# When and Why Minority Legislators Matter

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#### **Abstract**

This review examines how legislators' race and ethnicity affect the representation of racial and ethnic minorities' interests and priorities in the mass public, how these legislators affect the political participation of these groups, how the presence of these candidates affects voter decision making, and how their prevalence impacts the composition of the parties and the nature of public policy. It also points to new directions and opportunities for scholar-ship on why minority legislators matter for American politics.

#### INTRODUCTION

This article asks how electing minority legislators to the US Congress and to the country's state legislatures matters for American politics. To begin, it is useful to provide a definition of scope. Legislative minorities may be classified in several ways—by gender, partisanship, geography, class, age, ethnicity, and race, among others. Several minority groups are underrepresented in legislatures relative to their share of the population. Most notably and severely, women make up no more than 20% of the US House and Senate but compose more than half of the population (for a rich literature on the election and legislative activity of female legislators, see, e.g., Swers 2002, Reingold 2000). However, the challenges and opportunities presented by the election of racial and ethnic minority legislators are arguably unique. Thus, I focus on these minorities, particularly African Americans and Latinos. These particular classes of legislative minorities merit sustained attention for several reasons.

First, as noted above, compared with these groups' share of the country's population, racial and ethnic minorities have historically been underrepresented in legislatures. At present, African Americans make up less than 10% of the US Congress (42 seats) but 13.1% of the nation's population. Likewise, Latinos hold only 8.3% (36) of congressional seats but make up nearly 17% of the country's population.

Second, focusing on racial and ethnic legislative minorities recognizes the significance of these classifications in the nation's history (Hutchings & Valentino 2004). As Mansbridge (1999) noted, for racial and ethnic minorities to be elected to legislatures, these individuals often must overcome "historical political subordination and low de facto legitimacy" (p. 628). Given that our political system relies (more or less) on majority rule to select its political leaders and public policies, minorities are vulnerable to having their interests ignored, doubly so when the group has not been entitled to a full and fair opportunity to persuade the majority of the merits of its causes. US history is replete with evidence that racial and ethnic minorities have been denied an equal opportunity to choose the nation's leaders or policies, whether through formal restrictions on the franchise, intimidation, or outright violence.

What do we mean when we ask if the presence of racial and ethnic minority legislators "matters"? We ask when and how this individual characteristic acts as an explanatory factor to predict important political phenomena. In terms of research design, this is an example of focusing on an independent or causal variable, rather than on an outcome or endogenous variable (King et al. 1994). The goal of this review, then, is to identify dependent variables that are affected by legislators' race and ethnicity in significant and interesting ways.

Accordingly, of particular interest is how the presence of racial minority legislators affects the fortunes of their racial and ethnic minority community. This focus is inspired by notions of democratic representation, or the reflection of public opinion in government action, as well as descriptive representation, or a shared characteristic linking the governors and the governed. This concern with racial and ethnic minority lawmakers and how they represent racial and ethnic minorities' interests and priorities in the mass public necessarily leads us to ask how these legislators affect the political participation of these groups, how the presence of these candidates affects voter decision making, and how their prevalence impacts the composition of the parties and the nature of public policy.

## MINORITY LEGISLATORS AFFECT THE REPRESENTATION OF MINORITIES' INTERESTS

Studies of racial and ethnic minority legislators most frequently examine the effects of these characteristics on the representation of racial and ethnic minorities' needs and interests in the

