

Black and Latino Representation, Institutional Position and Influence

Robert Preuhs
Department of Political Science
2000 Asbury Ave., Sturm Hall 466
University of Denver
Denver, CO 80302
rpreuhs@du.edu
after June 15, 2002: preuhs@cu.edu

Paper prepared for delivery at the 2nd Annual State Policy and Politics Conference, Milwaukee, WI, May 24-25, 2002. Thanks to David Hedge and Debra Schildkraut for graciously providing some of the data utilized in this study. The author would also like to thank John McIver, Rodney Hero, Scott Adler, and Susan Clark for their comments during this project.

“Two Steps forward, One Step Back”

Blacks and Latinos made great progress in representation at the state level over the last thirty years. In the period from 1970 to 1994, black representatives increased their ranks from a mere 64 to 529 state representatives (Joint Center for Political Studies 1994). The number of Latino representatives increased from 108 to 174 between 1984 and 1994 (NALEO various years). These gains suggest to casual observers and scholars alike that minority interests should be increasingly represented within the states in a roughly proportionate manner to their numbers. Pachon and DeSipio go so far as to suggest that “...the number of elected officials from any particular ethnic group can serve as a measure of that group’s progress or standing in the American political system” (1992, 213).

However, political scientists continue to find that legislative presence does not equate to legislative influence. Instead, a striking consistency across studies that examine this issue is the finding of either a strong negative relationship or no relationship between the size of minority delegations and policy decisions. These findings suggest that descriptive representation neither propels minority interests the proverbial “two steps forward,” nor does it prevent the “one step back.”

Can descriptive representation of black and Latino constituencies lead to policy responsiveness? This paper re-examines the issue by introducing several new elements into our models of the link between black and Latino representation and policy movement. First, it explicitly captures the two faces of power suggested by many when they describe the civil rights movement as a progression of “two steps forward, one step back.” Moving forward describes positive policy influence, or the ability of legislators to move policy toward their most preferred

outcome. Blocking power, or preventing the “one step back,” is equally important, but rarely recognized in the literature on descriptive representation as a type of influence, with conditions for success that are distinctly different than required for positive influence. Second, it recognizes that the inter- and intra-institutional arrangements in the states and the political context condition the ability of descriptive representatives to exert each type of power. These two elements lead to more specific set of conditions under which one would expect influence to be exerted by black and Latino lawmakers.

The theory predicts that influence over collective decisions will only occur when black and Latino lawmakers hold leadership positions within legislative bodies. Blocking power necessitates that leadership positions be held in only one chamber. However, positive influence demands more. Positive influence requires that minority lawmakers hold leadership positions in both chambers of a bicameral legislature and a sympathetic governor is in office. Moreover, the positive effect is heightened when such positions are held in more conservative states. The initiative undermines influence by allowing legislative power to be circumvented by the citizenry.

The remainder of this paper is organized as follows. Section 2 discusses the current literature and the need for a more robust theory of minority representation. Section 3 presents the theoretical propositions derived from a formal model of minority institutional power. Section 4 introduces the data utilized to construct a measure of minority institutional power. Section 5 evaluates the validity of the predictions of the formal model through cross-sectional time series analysis of welfare generosity in the states between 1984-1993 and a survey of black state legislators conducted in the early 1990s. Section 6 examines Latino blocking power and the

effects of the initiative through a survival analysis of English-only laws during the same period. The results generally support the claims of the theory. Section 7 concludes with a discussion of the results in light major issues facing minority representation.

2. LITERATURE REVIEW.

The political significance of the recent increase in black descriptive representation lies in the assumption that black representatives provide better representation of African American interests than other representatives. The basic explanation offered for the benefits of descriptive representation emerges from the common background and experiences shared by members of specific groups (Pitkin 1967; Pinderhughes 1987). These shared experiences translate into a unique ability of lawmakers to represent the interests of constituents from their own group. A minority voice in representative bodies, in turn, provides a mechanism for interest representation that would not otherwise be available. Luis Fraga argues that “Latinos and blacks are strategically placed as elected officials to call to question the rhetoric of the ‘interests of the larger community’ that usually only reflect *whites*’ interests as told by *their* representatives [emphasis added]” (1992, 281).

Of course, the benefits of descriptive representation reach beyond simply a voice in, and potential influence on, public policy decisions. Reducing racism within the representative institution, providing more responsive case-work and legitimizing the institutions of civil society in the eyes of minority citizens are among the potential benefits offered by advocates of descriptive representation (Grofman and Davidson 1992; Guiner 1992; Hajnal 2001; Mansbridge 1999; Whitby 1997). Moreover, empirical evidence demonstrates a clear distinction between minority and Anglo representatives in legislative advocacy for minority group interests

(Bates and Williams 1993; Bratton and Haynie 1999; Button and Hedge 1996; Cameron et al. 1996; Grofman and Handley 1991; Haynie 2001; King et al. 1995; Lublin 1997; Miller 1990; Nelson 1991; Preuhs 2000; Scavo 1990; Whitby 1997; Wright 2000; see Swain [1995] for contrary findings). In short, representatives that share the racial and ethnic background of their supporters tend to advocate minority interests to a greater extent than other representatives.

Pluralist accounts lead to the presumption that a rise in representation of diverse interests and specific policy preferences force a proportional policy response, or at least minimal positive movement. The evidence, however, suggests a level of marginalization of minority interests within representative bodies. Hedge, Button and Spear's (1996) analysis of a 1991 survey of black state legislators shows that the context of greater black representation has no effect on either the perceptions of individual influence or the perceptions of general influence of black lawmakers on legislative decisions. The lack of perceived influence is supported by several studies demonstrating that not only does a positive policy response fail to emerge from black legislative presence, but white resistance increases. The result is that as black representation increases, policy decisions end up farther away from presumed black policy preferences. Bratton and Haynie's (1999) study of six state legislatures in three different decades reveals that greater black sponsorship reduces the probability of bill passage in half of these states, and has no effect in the remaining three. Button and Hedge (1996) report similar perceptions of influence and discrimination by black legislators, regardless of the level of black representation. DeWeever (2000) and Layman (1993) report evidence that larger black state legislative delegations result in policy decisions that are less responsive to black interests. This relationship applies to Latino representation at the state level as well (Mindiola and Gutierrez 1988). One study does imply

that blocking power can be more effectively exerted than positive power. Santoro (1999) finds that a scale combining measures of Latino legislative presence and Latino voter participation was positively related to English Only adoption. The study's design, however, fails delineate between voter influence and the influence of descriptive representation. Nevertheless, it does suggest that blocking power is more easily exerted than positive power.

The "more is better" expectation about positive power is justified, in part, by local-level studies that demonstrate that increasing descriptive representation on city councils and school boards does, indeed, move policy toward previously excluded interests (Browning, Marshall and Tabb 1984; Fraga, Meier and England 1986; Meier and Stewart 1991). Browning, Marshall and Tabb (1984) argue that these results are conditional on the inclusion of minority representatives into the dominant coalition.

Incorporation into the political system, according to Browning, Marshall and Tabb (1984), is needed to transform representation into policy influence. Incorporation into the dominant political coalition is fairly easy to define for unicameral bodies such as city councils or school boards, even with the potential institutional constraint of a mayoral veto. Nevertheless, incorporation in state lawmaking bodies, which are replete with intra- and inter-institutional constraints from checks and balances and separation of powers to committee systems, is much more complex in terms of both theoretical specification and empirical measurement. Several scholars note that these institutional setting matters, with the ability to build coalitions, obtain committee chairs and participate in the majority party affecting the legislative influence minority representatives exert on policy decisions (Bullock and MacManus 1981, 357-8; Walton 1972; Hedge, Button and Spear 1996, Miller 1992, 349; Orey 2000; Whitby 1997; Wright 2000).

Hedge, Button and Spear's (1996) survey of African American state legislators support such suppositions by demonstrating that black lawmakers are more inclined to perceive higher levels of black influence if they hold committee chair positions and increased personal influence on party decisions if those members are party leaders. Most of these studies, however, only speculate on the role of institutional constraints, failing to directly propose a theory of institutional power or provide evidence of such influence on the collective decisions of legislators and executives.

Only a few studies address the link between minority institutional position and minority political influence (Browning et al. 1984; Fraga et al. 1986; Haynie, 2001; Meier and Stewart 1991; Nelson 1991; Santoro 1999). Of these, three directly test the influence of minority institutional position, with Nelson (1991) and Haynie (2001) providing the most comprehensive analyses.

Nelson (1991) applies Browning, Marshall and Tabb's (1984) theory of incorporation to state-level politics to trace the influence of minorities in state legislative bodies by accounting for variation in institutional power. Nelson explicitly recognizes the importance of the institutional position of minorities in order for their influence to be exerted in the policy-making process. To measure institutional power, he constructs a scale of potential influence based on the formal power provided by different institutional roles (Nelson 1991, 94-96). The Speaker of the House, Party Leadership and Committee Chairs are understood to have more power than rank and file members. The analysis examines the relationship between the level of influence and per capita expenditures for welfare, education and mental health programs in a cross-sectional design.

Controlling only for income, the results are mixed, producing little support for the expectations of the theory of incorporation.

Several significant problems with the analysis exist, however, that suggest the findings are tenuous. First, the use of per capita expenditure levels in a cross-sectional design fails to capture the impact of minority political influence. Since the cross-sectional design only allows for the explanation of variation in the relative expenditure *levels* across states, and minority influence is still a relatively new phenomena in state politics, the majority of expenditure variation is most likely a result of historic factors in the budgeting decision (ie. ideology, culture and economic conditions). Thus, one should not expect that a state with more minority influence to necessarily have higher contemporaneous levels of per capita spending. For instance, potential minority influence in Southern states is most likely to be higher than outside the South for the simple reason that there are more black representatives to hold positions with greater institutional power (Bullock 1992). At the same time, Southern states also tend to have lower per capita spending on public policy for historic racial, cultural and economic reasons. Even with more minority influence, these states' expenditure levels may be lower than states that have traditionally been more willing or able to collect and spend public funds at higher levels. The result of an analysis trying to link representation levels of minorities to expenditure levels would be a null finding, and could possibly produce evidence that directly contradicts the common expectation that minority institutional power will be positively correlated with welfare expenditures. Indeed, Nelson (1991, Chap. 5) finds just such an outcome. In sum, Nelson's dependent variable is meaningless unless one is willing to make the tenuous assumption that all states begin the yearly budgeting process with the same per capita expenditure levels.

