unsympathetic administrations, heavy teaching loads, and the lack wards for hard work. These scholarly giants nevertheless scaled the he and produced stellar scholarship. Not only did they produce reformis revisionist work of the highest caliber, but they produced innovative ative, insightful, and pioneering work that matched and surpassed m stream efforts. At times the *second* tradition out-distanced, out-l out-danced, and out-performed the *first* one. In point of fact, it had order to survive.

Professor J. Clay Smith, Jr., is an exemplar of this rich second trac and his initial work is a pioneering and original contribution to the fi legal scholarship and academic political science. In fact, the duality c work in terms of its mammoth contribution is a testament to the fac this *second* tradition still has life, vitality, and a unique mission in the lectual life of the country. Since race is such a feature of this society, impacted and influenced the intellectual milieu, and stifled, as well a torted, some of the realities and findings of the *first* tradition.

But before we talk of the dual contributions in this work, a wor further discussion needs to be made about the component parts ar characteristics of this *second* tradition. For one cannot know, unders and appreciate the scholarship of this tradition unless there is a grasp characteristics. Critical to this second tradition is the need as well a desire to set the factual record straight in one's chosen field, given the sions, commissions, and myopia of the first tradition as it pertains to

Professor Smith, a law professor at Howard University's School of decided while he was a law student that the role played by the Af American legalist in this democratic society needed to be revealed, app and evaluated. Such studies have been undertaken to amplify the con tions of white legalists, yet these works rarely mention their African-A can counterparts. Professor Smith quickly discerned that before the and functions of African-American legalists could be established, the to be known, identified, and uncovered. Thus, if this book is anything a detective story. It is an original work in legal anthropology, uncov long hidden facts about this society's legal past and history. This is the b original and most enduring contribution. *Emancipation* presents the di ery of the first African-American lawyer in 1844 and tracks his legal eny in every state over a century. This is comprehensive and syste legal scholarship at its best. And this is why the book makes an outsta contribution to the legal field. It has no peers. It was done without reso and support. Hence, its twenty-five-year evolution.

The second part of this *second* tradition is its focus. Scholarly work in this tradition centers on the African-American community and/or its component parts. The goals and objectives of research in this tradition sees African Americans as primary forces, as creatures of creation, actors, as innovators and forces in and of themselves. This focus is not upon African Americans as objects, people who always are being acted upon, responded to, and having things done to them. Here, real people surface, with real feelings, emotions, and concerns, motivated by their own legal and political concerns and self-interests. In sum, self-determination is the key to this human drama with actors, not players, as the centering concept.[2] Professor Smith's story is one of people who overcame numerous contextual realities to enter America's legal academy and hierarchy. It is a different story. And it sets the record straight. In fact, it tells us as much about America's legal past and history as it does about African-American legalists.

The third part of this *second* tradition is dedication and commitment. Painstakingly, the scholars in this tradition, like Professor Smith, have to recreate out of a disparate, scattered, and uneven record source a complete, comprehensive, and systematic portrait, with little or no funds or release time or support to undertake this dedicated task. It is done alone, and with the chief resource being individual energy and commitment. Thus, the first tool is one of skilled detection, the ability to find and follow a trail that has long since been abandoned and therefore has disappeared. It is an academic roller coaster ride. Dead ends, twists, turns, bends, sleepless nights, frustrations, numerous restarts, and the ever endless array of updates. Tidbits of information that fit other tidbits overall, connecting a vast puzzle, with each and every piece having to be unearthed and connected to other scattered pieces of this puzzle.

The fourth part of this *second* tradition is that of epistemology. New knowledge, new information, new insights, ideas and most importantly a new array of facts, that now stand in clear opposition to theories—ideas developed without the factual data—and general perceptions in the field. Usually, this is unsettling knowledge, challenging knowledge. It makes for a new factual revolution.

Finally, scholarship in this *second* tradition has to be its own reward. Such efforts and the resultant scholarly work are not usually rewarded with tenure, promotion, or salary increases. Nor are they rewarded with future support and assistance. In the final analysis, such efforts will probably go unnoticed in their own environment. Thus, such work must be self-rewarding, self-acknowledging, and self-satisfying.

Yet the product outcomes in this second tradition change the intellectual face and knowledge base of their disciplinary fields. Supreme Court Justice Thurgood Marshall, who wrote the foreword for *Emancipation*, notes the major contributions of Professor Smith's exceptional book. Justice Marshall says,

> until now, the important role Negro lawyers have played in American public life has gone largely unrecognized...with painstaking and exhaustive detail, Professor Smith documents the challenges these lawyers faced—both in and outside the legal community—and the contributions they have made...I commend professor Smith's comprehensive book.[3]

[illegible] legal profession
there is nothing like it. But this is not all.

The second majestical contribution of this work is to political s
African-American lawyers became for most African-American cor
ties the engines of African-American politics. Professor Smith clearly
the relationship in each and every community in America. For polit
entists, who study political recruitment, political socialization, leg
behavior, and public policy, this work is a must. Herein lies the back
and political skills inside African-American politics. Today, the A
American Think Tank, that is, the Joint Center for Political and Ec
Studies, has published annually since 1970 a near-comprehensive li
black elected officials at the national, state, county, and local levels
much sought after resource. Before the Joint Center's efforts, the onl
major compilation was done by Ralph Bunche for the Gunnar Myrda
An American Dilemma. That was done in the early 1940s. Recently, Pr
Eric Foner, with the assistance of the staff and librarians of the Sch
Center for Research, produced a directory for the Reconstruction er
fessor Smith's work gives a full century of such individuals and mak
sible a whole new view and perspective. It is a sound and unpa
effort, one that helps political scientist find the African-American p
past and link it to the future.

Thus, the story of the African-American lawyer is in part the s
African-American elected officials, a reality that can only now be
cally checked and evaluated thanks to Professor Smith's original re

Of the dual contribution of this book, we can return to Justice M
For the legal profession contribution, he writes:

> Long before the civil rights movement ever crystallized the plight of
> Americans, Negro lawyers had identified the inequities in the legal or
> begun to lay the foundation for social change. In store front offices, over
> tables, and on porch steps, these lawyers worked diligently to protect
> pand the rights of African Americans and to ensure, case by case, tha
> would not forever be delayed.[5]

In terms of politics and the political process, these legal pioneers
senting ghetto districts as well as white ones, worked through leg
and public policy to ensure, as well as the political process could
minded and racially neutral, democratic society in America. The publi
of these legal pioneers helped to elevate a race and to keep the p
process as a tool of liberation.

This is the great contribution of Professor Smith as a legal scho
why this work pushes him to the forefront of his profession. He
black lawyers to be operative in both the court system and the politi
cess. It was a twenty-five year study and it shows. Such facts exist n
else in the literature. Hence, this gold mine of factual information
main the standard and benchmark for decades.

Notes

1. Aaron Wildavsky, *Craftways: On the Organization of Scholarly Wo*
   Brunswick: Transaction Publishers, 1989), 42.

2. Samuel DuBois Cook, "Introduction: The Politics of the Success of Failure," in Hanes Walton, Jr., *Black Political Parties: An Historical and Political Analysis* (New York: Free Press, 1972), 4.
3. J. Clay Smith, Jr., *Emancipation: The Making of the Black Lawyer 1844–1944* (Philadelphia: University of Pennsylvania Press, 1993), xi–xii.
4. See Eric Foner, ed., *Freedom's Lawmakers: A Directory of Black Officeholders During Reconstruction* (New York: Oxford University Press, 1993).
5. Smith, *Emancipation*, xi.

Book Reviews

F. James Davis. *Who is Black? One Nation's Definition* (New York: Pennsylvania State University Press, 1991), xi + 204 pp.; ISBN 0-271-00743-5 (cloth).

We found this to be an excellent book that addresses a very important topic in the social and behavioral sciences. As social psychologists, the issue of categorization, especially social categorization and it's subset racial categorization, is at the heart of many of the current debates in this field. Professor Davis does an admirable job of defining the "one drop rule" and it's unique structure and application in the United States. Simply stated, the "one drop rule" is that a person is black (or African-American) who has any known African black ancestry; thus, a person who has "one drop" of black blood is considered to be black. Davis traces the development of this rule in the United States and contrasts it with various rules of descent in South Africa and other countries.

Although it would perhaps not be totally satisfying to historians, the social-historical treatment of the "one drop rule" in Davis's book provides a thorough overview for most empirical social scientists. He uses an excellent narrative technique, weaving personal accounts, especially those of Lena Horne, throughout the book to illustrate issues of color as they relate to this rule.

The outline of the book is excellent. It begins with a definition of the "one drop rule" moving to issues of miscegenation and beliefs. Chapter 3 gives a historical account of the conflicting rules regarding mulattoes in South Carolina and Louisiana, who existed as a buffer group between whites and slaves. Davis notes the early development of this guideline as a means of justifying slavery by terminating this special status held by mulattoes. He concludes this chapter with an account of the emergence of the "one drop rule" as the dominant framework for the determination of black categorization. In chapter 4, he turns to the social and political history of the rules inculcation and law and culture and social system. In chapter 5, he contrasts this particular rule with other definitions that exist in other nation-states around the world, especially the situation in South Africa, Latin America, and the Caribbean. Particularly interesting is a section that contrasts the "one drop rule" as the law of the nation in relationship to the state of Hawaii, which has broad mixtures of peoples of different ancestries.

In chapter 6, he discusses one curious aspect of this rule, and that is its widespread black acceptance. He

notes the fact of the growing identification of mulattos with the black community during the black renaissance of the 1920s and argues that the "one drop rule" was firmly established then, both for blacks and whites. He argues that black pride during the 1960s provided a powerful reinforcement for the affirmation of the "one drop rule." He believes that the greater educational and economic opportunities, which provide increased upward mobility, have in a very curious way helped to reinforce adherence to the rule in the black community. His argument, on page 139, regarding the fact that while there has been deviations among black Americans to the rule, for the most part African Americans believe that they have an important stake in maintaining this rule, socializing their children to accept it, and arguing for it's continued existence when it is challenged by others. Although this argument is stated somewhat flatly without a large number of references, it essentially rings true based upon our experiences in conducting the National Survey of Black Americans. Also of interest in this chapter is the analysis of possible responses by mulattoes to their often problematic situation in the United States. Davis discusses several ways in which a mulatto may choose to resolve the tension of marginality.

In chapter 7, he turns to issues involved with the ambiguities, strains, conflicts, and traumas that result from the application of the rule. It is his feeling that these ambiguities contribute a cost to the society that is far more consequential for African Americans than it is for whites. Again, he argues that while the adoption of the rule in the black and white communities is problematic, it has not been of great public concern because of the fierce adherence to the rule on the part of both blacks and whites. In this chapter, Davis also presents a number of personal vignettes to illuminate some of the strains caused by the application of this policy and its adherence among both the white and black communities. The Lena Horne vignette is particularly illuminating and poignant.

Noteworthy, from the prospective of a survey researcher, is the argument on page 167 regarding sampling errors that may occur when studying American blacks. The problem of the lack of adequate genetic markers of race is presented as being problematic in research. Davis could of course have made a much stronger argument regarding the lack of scientific credibility of the concept of racial classification as a biological dimension.

In the final chapter, Davis presents a fairly bleak view that the "one drop rule" will disappear from the American society, either from the African-American society or the white society, within the foreseeable future. His belief is that the social and political structure that supports this rule has shown no appreciable abatement over the last 200 years, and for the foreseeable future the relatively poorer status of African Americans in comparison to whites will probably not undergo any significant changes. Thus, he argues against any other rule being introduced to replace the "one drop rule" in the United States in the near future. On the other hand, he suggests that other social, political, and economic problems stemming from the application of the "one drop rule" need amelioration. The poor social and economic status of Afri-

ors will necessitate further changes between the dominant white and the subordinate African-American communities.

For the most part, we agree with Davis's assessment. The "one drop rule" has been inculcated in the African-American and white communities, although for very different reasons. In order to maintain their dominant positions, whites will continue to demand ways of clearly and unambiguously identifying and categorizing those of any African ancestry. As long as blacks are in a subordinate position, they will continue to demand group loyalty and group attachments, a process that is facilitated by adherence to the "one drop rule."

What Davis does not put into his intellectual equation is what the impact will be on the growing Hispanic, Asian, and other populations of color that are showing population growth larger than the indigenous African-American populations. While these strains are discussed in the Davis book, he does not discuss what the potential impact might ultimately be on the African-American and white communities. What will be interesting is the extent to which these new immigrants and growing Hispanic populations will have a say about the application of the "one drop rule." Certainly the strains within the African-American communities and other immigrant populations, such as Haitians and other Caribbean groups, have been present for a long period within the African-American community. It is possible that the growth of these populations, the continued application by whites and adherence of the "one drop rule" by African Ameri-

that singles out African-Am
ancestry and not color
application.