mass public. Many use roll call votes (e.g., Swain 1995, Griffin & Newman 2007, Cameron et al. 1996, Canon 1999, Lublin 1999, Whitby 2000, Grose 2011). Most often, these studies compare the voting patterns of minority legislators with their nonminority counterparts to uncover evidence of minority lawmakers' greater attentiveness to minority concerns. For example, Cobb & Jenkins (2001) found that black Republicans during Reconstruction were more ideologically liberal on both general and racial issues than were their white Republican colleagues in the South. Echoing this, most scholars have found that African American legislators (who strongly tend to be Democrats) are far more likely than white Democrats to reflect the interests of their black constituencies in their roll call votes (for examples focusing on the US Congress, see Canon 1999, Whitby 2000, Cobb & Jenkins 2001, Whitby & Krause 2001, Tate 2003; but see Swain 1995). As another example, even when the black district population and party are considered, the presence of an African American legislator leads to greater substantive representation of black constituents (Grose 2005), and Latinos as well (Hero & Preuhs 2010). At the state level, Herring (1990) studied the roll call voting behavior of state senators in Alabama, Georgia, and Louisiana on three areas of interest to blacks: redistributive issues, civil rights and liberties, and issues with an overt racial component. Herring found that greater black voting strength had a positive and usually significant impact on support scores in all three legislatures. When only white legislators were analyzed, the black voting strength variable lost explanatory power but generally remained positive, suggesting that white legislators are less attentive to minority concerns (Herring 1990). Juenke & Preuhs (2012) provide a more comprehensive study, looking at a broader set of roll call votes and incorporating controls for partisanship and demographics, and reach a similar conclusion.

A shortcoming of these studies is their treatment of minority policy opinions in the mass public as monolithic. For instance, when these studies anticipate that the size of the minority population should linearly relate to legislative behavior, they are implicitly assuming that minorities share the same opinions, even though some may live in urban areas and others rural, some may be religious and others less so, and some may struggle economically while others have secure middle- or upperclass status. A more recent generation of studies more explicitly attempts to measure the opinions of minority groups, permitting these groups' opinions to vary geographically or otherwise, and compares them to the roll call behavior of the minority and nonminority legislators who represent them. For instance, one study measured black and Latino opinions using surveys and found that black and Latino legislators often better represented their respective groups' concerns than did nonminority legislators, even though those concerns vary across electoral districts (Griffin & Newman 2007). This is a significant finding, especially given the concern that the observed lack of competition in such districts may attenuate the representation of minorities' interests (Mansbridge 1999). However, Gay (2007) assessed this issue more explicitly, comparing the correspondence between district opinion and roll call voting for legislators from majority-minority districts (which heavily tilt toward electing minorities) and majority-white districts. Gay found that constituency preferences can explain the voting decisions of legislators equally well across districts. This finding is also important because other schemes that attempt to advance minorities' concerns, such as districting, seldom work. For instance, Griffin & Newman (2007) found that Latinos' unequal representation is not simply a function of the group's numerical minority status: concentrating Latinos in congressional districts below a certain threshold [40% per Lublin (1999)] does not necessarily translate into more equal representation.

Before we proceed to other forms of legislative activity beyond roll call voting, we should engage a thorny question. The goal of electing minority legislators is usually achieved by creating majority-minority districts. Does this make all the surrounding districts more conservative than they used to be, such that in the aggregate, minorities gain one minority legislator at the expense of several legislators less friendly to minorities' traditional concerns? Work on this question tends

to reach the conclusion that this strategy on balance damages the global interests of minorities (see, e.g., Cameron et al. 1996, Cobb & Jenkins 2001, Whitby & Krause 2001, Thernstrom 1987, Fleisher 1993, Swain 1995, Lublin 1999, Petrocik & Desposato 1998, Hutchings 1998, Bratton & Haynie 1999, Canon 1999, Whitby 2000, Hutchings & Valentino 2004). This is consistent with Republicans' enthusiasm for these plans when African Americans and Latinos are not generally members of this party's coalition. Nevertheless, the efforts of minority legislators on the issues minorities care about most could bring about a net benefit of electing minority legislators for minorities.

