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During the 1990 congressional redistricting many states were mandated to create additional majority minority-resident districts in order to elect more minorities to Congress. Civil rights groups and Republicans cheered. The Party views Democratic districts stripped of Black voters as opportunities to repaint blue districts red. The academic literature agrees, attributing the Republican return to House control in 1994 to race based redistricting. However, this literature generally focuses on the district as the unit of analysis, a focus that is too narrow, as some districts gain Black residents while others lose them. I focus on states, the level at which redistricting occurs. By comparing congressional delegations of states under greater pressure to create majority minority districts with those under less pressure in a difference-in-difference framework, I find no evidence that the creation of majority minority districts leads to more conservative House delegations. In fact point estimates indicate that states that increased their share of majority Black districts saw their delegations grow increasingly liberal. I find similar results for Latino districts in the southwest. Thus I find no evidence of the alleged tradeoff between having minority representatives and representatives who support minorities' preferred policies.

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I Introduction

In 1994 the Republican Party won a majority of seats in the United States House of Representatives for the first time in 40 years. The credit (or blame depending on political preference) for this feat has been directed, at least in part, at the large number of majority minority voting districts carved out in the preceding round of redistricting. The idea that the creation of majority minority districts moves congress in a more conservative direction has been espoused prior to, during and now after that 1990 redistricting in the face of more than a decades worth of post-event data. And although the Republican Party based its spending on it¹ and a line of research backs it², in this paper I find no evidence to support the contention that majority minority districts increase congressional conservatism. In fact point estimates from a simple difference-in-difference analysis comparing states required to increase the number of majority minority districts with those who faced no such mandate, suggest the opposite, that more majority minority districts results in a more liberal state congressional delegation.

Although redistricting plans are made at the state level, the majority of the empirical literature on the impact of majority minority districts generally focuses on the district as the unit of analysis.³ These studies use both cross-sectional and panel data to show that as the percent of Black voters decreases in a district, the likelihood of electing a Republican increases and the voting record of the elected representative moves in a more conservative direction. (See for

¹ During the 1990 round of redistricting, to help maximize the number of majority minority districts created, the Republican National Committee developed and distributed software to minority groups to allow these groups to construct their own redistricting plans to submit to their state legislatures for consideration (Cunningham, 2001). Wrote Republican strategist Lee Atwater (1990), “Where minority districts currently exist, they must be maintained...where minority districts can be created they must be created.”

² Lublin (1997) cites seven authors whose empirical work has led them to conclude, as does he, that the increase in the number of majority minority districts increased the number of Republicans in congress. Cunningham (2001) writes that the “moderate consensus” of political scientists is that the 1990 redistricting cost the Democrats 7-12 seats in the 1992 and 1994 elections. Two exceptions in the academic community are Guinier (1995) and Engstrom (1995) who argue that a nationwide movement of voters in a more conservative direction caused the Republicans to gain seats in the 1994 election.

³ Exceptions are Cameron, Epstein and O’Halloran (1996) who simulate the characteristic of post-1990 state level delegations using pre-1990 data and Shotts (2003) who shows that the number of representatives who vote to the left of the median is increasing in the number of majority minority districts.

example Hill 1995, Lublin 1999, Bullock 1995 and Overby and Cosgrove 1996.) Because Blacks must be pulled from a number of districts to create a majority minority district, these studies conclude that majority minority districts have a perverse effect of moving the congress in a more conservative direction. At the same time, the newly created minority districts send Blacks to congress. Thus, prior literature argues, Blacks face a tradeoff between increased descriptive representation (having representatives who look like them) and increased substantive representation (having representatives who vote in the way that they would like). (See for example Swain, 2006). Clearly substantive representation is important for the passage of policy. Descriptive representation, proponents say, is important not only for psychological well-being, but more tangibly for bringing social services and employment to Black communities. There is a small literature documenting a correlation between the presence of Black elected officials and spending on social services and between the presence of Black elected officials and Black employment (e.g., Karnig and Welch, 1980, Dye and Renick, 1981; Eisinger, 1982 and most recently Nye, Rainer and Stratmann, 2010), however a causal link has not been established.

The evidence for a tradeoff is based on analysis at too small a level of aggregation. While the creation of majority minority districts decreases the fraction of minority voters in some districts their creation increases the fraction in others. Thus a district level analysis cannot answer the question of whether the creation of these districts moved the state's congressional delegation to the right. A second limitation of prior work is that authors have failed to account for bias stemming from the endogeneity of the decision to create majority minority districts.

In this paper, I ask how an increase in majority minority districts impacts the characteristics of the delegation that a state sends to congress. I primarily focus on the southern United States where Blacks represent the largest fraction of the population and the number of majority Black districts increased astronomically, from six to 20 with the 1990 redistricting. I consider a variety of outcomes: the racial and party make-up of the delegation as well as how liberal the delegation's voting record is in general and with respect to those issues that are of

greatest concern to minorities. My time frame is the five congressional sessions (10 years) before and after the 1990 redistricting which allows for examination of two exogenous shocks to the number of majority minority districts: 1) The initial charge to increase the share of majority minority districts and 2) The later order to dismantle more than half of these districts following court rulings declaring them unconstitutional because of their basis in race. Finally, I expand consideration to a second liberal leaning minority population: Latinos in the southwest of the United States.

Employing a simple difference-in-difference design comparing southern states that faced greater pressure to increase their share of majority minority districts with those southern states that faced no increased pressure, I find no tradeoff between Black descriptive and substantive representation. I find that while majority Black districts significantly increased the number of Blacks in congress, they did not significantly increase the number of Republicans or move the delegation's voting record to the right, generally or on those issues that are of greatest concern to Blacks. In fact point estimates indicate that the increase in majority minority districts was accompanied by a leftward movement in the state's delegation. This finding holds controlling for state demographics and state political trends, across definitions of what constitutes the "south," as well as across definitions of what constitutes a treatment state. Finally, I find that in the southwest, the creation of majority Latino districts also does not move the delegation in a more conservative direction. Thus I find no evidence of a tradeoff between descriptive and substantive representation for Latinos either.

The remainder of the paper proceeds as follows: In Section II I present the theoretical argument of how majority minority districts could increase the delegations' conservatism. In Section III I provide a history of the Voting Rights Act and in particular the 1982 amendment that led to the increase in majority minority districts post 1990. I detail data and methodology in Section IV, before presenting the results in Section V and concluding in Section VI.

II Theory

Why would a mandate to create majority minority districts—districts that would certainly elect Democrats to the legislature—increase the share Republican of the state’s delegation? The argument rests on the idea that White Democrats can be more easily persuaded to vote Republican than can Black Democrats.

As Shotts (2001 and 2002) lays out if voters always vote for candidates of their own party then a majority minority mandate will not alter the gerrymanderer’s optimal redistricting strategy, with few exceptions. The gerrymanderer’s goal is to send the maximum number of delegates from his party to Congress, subject to the number of districts allocated to him in the census and the requirements that districts have roughly equal populations of residents. If Democrats have control of the state legislature, as was the case in all of the southern states in 1990, then their optimal strategy in the absence of a majority minority mandate is to distribute voters to create the maximum number of majority Democratic districts possible. The requirement to create majority minority districts is not a binding constraint on that strategy. To fix ideas consider a state that must create three districts of size 100 each. The population consists of 198 White Republicans, 51 Black Democrats and 51 White Democrats. Without the majority minority mandate the Democratic gerrymanderer would create two majority Democratic districts and one majority Republican district. Mandated to create as many majority Black districts as possible, the same gerrymanderer would create two majority Democratic districts (one majority Black, the other majority White) and one White Republican district. Thus the party composition of the congressional delegation (two Democrats and one Republican) is unchanged by the mandate.

If Republicans are in control of the redistricting process, then the constraint may be binding in the case, as in the example above, where there are enough Republican voters to construct all districts as majority Republican. Under the mandate, Republicans must create one majority minority district. Thus where voters remain loyal to their party, the introduction of the mandate will either leave the state delegation unchanged or move it to the left. (This analysis

assumes that there is no mandate to create supermajority minority districts and that there are no geographic impediments⁴ to district creation. Both were the case during the 1990 redistricting.)

However, when we allow for the notion that voters can be persuaded the calculus is different. In the Republican Party's estimation White Democrats are more easily persuaded to vote Republican than are Black Democrats (Cunningham, 2001). Data from the National Election Studies bears them out. In the five elections preceding the one in which the 1990 redistricting took effect, six percent of Blacks who identified as Democrats claimed to have voted Republican in the most recent congressional election, while 22 percent of White Democrats made that claim.⁵ So again to fix ideas assume that a highly qualified Republican candidate cannot persuade Black Democrats to vote Republican, but can persuade two percent of White Democrats to do so. Then returning to the example above, with the Democrats in control of redistricting, without a mandate, the gerrymanderer creates two majority Democratic districts (both with an approximately equal mix of Black and White Democrats) and one majority Republican district. In expectation with a highly qualified candidate Republicans will win at most 49.52 percent of the vote in a majority Democratic district.⁶ Thus the delegation that the state sends to congress consists of two Democrats and one Republican as before. However, under the mandate the district compositions are: 1) 51 Black Democrats and 49 White Republicans, 2) 51 White Democrats and 49 White Republicans and 3) 100 White Republicans. In expectation with a highly qualified candidate a Republican will win in district 2 with 50.02 percent of the vote.⁷ The Republicans run a highly qualified candidate in the White Democratic district and the resulting state delegation now

⁴For example if Black and White Democrats live in adjoining neighborhoods then creating a contiguous district comprised of 51 percent Black Democrats and 49 percent White Republicans may be impossible.

⁵ Authors calculations using National Election Studies data 1982-1990.

⁶ Take the district that has 26 White Democrats, 25 Black Democrats and 49 White Republicans. With a highly qualified candidate, Republicans can win the votes of the 49 Republicans and .02 votes of those cast by the 26 White Democrats.