Overall, we believe that Da
done the social science comr
an important service. He h
viewed a large amount of m
put it into a readable package
pages, and made strong and
intellectual arguments. It is
great history, but then again,
is not a historian. The purpose
book is to document an arg
from a social science fram
about the social construction
in the United States, and ho
process contrasts with statu
used for such racial categori
in other societies. This has be
sented very clearly in the
book. His rationale and presei
of white enforcement and bla
herence is compelling and ring
It is not an optimistic book
again, as far as race relations
United States is concerned, t
nothing to be optimistic abou

James S. j
Kendrick
University of Mi

Leslie T. Hatamiya, *Righ*
Wrong: Japanese Americans a
Passage of the Civil Liberties
1988 (Stanford, CA: Stanford U
sity Press), xxiii + 257 pp.; IS
8047-2144-0 (cloth).

The passage of the Civil Lil
Act in 1988 marked the end
Japanese-American struggle
rect the grave injustice inflicte
them by the wartime U.S. g
ment. A few years earlier, th
most celebrated registers to t
ecutive Order 9066 authorizi

relocation of all Japanese Americans on the U.S. mainland, Fred Korematsu in 1983, Min Yasui in 1984, and Gordon Hirabayashi successfully vacated their forty-year old convictions. These events testify to American democracy not just as an ideal but as a reality in America today. Obviously, however, nothing happens automatically. The last paragraph in Leslie T. Hatamiya's book entitled *Righting a Wrong* makes her point clear. It requires the determination of groups of individuals united in the pursuit of a common goal, a strategy, resources, institutional processes and their leadership structures, and external factors. The central question the author attempts to answer in the book is what factors account for the passage of the 1988 Civil Liberties Act signed by President Ronald Reagan? The passage of the bill requiring the outlay of $1.2 billion at a time the government was desperately attempting to cut its budget represents a remarkable legislative victory for four congressional members of Japanese ancestry and all others who fought hard for the passage.

Hatamiya's case study goes beyond a normal legislative case study in that she takes political science theories into consideration in framing her inquiry and uses statistical techniques. However, her salient concern basically remains a case study. She is the daughter of former internees. She was inspired by her parents' experience and that led her to undertake the laborious work of writing the book. In light of the existing and conflicting claims by both liberals and conservatives to attribute the successful passage to "grass-roots efforts" or "inside-the-Beltway maneuverings" respectively, she presents a complex answer to the question. She attributes the legislative victory to a large number of factors and specifies the extent of contributions by factors such as party affiliation, geography, and ideological orientation. Some factors are more important than others to be sure, but to reduce them to one or two factors is an impossible task. She is correct in inferring that skillful congressional leadership, the paucity of coherent opposition, and moral commitment of Americans are chiefly responsible for the passage. Certainly, the timing was also just right in the 100th Congress. The passage also came at the time when those who directly experienced the relocation and subsequent detention as young boys and girls were quickly reaching their golden years.

The objective of the books as stated in the author's words is as follows: "The crucial question is how a small and politically incohesive minority group was able, at a time of massive federal budget deficits, to secure passage of a potentially controversial bill, authorizing $1.25 billion in redress payments, by members of Congress who would gain no electoral advantage by supporting that bill" (p. 3).

She begins by examining the historical background of the events in World War II and subsequent U.S. government's actions (chapter 1). She then reviews political science theoretical literature to see how political scientists go about trying to answer questions such as the ones she raised. She points to three key factors—political, institutional, and external factors—that became her framework (chapter 2). Chapter 3 discusses potential factors that may determine the outcome of a bill to right the wrong. The conventional

outlook for the passage of the redress looks dim in light of many unfavorable factors such as the extremely small number of Japanese Americans among the electorate. Chapter 4 presents a series of statistical analyses to determine three key House and four Senate roll-call votes in the 100th Congress. The results of regression analysis suggest that ADA (Americans for Democratic Action) ratings were the best predictor of voting decision with 25 percent of variance explained by the ADA ratings in both houses, party affiliation much less, 7 and 11 percent respectively in the House and Senate, and percentage of Asian Americans per district accounting for only 1 percent in both houses (pp. 77–79). What we can infer from these findings is that ideological orientation of congressional members was more than twice as important as party affiliation in accounting for their voting decisions . They were not responding to their constituents' possible reactions as much as to their commitment to uphold the civil liberties of all Americans. Perhaps the timing was just right that proponents of the bill in Abraham Lincoln's words were able to kindle "the better angels of our nature" among our lawmakers.

The story does not stop there. She goes into examining how the bill passed Congress by focusing on its strategy, institutional factors, leadership structures, the notable individual efforts of four Japanese-American congressional members, Senators Inouye and Matsunaga and Congressmen Mineta and Matsui, the Japanese-American community, the grass-roots level lobbying efforts, the three *coram nobis* cases involving Hirabayashi, Korematsu, and Yasui, the Hohri class-action lawsuit, and the role of mass media in chapters 5 through 11.

The author goes a step further to complete her story. She traces how the appropriation battle for the payments that began in fiscal year 1991 was staged and fought. Most of the victims should have received their payments by the end of 1993, she concludes.

Her work is not strictly scientific, for which she makes no claim. However, it represents an academic work of high quality and goes far beyond a legislative case study. She is objective and rigorous in her pursuit of the best possible answers for the crucial question of what made possible the passage of the historic Civil Liberties Act of 1988. The reader can feel the passion by which she approached the subject.

No human endeavor is perfect. There are a few minor flaws. She reports as follows: "People of German and Italian descent on the mainland as well as Japanese Americans in Hawaii were primarily arrested and detained only on an individual basis, if the government felt it had reason to be suspicious of them" (p. 17). The statement may be applicable to German and Italian Americans. But for Japanese Americans in Hawaii, it would be more accurate to state that some were detained on a "systematic" basis. For example, all Japanese organization officials and Shinto and Buddhist priests were uprooted solely on the grounds of their positions. In fact, Japanese Americans in Hawaii were left without any Buddhist priests to bury their dead. Some Christian ministers stepped in to assist in the funerals of the unlucky ones who died during the war years, an unprecedented act in the long history of both Buddhism and Christianity.

The author says, "Over 45 percent of members from such districts (with no Asian Americans) voted for the bill, whereas 44.9 percent voted against it," (p. 63) in referring to entries in Table 5 on page 64. A better way of describing the findings is that the vote was split evenly, 45.4 percent voting for and 44.9 percent against the bill. In other words, the absence of Asian Americans in constituent districts had no effects on the vote.

She equates census population with voter population throughout the book. While these two sets of data may coincide in some place at some point in history, they certainly do not coincide in Hawaii. The census population of Japanese Americans in Hawaii is only 23 percent while that of the voter population is probably over 35 percent. At least she should have warned the reader that they may not be the same. As she says, some ethnic groups are more likely to register to vote than others.

These minor points, however, should not in any way diminish her accomplishment in comprehensively dealing with the very important question of how and why the Civil Liberties Act passed in 1988 despite severe constraints.

Yasumasa Kuroda
University of Hawaii, Manoa

Paget Henry and Paul Buhle, eds., *C. L. R James's Caribbean* (Durham: Duke University Press, 1992), xv + 287 pp.; ISBN 0-8223-1231-X (cloth)/ 0-8223-1244-1 (paper).

C. L. R. James, who died in 1989, remains one of the most extraordinary intellectuals of the twentieth century. In a life that spanned almost nine decades, James amassed a magnificent legacy in radical political thought, history, literature, philosophy, and commentaries on culture and sports. James, a native of the Caribbean, has received worldwide recognition among "progressive" audiences in metropolitan centers, particularly in Britain and the United States, for his insights on radicalism and organizational change in advanced nations. In the post-cold war period in which many intellectuals are "rethinking Marxism," there has been renewed interest in C. L. R. James, particularly in his critiques of Stalinism. As the Caribbean nations grapple with differing development strategies, many Caribbean intellectuals are now assessing James' ideas on Caribbean transformation. This renewed interest (before and after his death) led to many major studies in honor of his life and work.

Paul Buhle's *C. L. R. James: His Life and Work* (1986) and *C. L. R. James: The Artist as Revolutionary* (1988) were among the first published tributes (books). In 1991, the *C. L. R. James Journal* was launched. During that same year, Anna Grimshaw published *C. L. R. James: A Revolutionary Vision for the Twentieth Century: Popular Democracy and the Creative Imagination: The C. L. R. James Archive: A Reader's Guide* and co-authored, with Keith Hart, *C. L. R. James and the Structure for Happiness*. The publication of Paget Henry and Paul Buhle's *C. L. R. James's Caribbean* is a welcome addition to this growing literature, critically appraising the work of C. L. R. James.

C. L. R. James's Caribbean is an important book. The major significance is its presentation of James' intellectual contributions to analyses of transformation in developing nations. James' analyses of advanced

nations have been widely acclaimed; his work on developing nations has been virtually unknown. This book enables us to have a richer understanding of James' work as a whole, particularly his comprehensive vision of change for both advanced and developing nations. Moreover, the book provides us with a great deal of information about James' roots in the Caribbean, and his contributions to the politics and culture of the region.

The book is divided into four parts with a total of twelve essays and an appendix. Parts I and II cover James' early years in Trinidad: his family background; his formal and informal education; political involvement and influence in the labor movement, the incipient democratic movement, the issue of self-government, federation; and his love of cricket. Part III attempts a post-modern and post-structuralist reading of a few of James' texts. Part IV is concerned with practical issues of political and economic transformation in the Caribbean and the relevance of James to that discourse. The chapters are loosely linked by the theme of "participatory action," a Jamesian concept that advocates education of the masses through practical action to enable them to have full participation in the development of modern institutions capable of societal transformation. Whether the focus is on cricket, calypso, literature, politics, or economics, the contributors all reveal James' undying commitment to the self-emancipation of the oppressed.

In Parts I and II, which focus largely on portraits and self-portraits of James and his early Trinidadian years, the interview with George Lamming, and essays by Stuart Hall, Selwyn Cudjoe and Paul Buhle reveal the philosophical issues that were at the center of James' life and the centrality of the cultural, intellectual, and political legacies of his native Trinidad in fostering the world view that James developed. Hall links James' intellectual formation to the political ferment that gave rise to the birth of the labor movement in the Caribbean in the 1930s. James was born in 1901 in the Tunapuna-Tacangua-Arouca area (like George Padmore and Sylvester Williams), an area that emerged from 1800-1900 as one of the richest communities in the country with the largest concentration of sugar estates in the island, and the most political activism. It was from activism in this movement for economic advancement, self-government, and representative organizations that James developed his critical theory of the masses: the need for the people to be prepared for revolution and above all the absolute necessity of organization. Cudjoe emphasizes the fact that despite James' obvious love for the European classics and the Western intellectual tradition (nurtured by his mother [Buhle, chapter 5]), nineteenth-century Trinidad influenced his life significantly.

For example, he was influenced by Caribbean intellectuals, such as jurists Maxwell Phillip, John Jacob Thomas, and A. R. F. Webber, as he was influenced by the indigenous African religions and culture of his local community. This is often not emphasized in the literature and leaves a very unbalanced picture of this complex man.

Hall's account of James' activities in the Caribbean are among the most valuable sections of Part I. James returned to the Caribbean in 1958, at the time that the West Indies Federation was set up by Britain with

the support of many middle-class political leaders. James was deeply concerned with this issue and throughout his life argued for a broader Caribbean nation, a united Caribbean. He saw parallels between the integration experienced on the West Indies cricket team and a potential West Indies Federation. The Federation collapsed in 1961, after the withdrawal of Jamaica, the largest member. Since then, the issue has not been salient among the majority classes in the Caribbean although there is support for the idea among many middle-class leaders. Today, Jamaican leaders remain opposed to the idea of political integration, while giving strong support to the idea of economic integration. James realized then that the exclusion of the Caribbean people and the dominance of the issue by colonial lords and middle-class political leaders led to the failure of the Federation. James was fully convinced that the Caribbean middle class was an impediment to reconstruction of the new post colonial society.

