INTRODUCTION

RACE REPRESENTATIVES OR "RESPONSIBLE LEGISLATORS"?

Has the growing presence of African American representatives in state legislatures resulted in greater African American influence in state policy-making? That is, do African American representatives have a noticeable and distinctive effect on legislative institutions and the policies they produce? Do they articulate and advocate a race-based legislative agenda? Have African American legislators become more integrated or incorporated into the legislative process over time? How are black legislators viewed or perceived by their peers?

These are the primary questions addressed in this book. The answers to them are relevant and of some importance to both African American and American politics for a number of reasons. First, given this country's history of de jure and de facto racial segregation, discrimination, and disenfranchisement, especially at the state level, it is significant and relevant to democratic theory and our system of representative governance whether or not American political institutions are now open to influence from a class of persons that was once widely regarded and treated as beings "of an inferior order; and altogether unfit to associate with the white race either in social or political relations."[1]

Second, after passage of the 1965 Voting Rights Act, black politics was transformed from pressure or "protest" politics to the politics of electoral participation. This new politics has served as an impetus for African Americans to com-

pete for and win public office. However, the *new black politics* has not simply been a struggle to be included. For many, inclusion was intended to be a means toward several substantive ends rather than merely a symbolic end unto itself. For example, it was widely expected that black inclusion would in some way be a vehicle for altering American political institutions and achieving significant changes in the political and socioeconomic conditions of black people.[2] In exploring answers to the above questions, we can, with more than thirty years of hindsight, provide at least a partial evaluation of whether the consequences of the "new black politics" have been more symbolic than substantive.

Finally, the questions raised here are important because, since the early 1970s, states have grown in importance as both actors and arenas for public policy-making. Beginning with the Nixon administration and continuing through the present, devolution and new federalism initiatives have resulted in the public's becoming more reliant on states for programs and services that have in the past been provided primarily by the national government (e.g., Medicaid, student aid grants, school lunch programs, community development grants, Aid to Families with Dependent Children, and environmental protection).[3] Many of these programs are seen as essential for improving the socioeconomic status of African Americans as a group. Consequently, state-level institutions have taken on a renewed importance for African Americans attempting to get their policy interests and needs met. As we begin the twenty-first century, black state legislators are perhaps becoming just as important in securing and protecting black interests as are those African Americans who serve in the United States Congress.

Since 1970, the number of African Americans elected to state legislatures has grown by more than 237 percent. Between 1970 and 1998, the number of African American state legislators nationwide increased from 168 to 567. Today, more than 7 percent of state legislative seats nationwide are held by African Americans—up from 2 percent in 1970 (Joint Center for Political and Economic Studies 1998). This growth notwithstanding, the scholarly literature on African American state legislators remains relatively small in quantity, especially when compared to the studies of African Americans in Congress. The extant research on this topic can be divided into two broad categories: studies that provide mostly biographical data and information on the conditions under which blacks were elected to office (e.g., Bullock 1975; Cavanagh and Stockton 1983; Cole 1976; Conyers and Wallace 1976; Grofman and Handley 1985), and studies that provide analytical insights into the representation styles and policy

interests of black legislators (e.g., Bratton and Haynie 1992, 1999a; Button and Hedge 1993; Hamm, Harmel, and Thompson 1983; Hedge, Button, and Scher 1992; Herring 1990; McGriggs 1977; Miller 1990; Nelson 1991; Perry 1976). This book is meant to build upon and expand the latter body of research. It is one of the first book-length studies to examine analytically the behavior of African American state legislators by simultaneously considering multiple legislative sessions in more than one state. With this study, I do not profess to offer a general theory of African American legislative behavior. Instead, similar to the main objective of John Wahlke et al.'s classic 1962 book, *The Legislative System: Exploration in Legislative Behavior,* I examine several issues relative to the presence and behavior of African Americans in legislative institutions with the hope of providing an analytical framework from which such theories might later be developed (see Wahlke 1962:3–4).