⁷ The Republican wins the votes of the 49 Republicans and .02 votes of the 51 White Democrats.

consists of two Republican and one Democratic legislators. Thus the mandate may move the delegation to the right, as Republicans theorize.⁸

Lublin (1997) argues that majority minority mandates can result in Blacks losing representation even when the mandates do not result in a change in the delegation's party mix. He posits that representative responsiveness to Black interests is non-linear. As the Black population increases the representative is increasingly likely to vote in accordance with the wishes of the Black population. However the degree of "Black influence" does not increase above the threshold of 40 percent Black. Therefore the creation of majority minority districts can decrease aggregate Black influence. Consider the case of two districts with populations that are each 40 percent Black. Following a mandate, the legislator must reallocate Black residents so that one of these districts is at least 51 percent Black. Under Lublin's thesis the loss of Black influence in the one district is greater than the gain in influence in the other. Under the mandate, the delegation votes more conservatively on issues of Black interest.

Whether because of the malleability of the White Democrat vote or a non-linearity in Black influence, policy makers and political scientists largely agree that majority minority districts decrease Black substantive representation. In the next section I detail the congressional act that led to this controversial increase in majority minority districts.

III History of the Voting Rights Act

The lengths to which the southern White establishment reached, following Reconstruction, to prevent Blacks from exercising the franchise are well documented (Key, 1949). Literacy tests, taxes and all White primaries (in what were essentially one party states) were some of the more humane obstacles when compared to barriers erected through violence. The iconic image of this brutality is the March 7, 1965 footage of Alabama police officers using tear gas, billy clubs and whips on peaceful demonstrators attempting to march from Selma to

⁸ In this example with Republicans rather than Democrats in control, the mandate still moves the delegation to the left as the legislature must move from creating three majority Republican districts to only two, as above.

Montgomery in support of Black voting rights. Within days of that “Bloody Sunday” President Johnson sent the Voting Rights Act (VRA) to Congress.

The VRA is considered one of the most successful pieces of civil rights legislation in US history (Grofman and Handley, 1998). Two years following its passage Black voter registration rates in all southern states exceeded 50 percent, compared with a low among southern states of less than eight percent in Mississippi just prior to the legislation’s passage. Black voter turnout increased commensurately (United State Commission on Civil Rights, 1968).

Today, we speak of political divisions as being “under the Voting Rights Act” or not. However, all political units are forbidden from engaging in discriminatory electoral procedures⁹ under this act. Where the law differs for some jurisdictions is in regards to Section V of the legislation which mandates preclearance by the United States Department of Justice for any electoral procedure changes, including the one most pertinent for my purposes—the redrawing of districts for US Congress. The preclearance provision was aimed at preventing states from circumventing the spirit of the law as some southern states had done to keep de facto all White primaries after the practice had been disallowed de jure (United States Commission on Civil Rights, 1984).¹⁰ The decision of whether a political division was subject to the requirements of Section V was first based on the 1964 presidential election. Entities in which under 50 percent of citizens 18 and over registered or voted and in which an unlawful test or device, such as a literacy test, was used to determine eligibility for voter registration were subject to Section V. By this criterion the southern states of Alabama, Georgia, Louisiana, Mississippi, South Carolina, Virginia and many counties in North Carolina were placed under Section V. During the 1975 renewal of the VRA, when Congress looked to the 1972 presidential election and added the

⁹ According to the VRA 1965, discriminatory electoral procedures include but are not limited to literacy tests, withholding information from minority voters or potential candidates, eliminating political jurisdictions or redrawing political boundaries to prevent minorities from attaining office.

¹⁰ Arkansas, Georgia, Mississippi and South Carolina tried to divorce primaries from state governance so that laws that were binding on the state would not be binding on the primary procedure. Alabama and Louisiana strengthened other barriers to Black voting (United States Commission on Civil Rights, 1968).

criterion of under 50 percent registered or voting, five percent or more of the population from a single language minority and a failure to provide electoral materials in said language, Texas and parts of Florida were added to the list. When even one political jurisdiction within a state is subject to Section V, the state's entire Congressional redistricting plan must be pre-cleared. (See Table 1 for a list of the southern states and their pre-and post reform majority minority districts by treatment status.)

While the act seemed to have a large immediate impact on minority registration and voting, an increase in minorities holding elected office, particularly at the federal level and particularly in the south was slower coming. The 97th congress which began in 1981 included 14 Black congressional representatives from outside of the south (4.3 percent of non-southern representatives) and only three from within (3 percent of southern representatives), despite the fact that the percentage of Blacks in the population of the south at the time was approximately double that of any other region.¹¹ Part of the reason for the disparity, argue Grofman and Handley (1989) was that Blacks in the south live in rural areas and are geographically dispersed from one another while Blacks in the north primarily live in cities. It is, therefore, easier to create a compact and contiguous—as convention requires¹²—majority Black district outside of the south.

Because of this lack of electoral progress, in 1982 when Congress renewed the Voting Rights Act, it amended the act to outlaw not “discriminatory intent” but “discriminatory results” (United States Commission on Civil Rights, 1984). This amendment, like all changes to the act, affected covered and non-covered states differently. First, because non-covered states already had a greater share of Black representatives, particularly relative to their Black populations, the amendment required fewer changes of these states. (See Table 1 for the number of majority Black districts and representatives, by state, before and after the 1990 redistricting.) Second, because of

¹¹ The 1980 percentage of Blacks in the population was 18.2 percent in the south, 5.2 percent in the west, 9.1 percent in the north central and 9.9 percent in the northeast region (Gibson and King, 2002).

¹² While no current law mandates that districts be compact and contiguous, irregularly shaped districts are highly scrutinized and frequently challenged. As Justice Steven's (cited in Kousser 1995) stated in *Karcher V Dagget*, “Dramatically irregular shapes may have sufficient probative force to call for an explanation.”

the need for pre-clearance, covered states generally have to comply with new amendments first. In this case, their post-1990 census redistricting plans would have to comply with the new standard. Uncovered states would not have to alter their redistricting plans for compliance until they were on the losing end of a lawsuit on the matter (United States Commission on Civil Rights, 2005).

When the Democratically controlled southern state legislators sat down to hash out the new congressional districts, they understood the 1982 mandate to mean that they must increase the number of majority minority districts in order to increase the number of minorities in congress.¹³ However, they did not anticipate the extent to which the Justice Department required they go. The covered state of North Carolina is a good example. The state's initial plan, supported by all minority members of the state legislature, created the first majority Black federal congressional district in the state. Eight of the remaining 11 districts would be "Black influence" districts where Blacks comprised 15-20 percent of the population. The Democrats selected this plan over a plan developed by the Republican minority, which created two majority Black districts. The creation of two such districts was also supported by the ACLU and NAACP. The Justice Department rejected the North Carolina state plan by pointing to the Republican plan as evidence that a map more favorable to the election of Blacks could be created. Similar scenarios played out in other southern covered states. In Georgia the state legislature wanted to increase their number of majority Black districts from one to two and allow for Black influence in the remaining districts. The Justice Department insisted on three majority minority districts. And in Virginia the plan supported by the Black governor Douglas Wilder and the Democratic state legislature was rejected because of the existence of a Republican plan that created more majority Black districts (Cunningham, 2001). Black Representative Craig Washington (D-TX) said at the time, "If you have four districts in a state like Alabama, for example, with a sufficiently large

¹³ Their interpretation was based in large part on a federal judge's rejection of Arkansas' state legislative districting plan, not because the plan discriminated against Blacks, but because a plan more favorable to the election of Blacks could be drawn (Bullock and Dunn, 1999).

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 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 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." (Swain, 2006).

Thus Democrats were forced, by the Republican administration, to create more majority Black districts than they felt were optimal. Following redistricting the number of majority districts increased from three to 16 in covered southern districts and from three to four in uncovered states. The number of majority Black districts increased in all southern covered states except one.¹⁴ (See Table I.) All of these new Black districts sent Blacks to the 103rd congress. Black voters were not packed into these districts in Black supermajorities. These majority Black districts had a median percent Black of 59 which translated into a median percent Black of the voting age population of 55 percent.

In order to create so many majority Black districts compactness had to be violated.¹⁵ Again, North Carolina is a good example. The state's majority Black 12th district (See Figure I) snaked along I-85 (at times no wider than the highway). Said one candidate, "I love the district because I can drive down I-85 with both car doors open and hit every person in the district" (Barone and Ujifusa, 1994). Bullock and Dunn (1999) quantify what they see as "new extremes in creative cartography" by noting that the number of counties split into two districts increased by a factor of two (Florida) to 13 (South Carolina) following redistricting in seven southern states.

Their irregular shapes made these districts particularly vulnerable to legal challengers. Duke law professor Robinson Everett wrote that he was "incredulous" when he saw the shapes of

¹⁴ Mississippi with a 20 percent Black population and five districts both before and after the 1990 census already had one district. Increasing to two, should the second have elected a Black to congress as well, would have increased the fraction of Blacks in the congressional delegation above the fraction of Blacks in the residential population.

¹⁵ Kousser (1995) argues that another force leading to more irregularly shaped districts in this round of redistricting was the more strict equality of population requirements imposed by the Supreme Court's decision in *Karcher v. Daggett* in 1983.

North Carolina's new districts; they seemed to "defy compactness and contiguousness requirements". When he learned that the districts were drawn to increase the number of Blacks in congress he was concerned that the districts violated White voter's equal protection. Everett, himself White, and four other White co-plaintiffs filed suit (Everett, 2001). Everett's case made it to the Supreme Court where he eventually triumphed. The districts were redrawn less irregularly. As a result the 12th district's Black population fell from 57 to 36 percent (See Figure 1) beginning with the election for the 106th congress. Again, similar scenarios played out in other covered states. In six years 7 of the 13 new majority-Black districts (spanning five of eight southern covered states that had created them) were redrawn such that Blacks were no longer a majority. But, perhaps because of the power of their incumbency status, six of the seven Black Congress people were reelected by majority White districts (Grofman, Handley and Lublin, 2000-2001).¹⁶ (See Table 1 for state by state changes in districting and Black representation.)

After laying out data and methodology in the next section, I ask whether this increase (and then decrease) in the number of majority Black districts decreased Black substantive representation, as often stated.

IV Data and Methodology

In order to evaluate whether there is a tradeoff between Black descriptive and substantive representation, I measure these constructs as follows.

Descriptive Representation: As descriptive representation simply considers whether representatives share demographic characteristics with their constituents, I measure the level of Black descriptive representation by calculating the share of the state's representatives who are Black.¹⁷ (Means and standard deviations for all outcome variables can be found in Table II.)

¹⁶ Cleo Fields (D-LA) chose not to run again.