Another concern arising from Nelson's study is the lack of a theoretically consistent measure of minority legislative power. The basic critique is that legislative power can be interpreted in several ways. Nelson is not explicit in describing his measure, but one senses that his indicator disregards the bicameral nature of representative institutions (Nelson 1991, 94-96) . If one is to account for the reality of institutional decision-making, one needs to clearly account for the fact that power in one chamber does not necessarily lead to overall influence in the legislative body.

In addition, Nelson's (1991) study fails to treat the influence of the political context as a significant constraint on minority influence. The political context affects the ability of minority representatives to influence state policy in two ways. First, the expected degree of policy influence exerted varies by the nature of policies already in place. Representation and legislative power in very liberal states will most likely produce fewer benefits than in states with fairly adverse status quo policies. For instance, one can imagine a very small movement in policy when newly elected minority lawmakers wield power in a liberal state such as Massachusetts, but greater movement in policy in a state like Mississippi. Second, party control, not only of the legislature, but of the governors' office, should matter if coalitions potentially lead to minority influence and power through leadership positions. Nelson ignores both of these possibilities in his theoretical and empirical models.

Kerry Haynie (2001) recently published a study that takes the same approach as Nelson's (1991). Using a scale of black incorporation similar to Nelson's except for the inclusion of the percentage of blacks in the legislature, Haynie examines the impact of black incorporation in five states during three time points. These states include Arkansas, Illinois, Maryland, New Jersey

and North Carolina during the 1969, 1979 and 1989 legislative sessions. Haynie then examines the affect of his incorporation variable on per capita health expenditures, education expenditures, social welfare expenditures and redistributive expenditures for these fifteen cases (five states over three years). Unlike Nelson's study, Haynie (2001, Chapter 4) finds a positive relationship between incorporation and all four measures of policy expenditures examined. Nevertheless, Haynie's study fails to provide convincing evidence for many of the same reasons concerns are raised about Nelson's study. The study utilizes levels instead of indicators of change as dependent variables; the measure of incorporation is not consistent with theory; and the study does not deal with the effects of the political context. In addition, the inclusion of the percentage of black legislators in the incorporation measure potentially confounds the effects of institutional power versus simple presence. Haynie's reliance on fifteen data points makes any inference tenuous, as even he acknowledges (Haynie 2001, 90) . All of the states examined increased their score on black incorporation and all increased per capita expenditures for the various policy areas examined. The design simply does not provide adequate control for additional factors to test the influence of black incorporation.

In sum, there is good reason to address the theory of incorporation and the impact of institutional position once again. The nuances of lawmaking and the distinction between positive and negative influence have not been addressed. There is neither an attempt to formalize some of the theoretical conclusions nor explore some of the conditions in which one would not expect minority representation to lead to influence in the bicameral and separation of powers environment in each state. Moreover, the political context is ignored. Clearly, the theoretical and empirical models are underspecified to a point where the major findings are questionable.

3. A THEORY OF MINORITY INSTITUTIONAL POSITION AND POWER

In this section a set of propositions are developed that present the conditions under which minority groups' influence (and fail to influence) public policy decisions in representative governments. The theory is based on assumptions of individual-level legislative behavior, and the outcomes of such behavior given the institutional and political context in which legislators operate.

Assumptions

The assumptions of the model cover the policy space and policy preferences of elected representatives. From these assumptions, the conditions for minority influence can be determined in several institutional contexts and varying procedures under which collective decisions are made.

Policy Space. Once representatives are elected, they make individual choices on a variety of policies. In this model, I assume that these policy decisions are unidimensional and can be arranged on a line. The line represents *minority issues* with policy outcomes on the far left most congruent with the interests of a minority group and those on the far right least preferred by the group.¹ This policy space is continuous, so there is a set, X , of policy options $\{x_1, x_2 \dots x_n\}$, that can be proposed and voted upon. In addition, the exogenous status quo point, X^0 , indicates the

¹The terms "minority interests" and "interests of minorities" used here reflect a general approach without limiting the rhetorical image to a single minority group. However, one must recognize the propensity of these groups' interests to diverge or correspond depending on the issue. This should not be a major issue in formulating the theoretical model and the various propositions derived from the model as long as the assumption is based on racial/ethnic groups that maintain a similar level of cohesiveness in policy preferences. Since the empirical analysis focuses on the case of black lawmakers, if one is more comfortable replacing "minority interests" with "Black interests" or "Latino Interests," it does not affect the thrust of the model.

existing policy which was determined in previous collective decisions (or non-decisions).

Note that a minority issue scale is used instead of the more traditional liberal-conservative conception. This conception is utilized because it forces the model to focus on specific policies which are most important to particular minority groups, not the general influence that descriptive representation has on the broadest set of policy decisions facing state officials. While one can consider minority issues to be a subset of the broader scale, they may not always fall on the liberal-conservative dimension, and in many cases, minority issues can be cross-cutting issues that divide liberals and conservatives alike (see Gilens, Sniderman and Kuklinski 1998). A minority issue dimension avoids this confusion.

Players and Preferences. The players in the state policymaking game are *lawmakers*. These lawmakers include individual legislators and governors. Some legislators hold distinct institutional roles, such as chamber and party leadership positions and committee chairs, which provide additional powers in the decision-making process. These institutional roles, and the additional power provided by these roles, will be discussed in more detail below. Each legislator has an ideal point, or most preferred policy, X_i , on the minority issue scale, and their preferences are single-peaked, where policies farther away from X_i are less preferred to those closer to X_i . Formally, the utility lawmaker i receives from a specific policy, $u_i(x)$, is a function of the distance between that policy and the lawmaker's most preferred policy, X_i , where $u_i(x)$ decreases as $|X_i - x|$ increases. In short, when lawmakers are given a choice between two policies, they will always prefer the policy closer to their ideal point on the unidimensional scale.

Behavior. Lawmakers are assumed to act as though to maximize their utility from the policymaking process and each lawmaker will generally vote for their most preferred policy

option. The model's focus on outcomes of collective choices makes this the only individual behavioral assumption presented. The model does necessitate some discussion of the assumptions about the preferences of the lawmakers, however.

The key consideration here is the distinction between descriptive and substantive representation. Descriptive representation means that minority lawmakers are more likely to prefer policies on the far left of the minority issue scale, or policies that are most preferred by their group. Conversely, non-minority lawmakers are less inclined to prefer, or vote in favor of, those policies most preferred by minority groups. Under the descriptive representation assumption, the ideal point of minority group legislators will be to the left of non-minority legislators, or minority legislators from a different racial or ethnic background. The focus of the formal and empirical analysis will rest on descriptive representation given the above discussion demonstrating the unique actions and advocacy of descriptive representatives,

Procedural Rules

While lawmakers may have preferences over the set of policy prescriptions dealing with issues important to various minority groups, the rules determine how those preferences are aggregated into policy decisions at the state level. Different rules potentially lead to different outcomes of the aggregation process (Riker 1988). Incorporation theory broadly recognizes the importance of rules by arguing that in majoritarian institutions, minority influence is greatest when minorities are included in the dominant (or majority) coalition. This simplistic interpretation, while applicable to a greater extent to local policymaking bodies such as city councils, fails to recognize the variety of rules of preference aggregation in state lawmaking institutions. Separation of powers, bicameral legislatures, as well as majoritarian decision

processes are all rules that can affect the degree to which minority representation in lawmaking bodies influences final policy decisions.

The major rules included in the formal model are majoritarian decision-making at the chamber level, the committee and leadership structure, bicameral legislatures, separation of powers and the initiative. This set of institutional arrangements provides a more detailed understanding of the lawmaking process than previous conceptions without adding so much complexity into the model that generality is lost.² The following subsections will present each rule and demonstrate how it affects the ability of minorities to influence the legislative process within varying political contexts. The goal of this section is to isolate the conditions where minority lawmakers are most likely to move the final policy decision toward their constituents' interests.

Single Chamber Majority-Rule Voting. The formal analysis begins with a single chamber which collectively makes its policy choice from the set of issues on the unidimensional minority issue policy space. Under majority rules, the median lawmaker, in terms of policy preferences, is assumed to be the most influential lawmaker since her vote determines the majority outcome. No other policy alternative gains a majority when paired against the median's position. Figure 1 presents a hypothetical chamber with eleven lawmakers arrayed on the minority issue scale. Each lawmaker (a through k) is assigned a "policy score" which corresponds to their ideal policy.

²Other rules that vary across the states are veto-override rules, legislative session length, legislative salaries, committee assignment procedures, selection of committee and party leadership positions and budget restraints. While these perhaps have potential to alter the influence of minority representation, their importance seems minor relative to the potential impact of the rules included in the model. Future studies may address these issues, but the degree of complexity necessary to examine these issues in this study would certainly obscure the major contentions of this first formal model of minority influence.

The scores range from 1 for the policy most preferred by minorities to 15 for the policy least preferred. In this simple scheme, the median lawmaker's ideal policy is the collective choice.

[Figure 1 Here]

How might minority legislators be able to influence the collective outcome in this chamber? In Figure 1a, the collective policy choice corresponds to an 8 on the scale, since member *f* is the median member (in bold) and her ideal policy corresponds to 8 ($X_f = 8$). This is a fairly moderate outcome on the issue scale. Now, 8 becomes the status quo ($X^0 = 8$).

The configuration in Figure 1b depicts the new distribution of preferences if the three lawmakers most sympathetic to minority interests (*a*, *b* and *c*) are replaced by minority lawmakers (*a'*, *b'* and *c'*). The new lawmakers are, to varying degrees, more supportive of minority interests since all three of their ideal points are to the left of their predecessors' ideal points ($X_{a'} < X_a$; $X_{b'} < X_b$; $X_{c'} < X_c$). These newly elected minority representatives have no real impact on public policy since the median legislator (*f*) does not change. Electing minority representatives which replace non-minority representatives does not guarantee a shift in policy outcomes in this simple majority-rule chamber. Even if minority legislators occupied all five seats to the left of lawmaker *f*, the median would remain the same under these rules. This configuration helps explain why increasing minority representation will not necessarily lead to increased policy response, an assumption made in a variety of analyses that try to link descriptive representation with policy decisions. Also note that the formal model accounts for policy movement away from minority interests, even as the number of minority representatives increases. Directional movement of the median lawmaker is independent of the number of minority lawmakers added to the chamber, and could move farther away from the policies most

preferred by minorities as easily as it could remain static in the face of new members.