Hall also gives some insights into the issues that led to the conflict between James and his former mente, Eric Williams, founder of the Peoples National Movement (PNM) in Trinidad. In *Party Politics in the West Indies* (1962), James gives his own account of the political estrangement between himself and Williams. James observed elite and racial domination, autocracy, and patronage as potentially dangerous problems facing the incipient democratic movement in Trinidad. Earlier, in *The Life of Captain Cipriani* (1932), James argued for the need for self-government in the West Indies to eradicate these very elements which plagued West Indian politics under the crown colony system. He lamented the fact that despite the existence of democratic and representative institutions after independence, the common people were still left out of the mainstream of national politics. James' solution was based on the organization of a *mass* party (which Williams' rejected), for he believed that the only way the people in the West Indies could develop themselves was in a well-organized party structure. James perceived the PNM to be autocratic, run by an all-powerful leader who was able to maintain power and control through coercion, racial manipulation, and patronage. James challenged the PNM's usage of race as an instrument of middle-class domination. Although East Indians, blacks, and Europeans all contributed to the development of the West Indies, Williams' PNM used race to prevent the full incorporation of the nonblack ethnic groups and to keep the blacks in a dependent position. Selwyn Ryan (*Race and Nationalism in Trinidad and Tobago*, 1974) and others have shown us how racial patronage has been used by the PNM to maintain control of lower-class blacks in order to maintain black middle-class dominance. James countered against this development urging that "all 'o we is one" can become a reality if the political leaders so desire, in the same way that the Mighty Sparrow has used calypso to bring all the people together. Contemporary Trinidad remains racially divided as party politics has served to reinforce the racial divisions as vote-seeking leaders continue to use race to divide the electorate.

Cricket is a Victorian game that was introduced to the West Indies by Britain. The game of cricket was central to James' early development in Trinidad. James' book on cricket,

Beyond a Boundary (1963), is arguably one of the most outstanding works of cultural studies ever produced. The chapters by Hall, Buhle, Cudjoe, and Lazarus all reveal that for James, cricket was not just a sport, it reflected his ideas about politics, history, and ideology. Yet, cricket was associated with decolonization, regional integration, and classical Greek drama. Cricket was imposed in the West Indies, playing a role in maintaining colonial authority. Learie Constantine and William St. Hill were excellent black West Indian players who represented black upward mobility against an elite white power structure. James saw the strong West Indian cricket team that would defeat the metropolitan power as a symbol of black people ultimately becoming independent. He also saw cricket as an example of the West Indians' ability to take something foreign and introduce an indigenous element to it. The West Indians introduced fast bowling to the game, a pace that was said to be an outlet for accumulated aggression against their oppressors.

Part III of the book contains two chapters that will perhaps be the least interesting to political scientists. They are written in jargon specific to the postmodern, post-structuralist discourse in post-colonial literature and are not readable. In chapter six, Sylvia Wynter attempts a post-structuralist reading of James, applying the semiotic approach to a number of James' texts. She concludes the obvious that James used a "pluri-conceptual" framework, one which emphasizes the dynamics of multiple modes of domination arising from such factors as gender, color, race, class, and education. Here, James departs from the labor-centric category of orthodox Marxism. His sensitivity to the race/color/education question came from his exposure to the ideas of Blyden, Marryshaw, Césaire, Williams, and Cipriani. These are important points that were lost in the author's obscure jargon. In chapter 8, Henry and Buhle show how the Shakespearean characters of Caliban and Prospero have been appropriated by the Caribbean traditions of resistance to colonialism. Caliban becomes a symbol of the inner resistance of the colonized, who desire to end the pact with Prospero and to expel him. Those who have appropriated the language of the metropolitan countries (like James) can still be effective. In James' works, language is seen largely as an instrument or medium of communication. He has used the language effectively to critique and resist colonial rule.

Part IV, "Praxis," is the final section of the book with four chapters that deal specifically with issues of political economy. Chapter 9 situates James within a postwar Caribbean economic tradition that ranges from W. Arthur Lewis to C. Y. Thomas. Lewis stands as the "architect" of this tradition, focusing on technical problems of Caribbean economies. Lewis' works are well known and are associated with the "industrialization by invitation" policies of Caribbean governments in the 1950s and 1960s, and as an intellectual justification for "Operation Bootstrap" in Puerto Rico. James disagreed with many of Lewis' positions and distanced himself from what he labelled as Lewis' "philosophy of the industrial corporation." For James, labor is seen as the creative source of all value. Therefore, he concentrated more on examining labor relations and the political problems created by modern forms of labor organiza-

tions. He sought solutions to the problems of dehumanization and political disenfranchisement of workers rather than solutions to the more technical problems of dependent economies. The main difference between James' and Lewis' model of economic development has to do more with planning and mobilization of the population. James' model would entail the state playing an important role in economic development, but the state would not dominate. The industrial aspects would be organized by private entrepreneurs who agreed in advance to work within the overall framework. Lewis' plan relied on external capitalists, induced by government perks, to introduce an industry in a particular area.

Another important aspect of James' ideas on economic transformation concerns the peasantry. Like economist George Beckford, James felt that the peasantry should be mobilized—the plantations should be dismantled and land redistributed to the peasantry. Beckford was obviously influenced by James, but Henry notes that his peasant-oriented strategy moved in a more technical direction. Guyanese economist C. Y. Thomas is said to be ideologically closer to James than Lewis, but like Lewis and Beckford he gives a bit of attention to the technical aspects of the development of Caribbean economies at the creative expense of the workers. The importance of technical problems have surfaced continuously throughout the Caribbean. The most notable case was the People's Production Plan of the Manley administrations of the 1970s, where technical problems doomed the plan to failure.

Chapter 12 is perhaps the most enjoyable in the book. Here we have an analysis of the impact of James' ideas on the Antiguan Caribbean Liberation Movement (ACLM). The limitations of the dominant Black Power ideology was revealed in the post-independence period as black authoritarian leaders replaced white colonial masters. The leadership of the ACLM sought an alternative framework that could lead to a better understanding of post-colonial Antiguan society. The Hungarian model of social transformation, emphasized by James, was drawn on to supplement and replace the receding Black Power ideology. According to Henry, adopting the Hungarian model allowed the ACLM to emerge as the group with the most powerful analysis of the political crisis in Antigua, but at the same time it led to an unrealistic assessment of the capabilities of the Antiguan working class. The ACLM subsequently retreated from its Jamesian posture and made a decision to engage in electoral politics. Like other leftist parties in Jamaica, Grenada, St. Vincent, and Dominica, the ACLM committed itself to working within the framework of parliamentary democracy, rather then working to abolish it. It worked out a political platform that did not call for direct democracy, but called for elimination of corruption, protection of human rights, and the maintenance of existing political institutions. Its economic platform was similar to those of the liberal reformist parties in the region—the Peoples National Party (PNP) in Jamaica, the New Jewel Movement (NJM) in Grenada, and the Sandinistas in Nicaragua. There was to be a national economy (with a public sector, private sector, and cooperative sector working with foreign capital), rather than a modern worker-con-

trolled socialist economy for which Antigua did not have the preconditions. In this economy, the ACLM held that there would be a planning council that would represent all sectors. Henry states that, in this later period, the ACLM shifted from its Jamesian thought closer to a Beckford/New World Group plantation economy thesis. The ACLM, like many other socialist parties in the region, has a weak organizational base. It received only 1.2 percent of the popular vote in 1980, and did not contest elections in 1984. The ACLM's lack of success in Antiguan electoral politics may be due in part to competition from other dominant parties, and also because it has not yet reformulated its theory of the insurrectionary role of the workers.

The discussion of James' impact on the ACLM raises the issue of his marginalization by other socialist parties in the region. In his *Jamaican Politics: A Marxist Perspective in Transition* (1990), Trevor Munroe, founder of the Workers Party of Jamaica (WPJ), stated that the Left has not addressed the issue of race in the Caribbean (with the exception of Horace Campbell) and that there was an absence of anything substantial on race in classical Marxism that could have encouraged him in his own work. James' contribution on the nexus of race and class in the struggle for socialism in the United States has escaped the attention of many orthodox Marxists, not only Munroe. James influenced Walter Rodney, whose analyses of capitalist development in the Caribbean always linked race and class in a dynamic way. Munroe could have benefitted from James' insights on race. An understanding of the cultural nationalism and racial exploitation of the black population in Jamaica could have enhanced the WPJ's chances of gaining mass support. James' powerful critique of Stalinism had little impact on the WPJ or the Caribbean Left. The WPJ and the Peoples Progressive Party (PPP) in Guyana uncritically embraced Stalin, while following Moscow's position, dismissed James as a Trotskyite heretic. Ideological dogmatism of this sort penetrated the leadership of the (NJM) and ultimately destroyed the Grenada Revolution. Similarly, ideological dogmatism and estrangement from the people led to the recent dissolution of the WPJ.

Like most edited collections, this one is uneven in quality. Paget Henry, Paul Buhle, and Stuart Hall provide the most valuable information on James' intellectual concerns and his impact on the Caribbean. These chapters force us to think about Caribbean radicalism and its prospects in this era of global democratization and economic liberalization. The editors deserve applause for the interdisciplinary breadth of the collection which accurately reflect the different disciplines on which James's work had an impact. While many of the chapters overlap, and several are very difficult to read, the book is most valuable in identifying James' commitment in every aspect of his work to the emancipation of the toiling masses. This book deserves serious consideration, if for no other reason than that it goes beyond C. L. R. James' simplistic historical image as a "black Anglo-Saxon" (or "Afro Saxon") to analyze the true character of the colonial society that influenced his development and often led to an ambivalent cultural identity. This book may be too demanding at the undergraduate level but graduate students

would find selected essays both challenging and useful.

Carlene Edie
University of Massachusetts, Amherst

W. Marvin Dulaney and Kathleen Underwood, eds., *Essays on the American Civil Rights Movement* (College Station: Texas A & M University Press, 1993), 112 pp.; ISBN 0-89096-540-4 (cloth).

W. Marvin Dulaney and Kathleen Underwood, both professors in the History Department of the University of Texas at Arlington, have edited three papers presented at the Arlington campus' 1991 Webb Memorial Lectures. The papers—by John Dittmer, George C. Wright, and Dulaney—are included here with an introduction by Stanford University's Clayborne Carson. Dulaney and Underwood contribute a brief preface.

Twentieth-century civil rights history is a new field. Teachers find themselves discussing personalities and events that loom large in the professor's lifetime and memory but occurred before the student was born. Despite its relative youth, scholarship in the field is developing from the standard great man, great event, chronological narrative to a more nuanced study of community- and statewide efforts directed by a variety of individuals and groups.

In his introduction, Carson, director of the Stanford-Emory University Martin Luther King, Jr., Papers Project, places the three essays that follow firmly in this perspective. The civil rights movement, he writes, "is increasingly understood as related to the long-term development of African-American thought and institutions and as an aspect of ongoing changes in American race relations."

Dittmer, Wright, and Dulaney write about the civil rights movement in three very different locales—Mississippi, Kentucky, and Dallas, Texas. Dittmer draws from his years of research into twentieth-century civil rights efforts in Mississippi to detail the rise and eventual betrayal of the Mississippi Freedom Democratic Party (MFDP). While his focus is the years between 1964 and 1968, Dittmer makes it clear that civil rights activity in the Magnolia State did not begin with the arrival of black and white outsiders during 1964's Freedom Summer. From the beginning of the twentieth century, winning the franchise had been a goal of Mississippi's black population. Young people from the Student Nonviolent Coordinating Committee (SNCC) and the Congress of Racial Equality (CORE) gave the Mississippi movement a surge of energy and a heady dose of radicalism, Dittmer writes; these youth joined veteran activists, many from National Association for the Advancement of Colored People (NAACP) networks, to create a vibrant statewide voter registration movement in the early 1960s and the MFDP in 1964.

Dittmer's focus is on the MFDP's development, although he grounds it in the longer struggle of Mississippi's blacks to win the right to vote. The party was one element of this fight, and the party's origins in the minds of young SNCC and CORE activists and the poor Mississippians with whom they worked and most closely identified guaranteed it would be more aggressive and less compromising than the efforts of older, middle-class blacks traditionally aligned with the NAACP.

The MFDP forces were betrayed at the 1964 Democratic Convention in Atlantic City, New Jersey, and betrayed again when they returned home and sought to become good Democrats. At the convention, President Lyndon B. Johnson ordered the FBI to eavesdrop on the MFDP and its supporters, delivering their reports to Johnson's aides, Walter Jenkins and Bill Moyers. Johnson's pressures on the MFDP's supporters caused further betrayals and erosion of promised support.

Back in Mississippi, MFDP forces challenged the right of Mississippi's congressional delegation—elected in contests in which blacks were denied the right to vote—to represent the state in the U.S. House of Representatives. Once again the White House opposed them, and more moderate civil rights forces began to distance themselves from the MFDP and from their supporters in SNCC and CORE.

Mississippi black and white moderates eventually succeeded in creating an alternative to the MFDP; Dittmer's description of the political chicanery and attempts to prevent poorer blacks from achieving leadership positions in Mississippi's integrated politics reflects a disgraceful chapter in civil rights history. One looks forward to the 1994 publication of his book-length study of Mississippi, *Local People*, for a more detailed look at the state's civil rights past and the black and white heroes and heroines, scoundrels and deceivers who pushed freedom forward and held it back.