¹⁷ This information was collected using the Congressional Research Service's *African American Members of the United States Congress: 1980-2008* available at <http://senate.gov/reference/resources/pdf/RL30378.pdf> and the United States House of Representative's Black Members in Congress website <http://baic.house.gov/>.

Substantive Representation: A group is represented substantively, when the representative works to promote the political interest of the group. This is a more nebulous concept to measure than descriptive representation. Thus I present a variety of measures.

- 1) Democratic Representatives: In two-party elections, Black Americans cast their votes in favor of the Democratic candidate 70 to 90% of the time (McDermott 1998). During my sample period, 79 percent of Black Southern respondents to the National Election Studies (NES) claimed an affiliation with the Democratic Party, where only 45 percent of White southerners stated such an affiliation.¹⁸ Therefore the first measure of substantive representation is the share Democrat of the state congressional delegation.
- 2) Americans for Democratic Action (ADA) Scores: Black NES respondents identify as significantly more liberal than non-Blacks, even controlling for party. Therefore the second measure of substantive representation is the representatives' Americans for Democratic Action scores.¹⁹ The ADA, a liberal leaning interest group, typically selects 20 pieces of legislation critical to liberals in each chamber in each year and awards congress members five points for a "correct" vote on each of these bills. Scores range from 0 (completely conservative) to 100 (completely liberal). Across the sample period, House Democrats averaged a score of 73, while Republicans averaged a 15.²⁰
- 3) Leadership Conference for Civil Rights (LCCR) scores: While on average Blacks are more liberal than non-Blacks, there are of course particular issues on which the liberal view is not the Black view.²¹ The LCCR, another liberal leaning interest group, calculates a voting score, based on 10-20 votes per congressional session that it considers crucial to

¹⁸ Authors calculations.

¹⁹ Available at <http://www.adaction.org/pages/publications/voting-records.php>.

²⁰ I do not adjust ADA, LCCR and CBC scores for comparability across years as prescribed by Groseclose, Levitt and Snyder (1999). Such an adjustment would be inappropriate in this analysis because it relies on restrictions in the changes in a representative's mean preferences from year to year while I want to allow a representative's voting record to change along with district composition. Nonetheless, Ananat and Washington (2009) show that LCCR scores are highly correlated (.84 or greater) with Poole and Rosenthal's inter-temporally comparable Nominat scores available at www.voteview.com.

²¹ Eric John Narcisse (in Cunningham, 2001) suggests that abortion, gay rights, school prayer and the death penalty are such issues.

promoting civil rights in this country. This score may better capture the issues of importance to Black Americans.

- 4) Congressional Black Caucus (CBC) scores: A second measure of congressional voting on those issues of greatest importance to Black Americans is the extent to which a representative votes in accordance with the Congressional Black Caucus, as in Cameron, Epstein and O'Halloran (1996). I present results using only those ballots in which the CBC itself is in at least 80 percent agreement.²² Founded in 1969 by the then thirteen Black members of Congress, the CBC has as its goals "to positively influence the course of events pertinent to African Americans and others of similar experience and situation, and to achieve greater equity for persons of African descent in the design and content of domestic and international programs and services."²³ Every Black member of Congress, since the CBC's founding, with the exception of JC Watts (R-OK), has been a member.²⁴

The correlation amongst these substantive representation measures ranges from .57 (share Democrat and average ADA score) and .82 (average LCCR and ADA scores).

I collapse these measures to state/congressional terms means.²⁵ The fact that the state/congress is the unit of observation is the key difference between this study and most previous studies. The difference in results stems from the aggregation and not from data differences. If I run the regressions of outcomes on district percent Black controlling for district and time effects, I can replicate previous findings that as the percent of Black residents increases so too does the likelihood of electing a Black, a Democrat and a more liberal leaning representative. But as I argued previously, a district level analysis does not yield the answer to the

²² Data on how each member of Congress voted in each roll call vote are available on Poole and Rosenthal's website www.voteview.com

²³ Goals taken from the Congressional Black Caucus Website (<http://www.cbcfinc.org/About/CBC/index.html>).

²⁴ Non-Black members of Congress are not permitted to join. Membership restrictions obtained in a communication with Myra Dandridge, spokesperson for the Congressional Black Caucus, July 7, 2006.

²⁵ Cameron, Epstein and O'Halloran (1996) argue that the various vote summary scores represent probabilities of voting in favor of a piece of legislation and therefore can be averaged meaningfully.

question of how majority minority districts shape a state’s House delegation because the creation of these districts serves to increase the percent Black in some districts while simultaneously decreasing percent Black in others. I also note that when I include the square of percent Black in these same regressions the square enters positively and significantly. In other words, the nonlinearity that Lublin suggests is there, but in the opposite direction. As the Black population increases the congressperson becomes increasingly liberal at an increasing rate, which previews my findings that in the aggregate the creation of majority minority districts seems to increase the liberal leaning of the state’s House delegation.

In the analysis, I consider ten congresses spanning twenty years. The 98th-102nd (1983-1992) fall in the period before elections were based on the 1990 redistricting which dramatically increased the number of majority minority districts. The 103rd -107th (1993-2002) congresses fall in the post period. I limit focus to the 15 former slaveholding states and run regressions of the form of:

$$(1) \text{ Outcome}_{st} = \alpha + B_1(\text{vra}) + B_2(\text{post}) + B_3(\text{vra}*\text{post}) + \gamma_s + \delta_t + X_{st} + u_{st}$$

where *Outcome* is one of the five representation measures laid out above. *VRA* is an indicator for whether the state falls under Section V of the Voting Rights Act. Because of judicial review, these states faced greater pressure to construct a 1990 redistricting plan that included more majority minority districts. *Post* is an indicator for the period in which 1990 census redistricting applies. The interaction *post*vra* is the key independent variable of interest. A positive significant B_3 in the specification for Black representation and negative significant B_3 's in the specifications for Black substantive representation would indicate that the common wisdom is correct: Majority minority districts have the perverse impact of increasing Black descriptive representation while decreasing Black substantive representation. This pattern of coefficients would support the view that the creation of majority Black districts moves the state’s congressional delegation in a more conservative direction. γ_s and δ_t are a vector of state and congressional term fixed effects

respectively which control for fixed differences in state's political climates and for session to session movements in national political leanings.

The assumption that allows for the interpretation of B_3 as the causal impact of majority minority districts on the composition of the state House delegation is that absent the increase in majority minority districts in the covered states, the two sets of states would have seen their representative characteristics evolve in similar patterns, conditional on control variables. To increase the credibility of that assumption I include X, a vector of time varying state level controls which include percent Black in the population and the percent of the state delegation that is new in the most basic specification. Representatives with a larger share of Black voters tend to vote more liberally. (See Grose, 2005 for a summary of this literature) New representatives have also been shown to vote differently than veterans (Stratmann, 2000). In what I refer to subsequently as specification 2 this vector is expanded to include demographic characteristics that predict the state's political leaning: state poverty, high school graduation and employment rates and these measures for the state's Black population in particular. These additional covariates are calculated using March Current Population Survey data. Specification 3 includes the covariates of the previous specification in addition to state*year linear trends to allow for states to be trending differently politically overtime.

Standard errors are clustered at the state level to allow for serial correlation and dependence within state observations. Because small numbers of clusters tends to lead to over rejection of the null, I follow Cameron, Gelbach and Miller (2008) in determining significance based on a t distribution with degrees of freedom one less than the number of clusters.

V Results

The basic results are illustrated in Figure II. Panel A illustrates the large increase in majority minority districts that occurred in covered states between the 102nd and 103rd congresses. Where uncovered states (dotted line) increased their share majority minority districts an average of two percentage points, the covered states (solid line) increased from an average of five to an

average of seventeen percent majority minority districts across these two congresses. Court challenges decreased that share in the 105th and 106th congress. Nonetheless, after the 103rd congress the share of majority minority districts in covered states does not fall below that of the uncovered states or below the pre-period share in covered states. The mandate to increase the share of majority minority districts had the long lasting impact of doing exactly that.

The goal of the majority minority district mandate was to increase the number of Blacks in congress. It worked, panel B shows. The share of Black representatives among uncovered districts remained basically flat across the ten congresses. In the covered states there was a small increase in share Black in the pre-period as the result of majority Black districts created in the 1980 redistricting. These districts were represented by incumbent Whites. When the Whites retired, Blacks won these seats. However, there is a stark increase in percent Black in the covered states between the 102nd and 103rd congresses. Share Black increased from five to 17 percent as all the newly Black districts sent Blacks to congress. (Only one White incumbent, Charles Hatcher D-GA, ran for a seat in the 103rd congress from a majority Black district. He was defeated.) And even as some majority Black districts were dismantled later in the redistricting period, the now incumbent Black legislators (save one as explained in Section III) were reelected by their now majority White districts, the graph further illustrates with the small decrease in share Black in the delegation between the 105th and 106th congresses.

Was this increase in descriptive representation accompanied by a decrease in substantive representation? The remaining panels of the table indicate that the answer to this question is no. Panel C illustrates what those who argue that majority minority districts aid Republicans often note: the share of Democratic representatives in the covered delegations decreased in the post-mandate period. However, the figure also demonstrates that the decline in Democratic share was similar (and in fact slightly greater) in the uncovered states during this time. Panel D addresses the same issue looking at the delegations' voting records as rated by the liberal leaning ADA. Once again we see that in the post-period, the delegations in covered states are on average more

conservative than in the pre-period, but that the fall in liberalism is greater in the uncovered states. Thus Figure II suggests that the increase in majority minority districts was accompanied by a relative increase in Blacks in the delegation but not in conservatism. The figure supports the contention of Guinier (1995) and Engstrom (1995) that the increase in the share of Republicans in congress was due to a national movement toward conservatism and not to the result of new redistricting rules.

The figures further provide support for the identifying assumption of the quantitative analysis that follows. In order to identify the causal impact of the creation of the majority minority districts I assume that control and treatment states would have seen similar trends in the party mix and voting patterns of their legislative delegations in the absence of the increase in majority minority districts in treatment states. Panels C and D demonstrate that in the pre-period (before the increase in majority minority districts in treatment states in the 103rd congress) the two groups of states saw similar trends in their delegations' behavior.