What would change the outcome? How might increasing African American descriptive representation alter public policy? As Figure 1c demonstrates, if the median lawmaker (f) is replaced by a lawmaker more sympathetic to minority interests (f'), then the policy position of the median legislator is altered. Here, the ideal policy of the median lawmaker moves from 8 to 7. A new policy outcome is established ($X = 7$), and minority access does have an impact. This logic leads to the first theoretical proposition, and can be applied more generally to replacement of any lawmaker whose ideal point is the median position or lies to the right of the median position.

Proposition 1: When collective choices are determined by simple majority-rules, then minority access to the lawmaking process alters the collective decision if the median lawmaker (*median*) is replaced by a new median lawmaker (*median'*), where $X_{\text{median}} > X_{\text{median}'}$.

Committee Chairs and Chamber Leadership. Up to this point, a very simple majority-rules mechanism was examined. However, even within chambers, the lawmaking process is somewhat more complicated. Committees hear policy proposals and pass on policy recommendations to be considered by the chamber as a whole. Leadership positions, Senate Majority Leaders, Presidents of the Senate, and Speakers can determine the rules that govern the preference aggregation process and utilize the existing rules to their advantage.³ While the states vary in terms of the institutional power provided to these positions, they uniformly have more

³Membership in the majority party is critical for these roles to be filled by black legislators (Nelson 1991; Haynie 2001). Since the potential influence of descriptive representatives on political parties is analogous to the single chamber majoritarian rule model presented above the formal analysis does not discuss the influence on parties at this time. Party membership is addressed in the empirical analysis, however.

power than individual rank-and-file members (Francis 1989; Jewell and Whicker 1994; Rosenthal 1998). This complicates the choices faced by legislators. Instead of assuming a collective choice that ultimately matches the ideal point of the median legislator, the choice is between a policy passed by the committee and the status quo.⁴ Below, the model begins to address this issue by introducing the power of leadership positions, broadly defined to include both committee chairs and chamber leadership. While the powers of each are distinct, they both are able to shape the choice set faced by the chamber as a whole must by either restricting the types of bills to be heard on the floor (chamber leadership roles) or by shaping the bills through the committee agenda-setting and mark-up process (committee chair roles) (Deering and Smith 1990; Krehbiel 1989; Densau and MacKay 1983). Both mechanisms are commonly described as means of agenda control.

[Figure 2 Here]

Figure 2 presents the minority issue scale with two key players in two different political environments. X_M is the median lawmaker in the chamber. X_L corresponds to the policy preference of the chamber leader or the committee chair. P_L is the policy proposed by X_L . Since the purpose of this section is to identify the conditions where minority control of leadership positions and committee chairs can influence the collective decision, the leader is assumed to be a minority lawmaker, such that $X_L < X_M$. The current policy, or the status quo, which would be the result of a collective decision of voting against the proposed policy is indicated by X^0 .

Figure 2a depicts a fairly moderate median lawmaker in a state with unfavorable policies

⁴The following analysis assumes a closed rule for final passage, where individual lawmakers are unable to amend the policy proposal. Where open rules apply, Proposition 1 holds.

regarding minority interests, such that $X_L < X_M < X^0$. In order for the median lawmaker to favor a new policy (P_L) over the status quo, the new policy must be closer to the median lawmaker's ideal point than the status quo. Formally, X_M votes for any proposed policy where $|P_L - X_M| < |X_M - X^0| / 2$. Note that the "influence" of minority controlled leadership, or the distance between the proposal and the median lawmaker's ideal point, is dependent upon the distance between the status quo and the median lawmaker's ideal point. When the latter is fairly small, so will the influence of minority control of leadership positions. Conversely, the influence gained by minority control of leadership positions should be greatest when the chamber median voter is fairly sympathetic to minority interests and when state policy has been generally adverse to representing minority interests. The political context can alter the level of influence minority representatives exert. When status quo policy is already amenable to minority interest, the addition of minority held positions of legislative power yields minor, if any, additional influence to alter public policy.

Figure 2b changes the ordering of the two lawmakers to reflect a chamber which has a median legislator with minority issue preferences far from those most preferred by minorities, but state policy that moderately reflects minority interests, such that $X_L < X^0 < X_M$. Since the only policy (P_L) that would be favored by the median lawmaker over the status quo is between X^0 and X_M , minority control of leadership positions will not result in moving the collective choice towards minority preferred policies relative to the status quo.⁵ The influence minority leadership

⁵ X_m would also prefer some policies to the left of X^0 such that the distance is still less than $|X_M - X^0| / 2$. However, since the focus is on the proposals of leadership, which if held by a minority lawmaker is presumed to be to the right of the status quo, the analysis will retain the restrictions denoted above as the only outcomes of interest for this study.

control exerts is in preventing a chamber vote on a policy proposal that would move policy away from the status quo and towards the median lawmaker's ideal point. In this context, the influence of leadership positions is in the form of blocking power, and not proposing (or positive) power. The results of the comparative statics between Figures 2a and 2b lead to the second proposition, which has two parts.

Proposition 2a: Minority control of leadership and committee chairs leads to movement from the median lawmaker toward policies most preferred by minorities if, and only if, the status quo policy is fairly adverse to minority interests, such that $X_L < X_M < X^0$. The degree of this movement is greatest when the distance between the chamber median and the status quo is large.

Proposition 2b: When minority leadership control is in a chamber where the median lawmaker prefers policies less advantageous to minority interests relative to the status quo, such that $X_L < X^0 < X_M$, leadership influence is limited to blocking the consideration of policies that would lead to worse results in terms of minority interests relative to the status quo.

Inter-Chamber Decisions. The above results only applied to a single chamber. However, at the national level, and in all but one state, Nebraska, the lawmaking process takes place in a bicameral environment. Laws passed by one chamber must also be passed by the second chamber.

The following discussion addresses the dual chamber reality of the lawmaking process. In the model, there are two chambers, the upper (u) and lower (l). Each chamber has determined their preferred policy on the minority interest scale, such that X_u is the upper chamber's preferred policy and X_l is the lower chamber's preferred policy. The collective policy decision is P and the status quo is X^0 . The extent to which minority representatives influence the chamber preference

is reflected by the proximity of their policy preference to the most preferred minority policy. For purposes of simplification, and without losing generality, the lower house is assumed to be the most influenced by minority representatives, such that $X_l \leq X_u$.

[Figure 3 Here]

In Figure 3a, the lower chamber and the upper chamber both prefer some change toward policies most preferred by minority interests, such that $X_l \leq X_u < X^0$. The eventual policy compromise, P , will be somewhere between the two chambers' preferred policy, such that $|P - X_l| < |X_u - X^0| / 2$. Thus, the influence of minority representatives on a legislature's collective preference is dependent on the influence exerted on the more moderate chamber and the distance between that chamber's preference and the status quo. Even if minority control is absolute in the lower chamber, the determining factor is the influence exerted on the more moderate chamber in terms of minority policies. In the special case where $X_l = X_u$, and minority influence is exerted on both chambers equally, then P will simply reflect the congruent interests of the two chambers.

In Figure 3b, the two chambers have divergent preferences, such that $X_l < X^0 < X_u$. Here, no policy compromise will take place, and the status quo will be the outcome of the collective decision since each chamber prefers the status quo to the other chamber's proposal. In this environment, minority influence in, or even control of, one chamber is negated by the lack of influence in the other. At best, minority influence in the lower chamber lies in blocking proposals made by the upper chamber which would make a minority group worse off relative to the status quo. These comparative statics lead to the following propositions:

Proposition 3a: Minority lawmakers' ability to move policy toward a minority's most preferred policy and away from the status quo is greatest when minority lawmakers exert

influence in both chambers.

Proposition 3b: When minority influence is exerted on only one chamber, and the other chamber prefers the status quo to that of the preferences of the influenced chamber, the bicameral decision will be the status quo and minority influence will only come in terms of blocking proposals adverse to minority interests.

Inter-Institutional Decision-Making: The Governor and the Legislature. In addition to intra- and inter-chamber influence, the ability of minorities to influence the state policymaking process is dependent upon the preferences of the governor. The governor's decision is quite simple, either sign or veto the policy proposal submitted by the legislature.⁶

[Figure 4 Here]

Figure 4 provides a more formal account. In Figures 4a through 4c, there are two players, the governor, G , and her preferred policy (X_G) and the legislature, L , and its policy proposal (X_L). The status quo is denoted as before, X^0 , and the eventual policy decision is P . The logic is similar to that of the bicameral bargaining game presented above. In Figure 4a, both the legislature and the governor are influenced to some degree by minority interests, such that $X_L \leq X_G < X^0$. Here, minority influence is greatest when the distance between the governor's preferred policy and the status quo is greatest, or when $|X_G - X^0|$ is large, since the ultimate decision will be such that $|P - X_G| < |X_G - X^0| / 2$. If the legislature proposes a measure such that $|P - X_G| > |X_G -$

⁶Some states provide their governors with a variety of line-item veto provisions. If this is the case, then governors actions can be construed in two ways. If governors only have the power to agree with or strike an expenditure line important to minority preferred policies, then the analysis that follows still holds. If governors can replace expenditure amounts, then results similar to those described in Propositions 3a and 3b apply. Here, the simple decision of veto or sign should cover most issues pertinent to minority interests.

$X^0 / 2$, then the governor will veto the bill (Figure 5b). When the governor prefers the status quo to the legislature's proposal, $X_L < X^0 < X_G$, or $X_G < X^0 < X_L$, then the governor vetoes the proposal and the status quo stands as state policy (Figure 4c). This logic leads to the following propositions.

Proposition 4a: Minority influence will only move state policy toward minority preferred policies when the governor and the legislature are influenced by minority interests to move away from the status quo and toward policies preferred by that minority group. This resulting policy influence is greater as the distance between the governor's preferred position and the status quo increases.

Proposition 4b: When legislative proposals leave minorities worse off than the status quo, minority influence of the governor's office can be used to block these proposals through the exercise of the negative power of the veto.

Direct Democracy. In many states, citizens can utilize mechanisms of direct democracy to alter state public policy without the filter of representative bodies. How might the presence or absence of procedures for direct democracy affect the ability of minorities to influence state policy? In terms of referendums, the conditions for minority influence in the state lawmaking process addressed above hold since minority influence can alter the types of legislation referred to popular vote or the policy content of each referendum. The initiative process, however, offers a unique mechanism for the public to circumvent the lawmaking process described up to this point. In the initiative process, minority influence amounts to a simple numbers game among voters. Since initiatives are generally determined by majority-rule, the percent of the voting population comprised of minorities will determine the amount of influence. However, as noted

above, it is the median voter that determines the outcome under majority rules. If a majority of *voters* in an initiative state also come from racial majorities, minority influence in the lawmaking process is mitigated by a popular vote. Even if initiatives are not passed, the presence of these initiatives can influence the decisions of lawmakers, and move the collective decisions of the lawmaking institutions toward the preferences of the public (Gerber 1999). Given the tendency for voters to pass initiatives that "tyrannize" the minority (Gamble 1997), one should expect that the presence of initiatives reduces the amount of influence minorities have on the policymaking process either by circumventing or mitigating the institutional influence gained by representation. This leads to the final proposition.