In describing the parameters of their project, Wahlke and his colleagues wrote:

> The aim of research was not to construct descriptive accounts of the institutions and processes of legislation in the four states studied, or of the political forces and factors which operate from day to day through their legislatures. Nor was it to discover precisely what happened in these four states in a particular session or to acquire understanding of the unique historical events of those particular situations. *The objective, rather, was to gain knowledge about generic problems of legislative institutions and processes in American state government.*   (Wahlke et al. 1962:4; emphasis added)

This book is written from a similar perspective. My principal aim is to provide general knowledge about the nature and consequences of African American representation in state legislatures. In so doing, the study sheds some light on the question of how open, receptive, and responsive an important political institution has been to the nation's largest, most politically cohesive, and (in terms of political and social development) most historically significant racial minority group.

The growth in African American representation in state legislatures originated, to a large degree, with the political mobilization efforts associated with the civil rights movement of the 1960s. One product of these mobilization efforts was passage of the Voting Rights Act of 1965. The Voting Rights Act is arguably one on the most significant pieces of legislation passed by Congress in the twenti-

eth century. Not only did it lead to tremendous increases in the number of African American elected officials at all levels of government, it also contributed directly to the growth in African American influence in the overall electoral process.

In addition to these rising numbers, many scholars and political observers have argued that in order to maximize their effectiveness and influence, African American legislators must also practice a politics intended to be system-changing. That is, black representatives should advocate and seek support for programs that are directly targeted, at least in part, toward African Americans, and that are likely to result in "radical" changes in social and economic policies (e.g., Barker and Jones 1994; Guinier 1992; Pinderhughes 1987; Smith 1990, 1996; Walton and McLemore 1970). In other words, African American legislators are expected to be what St. Clair Drake and Horace Cayton (1945) called *race men* and *race women.* The concept of the race man/woman originated in the slavery era. The term itself, however, comes from Drake and Cayton's now famous ethnographic study of Chicago's African American community.[4] Race men/women were black leaders who emerged from and lived in a segregated society and whose primary loyalty and responsibility was to African Americans. Sociologist Elijah Anderson has written (1997) that "the birth of the race man came at a time when there was a caste-like system in the culture as a whole and a particular rigid wall of segregation between blacks and whites in terms of styles of life, behavior, culture, residence, and power. The race man flourished in that caste-like system" (117). Race men and women often behaved as though they carried the burdens and ordeals of the entire race on their shoulders, and in public they almost always chose to put matters of race above all other issues. Race representatives were interested in and intent upon advancing the entire African American community.

Although they no longer emerge from environments that are completely racially isolated and segregated, contemporary African American representatives are, nevertheless, usually elected from districts in which the majority of the voters and constituents are African American or members of various racial and ethnic groups. Coming from such jurisdictions, they are expected to formulate and enact public policies that serve the interests of black people. However, one of the many ironies of African American politics is that in seeking to formulate and enact policies that address the particular needs and interests of the black community, African American legislators must operate in a political system and within political institutions that are biased against drastic or revolutionary change, and where the advocacy of black interests may be incongruent with both policy successes and professional advancement (Barker and

Jones 1994; Bennett 1963; Dymally 1971; Friedman 1993). In legislatures, for example, appropriations and expenditure patterns are often fixed for the near to intermediate term, and incrementalism tends to be the norm for budgetary and other important changes. Historian Lerone Bennett (1963) has argued that these fundamental characteristics of the American political system—the norm of incrementalism and the bias against rapid change—make the tasks of African American politicians an impossibility:

> Black politics has been the art of the impossible, because black politics has been the art of trying to make fundamental change in a political system by using the structures and instruments that were designed to perpetuate that system. It has been the art of the impossible because it has been the art of trying to make a social revolution with moderate tools that were invented to prevent social revolution.[5] (Bennett 1963:5)

In other words, the American political system itself presents African American political representatives with a dilemma. The political system and its institutions are designed and structured in ways that repel the very kinds of fundamental social and economic changes that African American representatives often must advocate.