Wright takes the movement in Kentucky from 1900 to 1970, a considerable distance for a brief essay. He does a remarkable job, however, in outlining a rich history in a border state not usually thought of as having a civil rights past. Dulaney's Dallas echoes Carson's concern for community studies, and like Dittmer and Wright, Dulaney finds much activity over a long period—here over forty years.

While each of these essays describes a different locale and overlapping eras, each demonstrates the centrality of the NAACP in advancing the status of black Americans—and in Mississippi, at least, sometimes helping slow that forward movement. One longs, desperately, in fact, for a general history of this all-important organization. There are similarities shown here: moderates and militants clash in Dallas and in Mississippi's Delta; low-income blacks in Kentucky, Mississippi, and elsewhere find their lives changed little by the movement's successes.

These essays confirm Carson's contention that newer historiography is leading away from the famous toward the faceless. They also confirm that the movement, called the interracial movement by whites early in the twentieth century, and the freedom fight or black struggle as demands for power rivaled polite requests for integration in the early 1960s—and was capable of generating as many local protests as there were local communities where discrimination and injustice were rampant.

This small volume, in placing a scholarly spotlight on three communities, is a welcome addition to and enlargement of the literature on civil rights. These essays demonstrate how a deep, rich, unmined lode of information about the recent past remains hidden from view in archives and in the memories of a generation of activists whose members are slowly slipping away. These

three essayists have dug deep and struck gold. They point the way for others to unearth treasures, too.

Julian Bond
University of Virginia

Gordon S. Black and Benjamin D. Black, *The Politics of American Discontent: How a New Party Can Make Democracy Work Again* (New York: John Wiley and Son, 1994), ix + 255 pp.; ISBN 0-471-59853-4 (paper).

This diagnosis of the ills of American democracy and prescription for their solutions will contribute to thoughtful debate. The basic premise is that very significant policy problems exist in the United States, produced by serious flaws in the institutions and processes of American democracy. Substantial changes are required to correct those flaws, and effective change in how institutions work and in what policies those institutions produce can be brought about only by the creation and electoral success of a third party.

Gordon Black and Benjamin Black argue that existing governmental institutions and the political processes imbedded within them are incapable of bringing about necessary changes in government policies. Electing an executive with a commitment to policy changes is insufficient, because major policy alterations require changes in laws that must be enacted by a legislature, and legislative election outcomes do not reflect the electorate's policy preferences. For example, in recent decades members of Congress are rarely defeated when seeking re-election. Among the several reasons for their very high re-election rates, which are discussed by the authors, are the resources for incumbents' re-election funded by the taxpayers, such as travel and communications funds and substantial staff assistance. Combined with gerrymandering of districts to insure the re-election of incumbents and the ease with which incumbents raise campaign funds from PACs and other representatives of narrow interests based outside the legislator's constituency, high rates of incumbent electoral success have been assured for several decades. The authors assert that members of Congress have been captured by their desire for re-election and their need to fund increasingly expensive re-election campaigns.

The result of this political process is a government in which officeholders are unable to refuse the policy requests of highly organized, well-financed, but narrowly based interest coalitions or what they refer to as complexes. It is, in their view, pluralism gone wrong, with uncontrollable government spending coexisting with policies in such areas as the economy, public education, health care, and welfare that are at a minimum dysfunctional and in their effects destructive of the American dream for both current and future generations. The authors conclude that democracy, which requires at a minimum competitive legislative elections with the effective presentation of policy alternatives, rarely exists at either the federal or state level. Congress and the state legislatures have thus become, in the authors' view, largely unaccountable to the American people, as "we are governed by a tyranny of a velvet glove.... Without a gun being fired, the politicians have almost entirely eliminated democratic choice in American state and national elections" (p. 57). Rather than a two-

party system, they argue that what exists in the United States is, for the most part, two one-party systems, each party dominating within a set of constituencies and with effective competition being absent in most.

What is to be done? The authors argue that several suggested alternatives, such as term limits, a balanced budget amendment, public financing of campaigns, and reductions in staffing and other benefits provided to incumbent officeholders, are incapable of solving the basic problem. That problem is the absence of a political force with the motivation and the power to institute needed reforms in democratic procedures and public policies. That force, they argue, must be a new political party. Both the Republican and Democratic parties are perceived by the authors to have been captured by narrow, extreme interests, to be unrepresentative of the interests of the moderate center, and to be secure from the electoral defeat of their incumbent legislators. The only way to obtain representation of broader and centrist interests is through a new political party that would offer an alternative policy agenda.

Using public opinion data collected by the Gordon S. Black Corporation and by other polling organizations, the authors marshall evidence to bolster their argument that a significant segment of the mass public is sufficiently dissatisfied with existing policy process and outputs to support a new party. The popular support received by Ross Perot as a candidate and the development of United We Stand, America, as a citizen lobby are also cited as evidence for public dissatisfaction—"the radicalization of the moderates"—with politics as usual.

Some, but not all, of the difficulties impeding the creation and electoral success of a third party are recognized by the authors. The requisites acknowledged by the authors include the existence of a market for the party among the voters, a cadre of leaders willing to run for office and committed to the party's program, a cadre of activists to perform organizational functions, and a financial base that permits the party to compete fairly for most, if not all, electoral offices.

To support their argument that the first requirement (the existence of an electoral market) exists, responses to a number of public opinion poll items are cited. While these data indicate dissatisfaction with existing policies, processes, and political parties, inadequate measures of the intensity of dissatisfaction are presented. The problem of acquiescence response bias may also have existed in the wording of many of the poll items used.

Meeting the other three requisites for the creation and success—electoral, process, and policy—of a new political party is more problematic. Candidates who want to run could be recruited; how could their continued commitment to the party's program be enforced? Once in office, these candidates could opt to take funding from nonconstituent interests or to vote against the party's program. One glaring omission in the authors' discussion is the failure to confront the direct primary's effects on a party's ability to maintain loyalty to its program once a candidate gains office. The party is usually unable to deny renomination to the disloyal; changes in state laws governing the nominating process would be necessary to create party control over the nomination and the

probability of such laws being enacted is quite low. The authors assert that the new party would fund, through small contributions from within each district, the campaigns of candidates for Congress and acknowledge that in 1992 congressional campaigns a successful campaign cost from $300,000 to $800,000. How could a campaign fund of that size be raised in small contributions from within the district? Other changes in laws regulating campaign finance and campaign methods would be required; what would be the incentives to Democratic and Republican members of Congress to support such changes? Once the new third party gains enough seats in the legislative body, it could attempt to persuade the public to support funding of campaigns from government funds.

In the absence of changes in campaign finance laws, an incumbent from the third party, facing retribution from his party's members, could obtain funds from PACs and other representatives of narrow interests and seek re-election without party support. The problems of control of the nomination process and the hurdles presented by the campaign funding requirements receive inadequate consideration in the authors' discussion of the prospects for the success of a third party.

An alternative process for creating a third party, addressed by the authors, is the conversion of the Ross Perot founded citizen's lobby—United We Stand, America (UWSA)—into a third party. They acknowledge that both tax code and leadership interest problems would impede such a conversion, but view creating a political party parallel to UWSA as the quickest route to the creation of an effective third party.

The policy consequences of the three-party system that the authors advocate do not receive adequate consideration. Whose interests would be served by a party system in which the centrist party plays a balance of power role? One policy the authors see the system as advancing is a significant reduction in federal expenditures, a policy goal that they see the moderate center as supporting. Which programs, benefiting what segments of the public, would be cut? If politics is about who wins, who loses under the three-party system advocated by the authors? How different types of policies—regulatory, distributive, and redistributive—might be affected by a three-party system needs more extensive consideration.

The authors are to be commended for tackling the problem of the dysfunctionality of American political institutions and the policy consequences that result. Their arguments are stimulating, and certainly many elements of their assumptions, arguments, and evidence and the consequences of what they propose merit our critical assessment.

M. Margaret Conway
University of Florida

Allen D. Hertzke, *Echoes of Discontent: Jesse Jackson, Pat Robertson, and the Resurgence of Populism* (Washington, DC: Congressional Quarterly Press, 1993), xvii + 293 pp.; ISBN 0-87187-744-9 (cloth); 0-87187-640-X (paper).

Allen Hertzke's *Echoes of Discontent* is an interesting and insightful study of Jesse Jackson and Pat Robertson and the "gospel populism" that characterized their 1988 presidential campaigns. Hertzke

suggests that the obvious ideological and partisan differences between Jackson and Robertson tend to obscure the more fundamental moral and religious values they share. The similarities between Jackson and Robertson are perhaps most evident in the common themes of discontent with liberal individualism and moral relativism that distinguished their 1988 presidential campaigns. While acknowledging the important differences between these two political and religious leaders, Hertzke argues that Jackson and Robertson and the movements they inspired can best be understood as manifestations of the populist tradition in American politics.

Before turning to a rather detailed analysis of Jackson and Robertson and their presidential crusades, Hertzke reviews the historical legacy of populism in the United States and shows how the themes and concerns of earlier populists were echoed in the Jackson and Robertson movements. Like the populist crusades of earlier ages, the Jackson and Robertson movements were characterized by discontent with economic and cultural trends, resentment toward elites, and faith in charismatic leaders. Like their populist predecessors, Jackson and Robertson blended traditional moral beliefs with radical economic ideas and exercised charismatic leadership to mobilize their religious communities. Although the liberal Jackson and the conservative Robertson tended to emphasize different issues, to criticize different elites, and to mobilize different followers, they were united in their populist discontent with the ascendant liberal order and their call for a return to traditional religious values and moral standards.

Much of the book is an ethnographic study of the Jackson and Robertson movements based on field research conducted by the author during the 1988 presidential campaign. Hertzke interviewed numerous campaign officials, state coordinators, grass-roots activists, ministers, convention delegates, and caucus participants and personally observed various stages and levels of the campaign. Hertzke also observed subsequent activities of the party organizations and the organizations established by Jackson and Robertson. Hertzke concluded his field research in 1991 and 1992 with interviews with Jackson and Robertson and the political directors of their respective organizations. Hertzke skillfully integrates information and insights from his field research with biographical and archival materials on Jackson and Robertson and survey data on their supporters to present a fascinating account of these two populist leaders and their presidential crusades.

Hertzke presents the bulk of his findings in chapters that chronicle the spiritual and political odysseys of Jackson and Robertson, the role of their churches in their 1988 presidential campaigns, and the ongoing and sometimes uneasy assimilation of their activist supporters into the Democratic and Republican parties. Without minimizing the important political and religious differences between Jackson and Robertson or the unique dynamics of their presidential campaigns, Hertzke finds considerable congruence in the lives and the messages of these two charismatic leaders and the ways they used church networks to translate the discontent of their followers into presidential crusades. Hertzke also shows how Jackson and Robertson

and the activists they mobilized have continued to exert considerable influence on contemporary American politics through the organizations of their respective political parties as well as through the organizations they established to institutionalize their movements, namely, the Rainbow Coalition of Jesse Jackson and the Christian Coalition of Pat Robertson.

After examining the two populist candidates, their campaigns, and the activists who supported them, Hertzke focuses on Jackson and Robertson supporters in the general and primary electorates. Using data from a Super Tuesday survey conducted during the 1988 presidential primaries and the American National Election Study pre-election survey conducted just before the 1988 general election, Hertzke analyzes the demographic characteristics and the religious and political beliefs of the average voters who supported Jackson and Robertson. Among other things, Hertzke finds that Jackson and Robertson supporters were remarkably similar to each other—and considerably different from the supporters of other candidates—in their pessimistic views of the state of the nation and their negative perceptions of elites as well as in the depth, intensity, and orthodoxy of their religious beliefs. Hertzke also finds that the supporters of Jackson and the supporters of Robertson viewed each other's candidate very positively.

In the final chapter, Hertzke develops his central argument that modern populism is a reaction to the ascendant liberal order and the atomizing tendencies of individualism in politics, economics, and culture. Hertzke suggests that a great deal can be learned from the resurgence of populism that was manifested in the Jackson and Robertson campaigns and that has continued to be a dominant force in the politics of the early 1990s. In particular, Hertzke argues that populism has been valuable in highlighting some of the "paradoxes of liberalism" that characterize the modern liberal order and can be instructive in the struggle through the "crucible of liberalism" that characterizes the emerging politics of the 1990s. After briefly highlighting some of the limitations and dangers of populism—especially the "gospel populism" of Jesse Jackson and Pat Robertson, Hertzke concludes that the modern liberal political system must find ways to accommodate concerns with economic security and moral stability. Otherwise, we will continue to face periodic outbursts of populist discontent.

Echoes of Discontent is an extensively researched and skillfully written study of the Jackson and Robertson movements and the populist tradition out of which they emerged. The only significant weakness of the study is its tendency to be overly sympathetic toward its subjects, the author's disclaimers to the contrary notwithstanding. Nonetheless, *Echoes of Discontent* is an important contribution to our understanding of Jesse Jackson and Pat Robertson and the movements they inspired as well as to our understanding of the resurgence of populism and the challenges it poses for contemporary American politics.