I turn to the formal results in the first column of Table III where I present estimates from regressions of the form of (1). The share of Black representatives in the average state delegation increased by a significant 13 percentage points in covered states relative to uncovered states in the post period, indicates the first cell. (Each cell in the table presents the estimated coefficient for *vra*post* from a different regression.) The result is robust to including additional demographic controls (column 2) and state trends (column 3). In the remaining rows I examine Black substantive representation. As demonstrated in the second row there is no evidence that the creation of majority minority districts was accompanied by a decrease in Democrats in the delegation. In fact, point estimates, across the three specifications, while insignificant, indicate an increase of five to 13 percentage points. In the next row I examine the impact of majority minority districts on the liberal leaning of the votes of the state's delegation. Once again point estimates indicate an increase in liberalism, here about $\frac{3}{4}$ of a standard deviation. Turning to the issues of particular interest to the Black community as captured by the LCCR and CBC scores,

we find a similar pattern of insignificant yet consistently positive increases in liberalism. In the case of the ADA and LCCR scores I can rule out decreases larger than one point in magnitude on a scale from 1 to 100. While standard errors in the Democratic and CBC specifications are large and I cannot reject substantial decreases in liberalism, the fact that all point estimates are positive provides additional evidence against the contention that majority minority districts move delegations in a more conservative direction.

To put the point estimates in perspective it is helpful to note that the increase in the ADA score is higher than expected based solely on the change in party composition. The five percentage point increase in share Democratic times 58, the difference in average ADA score between Democrats and Republicans, yields an expected increase in ADA of only 2.9. The larger actual increase in ADA score is due in part to the fact that majority minority districts result in the election of Black Democrats who are more liberal than the White Democrats they replace. Further evidence of this is the fact that there is not a simple mean shift in the voting record in the treated delegations, but there is an increase in voting dispersion as well. The final row of the table presents results using the standard deviation of ADA score as an outcome and shows a positive (and significant in two specifications) coefficient on *vra*post*.

As majority minority districts were designed to increase representation for Blacks, it is important to examine their impact on this population in particular. In the second half of the table I examine impacts on the average southern Black by weighting regressions by Black population.²⁶ Once again there is no evidence of a tradeoff between descriptive and substantive representation. The treated increase their share Black representatives by about ten percentage points, an estimate which is significant in two of three specifications. And while the share Democratic results are unstable in sign across specifications, the results on political leaning of the state are consistently in a more liberal direction. In fact in the final specification, accounting for state-trends, we see a significant increase in the ADA and CBC scores.

²⁶ The states in the sample with the largest number of Blacks are Texas, Florida and Georgia.

Robustness checks are performed in Table IV. In the first column I exclude the border states of Delaware, Kentucky, Maryland and Missouri. The fact that these states were not part of the confederacy suggests that their historic relationship with Blacks may be different from states of the deeper south. And because no border states met the low turnout and discriminatory practices criteria, none is subject to Section V of the Voting Rights Act.

To further ensure that results are not driven by changing differences in culture in treatment and control states, in column 2 I limit the treatment states to Texas and Florida, the two southern states which fall under the Voting Rights Act not because of passed transgressions against Black voters but because of a failure to offer Spanish language materials to language minority voters. I once again include border states. This specification matches treatment and control states, neither of which in 1965 was judged as having discriminatory voting practices against Black Americans. Results are robust to both of these changes in sample. Across the two samples there is a significant increase in Black representation of about ten percentage points, a noisily estimated impact on party composition and while results on the liberal leanings of the vote are significant in only a third of specifications, they are consistently positive. Thus once again results provide no evidence of majority minority districts moving the House delegation in a more conservative direction.

In the final robustness check of the table I consider a different measure of pressure to create majority minority districts. Instead of Section V status, I consider a state as under pressure in the post period if the share of Black Representatives in the 102nd congress is less than the share Black in the population and if another Black Representative could be added without increasing the number of Black Representatives over parity. (These states, I argue, would have been more likely to face litigation by the public had they failed to create additional majority minority districts.) Under this definition all states retain the same pressured/not pressured status with two exceptions. Maryland with 12.5 percent Black representatives, a 25 percent Black population and eight districts is not under VRA but is considered pressured by the new definition. Mississippi,

covered, with 20 percent Black representatives, 36 percent Black population and 5 districts, is considered not pressured. As indicated by the consistently positive coefficients in column 3, the result of majority minority districts failing to decrease the liberalness of the delegation is robust to this change.

Up to this point, I have focused on the impact of the increase in majority minority districts mandated by congress and the justice department. While the focus on this simple dd is driven by power considerations, in an additional robustness check I consider a second exogenous shock to the share of Black districts: the court ordered dismantling of several Black districts. As indicated in Figure II, this dismantling primarily took place between the 105th and 106th congresses. In Table V I run an expanded version of equation 1 in which I include the triple interaction of covered, post and a dummy for the 105th-107th congresses to understand whether state delegations moved in a more liberal direction following the elimination of several majority minority districts.²⁷ Table V indicates that the answer is no. When the share of majority minority districts increases the share Democratic in the delegation increases as well and when the number of majority minority districts decreases so does the share Democratic. Results are insignificant, but robust in sign and magnitude across specifications and across measures of substantive representation as indicated by the ADA results in the remainder of the table.

Thus I find robust evidence that the increase in majority minority districts did not lead to a decline in Black substantive representation. The pre-trend graphical analysis suggests that the identification strategy is sound, although, one can never prove the identifying assumption. I note, however, that in order to maintain the argument that majority minority districts lead to a decrease in Black representation one would have to argue that my results are biased upwards. In other words, one would have to believe, that in the absence of the increase in majority minority districts, treatment states—historically more antagonistic toward Blacks—would have trended in an even more liberal direction relative to controls. This seems unlikely.

²⁷ The sample here is all southern states. Regressions are unweighted.

Tradeoff for Latinos?

In the previous section I showed that there was no evidence that majority minority districts led to a tradeoff between substantive and descriptive representation for southern Blacks. However, the policy also impacted Latino voters. I examine in this section whether the tradeoff exists for these voters. Latinos share several characteristics with Blacks that are relevant to political efficacy. Like Blacks, Latinos are more liberal than average.²⁸ Sixty-one percent of southwestern Latino respondents to the NES during the sample period identified as Democrats. Among non-Latinos the figure was 47 percent. Mexican Americans in the southwest in particular have suffered a history of lynching (Carrigan, 2003) and segregation (Ruiz, 2001). Latinos are a protected class. And in regards to Voting Rights Act, states may be covered under Section V based on a historical failure to provide bilingual materials to a group who comprises five percent or more of an area's population. Arizona, California²⁹ and Texas are covered for that reason. The remaining states that were formerly Mexican territory (Colorado, Nevada, New Mexico and Utah) are not. (See Table VI for a list of sample states and their share of majority Latino districts and representatives over time.)

In Figure III I examine graphically how the congressional delegation of southwestern southern states changed with the increase in majority Latino districts. I focus on the southwest where the presence of Latinos is arguable more exogenous than in the remainder of the country. In this area Latino history is long and the Latino population is large, which makes the analysis comparable to that of Blacks in the southern portion of the country. As indicated in Panel A of the figure there were no majority Latino districts in uncovered states across the sample period. The covered states in the southwest, like those in the south, saw a large increase in majority minority districts from .09 to .18 between the 102nd and 103rd congresses. And unlike in the south the vast majority of these districts remained intact until the next redistricting. Turning to the question of

²⁸ Blacks are more liberal than Latinos.

²⁹ Kings, Merced and Yuba counties are covered for failure to provide bilingual materials. Monterey and Yuba are covered because of the use of an illegal test or device.

descriptive representation in Panel B while covered states are increasing share Latino in their delegation over the sample period (especially in relation to the uncovered states where share Latino is decreasing), there is no clear jump between the 102nd and 103rd districts when redistricting took place. This is because White incumbents ran and won in many of these newly created districts.³⁰ Thus for example in California it wasn't until the last congress of the redistricting period that Latinos represented all of the majority Latino districts.

In the remainder of the figure I examine whether this increase in majority Latino districts decreased Latino substantive representation. As for Blacks, the answer seems to be no. While the graphs are not as smooth as for the southern sample that included more states, Panel C does indicate that the fraction of Democratic representatives is basically flat in the covered states across the entire sample period. The change in Democratic composition in the control states jumps a bit from congress to congress but seems to show a relative decrease in share Democratic in the 103rd and later congresses. This pattern is echoed in Panel D where the outcome is ADA score. Relative to uncovered states, covered states seem to move in a more liberal direction after the increase in the number of majority minority districts.

This finding is robust to the addition of controls in regression analysis as shown in Table VII. The table indicates that following the increase in majority minority districts the share of Latino districts increased in covered states or was basically flat, when considered relative to trend. Meanwhile there is no evidence of a decrease in Latino substantive representation. Once again point estimates on share Democratic, average ADA score and average agreement with congressional Latinos indicate exactly the reverse. In fact there is a significant increase in substantive representation according to that last measure in two of three specifications.³¹

VI Conclusion

³⁰ Only one White incumbent, Charles Hatcher D-GA, ran in a majority Black district in the south. He was defeated.

³¹ The results are robust to weighting states by Latino population and to changing the sample to those states whose 1990 population was at least 10 percent Latino.

With the 1982 renewal congress amended the Voting Rights Act to encourage the creation of more majority minority districts in the hopes of sending more minority legislators to congress. Both civil rights group and the Republican Party saw the amended legislation as a boon to their cause. Civil rights groups believe that minority congress people are more likely to bring resources back to minority communities. Republicans look on Democratic districts stripped of their minority voters as opportunities to turn Democratic districts Republican. In fact the party and many political scientists still see the increased majority minority districts as responsible at least in part for the Republican's winning back control of the House in 1994. Thus the common view is that majority minority districts have a perverse effect. They increase the fraction of minorities in congress, while shifting the congressional voting away from minorities' ideal point.

In this paper I amass data on state congressional delegations and demonstrate that this supposed trade off did not exist during the redistricting that resulted in the largest increase in majority minority districts in our history. While I find that majority Black districts increase the number of Blacks in congress, there is no evidence that they serve to increase the number of Republicans or move the congress in a more conservative direction. In fact point estimates indicate exactly the reverse both for majority Black districts in the south and for majority Latino districts in the southwest. I find no evidence that majority minority districts decrease minority representation on policy issues.