In a now classic 1961 article, "Committee Assignments in the House of Representatives," Nicholas Masters described the prototype legislator who was most likely to succeed and advance in this type of system. He referred to this legislator as the "responsible legislator":

> A responsible legislator is one whose ability, attitudes, and relationships with his [or her] colleagues serve to enhance the prestige and importance of the House of Representatives. He [or she] has a basic fundamental respect for the legislative process and understands and appreciates its formal and informal rules. . . . He understands the pressures on the members with whom he cannot always agree and avoids pushing an issue to the point where his opponents may suffer personal embarrassment. *On specific issues, no matter how firm his convictions and no matter how great the pressures upon him, he demonstrates a willingness to compromise.* He is moderate, not so much in the sense of his voting record and his personal ideology, but rather in the sense of a moderate approach. . . . [A] responsible legislator is apparently one who does not believe that the [legislature] is the proper place to initiate drastic and rapid changes in the direction of public policy. On the contrary, he is more inclined to be a gradualist, and to see public policy as sort of a "synthesis of opposing viewpoints." (Masters 1961:352; emphasis added)

Thus adherence to and respect for status quo norms and incremental change are qualities valued by legislative institutions. Legislators fitting this description are rewarded with prestigious committee assignments, the respect of other legislators, and perhaps ultimately, more influence and effectiveness in the legislative process (Asher 1975; Davidson and Oleszek 1989; Friedman 1993; Huitt 1961; Keefe and Ogul 1993; Matthews 1960; Rosenthal 1981, 1990).

Given the enormity and persistent nature of the economic and social problems facing large segments of the African American community, attempting to follow or adopt the characteristics, norms, and predominant traits of legislative institutions and the "responsible legislator" imposes significant constraints on African American representatives who are expected or may feel pressure to pursue black interests. As Sally Friedman (1993) has put it, "Because of the demands from atypical constituents, the potential for different personal priorities, and backgrounds in minority issues or alternative political situations, these legislators may face more conflicts. They may find it more difficult to meet . . . the requirements of a 'majority' institution. To the extent that they do, they may be perceived as failing to represent their own constituents or as selling out to moderates."[6] That is, the role of race representative may be incompatible with the demands, expectations, and pressures placed upon African American representatives by fellow legislators, political parties, and the legislature as an institution (Button 1989; Button and Scher 1984; Karnig and Welch 1980).[7] Consequently, the legislative life of black legislators, perhaps more so than with other representatives, involves a perpetual concern with achieving some kind of workable balance between representing racial group interests and pushing for fundamental institutional reform on the one hand, and advancing a more mainstream agenda and seeking greater incorporation or integration into the legislative process on the other. Thus in order to be effective in performing their day-to-day legislative duties, African American representatives must have in their repertoire the skills and ability to manage the conflicts and dilemmas that result from these seemingly incompatible representational roles.

Managing Duality: Toward an Analytical Framework

In his classic 1903 book, *The Souls of Black Folk,* W. E. B. Du Bois provided an eloquent and profound exposition of what can be called a *duality dilemma* that has long characterized the day-to-day life of many African Americans.

> The Negro is sort of a seventh son, born with a veil, and gifted with a second-sight in this American world. . . . *One ever feels his two-ness—an American, a Negro; two souls, two thoughts, two unreconciled strivings; two warring ideals in one dark body,* whose dogged strength alone keeps it from being torn asunder. (Du Bois 1961:3; emphasis added)

The duality dilemma is rooted in the concurrent pressures and expectations associated with living, working, and participating in the dominant white society while attempting to maintain an identity and connection with the African American community.[8] Sociologist Elijah Anderson (1997) describes the dilemma as a "precarious balance" between being (or being viewed as) a "race man or a sellout" (116). He suggests that the burdens may be greatest on the African American professional class. As he puts it, "So many of these blacks face the dual pressures and expectations of being 'professionals' in a white world and of dealing with what it means to be African American in the 1990s" (115).