Mary E. Bendyna
Georgetown University

John Gray, *Post-Liberalism: Studies in Political Thought* (New York: Routledge, 1993), x + 358 pp.; ISBN: 0-415-08873-9 (cloth).

Among scholars two professional temptations predominate. The first is to turn all of one's writings—perhaps even scribblings, musings, and notes—into published pieces. The second is to publish those pieces as a book. In general, both temptations are to be resisted. In particular, John Gray should have resisted the second. Books have not been defined historically as consisting of *any* sort of writing bond between two hard or soft covers. We should not so define them now. Instead, we should perpetuate the common sense notion that a book, unless otherwise specified as an anthology, has unity, that each chapter points to, develops, or reinforces a central thesis. Unfortunately, this is not the case with *Post-Liberalism*.

In the preface, Gray makes clear what his thesis is: The book "is intended to give a post-liberal theory a more definite content." But definition or specificity is what this book is lacking. With the exception of the final essay, "What is Dead and What is Living in Liberalism," written specifically for this volume, the essays collected here—all published previously—are only tangentially related to providing the content that Gray intended.

Gray divides the volume into three sections: "Thinkers," "Critiques," and "Questions." Even the rubrics are a stretch. In "Thinkers" Gray offers essays on those theorists who have contributed, one can only assume, to his view of post-liberalism. A post-liberal polity will be pluralistic (Isaiah Berlin), recognizing that there is no single supreme good for all persons (George Santayana); that its government will be small and limited to protecting persons as they pursue a good life (Thomas Hobbes); that good life will be sought through a market economy (F. A. Hayek) and through civil society, which is built upon and therefore looks remarkably similar to Oakeshott's civic association (Michael Oakeshott); and that the liberty to live in the voluntary associations that constitute civil society will be protected by a constitution that provides for limited government and the rule of law (James Buchanan). About all of this I am only guessing, for Gray never clarifies, as the author of a book should, just how the parts fit together.

The greatest stretch is the middle section of the volume, "Critiques." The critiques are not of liberalism, which Gray offered in an earlier volume (*Liberalisms*); rather, they are of Marxism and totalitarianism. What we can conclude from this section is that Marxism and totalitarianism will not be a part of any post-liberal polity. We surely did need this lengthy section to remind us of, or tell us, this fact. But Gray does offer a significant insight about the anti-liberal nature of Marxism and totalitarianism. They both seek to suppress if not destroy civil society. The continuing significant contribution of liberal theory lies in its arguments for civil society, that private sphere in which persons can pursue whatever ways of life and values they find compelling. Thus, Marxism and totalitarianism are ruled out. All but one of the contributions to this section were written before 1991, with the result that many of Gray's observations and speculations about post-Soviet regimes are dated.

He does offer, however, some theoretical analysis of and corrections to Jean Kirkpatrick's distinction between authoritarian and totalitarian regimes. Kirkpatrick ar-

gued that totalitarian regimes were those that could not reform toward liberal democracy, while authoritarian regimes could. This distinction was then used to oppose communist systems, deemed to be totalitarian, and to bolster authoritarian systems that could, through proper incentives such as foreign aid, be turned toward democracy. Gray proposes, instead, that totalitarian systems seek to impose a single worldview on all and do so by destroying the key institutions of civil society. Authoritarian systems, on the other hand, systems such as Taiwan, South Korea, and Singapore, protect economic and personal liberties—those necessary to operate in civil society or the private sphere—while they curtail political and democratic freedoms. Thus, totalitarian systems politicize economic life and repress voluntary associations, whereas authoritarian systems, while opposed to liberal democratic institutions, offer and require a thriving civil society. Hence, the civil societies of East Asia are candidates for post-liberalism; they have simply instituted the wrong kind of political regime. Or have they?

In the final section of the volume Gray looks with more detail at post-liberal society. Gray finds civil society at the heart of extant liberalism to wit, that part of liberal theory that is neither dead nor deadly—because, like Oakeshott's *civitas*, civil associations require no cultural homogeneity other than a common disposition to value law, broadly defined, above one's local identity. This is important to Gray for two reasons. First, he accepts Berlin's argument that modern societies are by and large characterized by multiple conceptions of the good and by multiple values. These conceptions and values are incommensurable such that no single conception or set of values can be said to be supreme or superior. Thus, persons need the freedom to evaluate these competing conceptions and values and select his/her own good life. This freedom is to be exercised within civil society in which most institutions are independent of the state.

Post-liberalism will build, therefore, on liberalism's historical focus on liberty, or freedom, but will also recognize that the context for that liberty is value pluralism. This points to the second reason that civil society is central to Gray's post-liberalism. Liberalism can no longer pretend that it is the ideology that all rational persons will subscribe to or that it contains a universal morality that all rational persons will share. With incommensurable goods and values everywhere, we can no longer say that liberalism is the best system. Instead, we must admit that there are all sorts of ways of life and "a legitimate variety of forms of government under which human beings have flourished and may still hope to prosper." Gray then asks: "Who can doubt that human beings flourished under the feudal institutions of medieval Christendom?" (p. 246). This statement is odd. To be sure, *some* human beings flourished under feudal institutions, but at what cost to others? We might as well concede that human beings flourished under totalitarian systems or, even worse, systems of slavery.

The focus in post-liberalism on civil society enables Gray to retreat to classical liberalism in which government was limited to the sole responsibility of protecting individual rights. Thus, post-liberalism can open up the space in which persons live out their own lives as they see

fit without governmental interference, whereas modern liberalism wanted government to secure an ever-increasing assortment of rights and entitlements. Gray wants a limited government, but not the night watchman state of Nozickean libertarianism. He wants a government that will protect civil society and those rights, but only those rights that enable each person to operate freely within that society. Civil society, in conjunction with his notion of government, is the "post" part of Gray's post-liberalism.

But is Gray's move really a retreat? It is certainly a move away from politics, and it seems like a retreat, because on Gray's own admission politics today is often an arena in which persons can forge and exercise (can "work out" in both senses of the term) their identities. This "work out" Gray thinks can be and should be done in private. Yet the strength of modern liberalism has been the acknowledgment that those in search of identity, especially minorities and women, need the protection that extended rights can bring. Some groups seek those rights that are rightfully theirs but that have been historically denied them. Voting rights for blacks come to mind. Other groups seek rights that will protect their chosen way of life, say, nondiscrimination for gays and lesbians.

Modern liberalism might well hold a key to understanding how identity or subjectivity is constituted when it offers a conception of citizenship built on, and of, autonomy. That is, persons evaluate and choose from a range of ways of living and being that express who they are. What persons are choosing are components of their identities—those particularities that shape who they are as persons. These might be related to gender, religion, occupation, tradition, history, whatever identifies them as the persons they are or want to be. What makes this liberal and not post-liberal is the emphasis on politics. Government is not simply limited to protecting a private space where persons seek out identity and the good life. As Gray argues throughout the volume, liberalism does and has done that. It will continue to do so. But what liberalism also does is to reinforce citizenship, a concept utterly missing in Gray's essays. Government not only protects but also demarcates the private sphere. On this view, government may not need to be limited as much as shifted. Who does the demarcating? It should be the citizens themselves. It is not what the government does to or for us, as much as it is what we citizens will now demand to do to and for ourselves. Central here is the role that identity formation now plays in society. Identity is, or has become, a public as well as a private issue and cannot be relegated to the private sphere. This is not, as Gray suggests, using "the office of government to buttress failing identities" (p. 267). Rather, it is the people directly making decisions that affect their lives.

Politics is a messy business, and Gray wants civil society protected from it. In the United States, he points out, "policies of affirmative action have been implemented to the point of absurdity [and] voluntary association has been restricted...by policies which confer unequal privileges on favoured minorities within the population" (p. 212). Nowhere does Gray state or argue which implementations are absurd or which associations have been restricted. Does he have in mind, for example, the affirmative

action policies that are part of university admissions? Or those policies that require racial integration in voluntary associations such as private colleges and universities that accept federal funds? Later in the volume he generalizes that liberal egalitarianism and "absurd and counterproductive affirmative-action programmes... [have] resulted in a de-skilling of America that is awesome in magnitude" (p. 249). He does not explain what he means, but one might conclude that he thinks that the expansion of education has resulted in a "dumbing down" of the curriculum to accommodate minority students. Evidence is crucial here, and Gray offers none.

What Gray bequeaths to us, then, is the adumbration of a post-liberal polity that we can honor and rally around, because we are historically and circumstantially the kinds of persons who have come to cherish choosing among myriad and incommensurable ways of life those lives that define and express who we are. Thus, post-liberalism is not for everyone. The irony here is that this polity itself is not among the choices of ways of life. It is not selected and renewed or reproduced politically; it is established and protected for us by the government, which demarcates the public/private boundary. While liberalism has historically argued for such a boundary, it has also recognized that that boundary was itself a political consideration. Even our individual rights, the prize and pride of liberalism, which have been established through and are protected by the rule of law—the Constitution—are themselves subject to arduous, though real, political change and control.

These essays do represent John Gray at his best felicitous to the point, at times, of eloquence; sharply analytical and insightful; impressively learned; and imbued with palpable conviction and concern that are reflected in his striving to link political theory with real-world events. The benefit, therefore, of this collection is that of bringing together some wonderful writing, and thinking, on a broad range of political subjects related to liberalism in particular and to contemporary political ideologies in general. The detriment is that it needlessly repeats themes, and phrases, that would have been dealt with more directly, or dropped altogether, had the volume been a book with chapters devoted to and organized around post-liberalism instead of a collection of pieces straining to support that thesis.

Jack Crittenden
Arizona State University

Judith Grant, *Fundamental Feminism: Contesting the Core Concepts of Feminist Theory* (New York: Routledge, 1993), xi + 226 pp.; ISBN 0-415-90825-6 (cloth); 0-415-90826-4 (paper).

Judith Grant's thesis is timely and provocative: Feminist theory is out of touch with politics, having entrenched itself in certain "core concepts" such as "woman," "experience," and "personal politics." Grant concedes that this nonnegotiable theoretical core was probably necessary at first; it helped to legitimize a fledgling radical movement and to "prove the existence of women's oppression to [a] male-dominated Left" (p. 160), itself dominated by Marxism and extremely skeptical of unreconstructed appeals to experience. But now, Grant insists, these "underlying feminist principles...

are internally contradictory, and they have led many feminists down a path" (p. 9) of essentializing social theory, an obsession with ever more particular identities and counter-identities, and an ineffectual emphasis upon differences rather than similarities capable of mobilizing a large movement for social change. The title (as well as the target) of the book—*Fundamental Feminism*—is itself a nice rejoinder to those, like Catharine MacKinnon, who insist that we must have a "feminism unmodified" (i.e., unqualified by issues of race, ethnicity, class, or sexual preference) in order to bring about real improvement in the lives of women. But fundamentalism of any kind, Grant persuasively argues, is quite incongruous with emancipatory politics. In brief, Grant rejects all notions of a unique female "standpoint"—however feminists attempt to ground it in material facts or experiences—but not a certain kind of "personal politics" directed against a real and materially consequential gender ideology.

Consistent with her message, Grant's style is plain and direct—as well as tangibly political in a way that much of the feminist theory that she explores is not. Her critique of early feminist theory is extremely useful; in particular the relationship of feminism to Marxist, leftist, and, today, postmodernist social theory is very clearly delineated. Though probably unsuitable for an introductory course on gender politics—it presupposes a good acquaintance with feminist theory—the book is accessible to advanced undergraduates, and it will surely enliven professional discussions.

This reader found the last three chapters most helpful; in the fourth, Grant consolidates her criticisms of early feminist theories into a more general polemic against "epistemology talk." This kind of talk will only take us so far, in her view. For one thing the category "woman," however attractive to those of us committed to organizing and systematizing the world, is on a kind of collision course with another core concept, "experience." The former must strive to be as universal as possible, but the latter always tends toward the local and particular. No amount of epistemology can justify our *a priori* conviction that gender is experienced more acutely than several other things—race, for example, not to mention class and sexual preference. Grant also makes clear the tautology involved in applying a feminist "lens" to experience: feminists promise that this will clarify the gendered nature of experience, but it is the nature of the latter that is supposed to justify the former to begin with. Finally, though it is all too consistent with the notion of "core concepts," it is never enough simply to "transvalue" gender roles and ideals, as so many feminists seem to believe (most notably those of the "different voice" school of thought). Grant is correct: Reversing traditional valuations doesn't begin to touch the gender ideology that structures every individual's life, male or female. And besides, she argues, it merely essentializes the male rather than the female; but it is no improvement, politically speaking, to prove all men domineering and unregenerate.