What about the impacts of the other half of this trade off? Majority Black districts increase the number of Blacks in congress. Does this increase in descriptive representation yield more resources for the Black community? Using the mandate to create majority minority districts as an instrument for Black representation I examined this question in relation to federal funding to Black communities and Black employment in federal government. Unfortunately point estimates were too noisy to be informative. Thus examining the implications of the other half of this truism remains a task for future work.

References

- Ananat, Elizabeth Oltmans and Ebonya Washington (2009). "Segregation and Black Political Efficacy." *Journal of Public Economics*, 5-6, 807-822.
- Atwater, Lee (1989-1990). "Altered States: Redistricting Law and Politics in the 1990s." *Journal of Law and Politics*, 6, 661-672.
- Barone, Michael and Grant Ujifusa (1994). *The Almanac of American Politics*. Washington, DC: National Journal.
- Bullock, Charles (1995). "The Impact of Changing the Racial Composition of Congressional Districts on Legislators' Roll Call Behavior." *American Politics Research*, 23, 141-158.
- Bullock, Charles and Richard Dunn (1999). "The Demise of Racial Districting and the Future of Black Representation." *Emory Law Journal*, 48, 1209-1254.
- Cameron, Charles, David Epstein, and Sharyn O'Halloran (1996). "Do Majority-Minority Districts Maximize Substantive Black Representation in Congress?" *American Political Science Review* 90 (December): 794-812.
- Cameron, Colin, Jonah Gelbach and Douglas Miller (2008). "Bootstrap-based Improvements for Inference with Clustered Errors." *The Review of Economics and Statistics*, 90, 3, 414-427.
- Carrigan, William (2003). "The Lynching of Persons of Mexican Origin or Descent in the United States, 1848-1928." *Journal of Social History*, winter, 411-439.
- Cunningham, Maurice T. (2001). *Maximization, Whatever the Cost: Race, Redistricting and the Department of Justice*. Westport, CT: Praeger.
- Dye, Thomas and James Renick (1981). "Political Power and City Jobs: Determinants of Minority Employment." *Social Science Quarterly*, 62, 3, 475-486.
- Eisinger, Peter (1982). "Black Employment in Municipal Jobs: The Impact of Black Political Power." *American Political Science Review*, 76, 2, 380-392.
- Engstrom, Richard (1995). "Voting Rights Districts: Debunking the Myths." *Campaigns and Elections*, April, 45-46.
- Everett, Robinson (2001). "Redistricting in North Carolina--A Personal Perspective." *North Carolina Law Review*, 5, 1301-1330.
- Gibson, Campbell and Kay Jung (2002). "Historical Census Statistics on Population Totals By Race, 1790 to 1990, and By Hispanic Origin, 1970 to 1990, For The United States, Regions, Divisions, and States." Washington, DC: United States Census Bureau Population Division Working Paper Series Number 56.
- Grofman, Bernard and Lisa Handley (1989). "Black Representation: Making Sense of Electoral Geography at Different Levels of Government." *Legislative Studies Quarterly*, 14, 2, 265-279.

Grofman, Bernard and Lisa Handley (1998). "Voting Rights in the 1990s: An Overview" in *Race and Redistricting in the 1990s* Ed. Bernard Grofman. New York, NY: Agathon Press.

Grofman, Bernard, Lisa Handley and David Lublin (2000-2001). "Drawing Effective Minority Districts: A Conceptual Framework and Some Empirical Evidence." *North Carolina Law Review*, 79, 1383-1430.

Grose, Christian (2005). "Disentangling Constituency and Legislator Effects in Legislative Representation: Black Legislators or Black Districts?" *Social Science Quarterly*, 86, 2, 427-443.

Groseclose, Timothy; Steven Levitt; James Snyder (1990). "Comparing Interest Group Scores Across Time and Chambers: Adjusted ADA Scores for the US Congress." *American Political Science Review*, 93 (1) 33-50.

Guinier, Lani (1995). "Don't Scapegoat the Gerrymander." *New York Times*, January 8.

Hill, Kevin (1995). "Does the Creation of Majority Black Districts Aid Republicans? An Analysis of the 1982 Congressional Elections in Eight Southern States?" *Journal of Politics*, 57, 2, 384-401.

Karnig, Albert and Susan Welch (1980). *Black Representatives and Urban Policy*. Chicago, IL: University of Chicago Press.

Key, V. O. (1949). *Southern Politics: In State and Nation*. New York, NY: Random House.

Kousser, J. Morgan (1995). "Shaw v. Reno and the Real World of Redistricting and Representation." *Rutgers Law Journal*, 26, 625-710.

Lublin, David (1997). *Paradox of Representation*. Princeton, NJ: Princeton University Press.

McDermott, Monika L. (1998) "Race and Gender Cues in Low-Information Elections." *Political Research Quarterly* 51 (12) 895-918.

Nye, John, Ilia Rainer and Thomas Stratmann (2010). "Do Black Mayors Improve Black Employment Outcomes? Evidence from Large U.S. Cities," *George Mason University Working Paper in Economics Number 10-11*.

Overby, Marvin and Kenneth Cosgrove (1996). "Unintended Consequences? Racial Redistricting and the Representation of Minority Interests." *Journal of Politics*, 58, 2, 540-550.

Ruiz, Vicki (2001). "South by Southwest: Mexican Americans and Segregated Schooling, 1900-1950." *Organization of American Historians Magazine of History*, 15, 2, 23-27.

Shotts, Kenneth (2001). "The Effect of Majority-Minority Mandates on Partisan Gerrymandering." *American Journal of Political Science*, 45, 1, 120-135.

Shotts, Kenneth (2002). "Gerrymandering, Legislative Composition and National Policy Outcomes." *American Journal of Political Science*, 46, 2, 398-414.

Shotts, Kenneth (2003). "Does Racial Redistricting Cause Conservative Policy Outcomes? Policy Preferences of Southern Representatives in the 1980s and 1990s." *Journal of Politics*, 65, 1, 216-226.

Stratmann, Thomas (2000). "Congressional Voting over Legislative Careers: Shifting Positions and Changing Constraints." *American Political Science Review*, 94, 3, 665-676.

Swain, Carol (2006). *Black Faces, Black Interests: The Representation of African Americans in Congress*. Cambridge: Harvard University Press.

United States Commission on Civil Rights (1968). *Political Participation*. Washington, DC: US Government Printing Office.

United States Commission on Civil Rights (1984). *A Citizens Guide to Understanding the Voting Rights Act*. Washington, DC: US Government Printing Office.

United States Commission on Civil Rights (2005). *Reauthorization of the Temporary Provision of the Voting Rights Act: An Examination of the Act's Section V Preclearance Provisions*. Washington, DC: US Government Printing Office.

Table I: Change in the Number of Majority Black Districts and Black Representatives in Southern States across Congresses

			102 nd congress		103 rd congress		107 th congress	
	Reason Section V	1990 percent Black	Majority Black Districts	Black Representatives	Majority Black Districts	Black Representatives	Majority Black Districts	Black Representatives
<i>States Under VRA Section V</i>								
Alabama	Blacks	25	0/7	0/7	1/7	1/7	1/7	1/7
Florida	Latinos	14	0/19	0/19	3/23	3/23	2/23	3/23
Georgia	Blacks	27	1/10	1/10	3/11	3/11	1/11	3/11
Louisiana	Blacks	31	1/8	1/8	2/7	2/7	1/7	1/7
Mississippi	Blacks	36	1/5	1/5	1/5	1/5	1/5	1/5
North Carolina	Blacks	22	0/11	0*/11	2/11	2/12	1/12	2/12
South Carolina	Blacks	30	0/6	0/6	1/6	1/6	1/6	1/6
Texas	Latinos	12	0/27	1/27	2/30	2/30	0/30	2/30
Virginia	Blacks	19	0/10	0/10	1/11	1/11	1/11	1/11
<i>States not Under VRA Section V</i>								
Arkansas		16	0/4	0/4	0/4	0/4	0/4	0/4
Delaware		17	0/1	0/1	0/1	0/1	0/1	0/1
Kentucky		7	0/7	0/7	0/6	0/6	0/6	0/6
Maryland		25	1/8	1/8	2/8	2/8	2/8	2/8
Missouri		11	1/9	2/9	1/9	2/9	1/9	1/9
Tennessee		16	1/9	1/9	1/9	1/9	1/9	1/9

Sources: 1990 percent black from census using American Fact Finder. Majority minority districts, based on the racial makeup of the population at the time of the 1990 census, from various issues of the *Almanac of American Politics* and Grofman, Handley and Lublin (2000-2001). Black members of congress from the Congressional Research Service's *African American Members of the United States Congress: 1980-2008* available at <http://senate.gov/reference/resources/pdf/RL30378.pdf> and the United States House of Representative's Black Members in Congress website <http://baic.house.gov/>.

*Eva Clayton (D-NC) served during only two months of the 102nd congress, following the death of the incumbent.

Table II: Summary Statistics of Average State Representative Characteristics (Standard Deviation in Parentheses)

	All Southern States	All Southern States (Black Population Weighted)	Non Border States	Excluding Black Treatment	Former Mexican Territory States
Black	.088 (.090)	.103 (.090)	.086 (.086)	.074 (.082)	
Latino					.081 (.151)
Democratic	.558 (.213)	.554 (.181)	.565 (.176)	.556 (.225)	.396 (.192)
ADA score	37.7 (12.6)	37.0 (10.4)	34.9 (8.2)	42.4 (13.9)	37.0 (17.6)
Standard Deviation of ADA score	30.8 (7.4)	31.8 (7.0)	30.4 (7.2)	31.8 (7.1)	34.9 (12.5)
LCCR score	49.3 (14.0)	48.0 (11.8)	46.5 (10.7)	53.7 (14.9)	
Agreement with CBC	.622 (.088)	.616 (.078)	.608 (.072)	.638 (.096)	
Agreement with Latino congress persons					.639 (.111)
States in Sample:	AL, AR, DE, FL, GA, KY, LA, MD, MO, MS, NC, SC, TN, TX, VA	AL, AR, DE, FL, GA, KY, LA, MD, MO, MS, NC, SC, TN, TX, VA	AL, AR, FL, GA, LA, MS, NC, SC, TN, TX, VA	AR, DE, FL, KY, MD, MO, TN, TX	AZ, CA, CO, NM, NV, TX, UT

Notes: In the first two columns of statistics N=150, with the exception of standard deviation where N=140. Delaware has only one representative. In the third column N=110, in the fourth N=80 (70) and in the final column N=70.