Proposition 5: In states with direct initiatives, the impact of minority influence in the lawmaking process will be reduced relative to states without direct legislation mechanisms.

4. DATA

The empirical cornerstone of this study rests on an original data set that identifies Latino and black elected state representatives and maps these members to their institutional position. Institutional position, in turn, leads to a measure of institutional power which is used to test the theoretical propositions derived above. The data collection process involved two major stages. First, black and Latino state legislators were identified. The identification process relied almost exclusively on published data from the National Association of Latino Elected Officials (NALEO) and the Joint Center for Political and Economic Studies. These two organizations publish rosters of Latino and black elected officials in volumes of the *National Directory of Latino Elected Officials* and *Black Elected Officials: A National Roster*, respectively. Second, the legislators were mapped to each state and the state's institutional positions of power, such as

party and chamber leadership positions and committee chairs. The mapping process allows for a description of minority inter- and intra-institutional power. The data collection process resulted in the compilation of a time-series cross-sectional (TSCS) data set of minority legislators and their institutional power, including all fifty states for a ten year period from 1984 through 1993.⁷

The second stage of data collection moved beyond identifying Latino and black state legislators, encompassing the process of mapping each case to institutional positions of power in their respective state legislatures. The procedure was fairly straightforward. Utilizing the first stage data set and the Council of State Government's *State Legislative Leadership, Committees and Staff*, minority legislators were identified in terms of their legislative leadership positions. The time span of ten years allows for this data set to contain 500 cases, where each observation describes the minority presence and potential influence in state representative bodies for each year of the study, aggregated at the state level.

The key variables necessary for an empirical test of the theory of minority institutional power are the size of the minority delegation, the level of power provided by chamber leadership positions and an overall legislative power score for each state in all ten years of the study. The proportion of minority representatives in the legislature is used as an indicator for the size of the minority delegation and is straightforward to calculate from the data collected. Chamber power and legislative power require a scheme to account for the variation in power across leadership positions. Measurement of these two scores is discussed below.

Chamber power is an intra-chamber power measure that describes the institutional power

⁷These are the only years where both Latino and black legislative rosters were continuous. In the section addressing blocking power, the time span is increased to include 1984-1998.

blacks or Latinos possess as the proportion of important institutional positions held by these representatives. To construct the measure, the census of black and Latino representatives previously described was mapped to the institutional positions detailed in The Council of State Governments' *State Legislative Leadership, Committees and Staff* for the years covering the period of the study. The coding scheme follows the basic rule of including all standing committee chairs for the chamber, the presiding officer, the position that fulfills the presiding officer's duties if the presiding officer is not present, the majority leader if different from the presiding officer, and the minority leader. In Connecticut and Massachusetts, joint standing committee chairs, or more appropriately co-chairs, were coded since joint standing committees in these states conduct most of the significant legislative business. Additional state by state alterations in coding leadership positions are made to capture the major differences in positional power across the states.

[Table 1 Here]

The institutional positions were then weighted to account for the differential power of each position. The weighting scheme is detailed in Table 1. Each institutional position in a given chamber is assigned a weight, or score, that ranges from ten for presiding officers to five for minority leaders. The rank ordering of the weights accounts for the relative power of each position. Since presiding officers command the most power, they are given the highest score of ten. Representatives holding the position immediately below the presiding officer and the leader of the majority party are assigned an eight. A weight of eight is also given to those representatives chairing fiscal policy committees. Control of the purse strings provides these members greater power than other committee chairs either by directly allocating appropriations

or via greater leverage in logrolling due to the funding issues they do control. Rule's committee chairs received a weight of seven, reflecting power over the agenda beyond general policy committees but below the influence of fiscal policy chairs. Other policy committee chairs are given a score of six, and minority leaders are assigned a five. Rank and file members are assigned a zero. In short, the weighting scheme set forth in Table 1 is a sound indicator of the relative power institutional positions command in state legislative chambers.

The scoring scheme reflects the basic elements of the relative nature of legislative power positions reported by empirical studies. While an infinite combination of scores and ranges of scores could conceivably be proposed as alternatives, it is not clear that any can be justified on empirical grounds in a more appropriate manner than the scheme proposed here. For instance, in Francis' (1989, 58) survey of state legislators, lawmakers most often cited the locus of significant decision-making in the order of "office of presiding officer or majority leaders," "regular committee meetings" and finally "party caucus." Thus, these are important positions or arenas to control. The rank ordering--from presiding officers to committee meetings to party caucuses--closely resembles the relative value of the weights assigned to each position in this study. From the national level, Groseclose and Stewart (1998, 467) report the "value of committee seats" in Congress from a variety of measures. In each measure, the Ways and Means, Appropriations and Rules committees rank in the top three committees. If one is willing to make the not unreasonable assumption that Congressional and state committees generally parallel each other in terms of power, it is clear that these committees should be given additional weight. The present weighting scheme does account for this power differential. While these studies do not provide absolute guidance to a system of weights based on legislative power, they do confirm the general

direction of the scale employed here.

Following Nelson (1991), the chamber power score is calculated from the institutional positions and the weights attached to each position. The key difference between this study and Nelson or Haynie's (2001) is that minor positions that may obscure a meaningful measure of power are eliminated in the coding of institutional positions. Nelson (1991) includes all positions listed in the Council of State Governments' *State Legislative Leadership, Committees & Staff* directory which catalogs a myriad of minor party leadership positions and committee assignments that are not always consistent across states.⁸ Inclusion of these minor offices potentially skews both the amount of total power and the amount of power held by minorities. The scale utilized here specifies the positions, excluding minor party and committee positions, but allowing for varied numbers of standing committee chairmanships with the underlying assumption of less power to individual chairs in legislatures with numerous opportunities to chair committees.

$$Chamber\ Power_{ist} = 100 \times \frac{\sum W_{pist} P_{ist}}{\sum W_{pit}}$$

The chamber power score utilized in this study is derived from the equation above, which is calculated separately for each chamber and for blacks and Latino legislators (another deviation from previous studies). Chamber power is determined for each chamber i , in each state s , in year t . P is 1 if the position is held by a Latino or African American, when measuring Latino or black

⁸ For example, some states list ranking minority committee members, while others do not. Since Nelson includes all positions listed, even when using a measure of proportion of power, his indicator is not reasonably comparable across the states. Moreover, Rosenthal (1998, 247) argues that many of the minor party positions possess "nominal" power, and others who have investigated state legislative power do not even refer to such lesser positions (Francis 1989; Jewell and Whicker 1994).

chamber power respectively, and zero otherwise. W is the weight given to each position, p , as described in Table 1. The chamber power score is scaled such that the range is from 0 to 100. A score of 100 indicates that minorities hold all institutional positions coded in the chamber; 0 indicates that no positions are held.

Establishing a measure of chamber power for minorities is only the first step in building a measure of minority legislative power. Recall that the theoretical propositions regarding legislative action capture the bicameral nature of the state legislative process. Specifically, the theory proposes that minority influence is gained by holding positions of power across both chambers to exert positive influence. Only negative influence, or blocking power, can be applied when minority influence is constrained to only one chamber. A measure of minority legislative power must capture these elements. The appropriate measure is the product of the upper and lower chamber power scores. Formally, *Legislative Power* = (upper chamber power)*(lower chamber power). Thus, if blacks in one chamber hold high levels of chamber power, but no power in the second chamber, the multiplicative measure would lead to a legislative power score of zero. Where power is dispersed across chambers, the more power in either chamber, the greater the legislative power score. Figure 5 highlights the difference between a basic measure of minority influence based on the proportion of representatives and the Legislative Power score.

[Figure 5 Here]

5. ANALYSIS OF POSITIVE INFLUENCE

The study now moves to testing the propositions of the theory of minority institutional power. This section examines positive influence by analyzing welfare generosity and a subjective measure of influence based on a survey of black state legislators.

Welfare Generosity

The first policy examined is welfare generosity. Welfare generosity is defined as the yearly maximum individual AFDC benefit allowed, which is set by each state, as a percent of a state's per capita income. Welfare policies are examined first because they are the most prominent measure of minority interests utilized by scholars (DeWeever 2000; Fording 1997, 2001; Haynie 2001; Nelson 1997; Radcliff and Saiz 1996) and tends to reflect disproportionate

need of black and Latino constituents. Thus, the results presented here can be reasonably compared to the results of previous studies. While the level of relative “welfare generosity” is the basic unit, the analysis focuses on changes in this indicator. The goal is to demonstrate where and under what conditions minority influence in the state legislative setting can change public policy.⁹

[Table 2 Here]

The propositions raise several testable hypotheses. First, while it is impossible to determine if the median voter has been altered, the model does predict that the simple measure of the percent of black or Latino legislators will not lead to influence. The expectation is that no significant relationship will be found between these measures and welfare generosity. Second, chamber power by itself will not influence public policy and both upper and lower chamber power scores will be unrelated to welfare generosity. Legislative power will not be a significant factor, as well. Only when a Democratic governor (a proxy for more sympathetic relative to Republican governors) will a positive and significant relationship between legislative power and welfare generosity arise. This relationship will be more pronounced when examined in a context of more conservative governments.

Figures 6 and 7 display the average change in welfare generosity by several categories of political context and black and Latino representation, respectively. Since most states decreased welfare generosity, minority interests are best met when the size of change is smallest as indicated by the shorter bars in negative territory. The categories are presented so that as one moves from the left (all states) to the right, minority influence should increase. The greatest influence is expected where legislative power is combined with a Democratic governor. Both charts reveal this pattern.

[Figure 7 Here]

⁹It should be noted that the measurement of the dependent variable in the statistical models is based on the assumption that policy decisions are made in one legislative session, but the adjustment is not realized until the following year. Thus, the status quo is welfare generosity in time t . The dependent variable is welfare generosity in time $t+1$. In less formal terms, the study is interested in how minority influence in one year alters the subsequent year’s provisions.