Some of the issues arising from the O. J. Simpson murder trial, and in particular, some of the experiences of former Los Angeles assistant district attorney Christopher Darden, an African American who was one of the principal prosecutors in the case, provide a good illustration of, and exemplify the pervasiveness of, this dilemma.

> Somehow the Simpson trial became so much more than a simple legal determination of whether a rich celebrity, former athlete, and known wife beater had snapped and killed his former spouse and her friend. It became, among other things, a debate about different views of blackness, about whether blacks can afford the luxury of placing much faith in a "white" system of justice. (Cose 1997:76–77)

Addressing the experiences of prosecutor Christopher Darden, Anderson writes:

> Darden's dilemma, therefore, is one he shares with many African Americans. He was trying to serve two basically contradictory gods, that of black racial particularism and that of meritocracy and universalism. His attempt to serve either one at any given time could easily be interpreted as a betrayal by followers of the other. To be seen as fair in terms of the merits of the case, he had to bend over backwards to disassociate himself from racial particularism, which, in a universalistic courtroom, could only be construed as bias.

> But in doing so, he risked his status as an authentic black man—and in the race man ideology, to be an authentic black man is to put the black race first.
>
> (Anderson 1997:128)

This brief exposition of Du Bois's duality dilemma provides the foundation and context for this book, as well as a starting point for building a framework that can be used to examine, and perhaps better understand, the behavior of contemporary African American legislators, and possibly the behavior of other black elected officials as well. One of the underlying arguments of this book is that like African American professionals, African Americans in politics also face a duality dilemma. Post-civil rights movement African American legislators are conceivably the most prominent contemporary political example and manifestation of this duality phenomenon. African American representatives face the paradoxical expectation of being both protagonists and antagonists of the political system. That is, they are expected to simultaneously be race representatives and responsible legislators. African American legislators must somehow manage the precarious and difficult tasks of becoming integrated into legislative institutions while at the same time trying to transform them.

Legislators themselves are cognizant of this dilemma. For example, a report describing and summarizing the proceedings of a 1990 symposium on "Women, Black, and Hispanic State Elected Leaders" indicates that one of the main topics of discussion that emerged during the symposium was, "how women and minority officials are to balance the expectation that they will carry the banner for women's and minority issues with their obligation to represent all people in their constituencies" (Carroll 1991:3). Comments from two symposium participants exemplify the duality dilemma. As one state legislator commented:

> In working within the system, are we supposed to turn around and stop fighting the very thing we had fought to get here? I worry about the attitude that says that now that you're there you should just become like everyone else and try not to correct those things that you came here to correct.
>
> (Carroll 1991:4)

Another representative argued:

> I personally think we've got to be doing banking and we've got to be doing insurance and we've got to be having an impact across the board. If we don't do

that, then we limit ourselves. If you want to move in the system, I think you
have to broaden your agenda and let people know that you care about their
issues.   (Carroll 1991:4)

The conference report goes on to say that, "African-Americans and Latinos
seemed to feel more pressure than women to pursue a policy agenda focused
on members of their group, perhaps because there is greater cohesiveness
among these minority groups than among women" (4).

African American state legislators have three viable options or strategies for
managing this dilemma. One is that they can persist as race representatives,
making matters on race their primary concern. However, by maintaining the
posture of the race representative, African American state legislators run the
risk of becoming something akin to what Huitt (1961) called legislative "out-
siders." Outsiders are those legislators who sometimes may stand in opposition
to their party, and who do not necessarily conform to the norms and traditions
of the institution. For example, unlike with the responsible legislator role,
whenever they deem it necessary, representatives who adopt or are forced into
the role of outsider are willing to propose legislation that seeks drastic and rap-
id changes in the direction of existing public policy (Huitt 1961:571). A poten-
tial negative consequence associated with the outsider role is that legislators
who are cast in it may become less effective and less influential in the policy
process. They may be less able to forge winning or meaningful coalitions in
support of their interests, and they may be less likely to garner the respect of
their colleagues (Matthews 1960; White 1956; Wilson 1960).