Table III: Impact of Increased Majority Minority Districts on State Representative Characteristics

(Each cell presents the coefficient on covered*post)

	Southern States (unweighted)			Southern States (Black population weighted)		
	(1)	(2)	(3)	(1)	(2)	(3)
Black	.134*** (.028)	.14*** (.03)	.1** (.041)	.119*** (.033)	.129*** (.035)	.081 (.052)
Democratic	.052 (.124)	.067 (.14)	.13 (.147)	-.055 (.077)	-.059 (.084)	.051 (.069)
ADA score	9.6 (5.8)	11.0 (6.8)	13.2 (7.7)	4.0 (3.2)	3.6 (3.0)	9.2* (3.8)
LCCR score	9.3 (5.7)	10.0 (6.4)	17.4 (9.0)	4.1 (3.4)	3.0 (3.8)	11.8** (4.9)
CBC score	.049 (.041)	.055 (.05)	.067 (.063)	.013 (.026)	.007 (.025)	.032 (.032)
Standard Deviation of ADA score	8.9** (3.0)	8.4** (3.1)	4.8 (4.7)	6.3** (2.7)	6.3** (2.7)	3.8 (4.0)

Note: All specifications include state and congressional term fixed effects and controls for percent of state population that is Black and percent of state delegation that is new. Specification 2 also includes controls for state poverty, high school graduation and employment rates and those measures for state Black population. Specification 3 includes those controls plus state/year linear trends. Standard errors clustered at the state level. Significance levels determined based on t_x distribution where x is defined as the number of clusters less one. N=150 (140 for standard deviation of ADA score; Delaware has only one representative). ***denotes significance at the 1 percent level, ** at the 5 percent level and * at the 10 percent level.

Table IV: Impact of Increased Majority Minority Districts on State Representative Characteristics, Robustness to Sampling Changes

	Non-Border States	Excluding Black Treatment	Treatment Based on Distance from Parity in 102 nd
Black	.125*** (.025)	.086** (.036)	.137*** (.029)
Democratic	-.052 (.049)	.114 (.108)	.079 (.142)
ADA score	4.3 (3.3)	12.1* (5.7)	10.8 (6.1)
LCCR score	4.3 (3.9)	14.8** (5.9)	8.9 (6.6)
CBC score	.018 (.02)	.082 (.037)	.057 (.045)
Standard Deviation of ADA score	7.5*** (1.5)	4.3 (2.9)	8.2** (3.5)

Note: All specifications include state and congressional term fixed effects and controls for percent of state population that is Black and percent of state delegation that is new. Significance levels determined based on t_x distribution where x is defined as the number of clusters less one. In column one N=110, in two N=80 (70 for standard deviation) and in three N=150 (140 for standard deviation). ***denotes significance at the 1 percent level, ** at the 5 percent level and * at the 10 percent level.

Table V: Impact of Increased and Decreased Majority Minority Districts on State Representative Characteristics

Outcome:	Democrats			ADA		
	(1)	(2)	(3)	(1)	(2)	(3)
Covered*post	.112 (.142)	.132 (.149)	.117 (.151)	12.2 (7.6)	13.6 (8.0)	12.5 (7.3)
Covered*post*(105-107)	-.103 (.085)	-.109 (.072)	-.104 (.093)	-4.3 (7.9)	-4.3 (6.0)	-6.3 (5.6)

Note: All specifications include state and congressional term fixed effects and controls for percent of state population that is Black and percent of state delegation that is new. Specification 2 also includes controls for state poverty, high school graduation and employment rates and those measures for state Black population. Specification 3 includes those controls plus state/year linear trends. Standard errors clustered at the state level. Significance levels determined based on t_x distribution where x is defined as the number of clusters less one. N=150.

Table VI: Change in the Number of Majority Latino Districts and Latino Representatives in Southwestern States across Congresses

		102 nd Congress		103 rd Congress		107 th Congress	
	1990 percent Latino	Majority Latino Districts	Latino Representatives	Majority Latino Districts	Latino Representatives	Majority Latino Districts	Latino Representatives
<i>States Under VRA Section V</i>							
Arizona	19	0/5	0/5*	1/6	1/6	1/6	1/6
California	26	4/45	3/45	6/52	4/52	6/52	6/52
Texas	26	5/27	4/27	7/30	5/30	6/30	6/30
<i>States not Under VRA Section V</i>							
Colorado	13	0/6	0/6	0/6	0/6	0/6	0/6
Nevada	10	0/2	0/2	0/2	0/2	0/2	0/2
New Mexico	38	0/3	1/3	0/3	1/3	0/3	0/3
Utah	5	0/3	0/3	0/3	0/3	0/3	0/3

Sources: Latino population from *The Hispanic Population: Census 2000 Brief*, May 2001. Majority minority districts, based on the racial makeup of the population at the time of the 1990 census, from various issues of the *Almanac of American Politics*. Latino Members of Congress from the Library of Congress' *Hispanic Members of Congress* at <http://www.loc.gov/rr/hispanic/congress/>.

Notes: *Edward Pastor (D-AZ) elected in the middle of the 102nd congress in a special election.

Table VII: Impact of Increased Majority Latino Districts on State Representative Characteristics

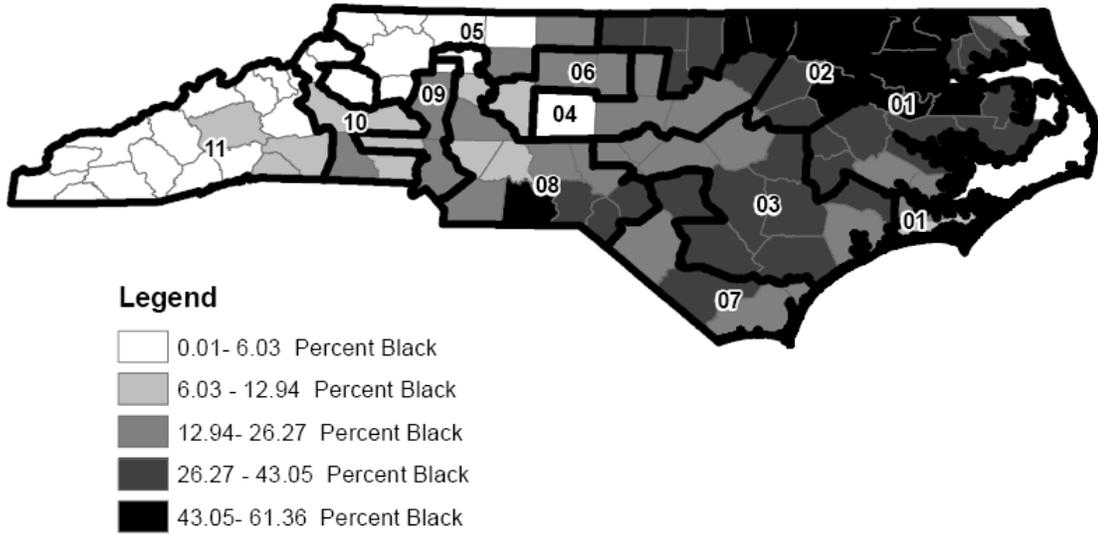
(Each cell presents the coefficient on covered*post)

	(1)	(2)	(3)
Latino	.164 (.117)	.255 (.145)	.009 (.039)
Democratic	.079 (.047)	.074 (.074)	.216 (.116)
ADA score	3.3 (2.1)	4.1 (3.9)	13.9 (10.0)
Agreement with Congressional Latinos	.041 (.045)	.06* (.03)	.153* (.075)

Note: All specifications include state and congressional term fixed effects and controls for percent of state population that is Latino and percent of state delegation that is new. Specification 2 also includes controls for state poverty, high school graduation and employment rates and those measures for state Latino population. Specification 3 includes those controls plus state/year linear trends. Standard errors clustered at the state level. Significance levels determined based on t_x distribution where x is defined as the number of clusters less one. $N=70$. ***denotes significance at the 1 percent level, ** at the 5 percent level and * at the 10 percent level.

Figure I: 1990 North Carolina Redistricting

Before the 1990 redistricting North Carolina districts primarily followed county lines. There were no majority Black districts. 102nd districts pictured below. County percent Black shaded.



After the 1990 redistricting North Carolina districts were shaped less regularly. 103rd congressional districts pictured below.

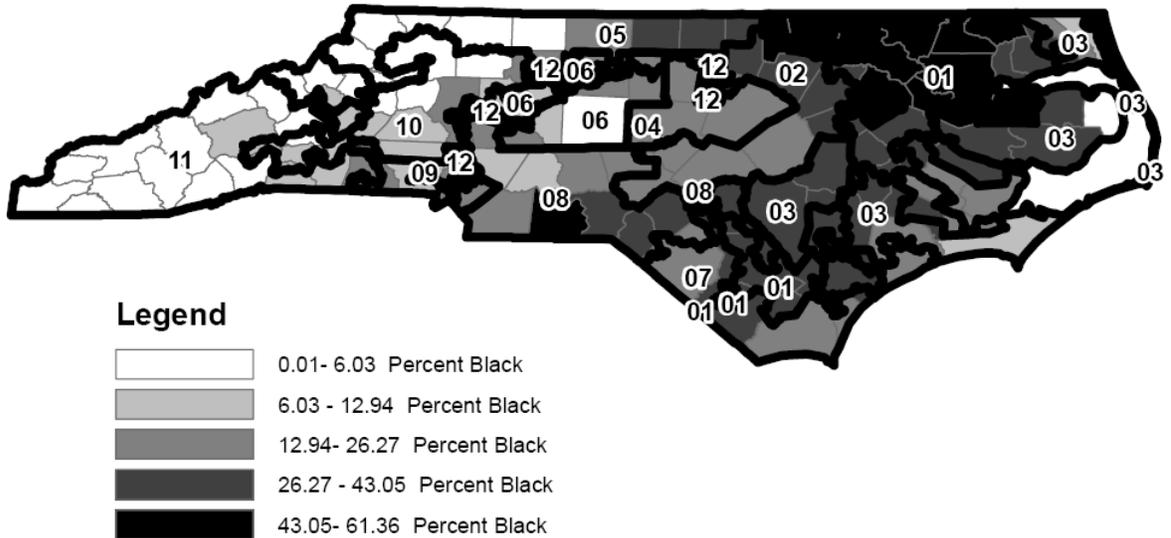
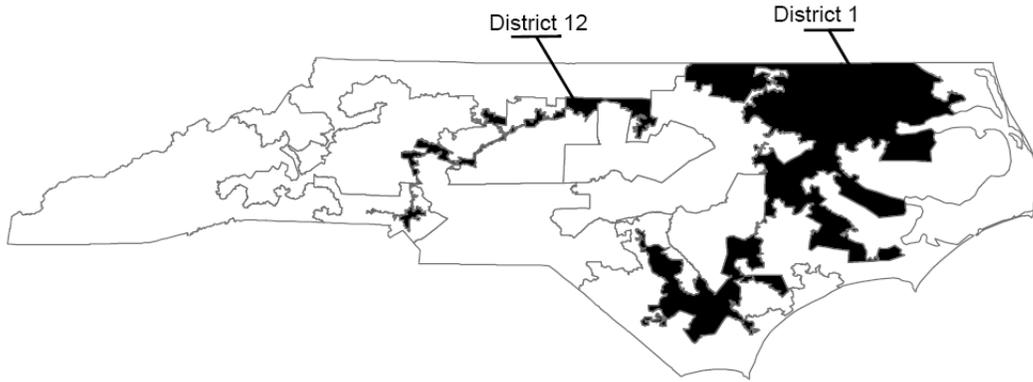