Figure 6 examines this relationship for black representatives. A difference of means tests show that, with a mean change of $-.78$, states with black legislative power in both chambers reduce their welfare generosity less than other states at the $p < .009$ significance level ($t = -2.39$, degrees of freedom (df) = 498). However, the most pronounced difference is between states with legislative power in both chambers with a Democratic unified government. The difference between this group and the remaining states is $-.415$, significant at the $p < .02$ ($t = -2.41$, $df = 498$).

[Figure 7 Here]

The same patterns holds for Latino influence with a much more dramatic change in the magnitude of reduction in welfare generosity when Latino representatives hold power in both chambers in the context of a Democratic unified government (Figure 7). Where this condition is met, states reduced their welfare generosity on average by $.287$ compared to other states which reduced their welfare generosity by 1.04 . The difference of $.748$ is significant at the $p < .05$ level, with a t-score of -2.01 with 498 degrees of freedom. This is the only condition that leads to a statistically significant difference between the categories. Once again, the graphic presentation and basic statistics support the fundamental contention of the theory of minority institutional influence.

To examine this evidence in light of other explanatory variables, the multivariate statistical model employed is the ordinary least squares with a lagged dependent variable and panel corrected standard errors (OLS-PCSE) as proposed by Beck and Katz (1995). The dependent variable is the level of welfare generosity in year $t+1$, and the model includes welfare generosity in year t on the right side of the equation. Note that the legislative power scores are logged to account for the decreasing marginal returns from power as the level of power increases. This functional form also provides a better fit to the data than the untransformed term.

[Table 2 Here]

The results of a full model of 46 states where data are available for all variables is reported in Model 1 of Table 2. The cell entries are OLS coefficient estimates with panel-corrected standard errors in parentheses. The coefficient for the percent of black legislators is negative and statistically significant. For every one percent increase in black representation,

welfare generosity decreased by .079. There is no influence on welfare generosity exerted if black lawmakers hold positions of power in a single chamber as indicated by the insignificant coefficients for black upper and lower chamber power. Black legislative power by itself is also not a statistically significant factor. However, when black lawmakers hold power positions in both chambers and can deal with a Democratically controlled government welfare generosity increases as predicted by the theory of minority institutional power. The coefficient for this variable indicates that in Democratically controlled governments an increase in black legislative power leads to a positive increase in welfare generosity, all other factors held constant.

Latino presence and power influence welfare generosity levels in a slightly different way. The negative and significant coefficient for the proportion of Latino lawmakers indicates that, like black delegations, as the size increases, welfare generosity decreases. However, this negative effect can be offset if Latinos hold power in the upper chamber, with every increase in upper chamber power leading to a .054 increase in welfare generosity. Interestingly, none of the other indicators of Latino power and influence are significant factors in determining new levels of welfare generosity.

. Model 2 excludes the most generous quarter of the states from the dataset. This is done to test the proposition that influence will be greatest where status quo policies are more adverse to minority interests. That is, it removes states like Massachusetts, where welfare generosity is already fairly high, but leaves states in the middle and lower ranges of generosity where minority inclusion holds the potential to move policy a greater distance. This subset of states should produce greater returns for minority power, with larger positive coefficients if the political context matters as suggested by the theory.

The theoretical expectation is met in the case of black legislative influence. The coefficient for the interaction between black legislative power and a unified Democratic government is positive, significant and larger than the estimated coefficient in the full model (.086 in the full model versus .133 in the subset of more conservative states). The coefficient for legislative power itself is negative and less than that estimated in the full model. However, the difference between the effect of legislative power in a Democratic unified government and other political contexts is greater, overcoming the negative effects of the baseline term.

For Latino representation, the effect of removing the most liberal states is negligible. The only positive influence for Latino representation (upper chamber power) remains positive and significant in Model 2, but it is actually smaller than the coefficient estimated for the full data set. The major difference between Models 1 and 2 is in the change in level of significance of the coefficient for the proportion of Latino lawmakers. The coefficient remains negative in each model but it is insignificant when the most generous states are removed from the estimation procedure.

Black Legislator Perceptions of Influence and Institutional Position

Aggregate level analysis risks masking a potential difference in objective relationships between variables and the perceptions of the actors about those same relationships. Fortunately, an individual-level survey of black state legislators, reported by Hedge, Button and Spear (1996), measures black legislators' perceptions of overall black influence within their respective state legislatures. Specifically, Hedge, Button and Spear (1996, 88) constructed a scale of perceived overall black legislative influence from a series of respondent answers to questions regarding the extent to which "a) black legislators had influence within the legislature; b) legislation important to blacks received a fair hearing; and c) legislation important to blacks was likely to pass." The scale ranges from 0 to 9, with 9 indicating the most overall black influence. Hedge, Button and Spear examined the effects of both individual and contextual explanations for black legislative influence. For this study, the analysis uses their empirical model and adds two dummy variables to test the major proposition of this paper. The dichotomous variables added to their model are *Single Chamber Black Institutional Power*, which equals 1 when leadership positions are held in only one chamber, and *Dual Chamber Black Institutional Power*, which equals 1 when

leadership positions are held in both chambers.¹⁰ The constant term captures the baseline effects for legislators from states with neither of these conditions.

Hedge, Button and Spear's (1996) model include both individual and contextual variables to account for overall black legislative influence. On the individual level, they examine whether or not the legislator was a *Committee Chair*; was a *Party Leader*; the *Gender* of the legislator; and the *Seniority* of the member. The contextual variables included *Percent of Black Legislators*; the degree of *Party Competition*; whether a member came from a *Majority Minority District*; their district's *Income*; the *Quality of black-white relations in the state*; and whether the state was one of five *Deep South* states. Building on this model, the current analysis replaces the percent of black legislators with the percent of black Democratic lawmakers, *Percent of Black Democrats*, since both are highly collinear and the former was not significant in any models estimated by Hedge, Button and Spear. Moreover, the percent black Democrats is related to black party influence, and thus is a more plausible explanatory variable if only due to potential indirect effects.¹¹

The analysis will also add the contextual variables of *Single* and *Dual Chamber Black Institutional Power*. Since the dependent variable asks only about influence within the legislature, and not overall policy decisions which rely on gubernatorial support, the theory

¹⁰Dummy variables for these conditions are used rather than the interval measures constructed for the state-level analysis due to a high level of collinearity and the lack of an adequate number of states to produce stable estimates.

¹¹The Pearson's $r = .84$, and is significant at $p < .0001$, between these two measures. However, in their reported study and in a subsequent replication, the percent of black lawmakers is not a significant determinant of black party influence. When percent black Democrats replaces this indicator, the analysis reveals a positive ($b = .098$) coefficient that is highly significant ($p < .006$, one-tailed).

predicts that only the dual chamber institutional power variable will have a positive and significant effect. It should also be the only contextual indicator of black descriptive representation to have such an effect.

[Table 3 Here]

The results of this analysis are reported in Table 3 which presents the OLS coefficients and their standard errors. Similar to Hedge, Button and Spear's study (1996, 91), women have lower perceptions of black legislative influence than men; those from majority minority districts perceive less influence; and lawmakers from deep South states perceive less influence. However, unlike the previous model, committee chairs do not perceive higher levels of overall influence. Instead, the positive and significant indicator for dual chamber institutional power indicates that black lawmakers perceive higher levels of overall black influence in legislatures where black representatives hold institutional positions in both chambers. This is the only condition expected to exert such an influence by the model--an expectation supported by the lack of significance of either the percent of black Democrats or the indicator for single chamber institutional power. Note also that when the model includes single chamber black institutional power in the constant (full model not reported), a significant difference between dual and single chamber institutional power remains.¹²

In sum, the analysis of the individual level survey of black lawmakers is congruent with the proposed model of black institutional position. The only contextual factor associated with

¹²Removing the categorical variable for single chamber power, leaving any effects of this condition to be captured by the constant, results in a coefficient for dual chamber institutional power of .4730, $p < .05$, one-tailed). The results did not change the substantive interpretation of any of the other variables.

black descriptive representation that leads to higher perceptions of overall black influence is the condition of having black lawmakers hold positions of power in both chambers. Single chamber power does not suffice since the legislative (not chamber) decision-making process depends on bicameral agreement. If black representatives hold power in both chambers, they are better able to influence both discrete bodies and subsequently influence legislative decisions.¹³

6. BLOCKING POWER AND ENGLISH ONLY LAWS

The focus of this section is on Latino legislative blocking power and state consideration of English-only laws, or a declaration that English is the official language of the state. Both terms will be used simultaneously throughout this discussion to describe essentially the same type of policy. English-only laws gained prominence on the political landscape during the 1980s and 1990s. During this period, at least 38 states debated the issue in legislative settings or considered adoption via direct democracy (Schildkraut 2001, 445). The hotbed of adoption of English only laws is geographically concentrated in the Southern and Southwestern states, but the fury to adopt some variation of English-only laws spread fairly wide. 26 states currently have declared English their official language, with 21 of them doing so since 1980 (Schildkraut 2001, 445).

The recent surge in official English laws is primarily a reflection of increased immigration during this period and a subsequent backlash (Tatalovich 1995). Latino immigrants rose in large numbers, both legal and illegal, during this period. Immigration from Asia, and particularly from Southeast Asia, rose substantially during this period as well. While the number of non-English speakers in the country remained at a relatively low level of approximately 2-5 percent, the perception of wide-spread multilingualism fueled much of the debate. The rhetoric of proponents ostensibly focused on the economic, efficiency and cultural benefits of official recognition of one official language. Opponents often cited the disproportionate impact on

¹³Unfortunately, the data do not allow for the test of the conditions proposed for blocking versus positive influence. Nevertheless, the indicators used to create the score connote positive influence to a greater degree than blocking influence (see description of questions noted previously).

Latinos, Asians and American Indians in terms of participatory rights and access to, and provision of, public services. The debate cut along racial and ethnic cleavages, producing a policy that lends itself quite well to testing the theory of minority institutional power.

There are two basic hypotheses beyond those presented for the case of welfare generosity and subjective evaluations of influence that are of interest in examining English-only adoption. First, blocking power, or negative influence, requires only influence in one chamber, and not the system-wide influence required for positive influence. Since adoption of English-only laws can be conceived of as a movement away from Latino interests, the less restrictive conditions for blocking power apply. Power is only necessary in one chamber for Latinos to block such a movement. Second, the presence of the initiative will reduce the effect of legislative power. Since only blocking power is necessary, the prediction is that the effects of Latino chamber power will be reduced in states with initiatives relative to those states without such an option for direct democracy.