Although minority legislators appear to behave uniquely, as a group they are not monolithic. Even after we divide black and nonblack Latinos, the evidence suggests that personal attributes matter. Factors such as generational cohort, religion, and military experience are statistically significant predictors of voting patterns in each group (Rocca et al. 2009). Moreover, Dovi (2002) argues that some descriptive representatives are preferable to others and that criteria for selecting preferable descriptive representatives can be articulated. Dovi recommends one such criterion: preferable descriptive representatives possess strong mutual relationships with dispossessed subgroups of historically disadvantaged groups.

Having minority legislators in office matters beyond the task of roll call voting. Black legislators are more likely than their white counterparts to propose legislation consistent with African American policy preferences (Bratton & Haynie 1999, Canon 1999). Compared with their white counterparts, black members participate at higher rates within committees on both black interest and nonracial bills (Gamble 2007). Griffin & Keane (2006) show that minority lawmakers are often less well positioned in Congress to advance the interests of the black community and are, in general, somewhat less effective legislators. However, the relationship appears to be contingent on which party controls Congress (Rocca & Sanchez 2008).

Racial (Haynie 2002) and ethnic (Rouse 2013) differences in legislative behavior and position extend to the state level as well. One examination of hearing transcripts from the 107th Congress indicates that minority legislators are more likely than white legislators to participate in oversight hearings that raise race-related issues but are less likely to participate in social welfare hearings (Minta 2009). Experimental work on state legislative activities, including floor speeches, bill sponsorship, and committee service shows that white legislators of both parties exhibit similar levels of racial discrimination. By contrast, minority legislators respond more frequently to entreaties made by presumptively black constituents (Butler & Broockman 2011). This tendency is aggravated by the behavior of the mass public: both blacks and whites are markedly less likely to communicate with their representatives who are not of the same race (Broockman 2013a).

Another hope among minority voters is that by electing minority legislators one may affect agenda setting in the legislature. That is, blacks and Latinos often disagree with whites not only on the direction of policy but on their priorities. Thus, black and Latino legislators may champion issues that are priorities for their communities, such as those related to education, health care, economic development, and employment (Barrett 1995, Bratton 2002). Griffin & Newman (2008) find that minorities and whites often embrace different sets of issue priorities, and that on issues that are of greater importance to minorities than to whites, minority groups fare much better, especially when and where minority legislators are in office. Similarly, Whitby & Krause (2001) assert that the effect of racial polarization on legislative voting behavior is attenuated when a proposed public policy is of general importance to all constituents.

Why are minority legislators uniquely responsive and attentive to minorities' policy concerns? Broockman (2013b) experimentally manipulated the electoral incentives of state legislators to attend to the concerns of minority groups. The author found that nonblack legislators were markedly less likely to respond when their political incentives to do so were diminished, whereas

black legislators typically continued to respond even when doing so promised little political reward. Black legislators thus appear substantially more intrinsically motivated to advance blacks' interests (Broockman 2013b).

This is certainly a start but we need to go further to better understand why minority lawmakers stand out from their white counterparts. Do their life experiences matter? Is a past history of personal discrimination relevant? These questions reflect an important direction for future research.

#### MINORITY LEGISLATORS AFFECT POLITICAL PARTICIPATION

Whether having minority candidates on the ballot and in office affects the political participation of minorities is a longstanding question. Minority participation rates have historically been quite low, and there is keen interest in identifying ways to boost minority turnout, among other activities. A number of studies have weighed in on the effect of descriptive representation on minority turnout. Whereas Griffin & Keane (2006), Bobo & Gilliam (1990), and Washington (2006) claim that electing minority legislators improves turnout, at least among minority subgroups, Gay (2001), Keele et al. (2013), and others conclude that there is little to no effect. For now, we are unable to adjudicate a resolution of the disagreement.

Others show that the presence of minority political candidates boosts efficacy in the mass public (Merolla et al. 2013), and efficacy leads to higher levels of turnout (Abramson & Aldrich 1982), lending some support to the first group of studies. Descriptive representation also decreases political alienation (Pantoja & Segura 2003). Another way of measuring the effect lawmaker ethnicity and race have on turnout is to examine the so-called residual vote rate. The rate is higher in contests without minority candidates than when a minority is on the ballot. Herron & Sekhon (2005) present complementary findings for white voters, whose residual vote rate often substantially increases in contests that feature dominant black candidates.