Figure I: 1990 North Carolina Redistricting (continued)

The 103rd districts majority Black districts (1st and 12th) particularly created controversy for their irregular shapes.



After the North Carolina districts were found to be a violation of White voters' equal protection, the districts had to be redrawn for the 106th and 107th congresses. Percent Black in the 12th fell from 57 to 36 percent.

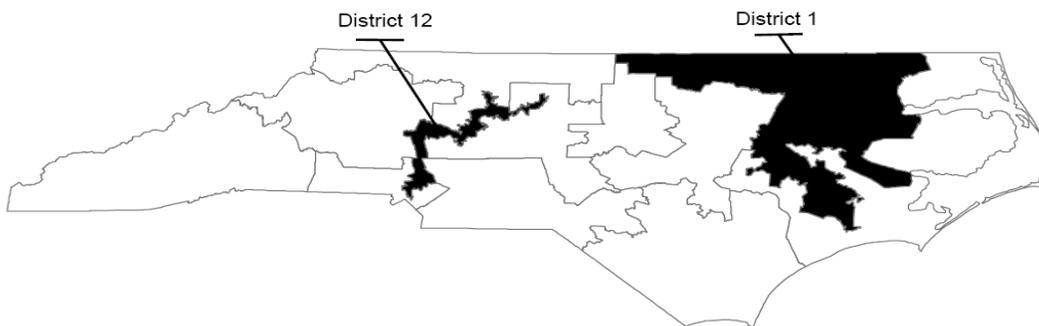
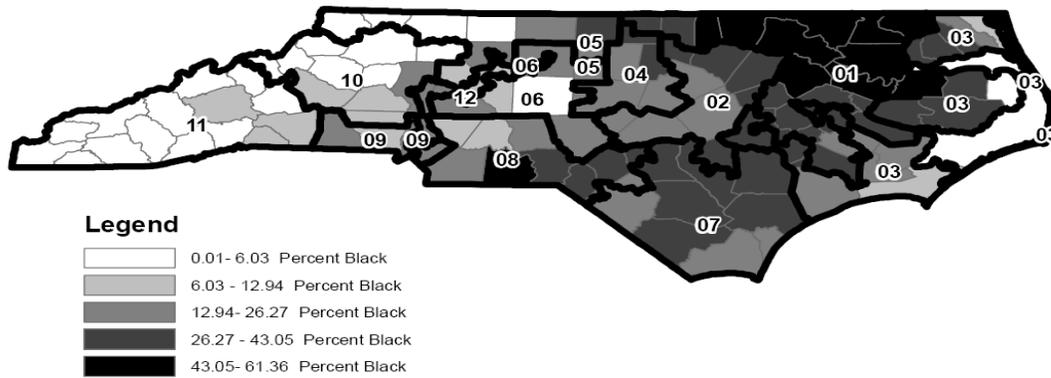
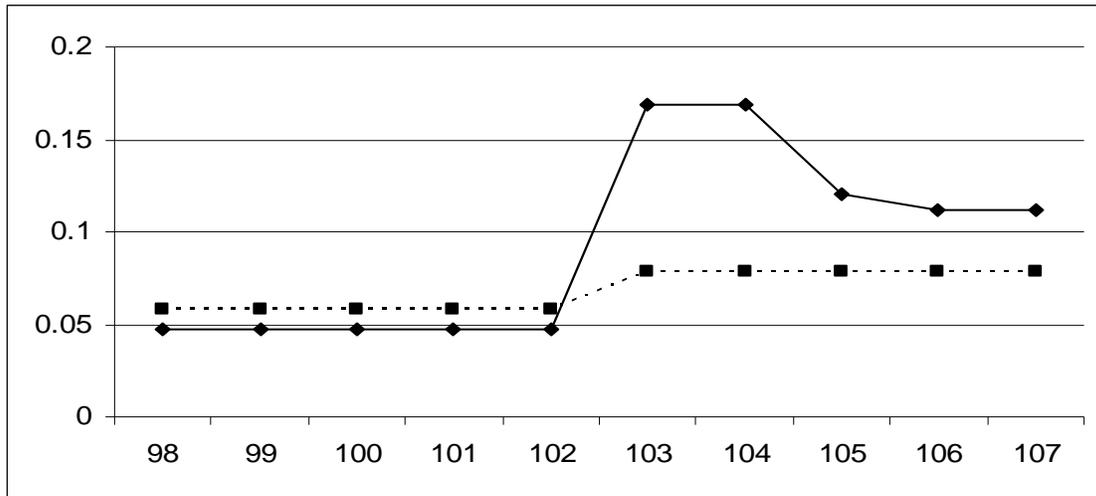
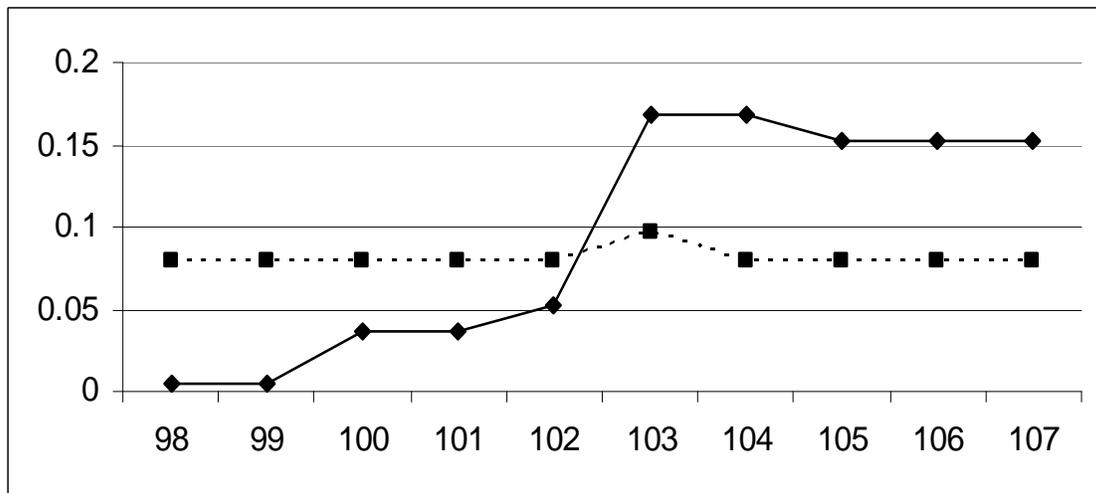


Figure II: Change in Characteristics of Southern State Districts and Representatives Over Time, by State Voting Rights Act Status