To test these hypotheses, an event history analysis is employed to estimate the effects of Latino legislative power on state adoption of English-only laws. Event history analysis, or survival analysis, estimates the effect of the independent variables on the probability that a state will adopt official English laws in any given time period and over a range of time-varying covariates. The analysis relies on a Weibull distribution, which allows for both time-varying parameters and makes the assumption that the risk of adoption is not constant across time periods (an assumption that is reasonable given the baseline hazard greater than one in all models tested).

The dependent variable in the analysis is adoption of English-only laws. The data set was supplied by Debra Schildkraut (2001), whose study of adoption of English-only laws was published in 2001. Schildkraut analyzed the impact of the size of the foreign-born population on adoption of such laws. Her findings reveal that as the percent foreign-born increases, the risk of a state adopting official English laws decreases. However, this relationship reverses in states with direct initiatives. In these states, increases in the percent foreign-born actually tend to increase the risk of adoption. Her conclusions are consistent with the theory of majority tyranny and the use of the initiative (see Gamble 1997). While a number of political and contextual independent variables are included in the analysis, no attention is paid to the effect of minority

representation. The strategy that the current study follows is to reproduce Schildkraut's analysis and add the major variables needed to test the hypotheses of the minority institutional power theory in the statistical model. Do these variables provide additional explanatory power? And, if so, are the effects in the direction and magnitude predicted by the theory?

Schildkraut's study examines state adoption of official English over the period from 1981 to 1998. 44 states are included, excluding Alaska, Hawaii, Illinois, Louisiana, Massachusetts, and Nebraska either because data was not available, or the state adopted the provision prior to 1981. Since the time-period for the data collected for the current study on Latino power only covers the years from 1984 to 1998, there will be some differences in the estimated coefficients. A major concern lies in the potential effects of left-censoring, or not including states that adopted English only laws prior to 1984. Left-censoring tends to bias coefficient estimates and undermines the confidence one has in the statistical results. While left-censoring is an major problem, one can examine the extent of the problem by comparing Schildkraut's reported results for the entire time-span with those of the reduced time-span. While not reported here, the direction and relative effects of the estimated coefficients are similar enough to Schildkraut's to rule out any major problems with bias in the shorter time-span used here.

[Table 4 Here]

Table 4 presents the results of the event-history analysis that tests the predictions of the impact of negative power and the presence of the initiative. The cells contain the estimated hazard ratio for each independent variable included in Schildkraut's original model as well as the percent of Latino legislators and the proportions of upper and lower chamber power held by Latinos. These additional variables are the factors of interest. Hazard ratios are interpreted as the change in the probability of adopting English-only laws for every one unit increase in the independent variable. For instance, if the hazard ratio is 1, no change would be expected. If the ratio is 1.5, the odds increase by 50 percent for every one unit increase in the independent variable. A hazard ratio of .5 means the odds are reduced by 50 percent for every one unit increase in the independent variable.

Model 1 presents the results for all states, regardless of the presence of the initiative. Note that increases in the proportion of Latino lawmakers has no effect on the probability of

adoption of English only laws. This is consistent with the theoretical expectations. Latino lower chamber power is significant, but leads to a reduction in the probability of adoption as the power increases. In fact, only one unit increase in this measure leads to about a 45 percent reduction in the probability of adoption. Upper chamber power has no effect. This result diverges from that for welfare generosity in that it is lower chamber power, and not upper chamber power that generally exerts influence in this blocking setting.

To test the contention that the initiative process diminishes the effects of institutional power, the data set is separated into initiative and non-initiative states. Models 2 and 3 present the results for each of these subsets of the data. In initiative states, the results present quite a different picture. When the initiative is available, majoritarian backlash arises as demonstrated by the increasing odds of adoption as the size of the Latino legislative delegation increases. This effect is not offset by institutional position since power in legislative institutions can be bypassed by the mechanisms for direct democracy. Holding formal positions simply does not matter in initiative states.

Model 3 presents the results for states without the initiative. Note the fundamental changes in the sources of influence. The percent of Latinos is not a significant factor in non-initiative states. Instead, chamber power can almost unilaterally block adoption. The extremely low hazard ratios for the upper and lower chamber power scores indicate that almost any increase (from no positions to holding only one) reduces the risk that a state will adopt English only to almost zero. These results provide strong support for the argument that while institutional position is still necessary to exert blocking influence, the conditions for such influence are much less stringent. The major obstacle is the institutional design of policymaking in the states. In initiative states, the influence afforded by legislative leadership disappears.

7. CONCLUSION.

The main purpose of this study was to introduce a more appropriate understanding of the conditions in the political systems of the states that allow black and Latino descriptive representation to influence public policy. In doing so, the model added the elements of positive and blocking power, as well as the institutional constraints present in state government, to our

theoretical understanding. The model predicts that positive influence requires institutional positions of power to be held in both chambers and in the presence of a sympathetic governor. Blocking power requires less, but still depends on the minority representatives holding power in at least one chamber, and the absence of the initiative. These propositions were put to an empirical test in light of state welfare generosity, black legislators' perceptions of influence and state adoption of English only laws. With the exception of Latino influence on welfare generosity, the results provide strong support for the theoretical predictions.

The lack of support for the theory's predictions regarding Latino influence and welfare provision may be due to several factors. First, Latino preferences are less cohesive than black preferences on welfare policy. It could be that the dispersion of Latino preferences requires less institutional power since lawmakers are forced to respond to a variety of issues, and thus cannot disregard the potential influence over other issues. Second, the dispersion of partisan allegiances is greater with Latinos than blacks. While most Latino lawmakers are Democrats, the views of the Republicans are not included in the empirical model. This could explain the null findings. Nevertheless, the empirical evaluation of blocking power does suggest that the mechanisms do work as predicted for this type of influence. In no case did the simple measure of the relative size of the black or Latino legislative delegation have an impact that would be expected if representation was to directly lead to responsiveness.

On the whole, however, there is substantial evidence that black and Latino influence depend on institutional positions and inter-institutional arrangements. This finding relates to several important issues within the broader context of minority politics. First, since institutional positions lead to influence, and representation acts only as a necessary condition for gaining such positions, research regarding the impact of redistricting should begin to include this element. Understanding how district demographics lead to electing black or Latino legislators is important. But the ultimate issue of the degree of policy responsiveness spurred by representation requires that scholars employ a more systemic approach that includes the potential impact of redistricting on the ability of black or Latino lawmakers to obtain and hold institutional positions.

Second, the findings reveal that to some extent, the formal process of policymaking in the states provides minority lawmakers the same exercise of power as white lawmakers. Institutional position matters. But the concern also arises that outside of institutional positions, black and Latino lawmakers face continued opposition to their policy interests. When the initiative is present, institutional power matters very little. When no positions of power are held, backlash occurs even within the formal confines of state legislatures. In sum, even when minority lawmakers are able to move policy “two steps forward”, that action is highly conditional on institutional arrangements, no representation. Preventing the “one step back” requires institutional power as well. Yet the majoritarian institution of the initiative takes even this power away.

References

- Bachrach, Peter and Morton S. Baratz. 1970. *Power and Poverty: Theory and Practice*. New York: Oxford University Press.
- Bates, Timothy and Darrell L. Williams. 1993. "Racial Politics: Does It Pay?" *Social Science Quarterly* 74(3):507-.
- Beck, Nathaniel and Jonathan N. Katz. 1995. "What to Do (and Not to Do) With Time-Series Cross-Section Data." *American Political Science Review* 89(3):634-47.
- Bratton, Kathleen A. and Kerry L. Haynie. 1999. "Agenda Setting and Legislative Success in State Legislatures: The Effects of Gender and Race." *The Journal of Politics* 61(3):658-79.
- Browning, Rufus P., Dale R. Marshall, and David H. Tabb. 1984. *Protest Is Not Enough: The Struggle of Blacks and Hispanics for Equality in Urban Politics*. Berkeley: University of California Press.
- Bullock, Charles S. and Susan A. MacManus. 1981. "Policy Responsiveness to the Black Electorate: Programmatic Versus Symbolic Representation." *American Politics Quarterly* 9(3):357-68.
- Cameron, Charles, David Epstein, and O'Halloran. 1996. "Do Majority-Minority Districts Maximize Substantive Black Representation in Congress?" *American Political Science Review* 90(4):794-812.
- Deering, Christopher J. and Steven S. Smith. 1990. *Committees in Congress, 2nd Edition*. Washington, D.C.: Congressional Quarterly Press.
- Denzau, Arthur T. and Robert J. MacKay. 1983. "Gatekeeping and Monopoly Power of Committees: An Analysis of Sincere and Sophisticated Behavior." *American Journal of Political Science* 27(4):740-761.
- DeWeever, Guy E. 2000. "Making a Difference: The Influence of Black State Legislatures in Policy Making." *Paper Prepared for Delivery at the 2000 Annual Meeting of the American Political Science Association*.
- Fording, Richard C. 1997. "The Conditional Effect of Violence As a Political Tactic: Mass Insurgency, Welfare Generosity, and Electoral Context in the American States." *American Journal of Political Science* 41(1):1-29.
- . 2001. "The Political Response to Black Insurgency: A Critical Test of Competing Theories of the State." *American Political Science Review* 95:115-30.

- Fraga, Luis R. 1992. "Latino Political Incorporation and the Voting Rights Act." Pp. 278-82 in *Controversies in Minority Voting: The Voting Rights Act in Perspective*, editors Bernard Grofman and Chandler Davidson. Washington, D.C.: The Brookings Institution.
- Fraga, Luis R., Kenneth J. Meier, and Robert E. England. 1986. "Hispanic Americans and Educational Policy: Limits to Equal Access." *The Journal of Politics* 48(4):850-876.
- Francis, Wayne L. 1989. *The Legislative Committee Game: A Comparative Analysis of the Fifty States*. Columbus, OH: Ohio State University Press.
- Gamble, Barbara S. 1997. "Putting Civil Rights to a Popular Vote." *American Journal of Political Science* 41(1):245-69.
- Gerber, Elisabeth R. 1996. "Legislative Response to the Threat of Popular Initiatives." *American Journal of Political Science* 40(1):99-128.
- Grofman, Bernard and Lisa Handley. 1991. "The Impact of the Voting Rights Act on Black Representation in Southern State Legislatures." *Legislative Studies Quarterly* 26(1):111-28.
- Guiner, Lani. 1995. "The Representation of Minority Interests." Pp. 21-49 in *Classifying By Race*, editor Paul E. Peterson. Princeton: Princeton University Press.
- Hajnal, Zoltan L. 2001. "White Residents, Black Incumbents, and a Declining Racial Divide." *American Political Science Review* 95(3):603-17.
- Haynie, Kerry L. 2001. *African American Legislators in the American States*. New York: Columbia University Press.
- Hedge, David, James Button, and Mary Spear. 1996. "Accounting for the Quality of Black Legislative Life: The View From the States." *American Journal of Political Science* 40(1):82-98.
- Jewell, Malcolm E. and Marcia L. Whicker. 1994. *Legislative Leadership in the American States*. Ann Arbor, MI: The University of Michigan Press.
- Joint Center for Political Studies. 1986. *Black Elected Officials: A National Roster*. 15th ed. Washington, D.C.: Joint Center for Political Studies.
- King, Gary, John Bruce, and Andrew Gelman. 1995. "Racial Fairness in Legislative Redistricting." *Classifying by Race*, editor Paul E. Peterson. Princeton: Princeton University Press.
- Krehbiel, Keith. 1988. "Spatial Models of Legislative Choice." *Legislative Studies Quarterly* 13:259-319.