A second option available to black legislators for managing the duality
dilemma is to "deracialize" their legislative agendas in order to appeal to a more
diverse audience, thereby making it easier for them to become integrated and
incorporated into the legislative process.[9] Lucius Barker and Mack Jones (1994)
define *deracialization* as "the practice of blacks articulating political demands
in terms that are not racially specific so that they appeal to a broader group and
presumably do not alienate those who are predisposed to oppose black efforts"
(321). Similarly, McCormick (1989) writes, "The essence of this political strate-
gy [deracialization] is that its proponents would seek to de-emphasize those is-
sues that may be viewed in explicitly racial terms . . . while emphasizing those
issues that appear to transcend the racial question" (quoted in McCormick and
Jones 1993:72). Because it is usually connected to attempts at coalition-build-
ing, this strategy is often advocated as a useful means of integrating African
Americans into political institutions and advancing the cause of black interests

(Hamilton 1977; Skocpol 1991; Swain 1993; Wilson 1987, 1990).[10] For example, in his provocative and highly acclaimed book, *The Truly Disadvantaged,* William Julius Wilson (1987) advocates comprehensive "universal" programs, as opposed to "race-specific or group-specific strategies," as prudent means by which to meaningfully address the problems of the so-called African American urban underclass.[11] Wilson (1990) offered similar advice to the Democratic Party as a strategy for putting together winning presidential election coalitions.

> In the 1990s the party needs to promote new policies to fight inequality that differ from court-ordered busing, affirmative action programs, and anti-discrimination lawsuits of the recent past. By stressing coalition politics and *race neutral* programs such as full employment strategies, job skills training, comprehensive health care, reforms in the public schools, child care legislation, and prevention of crime and drug abuse, the Democrats can significantly strengthen their position.   (Wilson 1990:74; emphasis added)

While on the one hand, deracialization may be a useful strategy for integrating African Americans into political institutions, increasing the level of African American incorporation in legislatures, and achieving enactment of broad-based programs that provide residual benefits to blacks, on the other it may prove to be counterproductive when it comes to efforts to pass the requisite legislation and enact the necessary public policies that might stimulate significant and immediate changes in the socioeconomic conditions of African American citizens. In other words, race-related or racially laden problems may require race-conscious or race-specific solutions. Moreover, Barker and Jones (1994) provide a persuasive argument that deracialization may contribute to the "routinization" of black politics in which African American political participation becomes more "system supporting" rather than "system challenging" (322).

The third strategy available to African American legislators is a sort of middle-ground approach with which legislators recognize the significance of racial differences and acknowledge that race matters, but at the same time they also seek to address issues of broader concern. This middle-ground strategy blends elements of both the race representative and deracialization approaches. It involves efforts by legislators to balance the pressures and expectation that they simultaneously be race representatives and "responsible legislators." This strategy is consistent with what David Canon (1999) calls the "balancing perspective" (48). With the balancing perspective, African American legislators pursue

TABLE 1.1

AFRICAN AMERICANS IN THE LEGISLATURES

State/Year	No. of African Americans in Legislature	% African Americans in Legislature	% African Americans in State	Majority Party in Legislature*
Arkansas				
1969	0	0.0	18.3	**D**
1979	3	3.0	16.3	**D**
1989	5	5.0	16.9	**D**
Illinois				
1969	14	7.9	12.8	R
1979	14	7.9	14.7	R
1989	14	11.7	14.8	**D**
Maryland				
1969	8	5.6	17.8	**D**
1979	14	9.9	22.7	**D**
1989	22	15.6	25.7	**D**
New Jersey				
1969	5	6.3	10.8	R
1979	4	3.7	12.5	**D**
1989	6	7.1	14.3	R
North Carolina				
1969	1	0.8	22.0	**D**
1979	2	1.7	22.4	**D**
1989	13	10.8	22.3	**D**

*Bold indicates African Americans in the majority party.

a black interest agenda without resorting to "the divisive language of separatism." The balancing approach allows the representative to recognize and respond to the fact that African Americans and other constituents do not have all the same interests (Canon 1999:47–49). Canon cites the example of affirmative action, which sometimes requires legislators to take a position that will alienate some segment of their constituency. In such a case, the balancing representative attempts to offset such a controversial stand by also working on issues that have no race-specific content (ibid., 50).