A: Majority Black Districts



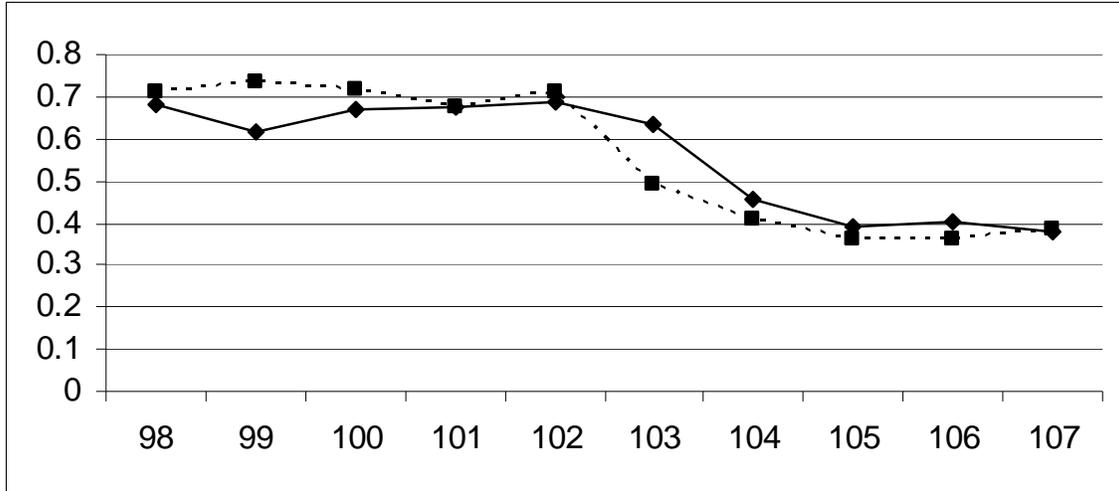
B: Black Representatives



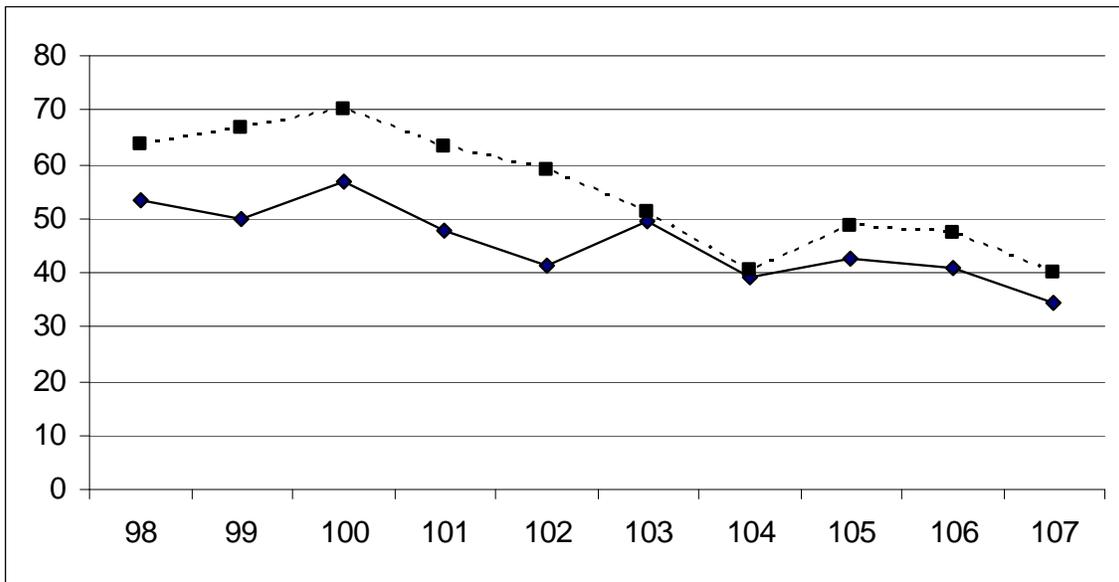
Notes: ■ represent states not included in Section V of the Voting Rights Act; ◆ represent covered states. X axis demarcates congressional sessions.

Figure II: Change in Characteristics of Southern State Districts and Representatives Over Time, by State Voting Rights Act Status (continued)

C. Democratic Representatives



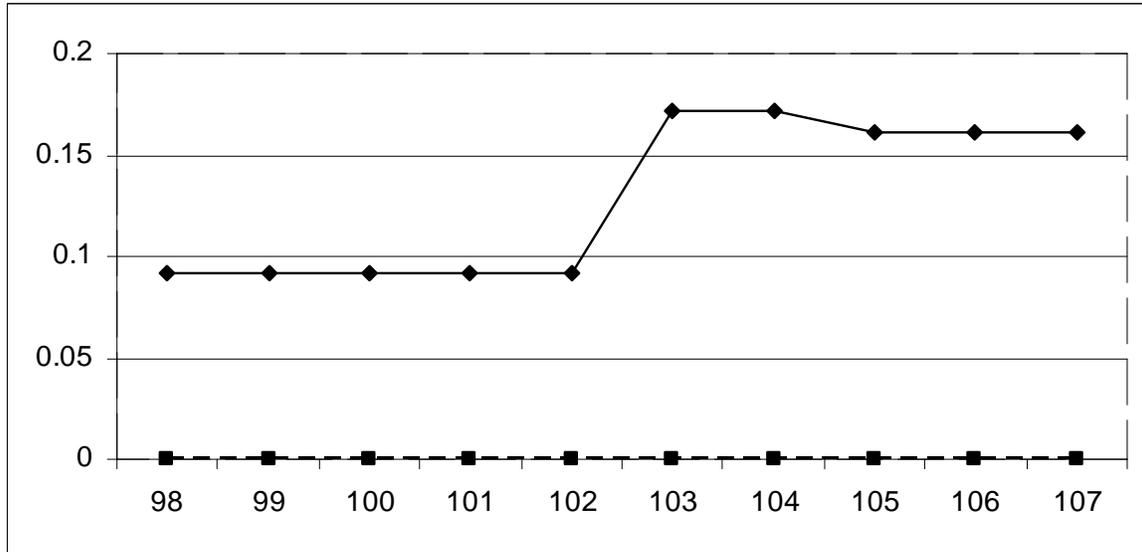
D. Average ADA Scores



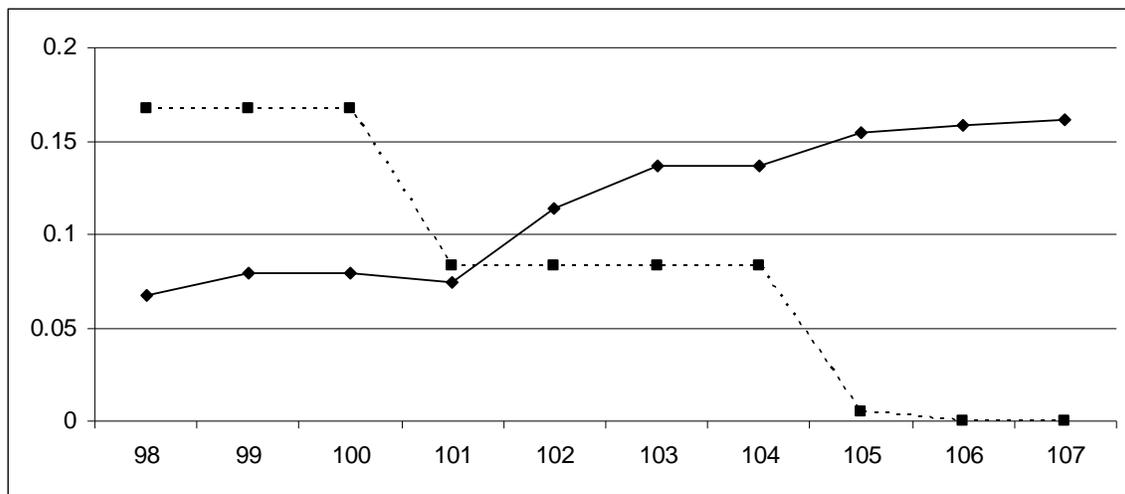
Notes: ■ represent states not included in Section V of the Voting Rights Act; ◆ represent covered states. X axis demarcates congressional sessions.

Figure III: Change in Characteristics of Former Mexican Territory State Districts and Representatives Over Time, by State Voting Rights Act Status

A: Majority Latino Districts



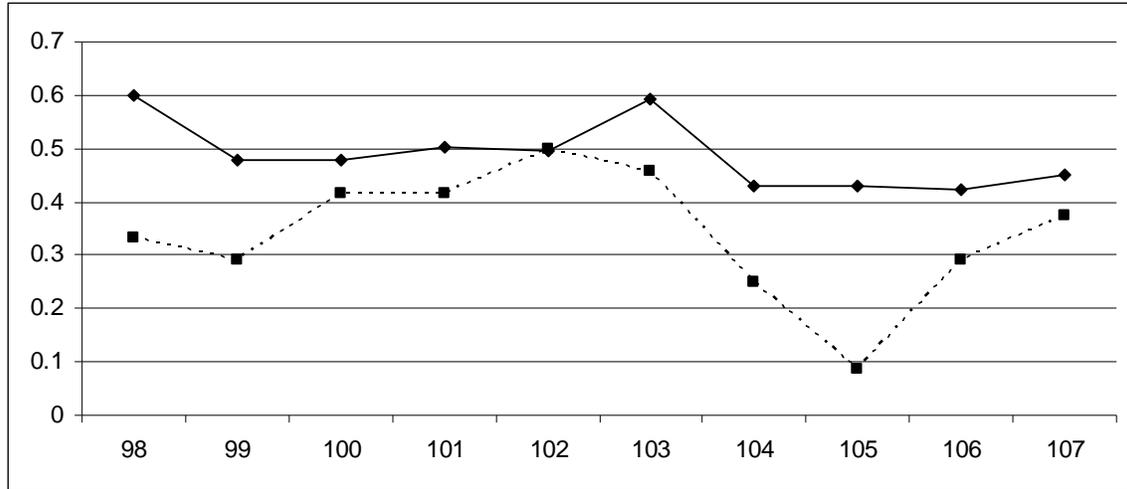
B. Latino Representatives



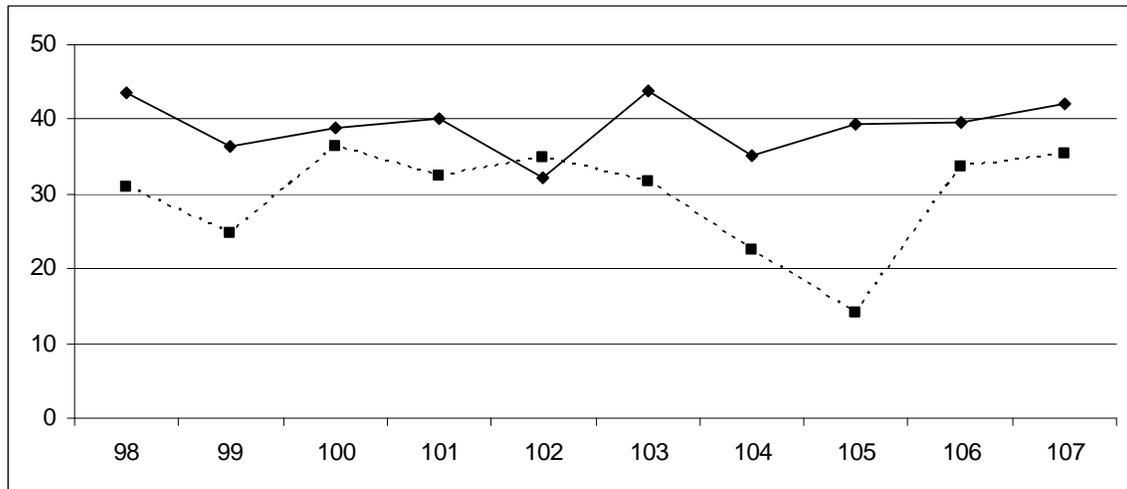
Notes: ■ represent states not included in Section V of the Voting Rights Act; ◆ represent covered states. X axis demarcates congressional sessions.

Figure III: Change in Characteristics of Former Mexican Territory State Districts and Representatives Over Time, by State Voting Rights Act Status (continued)

C. Democratic Representatives



D. Average ADA Score



Notes: ■ represent states not included in Section V of the Voting Rights Act; ◆ represent covered states. X axis demarcates congressional sessions.