- Layman, Geoffrey. 1993. "State Policy Responsiveness to Black Demands in the South." Presented at the annual meeting of the Southern Political Science Association, Savannah, GA.
- Lublin, David. 1997. *The Paradox of Representation: Racial Gerrymandering and Minority Interests in Congress*. Princeton: Princeton University Press.
- Mansbridge, Jane. 1999. "Should Blacks Represent Blacks and Women Represent Women? A Contingent "Yes"." *Journal of Politics* 3(61):628-57.
- Meier, Kenneth and Joseph Jr. Stewart. 1991. *The Politics of Hispanic Education*. Albany, NY: State University of New York Press.
- Miller, Cheryl M. 1990. "Agenda-Setting by State Legislative Black Caucuses: Policy Priorities and Factors of Success." *Policy Studies Review* 9(2):339-54.
- Mindiola, Tatcho Jr. and Armando Gutierrez. 1988. "Chicanos and the Legislative Process: Reality and Illusion in the Politics of Change." Pp. 349-62 in *Latinos and the Political System*, editor F. C. Garcia. Notre Dame, IN: University of Notre Dame Press.
- National Association for Latino Elected and Appointed Officials. 1984. *1984 National Roster of Hispanic Elected Officials*. Washington, D.C.: NALEO Education Fund.
- Nelson, Albert J. 1991. *Emerging Influentials in State Legislatures*. New York: Praeger.
- Orey, Byron D. 2000. "African Americans in the State Legislative Power Structure: Committee Chairs." *Prepared for Delivery at the 2000 Annual Meeting of the American Political Science Association*.
- Pachon, Harry and Louis DeSipio. 1992. "Latino Elected Officials in the 1990s." *PS: Political Science and Politics* 25(2):212-17.
- Pinderhughes, Diane. 1987. *Race and Ethnicity in Chicago Politics*. Urbana: University of Illinois Press.
- Pitken, Hanna F. 1967. *The Concept of Representation*. Berkeley: University of California Press.
- Preuhs, Robert R. 2000. "Beyond the Black Belt: The Minority Power Hypothesis." A Paper Prepared for Delivery at the 2000 Annual Meeting of the Western Political Science Association, San Jose, CA, March 24-26, 2000.
- Radcliff, Benjamin and Martin Saiz. 1995. "Race, Turnout, and Public Policy in the American States." *Political Research Quarterly* 48(3):775-94.
- Riker, William H. 1988. *Liberalism Against Populism: A Confrontation Between the Theory of*

- Democracy and the Theory of Social Choice*. Prospect Heights, IL: Waveland Press, Inc.
- Rosenthal, Alan. 1998. *The Decline of Representative Democracy: Process, Participation, and Power in State Legislatures*. Washington, D.C.: Congressional Quarterly Press.
- Santoro, Wayne A. 1999. "Conventional Politics Takes Center Stage: The Latino Struggle Against English-Only Laws." *Social Forces* 77(3):887-909.
- Scavo, Carmine. 1990. "Racial Integration of Local Government Leadership in Southern Small Cities: Consequences for Equity Relevance and Political Relevance." *Social Science Quarterly* 71(2):362-72.
- Schildkraut, Deborah J. 2001. "Official English and the States: Influence on Declaring English the Official Language in the United States." *Political Research Quarterly* 54(2):445-57.
- Tatalovich, Raymond. 1995. *Nativism Reborn? The Official English Language Movement and the American States*. Lexington, KY: The University of Kentucky Press.
- Walton, Hanes. 1972. *Black Politics: A Theoretical and Structural Analysis*. Philadelphia: Lippincott.
- Whitby, Kenny J. 1997. *The Color of Representation: Congressional Behavior and Black Interests*. Ann Arbor, MI: The University of Michigan Press.
- Wright, Sharon D. 2000. "The Tennessee Black Caucus of State Legislators." *Journal of Black Studies* 31(1):3-19.

Figure 1: Minority Issues Scale.

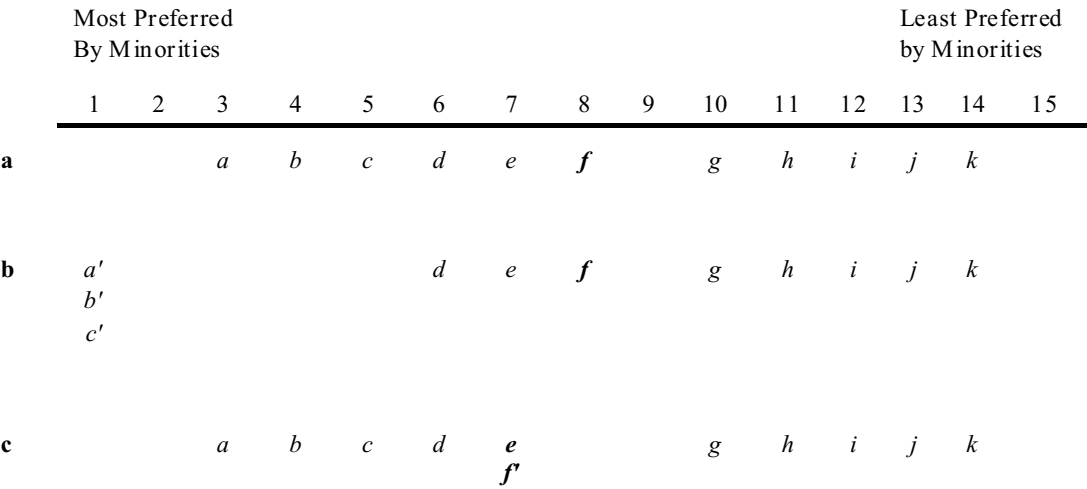


Figure 2: Leadership Influence on Collective Decisions.

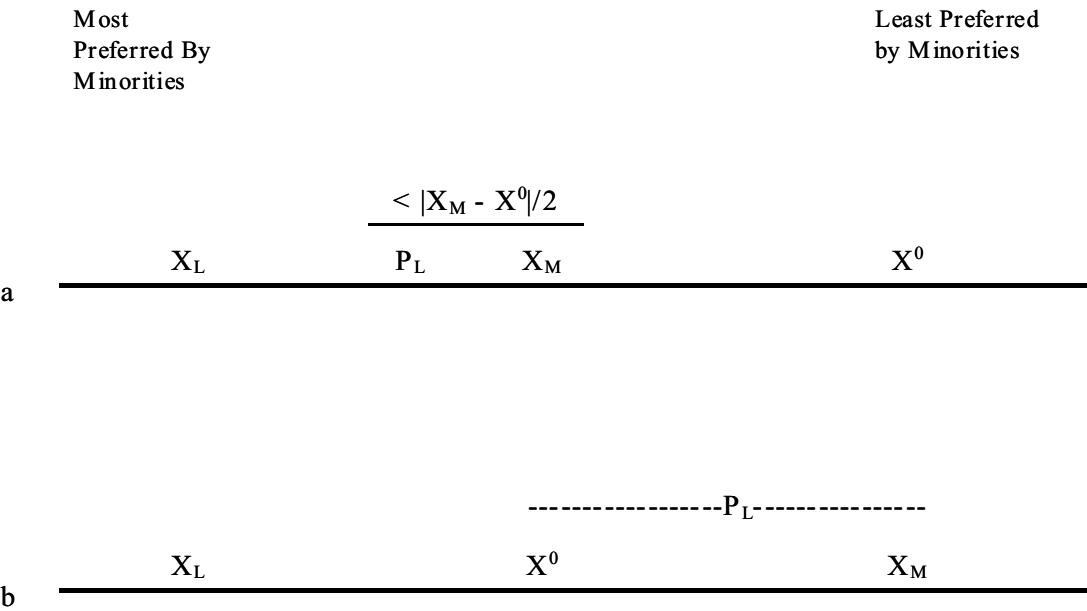


Figure 3: Bicameral Lawmaking.

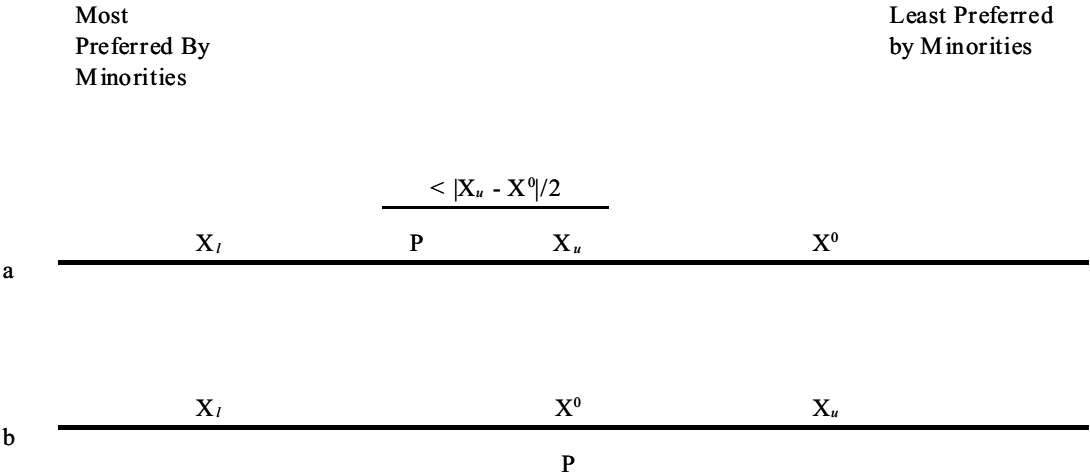


Figure 4: Inter-Institutional Decision-Making.