All of these are significant tensions in feminist theory, and Grant skillfully illuminates them. However, it is hard to shake the feeling that such tensions would plague *any* theoretical endeavor, since concepts, the "core" ones most of all, provide

order and structure precisely where there is none, that is, within the hopelessly overdetermined world of experience. Of course Grant does not believe that feminists could or should stop theorizing; she simply suggests that they take a slightly different attitude toward it, recognizing first that all feminist theories—even very different ones taken together—have actually "engaged in redefining Woman, not in discovering her experiences" (p. 127). Endorsing much of what goes by the name "postmodernism," Grant suggests applying its anti-essentializing insights to feminism (suggesting, in turn, that feminism can bring postmodernism down to political earth). Several feminists are fruitfully combining the two critical traditions, Donna Haraway among them. "Rather than beginning with a definition of oppression, Woman, or experience," explains Grant, Haraway "begins from the *assumption* of women's oppression and seeks a new *description* of women—a new identity of nonidentity" (p. 139). This is still a theoretical task, to be sure, but Grant contends that its political dimensions and import could never be usurped by pure theory. For one thing, what any redescription makes clear is that our values are never simply "given" (by a fundamental experience, nature, fact, etc.); rather, they are self-conscious choices and "creations of our own politics" (p. 124). Theory becomes apologetics of a particular kind—the self-conscious, highly motivated, and identity-forming articulation and defense of certain values over others. And this is the only kind of theory that reminds us—indeed, enables us—to take responsibility for our politics, lives, and choices.

As a political project, feminism requires us to imagine a society in which individual and collective self-determination depend as little as possible upon given codes, categories, and constraints. This kind of theory "orients" rather than "founds," which are really two very different things. Thus, there is no reason in principle, according to Grant, why a feminist political perspective must issue from a particular "female" way of knowing or experiencing the world, nor must it prove that it has an "organic connection to women's experiences" (p. 182). All that feminism has to provide is a coherent political project.

Grant's account of this political project—undertaken in the last chapter—is the most problematic part of the book. This is not surprising; any account is bound to raise many more questions than it answers. Theorizing a political movement is an immense task; feminism has deftly side-stepped it for decades, and Grant herself has chosen to concentrate on a much-needed critique rather than generate blueprints for the good society. Nevertheless this means that feminism's authentic core, characterized by Grant as the "unarticulated politics" undergirding feminist theory of every stripe (itself a somewhat implausible claim, given the grave differences among theorists), is still rather murky. It is "an agenda for change," Grant says, but we learn little more than that. Or, to the extent that we do, the feminist agenda doesn't appear to differ all that much from a social-democratic one. Indeed, the things that make an effective feminist movement, according to Grant, are agreement on process (i.e., democracy) and certain shared values (the "universal" and "hu-

manist" values of self-determination familiar to students of modern political theory). Apparently the only difference between feminism and "other multicultural viewpoints," in Grant's view, is that it is left to the former to "figure out exactly how gender complicates this goal of self-determination" (p. 186). Admitting that her vision draws on several "overlapping traditions," Grant nevertheless insists that it remains feminist "in its emphasis on gender, personal politics, and the transformation of all humankind" (p. 190). But by the end of the book, the reader may well wonder what Grant's reconstructed feminism has in the way of new insights into "personal politics." For instance, will it tell us which parts of the personal realm to politicize (a good question, and one only complicated by feminism's discovery that nothing is inherently public, and nothing inherently nonpublic)? Will it give feminists something that they, in fact, desperately need—a critical theory of privacy? Finally, the reader may also worry that a more cosmopolitan emphasis upon transforming all humankind is, in a word, premature—not only practically but theoretically, too.

My hunch is that feminist theory isn't simply spinning itself out in internally contradictory and essentializing ways. It may yet provide real insight into the lives of women, at least if we're clearer about what it can and cannot do. Consider a quite different reading of Marxist feminism. Grant is fairly convinced that Marxism, or at least the "repeated misapplication and misunderstanding of Marxism" by feminists (pp. 153-55), is completely unavailing. Strictly speaking—*very* strictly speaking—Marxism does apply to class rather than gender. Capitalism is what it is, according to Marx, precisely because it separates productive relations from reproductive ones (i.e., from the gendered ones, traditionally speaking). But this strikes me as a tendentious focus on substance rather than, say, "form" or "method." If feminists have taken undue liberty with Marxist categories, applying them by analogy, as it were, doing to reproductive relations what Marx did to productive ones, then it is exceedingly unclear why Grant does something of the same thing in invoking Althusser and his rather nebulous view of "ideology": Ideology is itself a kind of analogy to material forces of production. Perhaps we *should* focus on gender ideology rather than strain to ground our theory in an incontestable material base; undoubtedly "gender" is more complex than orthodox Marxism allows for. But the notion of ideology has *still* to be developed—it is hardly a well-honed tool, ready-made for industrious feminists—and anyone seeking to make sense of it will eventually run up against the problem of specifying what is "material" and "necessary" about such things as hegemony, domination, and ideology. But that is precisely where Marxism may still be useful, and that is precisely why feminists such as Catharine MacKinnon choose to work within its very broad parameters. Grant faults MacKinnon, in particular, for both her Marxism and her essentialism. Not only is this plainly inconsistent, it misses a golden opportunity to understand MacKinnon in a different way, perhaps even better than she understands herself. Why shouldn't we view MacKinnon as "describing" rather than "discovering" some-

thing (*always* an improvement upon "core concepts," according to Grant), and why shouldn't we call that something "oppression" (a good political term) rather than "experience" or "Woman" (bad apolitical ones)? I believe that Grant greatly underestimates MacKinnon's contributions to *political* theory, which, if we are to have theory, should be the kind we have. We should view MacKinnon not as a theorist of an authentic female way of knowing or experiencing the world, but as a theorist of *power*. Rather than purveying some definitive understanding of "female experience," her work is a carefully delineated inquiry into gender ideology. Like the popular films that Grant analyzes for what they "really" convey, MacKinnon's entire work on pornography centers not on the female experience of sex, but on sex itself as an "enactmen[t] of the ideological practice of gender" (p. 175). To say when, where, and how power typically operates—how, for instance, is power structured?—is an enormous contribution both to theory and practice; it makes the former political and the latter critical. A theory of power would also seem a necessary basis for defining the "liberation" and "empowerment" which Grant believes feminism should champion most of all; otherwise, a feminism "critical and active in and of itself" (p. 178) remains elusive, and unhelpful. I agree with Grant: We do not need another fundamentalism. But feminism could use a bottom line. Theories of power provide just that.

Debra A. Morris
University of Virginia

A. John Williamson and Fred C. Pampel, *Old Age Security in Comparative Perspective* (New York and Oxford: Oxford University Press, 1993), xii + 304 pp.; ISBN 0-19-506859-9 (cloth).

Professors Williamson and Pampel, who are accomplished scholars of the welfare state, lucidly explore the reasons why different nations have instituted varied programs for ensuring the economic security of the aged. This outstanding book deserves the attention of a broader audience than welfare state scholars for two reasons. First, in the tradition of Harold Wilensky (in *The Welfare State and Equality*, University of California Press, 1975), the book carefully attends to the experience of developing as well as developed nations. Second, it provides an ambitious model for synthesizing the behavioral and interpretive approaches to political research.

The rich (even overwhelming) literature on welfare states challenges any scholar to specify policy differences and to characterize the alternative explanations for them in a reasonable and rigorous way. The authors respond to this challenge with an admirably synthetic and economical literature review. They argue that qualitative indicators of pensions (including program history, program structure, and the breadth of entitlement) must be combined with quantitative measures of pension spending to ensure an adequate understanding of cross-national policy differences.

The authors review five common perspectives that are used to explain cross-national differences in old-age security policy. The industrialism perspective, in which economic development and demographics drive the growth of the welfare state, has proven a durable and persuasive

explanation in aggregate, multivariate data analysis since Wilensky's study in the 1970s. The widely held social-democratic perspective (represented by such scholars as John Stephens, Walter Korpi, and Francis Castles) asserts that strong trade unions, successful left-wing political parties, and relatively compliant right-wing opposition all contribute to more generous and inclusive social welfare policies. In this view the relative strength of the left results in pension initiation and expansion. In contrast, the neo-Marxist perspective (proposed by James O'Connor and others) emphasizes the use of social welfare to weaken the left. For neo-Marxists, pensions in particular represent elites' effort to blunt working-class radicalism.

The neo-pluralist perspective (advanced by Mancur Olson and others) views pensions as the outcome of interest group politics. The expansion of pension policy represents the growing political strength of multiple, competing interests, notably the politically mobilized aged. Williamson and Pampel contend that such diverse theorists as Theda Skocpol, Hugh Heclo, and Philippe Schmitter constitute a fifth and final "state-centered" perspective; from this perspective, state elites or state structures (such as democracy, corporatism, or centralization) are the primary reason for pension program differences.

Because the validity of these arguments in a given nation may depend on that nation's unique context, Williamson and Pampel devote the bulk of the book to rich, chapter-length case studies that evaluate these explanations in individual nations. Each one of the four industrialized nations that they analyze—Britain, Germany, Sweden, and the United States—has spawned an extensive literature in which these explanations are more or less explicitly scrutinized. Each nation constitutes a "crucial" case in a sense. Germany was the first nation to enact an old age security system. The United States among the last to do so. Britain's Beveridge plan was one of the most admired and discussed of such plans. Social democrats have held up Sweden as a model of a fully developed welfare state. While the diversity of policy development among these four nations makes generalization difficult, the authors conclude that a corporatist state such as Sweden facilitates class-based organization and bargaining in a way that limits the influence of special interests. In contrast, the absence of such class-based policy-making enables special interests to affect policy more directly, a process evident in the power of the aged to exercise substantial veto power over proposals to change the American Social Security Act.

The authors' stimulating case studies of pension policy in Nigeria, Brazil, and India should be especially interesting to readers (Williamson and Pampel also include details about nearby nations, such as the Ivory Coast). These chapters provide fascinating insights into the policy impact of international relations, policy inheritance, and particularly the colonial experience. The contrasts and similarities among these nations are provocative. Like many other former British colonies, Nigeria and India structure pensions as provident funds, in which workers basically must fund their own pensions. In contrast to these Commonwealth nations, many former French colonies implement a more European-style state-funded pen-

sion scheme. Once institutionalized, bureaucracies everywhere resist program changes, a fact as pronounced in Nigeria as in any developed nation. Even though German and Nigerian social security developed a century and a continent apart from one another, these cases drive home the use of public pensions as a policy tool for integrating new, diverse nations. In these countries as well as in Brazil, social security also provided an explicit instrument for social control.

To complement their detailed case studies, the authors test alternative explanations for cross-national social security variation with a multivariate model. Two statistical models of pension policy drawn from International Labour Organisation data include a model of eighteen nations of the Organization for Economic Cooperation and Development (OECD) and a model of thirty-two less developed nations. For the eighteen industrialized nations, the authors find that corporatism and age have a substantial impact on social security spending. This analysis confirms their case study evidence that the aged have far less influence on social security policy in corporatist societies such as Sweden than they do in the United States. The authors interpret this outcome as an indication that the pluralist model best describe the latter because interests seeking specific benefits (such as the "gray" lobby) are more effective in securing benefits than they are in a society such as Sweden where economic class structures such policy outcomes. This analysis suggests that "there are multiple paths to higher pension spending" (p. 198) and that class and demographic theories complement one another.

The multivariate model for the thirty-two less developed nations from 1960 to 1980 yields equally interesting insights. Among these nations, democratization makes a difference, for while "[d]emocracy alone does not raise pension spending...in conjunction with other variables [such as population age and the age of the program, two variables identified by Wilensky] it facilitates the growth of the welfare state" (p. 200). Nigeria, as the quantitative models would predict, has had little experience with democracy; there, provident funds reflect the interests of the state rather than societal demands.

The authors deserve high marks for refraining from forcing a perfect fit between the case studies and the statistical models. The latter provide little help in understanding the Indian case, as the authors point out. While the model would predict an older and more generous program in India than in Brazil, the opposite is true. In India political parties have not yet engaged in a competition to ensure more generous benefits, and rural farmers have had little incentive to support income support for the urban working class. Multivariate analysis would be hard pressed to unpack the Indian case as elegantly as do the authors in their case study.

The value of comparing the historical development of OECD pensions and contemporary pensions in the third world is apparent to the perceptive reader of this book. Some are likely to question even so ambitious an effort because it necessarily relies on secondary literature for much of the contextual analysis. For the less developed nations this secondary literature may be mistaken or biased, since there are relatively few studies of third world welfare states. This research has not yet pro-

duced the extensive evidence and competing explanations that characterize the literature on Sweden, Britain, and the United States.