Other forms of political participation may also be examined to extend this logic. Descriptive representation matters: it increases knowledge about and contact with representatives in the United States and leads to more positive evaluations of governmental responsiveness as well as increased electoral participation in New Zealand (Banducci et al. 2004). Even stronger results—with regard to participation and political engagement—have been uncovered by studies focusing on black mayors rather than black legislators (Bobo & Gilliam 1990, Gilliam & Kaufmann 1998). It may be that the executive (rather than the legislative) office and the closer proximity of most mayors combine to have a more pronounced effect on blacks' political engagement.

#### MINORITY LEGISLATORS AFFECT ELECTORAL DECISION MAKING

One of the more sensitive areas of inquiry is whether a candidate's minority status affects the willingness of voters to support the candidate. This possibility is thought to explain the so-called Wilder effect, whereby a minority candidate performs substantially better in polls just prior to the election than on Election Day, presumably because some individuals dissemble when polled. For instance, Reeves (1997) manipulated candidate race and ideology and found that race had no direct negative effect on white support independent of ideology. When black candidates were portrayed as liberal, however, whites in his sample were more likely to abstain from stating any preference. Reeves argues that some whites abstain because they feel social pressure to avoid publicly opposing a black candidate, but once in the voting booth they do so quite readily. This outlook is echoed by Berinsky (1999), who uncovered a similar discrepancy between pre-election polls and Election Day returns for the 1989 New York mayoral race between David Dinkins and Rudolph Giuliani.

However, not all studies point in this direction. Highton (2004) analyzed exit poll data from the 1996 and 1998 House elections to test the notion that white voters are averse to black candidates and found remarkably little discrimination. Sigelman et al. (1995) found no impact of candidate race on voters' choice, although they did find that certain minority candidates were perceived to be less competent than similarly described whites. Finally, Voss & Lublin (2001) concluded that Southern whites do not exhibit a consistent bias against black candidates.

Voters do use a candidate's race as an ideological cue: for example, black candidates are seen as more liberal than white candidates (McDermott 1998). Even when the descriptions of two candidates are identical except for race, voters assume that a black candidate will pursue more liberal policies once in office. If white voters prefer more conservative candidates, then the effect of candidate race may be explained by these inferred ideological differences and not by race alone.

Others have examined the effect of candidate race and ethnicity on the voting behavior of minorities. Manzano & Sanchez (2010) found that candidate quality significantly mitigates collective ethnic political behavior, yet Latinos with strong ethnic attachments remain inclined to prefer coethnic candidates even when less qualified than non-Latino candidates. Other studies examine how the inclusion of a minority candidate affects voter knowledge (e.g., Sigelman et al. 1995) and electoral competitiveness. The results indicate that district-level race and ethnicity are associated with minority candidate emergence. The presence of minority candidates also influences electoral competitiveness in primary elections (Branton 2009).

Less often explored is another set of questions regarding the importance of candidate race for election campaigns. How do the race and ethnicity of candidates affect the media coverage of the race? Are different issues brought to the fore? Are minority and nonminority candidates treated the same by the media? Are minority candidates able to raise as much money, gain the same number (and kind) of endorsements, and receive their party's support?

Next, how will the recent Supreme Court decision striking down the coverage formula of the Voting Rights Act (VRA) preclearance provision affect the future of majority-minority districting? The vast majority of nonwhite House members were elected from districts covered by the VRA (Lien et al. 2007). Because both Democrats and Republicans support these schemes, albeit for different reasons, they will likely remain in effect. Indeed, district lines redrawn by GOP state legislatures may even pack minorities into supermajority-minority districts in the name of a (legal) partisan gerrymander.