Much of the data used in the analyses that follow comes from a data set constructed by Kathleen A. Bratton and myself (Bratton and Haynie 1999). Specifically, the data come from the 1969, 1979, and 1989 legislative sessions of the

lower house of five state legislatures: Arkansas, Illinois, Maryland, New Jersey, and North Carolina.[12] The time period covered is significant because it encompasses the critical period of growth in African American representation. Furthermore, as can be seen in table 1.1, the selected states and years provide regional diversity, variance in the ratio of percent black in the population to the percent black in the legislature, and variance in party control of the legislature.[13] It is important to account for regional diversity because, similar to an argument made by Sue Thomas (1991) regarding the study of women legislators, any policy or behavioral differences found to exist between African American and other legislators could be attributed to the fact that certain political cultures are more or less supportive of black interests or race-related matters regardless of the race of the legislator or the percentage of African Americans in the legislature. This is not to suggest, however, that these five legislatures are a representative sample of any particular region or of the entire universe of state legislatures. Nevertheless, exploring the behavior and experiences of African Americans legislators in these states will perhaps contribute to a foundation on which important theoretical generalizations can be built.

In the subsequent chapters of this book, I provide empirical analyses of how African Americans in state legislatures have behaved in their efforts to substantively represent black interests. In addition, I examine whether or not, and to what extent, these legislators have become incorporated into the legislative institution. In so doing, I pay particular attention to how they manage the duality dilemmas they face while attempting to make a distinctive impact on public policy. That is, I seek to determine whether the African American lawmakers have behaved more like race representatives or responsible legislators or whether they have attempted to strike a balance between these two perspectives. Also, in a case study of one of the legislatures, I explore the issue of how African American legislators are viewed or perceived by their peers.

Specifically, chapter 2 looks at the introduction of proposed legislation by, or the agenda-setting behavior of, black legislators. The objectives of this chapter are to determine whether African American state lawmakers have a noticeable and distinctive effect on legislative agendas, to determine if there is a significant correlation between descriptive and substantive representation, and to examine whether, in their agenda-setting behavior, black legislators behave in a manner that is characteristic of the race men and women of Drake and Cayton's *Black Metropolis* (1945).

In chapter 3 the focus remains on discerning the nature of the representa-

tion that African American legislators provide their African American constituents, but here the empirical analyses concern their standing committee assignment patterns. Given the central role that committees play in legislatures, an examination of committee assignments provides us with another important venue from which to evaluate the behavior of African American legislators. The simple presence of African Americans in legislatures or even their articulation of a race-based agenda may not be sufficient if they are to have significant influence in public policy-making. Several studies have shown that African American officeholders must achieve *political incorporation* as a precondition to having a meaningful effect on government policies and programs. Political incorporation refers to the extent to which a group is strategically positioned to exercise significant influence over the policy-making process. Chapter 4 investigates whether or not African American representatives have achieved meaningful levels of political incorporation in the five legislatures. I construct an African American "political incorporation index" that is suited especially for legislatures. The scale is weighted in favor of leadership positions, seniority, and strategic institutional positioning. African American political incorporation scores were computed for all three legislative sessions in each of the five states. Whether or not higher levels of incorporation are beneficial to black legislators and black interests is one of the primary questions addressed in this chapter.

A case study that explores how African American legislators are perceived and evaluated by their peers is the subject of chapter 5. I use evaluations of legislative effectiveness as measures of perception. This analysis is limited to only the North Carolina General Assembly because appropriate and comparable data do not exist for the other legislatures. A more detailed description and explanation of this data can be found in chapter 5.

Finally, in chapter 6, I summarize the overall findings, discuss their significance for theory and practice, and speculate about future trends. I also present relevant and related questions that remain unanswered, yet are worthy of exploration in future studies.