Nevertheless, it should be high praise that a piece of scholarship makes a constructive contribution to the task of studying society and politics. By taking seriously the challenge of specifying a complex variable such as pension policy, the authors have made such a constructive contribution. Neither old age security policy, nor the potential explanations for that policy, are easily captured by quantitative variables alone. Recognizing that fact, the authors seek to gain the benefits of measurement rigor and contextual richness by examining the wealth of information that they have gathered in more than one way. The result is a prototype for a methodologically pluralistic political science. Even if the two methods do not yield perfectly compatible results—perhaps because they do not do so—the book's achievement is a far more realistic portrait of international variation than one would be likely to achieve with either method in isolation from the other.

David Brian Robertson
University of Missouri, St. Louis

Richard Rose, *Lesson-Drawing in Public Policy: A Guide to Learning Across Time and Space* (Chatham, NJ: Chatham House, 1993), xvi + 176 pp.; ISBN 0-934540-32-2 (paper).

Building on a special issue of the *Journal of Public Policy*, which he edited in 1991, the ever-prolific Richard Rose develops the first book-length general analysis of an underresearched area in public policy studies, variously labeled policy borrowing, policy transfer, policy emulation, policy copying, or lesson drawing. Although the subtleties in usage of these terms matter to Rose, what the whole area is concerned with is how governments attempt to use both time and space to improve their policy-making. The time dimension usually involves evaluating their own past policies; the space dimension often involves looking at what other governmental units have done to deal with similar problems. But as Rose points out, if one government adopts a policy because it seems to work well in another country, for instance, then the borrower is betting that its future will resemble the other government's past or present, another time calculation. The governmental units analyzed are usually countries although there is no reason why one could not develop similar analyses of states in the United States, for instance. Rose is most interested in developing the general conceptualization of the field. For instance, he puts forward four steps that governments follow in drawing a lesson: searching elsewhere, developing a model of how a program operates, creating new programs of its own, and evaluating transfers prospectively.

For Rose, either complete fungibility (ability to transfer policies across boundaries) or total blockage is impossible. The problems that advanced industrial democracies face are not that different. The existence of common problems, however, does not mean that approaches to them will be similar, or indeed that any policies will succeed. Dissatisfaction with current policies encourages policymakers to search elsewhere, in both time and space, for policies that might work better.

The current consideration of health care reform in the United States is an example. The existence of international bodies and the relative ease of international transportation and communication today facilitate the exchange of information about how countries deal with common problems. Some problems, of course, such as the environment, have obvious externalities that make them prime candidates for more coordinated policy-making. Increased economic interdependence generates both more opportunities and more urgency for lesson drawing. But knowledge of policies in other countries is a two-edged sword; opponents may be able to mobilize opinion against a policy that has had undesirable consequences elsewhere, from their perspective.

Rose argues that lesson drawing has both normative and empirical components. Normatively, policymakers search for lessons that are compatible with their values. The empirical study of lesson drawing is even more complex, however, because policymakers have to draw up models of how policies work elsewhere, what elements could be transported to their own polity, and what the likely consequences would be. The lure of analogies, either across time or space, is dangerous because analogies are inherently selective. In order to be transferred, then, policies have to be "doubly desirable" on both normative and empirical grounds.

Rose develops a number of general hypotheses about the process of lesson drawing, including the role of more powerful countries, ideological propinquity, partisanship, geographical proximity, social psychological closeness, value similarity, the breadth of focus of the policy, and technological capability. He draws his examples from the few extant studies on the topic, plus his own observations. Rose chooses his examples from several different countries and policies, which leaves plenty of room for more focused work by other scholars. For instance, although he gives extended treatment to the Japanese proclivity for lesson drawing since the nineteenth century, he does not indicate how the Japanese experience fits with all of his hypotheses about the process. Similarly, the current ferment of lesson drawing in Eastern Europe is only briefly discussed. At that, Eastern European rejection of lessons from their recent past under Soviet-style regimes may not be as complete as Rose indicates. From an issue rather than a country perspective, the current trend of privatization deserves careful analysis along the lines Rose suggests.

As with path-breaking work in any new field, some generalizations are questionable. Rose is skeptical of countries drawing lessons about value-laden topics. For instance, he asserts that "differences in race relations history mean that European governments rarely draw on the United States for lessons" (p. 40). In a study recently published in Paula D. McClain, ed., *Minority Group Influence: Agenda Setting, Formulation, and Public Policy*, however, I argue that policymakers in Britain made a concerted effort to draw lessons from policies in the United States in devising their own race relations acts in the 1960s and 1970s. When countries are unfamiliar with a problem, even a value-laden one, they will often look to countries who have experience with the problem for lessons. This means that even such value-laden areas as racial and eth-

nic relations policies are subject to transfer.

Another feature of lesson drawing that deserves more attention is the role of informal groups in the process. For instance, as Aldon Morris has recently documented in an essay in Herbert Hill and James E. Jones, Jr., eds., *Race in America*, the protest strategy of the civil rights movement in the United States in the 1960s had profound repercussions abroad. Perhaps Rose's skepticism about the transferability of race relations lessons from the United States is due partly to an earlier study (*Journal of Politics*, 1976) in which he found that the lessons of the civil rights movement in the United States did not help the anti-discrimination movement in Northern Ireland change government policy along similar lines there, largely because of differences in political institutions in the two countries. But whatever the merits of that argument, the role that groups, as well as governments, play in lesson drawing and policy formulation needs more careful explication. The transferability of lessons from the women's liberation movement is another study that needs to be done.

The major problem to be solved, however, is identifying the processes of policy transfer and their relative influence in policy-making. Thus, even if one can document that policymakers in one country were searching for lessons from abroad, or over time, how can one discern what lessons were learned and how influential they were in policy formulation? On the other hand, a government might unconsciously engage in lesson drawing if it relied on analyses that were based on policy transfer without communicating that fact. One can imagine, for instance, that policies might be more appealing to politicians in the United States if they can be portrayed as "home grown" rather than borrowed from abroad. The problem becomes even more difficult in researching past rather than current policy formulation since the number of participants and observers shrinks and memories become selective.

Nevertheless, by whatever name it is called, the study of lesson drawing is a promising area for further research. Among other things, it promises to shed light on the conditions that lead to policy convergence and policy exceptionalism among governmental units. Rose argues that earlier policy innovation and diffusion studies documented the adoption of certain kinds of policies without indicating how comparable the content of the policies really were. This book will deservedly bring the study of lesson drawing to the attention of a wider group of scholars.

Donley T. Studlar
West Virginia University

Michael J. Glennon, *When No Majority Rules: The Electoral College and Presidential Succession* (Washington, DC: Congressional Quarterly Inc., 1992), x + 162 pp.; ISBN 0-87187-875-5 (paper).

No aspect of the American Constitution draws as much criticism as the provisions concerning the election of the president and the vice president. The election system specified in that document is widely viewed as a dangerous institutional dinosaur. The system can operate in a technically flawless manner, at least on paper, and yet negate the candidate preferences of a majority

of the voters. Calls for reform are continuous, and especially intense when the popular vote is expected to be close, or when an independent or third party candidate such as Ross Perot threatens to split the electoral vote and throw the presidential election into the House of Representatives (and the vice presidential election into the Senate).

Michael Glennon's *When No Majority Rules* is the latest in a long line of books dealing with the need to at least revise, if not abandon, the current system. This is a short book, containing only about eighty pages of actual text (with four appendices), and much of its content, as one would expect, has been covered in the previous volumes. Glennon is obliged to discuss a number of well-worn topics, such as the intentions of the Framers, the evolution of the general ticket system, the adoption of the Twelfth Amendment, and the elections of 1800 and 1824. If he didn't, the book would be incomplete. His treatment does diverge, however, from most of the previous work, and the difference reflects the fact that Glennon is a law professor, not a political scientist.

When political scientists write about the electoral college, they usually focus on the many alleged "biases" in the system, and on the impact it supposedly has on the behavior of both the candidates and the voters. Glennon virtually ignores these concerns. He focusses instead on potential procedural flaws and conflicts in the system, especially within the "contingent election" arrangements under which the House would elect the president and the Senate the vice president. Indeed, the "no majority" that concerns him the most is the absence of a majority within the electoral college.

Among the many procedural questions Glennon addresses are some that will be of interest to a number of political scientists. These include whether a state can require a pledge to support a party's presidential ticket as a condition to be nominated for the office of elector (the answer is yes; see *Ray v. Blair*, 343 U.S. 214), whether a "faithless" elector can be held legally accountable for violating such a pledge (Glennon says maybe not), and whether Congress can challenge and eliminate from the electoral vote count votes that have been cast contrary to such a pledge (Glennon says probably not). Other issues he addresses, such as whether, in a contingent House election, there should be a quorum requirement at the time a state's congressional delegation decides which candidate will receive that state's vote, and if so, what that quorum requirement should be, will no doubt interest far fewer political scientists.

Glennon acknowledges that many of the procedural issues he addresses have not arisen since 1825, when the House last made the decision, and may not arise again in the next 170 years. But he correctly warns that if they do arise again, "the situation could be politically explosive" (p. 55). He therefore recommends, also correctly, that we avoid such controversy by resolving these procedural issues before an actual election outcome is itself at stake. If procedural decisions are made with outcomes in mind, then the legitimacy of that outcome, which may already be tenuous, may be eroded further.

In the final chapter, Glennon gets to the big question of whether the electoral college should be retained. His vote is for retention, with revision. He opposes a change to the

usual alternative, direct election, because of the often cited concerns about vote fraud and chaotic nationwide recounts under a direct ballot, because a second, runoff election (or preferential voting system) might be necessary, and because it would direct campaign resources and attention to urban and suburban areas (which of course is a major criticism of the current system). Glennon instead favors a revision, allocating electoral votes by congressional districts, as is done in Maine and Nebraska, with the candidate polling the most votes within a district receiving that district's electoral vote.

The district system, Glennon argues, would approximate direct election by eliminating the most disproportional feature of the current system, the conversion of popular votes into electoral votes on a statewide winner-take-all basis. This would make it much less likely that a candidate receiving a majority of the popular vote nationwide would not also win a majority of the electoral vote. Glennon further argues that allocating electoral votes on a district basis would be beneficial in several other respects as well. The district system, he maintains, would "compel presidential candidates to speak to the electorate in each congressional district," "resuscitate local party organizations by encouraging district-based, grass-roots campaigns," and "encourage broad-based national campaigns aimed at nationally dispersed voters falling within the same demographic strata" (p. 75). Unfortunately, these linkages are simply asserted, and not developed in any theoretical or empirical manner, leaving their validity questionable.

When No Majority Rules provides a good, detailed yet readable overview of the presidential and vice presidential election system. Glennon raises an impressive array of procedural concerns, and discusses each of them thoughtfully. Political scientists interested in the details of the system will benefit from reading this small volume. Those concerned primarily with the political consequences of electing the president and vice president in this fashion, however, will not find this book nearly as useful.

Richard L. Engstrom
University of New Orleans

Peter B. Kovler, ed., *Democrats and the American Idea: A Bicentennial Appraisal* (Washington, DC: Center for National Policy Press, 1992), xxvi + 388 pp.; ISBN 0-944237-36-3 (cloth).

This volume of essays, edited by Peter V. Kovler, a former aide to Senator Hubert H. Humphrey and Congressman Sidney Yates and the co-producer of a 1989 award-winning documentary on Klaus Barbie, among other accomplishments, is meant as a celebration of the 200th anniversary of the founding of the Democratic party (identified as in May of 1792). The essays in the volume are primarily by noted historians with a sprinkling of political scientists, journalists, and those active in the political "arena." The latter constitute a prime audience for the book in addition to those "citizens who still believe that politics does make a difference" (p. vii).

The book was published by the Center for National Policy and in large part is an outcome of two conferences held there on the past and future of the Democratic party. The intent was to draw lessons from the

past and to apply these to the present: "The underlying concept of this book is that memory of what has happened to and within the Democratic party can make current political practitioners a little more competent, a little wiser" (p. vii). The trick is to draw the right historical lessons and to apply them intelligently to contemporary concerns, in effect, as Ira Forman says in his introduction, combining "memory and judgment."

In all, there are sixteen essays plus the introduction and concluding with an afterword by Arthur Schlesinger, Jr. Twelve deal with "memory," the final four with "judgment." The objective was to celebrate the American experience and, while far from being uncritical, the Democratic party's contribution to the United States' unique conception of democratic governance.