#### MINORITY LEGISLATORS AFFECT PARTY COALITIONS

The increase in black and other minority members of Congress has coincided with congressional polarization along ideological and partisan lines. In the 1960s, there were few black and Latino members of Congress, and Congress was less polarized than at any point in the country's history. As the number of minority legislators grew, congressional parties grew more polarized. These are not unrelated phenomena. Because the newly elected minority legislators often represented majority-minority districts and because minorities were somewhat more liberal than whites on average, the growth of the Congressional Black Caucus (CBC) and the National Hispanic Leadership Association (NHLA) infused Congress with ideologically liberal members. As suggested above, causally linked to this was a conservative shift among Republican legislators representing neighboring districts. Together, these factors aggravated the multi-factored tendency for the House to polarize. The growth of the CBC and the NHLA has also affected party cohesion. In the 1990s, African Americans comprised more than 20% of the 40 most senior Democrats and nearly 30% of the 10 most senior. This shift has had important effects on the distribution of power among

districts and will likely increase African American political influence and prominence (Gerber 1996).

#### MINORITY LEGISLATORS AFFECT POLICY OUTCOMES

A final group of studies asks whether the presence of minority legislators affects the policy outputs of the political system. Although these studies suffer from an inevitable black boxing of the processes by which minority numbers are translated into policies, they do have the advantage of focusing on the substantive stuff of government, which is presumably what citizens care most about. For instance, one study examined state budgets over a 24-year period (Owens 2005) and compared changes in spending priorities within budgets. The results demonstrated that increased black representation in state legislatures has resulted in state legislatures giving greater priority to policy areas important to black elected officials. In a similar study in India, Pande (2003) found that legislative quotas for minorities increased transfers to groups that benefit from such quotas.

Such findings represent an important development in the literature because prior studies often found that states with larger minority populations did not adopt policies friendly to these groups and even adopted policies adverse to their interests. What these studies show is that when a large minority population is able to elect a sizeable number of lawmakers, its numbers are much more likely to be translated into policies attractive to the group. Preuhs (2007) found such a link with respect to social welfare policy, Latino population, and Latino representation in the legislature. Finally, building on the basic finding that minority lawmakers matter for state policies, Tschoepe (1997) showed that black legislators appear to affect welfare policy outcomes by influencing the manner in which state bureaucracies implement these programs.

#### **CONCLUSION**

To summarize, on the basis of prior studies, many of which have been corroborated by subsequent research, we have noted several reasons why racial and ethnic minority legislators matter. Such legislators are much more likely to support and initiate policies backed by minorities in the mass public; their election can mobilize minorities to participate in politics; their identity can shape the outcome of elections; their emergence has altered the coalitions of the major parties; and their presence in state legislatures encourages the adoption of policies favored by many minorities.

Above, we have also identified several avenues for future research to explore. First, future work might investigate the effect of minority candidates on the issues that are raised in campaigns, how the media cover a race, candidate strategies, and endorsement behavior. A second area of study is to develop expectations for the prevalence and makeup of minority legislators in Congress as well as state legislatures in the post-VRA era. It may be that the political incentives of Republicans coupled with the coalitional incentives of Democrats lead the parties to support the maintenance of majority-minority districts in the states formerly covered by the VRA. If so, little would change. However, recent state legislative initiatives in several states may have the effect of suppressing minority votes, which would alter the political landscape in a number of ways, including perhaps districting strategy.

A third area for investigation is how well minority lawmakers are representing minorities' interests. On moral issues, in particular, minority lawmakers may be out of step with many of their constituents. If so, why, how much do constituents care, and if they do care, how might lawmakers be brought into line? Fourth, scholars might think more broadly about how minority lawmakers matter not just for the representation of minorities' interests, but also for the operation of the

institution. For instance, are minority lawmakers contributing less or more than their share to the inability of Congress to address big, national problems?

#### **DISCLOSURE STATEMENT**

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