The book is divided into five parts. In the first ("Jeffersonian and Jacksonian Roots: 1790s-1840s"), Lance Banning identifies some of the "first principles" underlying the emergence of the forerunners to today's party, associates these (interestingly) with ideas influential in the French Revolution, and overviews their applications by the Jeffersonians once in power; Robert V. Remini develops the roots, and tensions (the slave question), of the Democratic party in the Jacksonian era; and Harry L. Watson critically assesses the "ambiguous legacy" bequeathed by Jacksonianism, identifying (as does Remini and others) divisions that would tear the party apart in the pre-Civil War and later periods.

Part Two ("Democrats and the Civil War Legacy: 1840s-1890s") covers a low point in party history. It includes essays by Robert Kelley examining party culture, economic policy, and the impact of racism and ethnics (the latter a topic that needs further exploration in the book) on the Democrats' sense of identity. Jean Baker also examines party culture, behavior, and the challenges that faced, and divided, the coalition, at one point making the observation that: "In striking contrast to today's politics, partisans held 'being a Democrat' as a natural and expectable part of their lives. Mid-century Democrats loved politics" (p. 105). Lawrence Grossman makes the argument that for those who know little of history, in recent decades "the Democratic party is the party of civil rights and racial equality, the political haven for racial minorities, the foe of white supremacists" (p. 127). For those who know the history of the nineteenth century (or for that matter the first half of the twentieth century) "the Democratic party is tainted with racism." Grossman develops how the "southern tail" came to wag "the northern head" and briefly the consequences this had for party and national policy. Robert Kelley reviews Democratic politics during the Republican-dominated "gilded age" and, most interestingly, the role of unsuccessful presidential candidate Samuel Tilden as a link to Jacksonianism.

In Part Three ("Democrats in a Republican Age: 1890s-1930s") Robert W. Cheney looks at the party restructuring during the 1890s and the influence of both William Jennings Bryan and later Progressivism on the evolution of Democratic politics. John Milton Cooper, Jr., analyzes Wilsonian democracy and the reformulation of the party as a vehicle for reform, progress, and, less successfully in the end, internationalism. Allan J. Lichtman reviews the elec-

tions of 1920, 1924, and, most importantly, 1928, contending that while the latter was not a realigning election (this did not take place until 1936), "it did awaken the sleeping voters of the 1920s," although not immediately of help to the party's fortunes.

Part Four ("The Rise and Decline of the New Deal Majority: 1930s-1990s") includes only two, markedly different essays dealing with the period of the Democratic party's most successful and significant electoral and policy impact since its founding in the era of Jefferson and Jackson. This constitutes the book's major failing. This period defined modern Democratic politics and speaks most directly to its present state and future course.

The authors do their best. Alonzo L. Hambry covers the period from the beginning of Franklin Roosevelt's New Deal through Lyndon Johnson's Great Society and Steven M. Gillon looks at the division in the party's coalition from 1968 on and its "search for a new majority."

The final section ("Bicentennial Appraisals") includes four chapters and Schlesinger's afterword. E. J. Dionne, Jr., points out the difficulty of attempting to advance the rights of minorities and to project a national vision appealing to all elements of the electorate simultaneously. Former senator and candidate for the Democratic party's presidential nomination, Gary Hart lays out principles and broad policy directions that could serve to define the party's current mission. Hanes Walton, Jr., examines African-American incorporation into the Democratic party in an argument that bears consideration. Walton calls for a bipartisan consensus on and commitment to racial equality: "Constitutional equality for all Americans should not be a political bargaining chip to be used by one party to generate racial fears" (p. 345). Michael Barone concludes the chapter essays by developing positions on issues of contemporary concerns and Arthur Schlesinger, Jr., ends the volume by saying that the country has entered an era of change. The Democrats can effectively take advantage of this "only if the answers and remedies [to be proposed] emerge from the party's great traditions—the traditions that separate the party of concern from the party of greed" (p. 365). The objective should not be to imitate the Republicans and reject the New Deal and the Great Society as well as the concerns that have marked the Democratic party as the force in American politics for inclusion, equity, and democratic values of fairness. It is a fitting epitaph to the volume.

Clearly, the book covers much territory and a reader can feel shortchanged by the brevity of the essays and the limited treatment given a number of topics: the role of ethnics; the absence of an assessment of organized labor's contributions; the radical consequences of the Democrats' welfare state policies; and comparative assessment of the two parties' economic and social emphases and their implications as hinted at by Schlesinger and others. These can serve as examples. The restricted focus on the party's contributions in the post-World War II era, as indicated, is also a shortcoming. Also, in an undertaking this ambitious, a degree of cohesion is sacrificed.

Still, the essays are provocative as advertised; the ideas are presented by people knowledgeable and thoughtful in their areas; and a sense of concern and commitment does

come through. The result is a useful and stimulating interpretation of the different phases of the Democratic party's development and an examination of its present concerns and potential for contributing to, what in essence would be, a more democratic society.

William Crotty
Northwestern University

Pietro S. Nivola, *Regulating Unfair Trade* (Washington, DC: Brookings Institution, 1993), xv + 190 pp.; ISBN 0-8157-6090-6 (cloth); 0-8157-6089-6 (paper).

Regulating Unfair Trade is a typical Brookings product: concise, consistent in its message, digested enough for even the densest Hill staffer to follow. Consistent with the growing trend towards institutional analyses in political science, it argues that 1970s efforts to protect U.S. producers from unfair trade has acquired an institutional momentum of its own. When Congress enlarged the number of statutes permitting firms to sue the producers of imports for "unfair" trade, they undermined the institutional foundations for a gradual reduction in U.S. trade barriers, particularly tariffs, after World War II. This explains an otherwise puzzling correlation.

"Objective" economic forces that might produce increased cries for protection have decreased through the 1980s: growth rates were higher in the 1980s than in the 1970s; access to foreign—especially Japanese—markets has improved; U.S. manufacturing productivity and exports both have been soaring. Yet, the volume of U.S. imports subject to trade impediments roughly doubled from 1975 to 1985 and then continued to rise more slowly. What has changed is that Congress's efforts to protect industries in the 1970s created an institutional apparatus allowing individual industries, sometimes firms, to initiate protection on their own behalf. This shattered the Chinese walls isolating trade policy from protectionist social forces after World War II.

Although Nivola does not touch on this, internationally the gradual reduction occurred under the multilateral auspices of the General Agreement on Tariffs and Trade (GATT). GATT's assurances that all signatories would simultaneously reduce tariffs, and that any tariff reduction granted to one signatory had to be extended to all, made cooperation easier by binding countries to an easily monitored set of behaviors. In turn, these international commitments could be used to bludgeon recalcitrant domestic interests favoring protection. GATT, however, did contain escape clauses when the rate of import growth was so high as to be "injurious."

The domestic institutional complement for mutual tariff reductions was the Reciprocal Trade Agreements Act of 1935 (RTAA). Through the RTAA, Congress delegated authority to the president to negotiate treaties for mutual tariff reductions. Congress would then vote thumbs up/down on those treaties. This process prevented particularist and sectional interests from logrolling for increased protection, which E. Schattschneider's classic study of the 1930 Smoot-Hawley tariff examined.

The 1974 Trade Act, particularly Section 301, poked holes in this barrier, by allowing U.S. retaliation if other countries traded not only on a discriminatory basis, but also if their companies sold goods in the United

States at "unfair prices." Unfair meant, in this context, below the (extremely difficult to calculate) average cost of production. Rather than going through GATT's slow and often unenforceable procedures, this retaliation could come via domestic lawsuits initiated by private actors, and forcing various executive agencies to take administrative action. This allowed industries to by-pass Congress and take their complaints directly to the executive. Success by one industry induced others to follow suit, arguing that trade asymmetries or dumping constituted unfair—not injurious—trade. The resulting anti-dumping penalties, voluntary export restraints, and regulated prices created off-budget subsidies to those industries; consumers, whose more diffuse interests made organization difficult, paid these subsidies. Nivola's argument thus marries a classic collective goods argument to an argument about institutions. Moreover, although the point is made only in passing, he notes how the erosion of institutional walls in the United States contributed to an erosion of the GATT system internationally.

Still Nivola's analysis and in particular his pollyannish prescriptive conclusion have two defects. Empirically, the number of trade cases has fallen by half from its 1986 peak, if one excludes the litigious (and atrociously managed) steel industry. Where then is the paradox? Litigation seems to have been a way for firms to pressure the executive to change its otherwise uncontrollable monetary policies, which drove the U.S. dollar's exchange rate 60 percent above its 1973 value. As the dollar has fallen, and exports have risen, the number of unfair trade cases has fallen.

More important, Nivola's analysis suffers from a defect in identifying precisely what the institutional problem is. (In this regard, teachers looking for pedagogic material would be better advised to turn to I. M. Destler's *American Trade Politics*.) The real institutional problem inclining the U.S. state towards trade protection is not so much the specific clauses Nivola cites as much as a system of separated powers in which a territorially constituted Congress made up of weak parties has control over the regulation of trade. Congress has always made its delegation of authority to the president conditional, and every extension of the RTAA and similar authority has come at the cost of protection for specific groups whose representatives' votes were crucial for passing the act in question. This was true with agriculture in the 1950s and textiles in the 1960s, and it remains true with the North American Free Trade Agreement today. U.S. trade policy has always been schizophrenic: Selective closure is the price for more openness. The clauses to which Nivola points have only made it easier for industry-based interest groups to get what they were already receiving.

By the same token, congressional logrolling and committee structures make it highly probable that any industrial policy aimed at helping a sunset industry transit to renewed competitiveness or easing the regional costs of its decline would turn into a new and ineffective source of pork. The exceptions to this rule are instructive: the U.S. Department of Agriculture for years ran an effective industrial policy upgrading productivity and promoting exports; the Defense Department helped create an array of

high technology industries. Both departments embodied the "national interest," the former in the long nineteenth century and the latter after World War II, and this insulated them from congressional pressures. But it is precisely because the U.S. state lacks any other way of targeting industries for assistance that cries for protection proliferate.

Nivola's prescriptions—a better educational system, lower fiscal deficits, health cost containment—thus miss the point. To be sure they would help, and to be sure, as he says, solving these problems would take some of the pressure off the trade regulation apparatus and allow a more coherent trade policy to emerge. But as all of these prior problems also are aggravated by interest group conflicts and the American way of doing politics, any demonstrated ability to solve them would perforce also go a long way towards solving the trade regulation problem. Health care alone, after all, accounts for more of U.S. GDP than all of its exports.

Herman Schwartz
University of Virginia

Invitation to the Scholarly Community

The *National Political Science Review* (NPSR), a refereed publication of the National Conference of Black Political Scientists, is seeking to expand its contributor and subscriber base.

The *NPSR* was conceived with emphasis particularly on theoretical and empirical research on politics and policies that advantage or disadvantage groups by reason of race, ethnicity, or gender, or other such factors. However, as a journal designed to serve a broad audience of social scientists, the NPSR welcomes contributions on any important problem or subject which has significant political dimensions.

The *NPSR* seeks to embrace the socio-political dimensions of all disciplines within the social sciences, broadly defined. Generally, the *NPSR* seeks to incorporate analysis of the full range of human activities which undergird and impinge upon political and social life. Thus, in addition to contributions from political scientists, the *NPSR* seeks relevant contributions from historians, sociologists, anthropologists, theologians, economists, ethicists, and others. The *NPSR* strives to be at the forefront of lively scholarly discourse on domestic and global political life, particularly as disadvantaged groups are affected. While not meant to be exhaustive, the listing below is illustrative of the different areas of scholarly inquiry which the *NPSR* wishes to draw upon:

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The *NPSR* welcomes conventional manuscripts as well as research notes on important issues. The *NPSR* is particularly interested in contributions which set forth research agendas in critical scholarly areas within the context of past scholarship and ongoing contemporary developments. In this

regard, the editor encourages collaborative efforts by two or more contributors.

Manuscripts submitted for consideration for publication should not exceed thirty typewritten pages double-spaced, inclusive of notes, and must be prepared according to guidelines that are available from the publisher. Four hard copies (with the author's name on one copy only) are required for the initial review. A 3.5" computer diskette in WordPerfect is required for the final submission. Tables, figures, and graphs must be submitted in camera-ready condition upon acceptance for publication. For tables, use a uniform typeface (preferably Times Roman). Use three rules: one under the table head; one under the column heads; and one under the table body but above any notes. Column heads are 9/11 bold, caps and lower case; body is 9/11 upper and lower case, columns centered; notes are 8/10 upper and lower case, flush left. "Note" or "Source" is italicized followed by a colon.

Correspondence and manuscripts should be sent to: Georgia A. Persons, Editor, *National Political Science Review*, School of Public Policy, Georgia Institute of Technology, Atlanta, GA 30332. Phone: (404) 894-6510. FAX (404) 894-0535. Matters regarding reviews of books should be sent to: Paula D. McClain, Book Review Editor-NPSR, Department of Government and Foreign Affairs, 232 Cabell Hall, University of Virginia, Charlottesville, VA 22901.