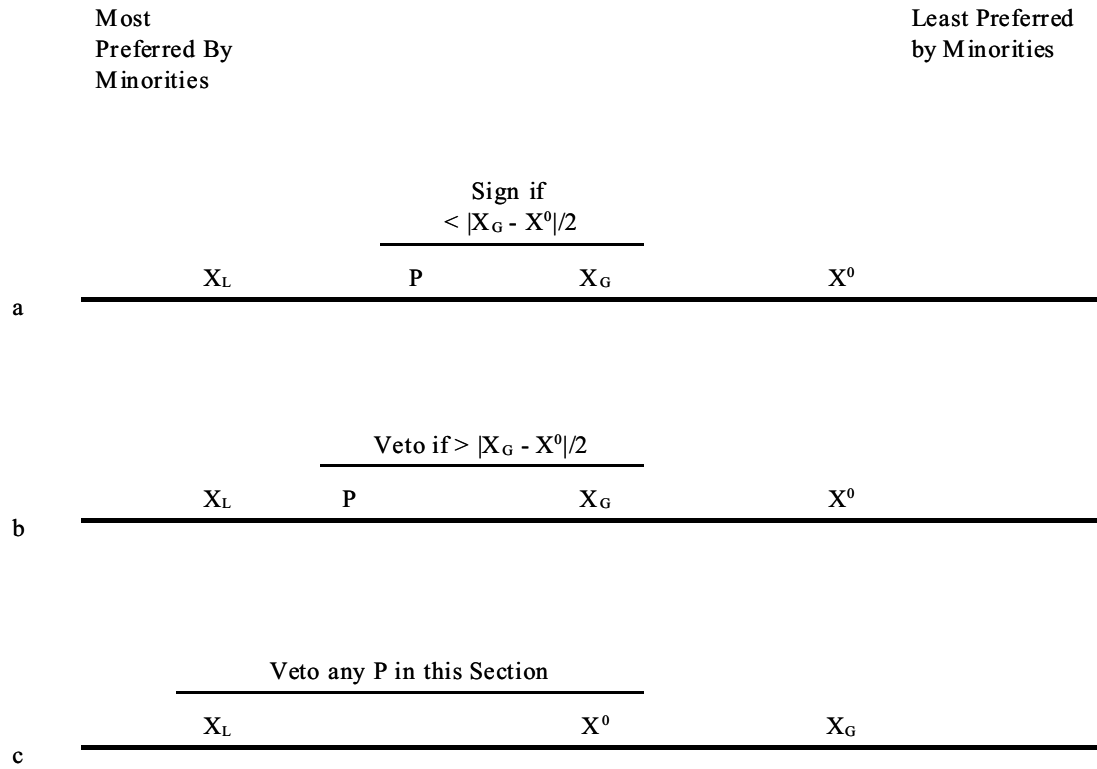


Table 1 Chamber Power Coding Scheme		
Position	Weight (W_{ip})	Weighting Adjustments
House		
Speaker	10	
Speaker pro tem or Assistant Speaker	8	Coded only if this position held by one individual. Multiple Assistants are not coded.
Majority Leader	8	
Fiscal Policy Committee Chairs	8	
Rules Committee Chair	7	
Other Committee Chair	6	
Minority Leader	5	
Senate		
President of the Senate or Presiding Officer	10	<p>-10 if President is the Lt. Governor, except in Texas and Georgia where Lt. Governor serves as President and is the presiding officer.</p> <p>-10 if President is not Presiding Officer: Minnesota, North Dakota, Washington and Wisconsin.</p>
President pro-tem	10	-2 if President is Presiding Officer
Majority Leader	8	+2 if Majority Leader is the Presiding Officer: Minnesota, North Dakota, Washington and Wisconsin.
Fiscal Policy Committee Chairs	8	
Rules Committee Chair	7	
Other Committee Chair	6	
Minority Party Leader	5	

Figure 5: Comparison of Two Indicators of Legislative Power

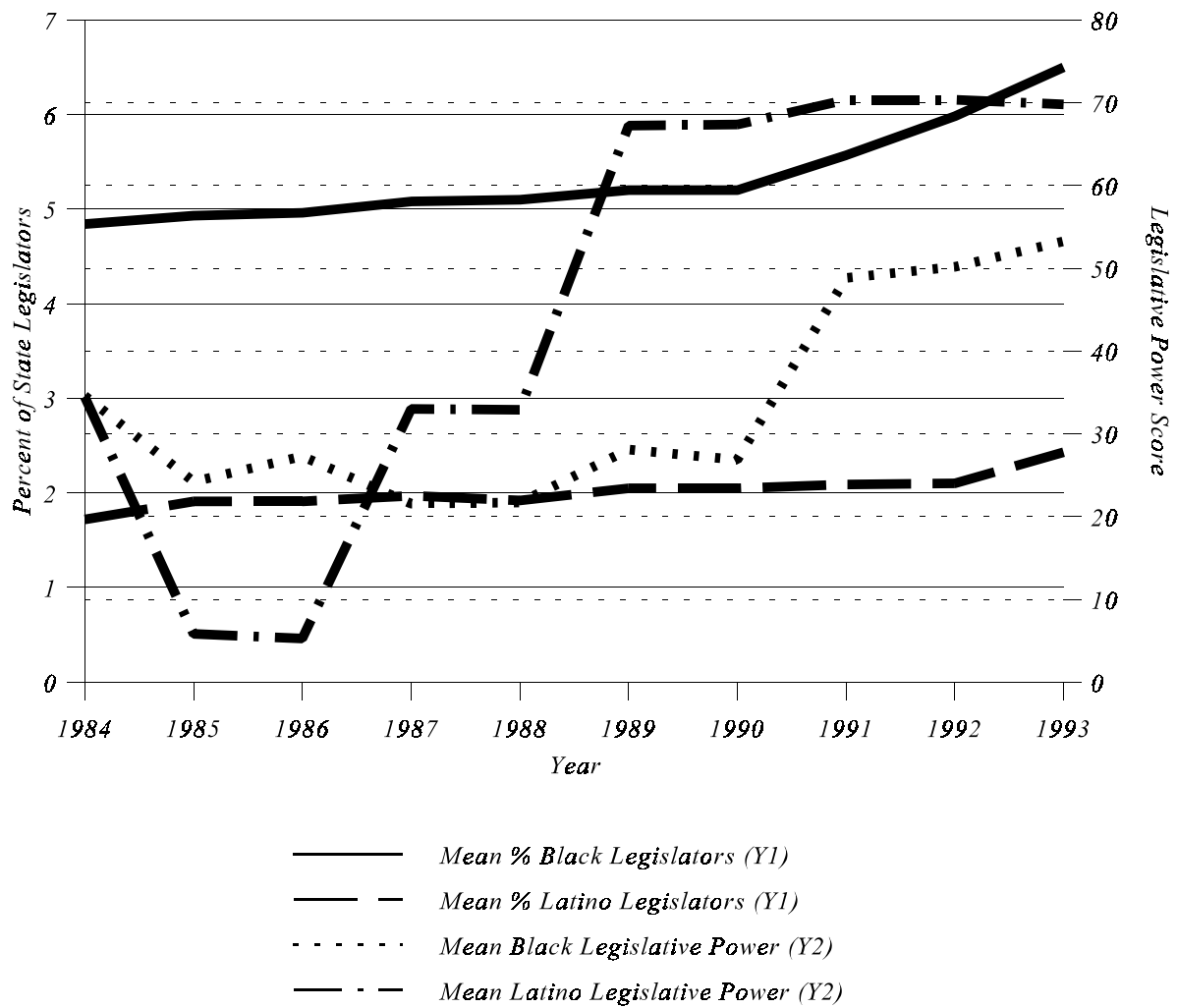


Figure 6: Black Representation and Mean Change in Welfare Generosity.

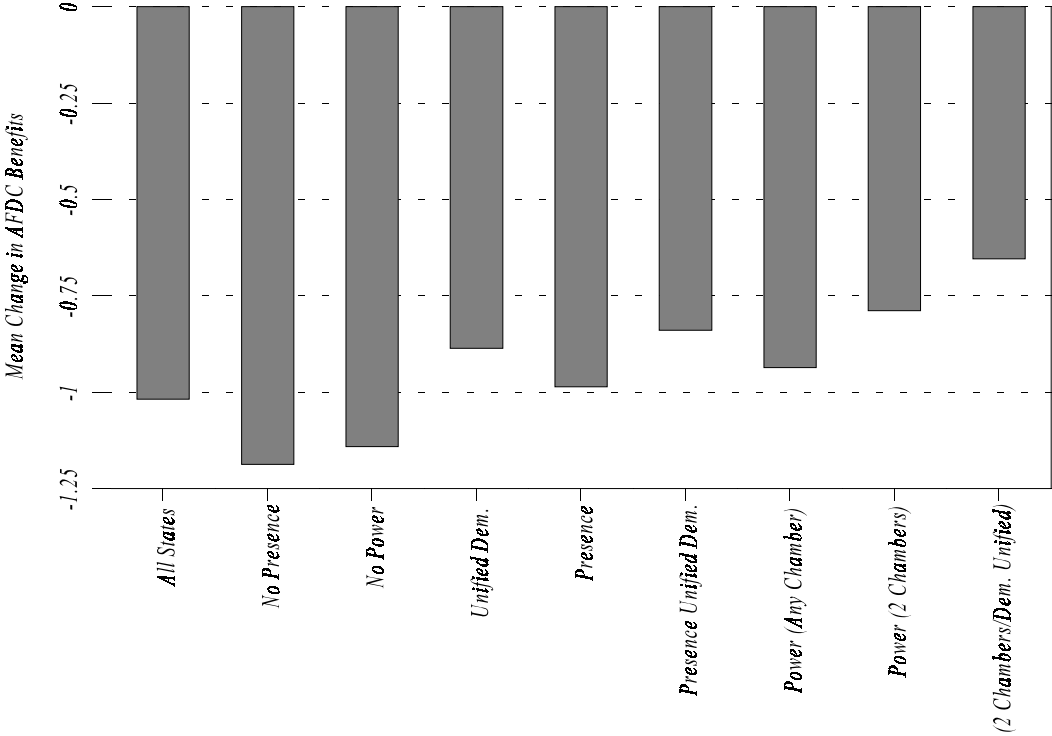


Figure 7 Latino Representation and Mean Change in Welfare Generosity.

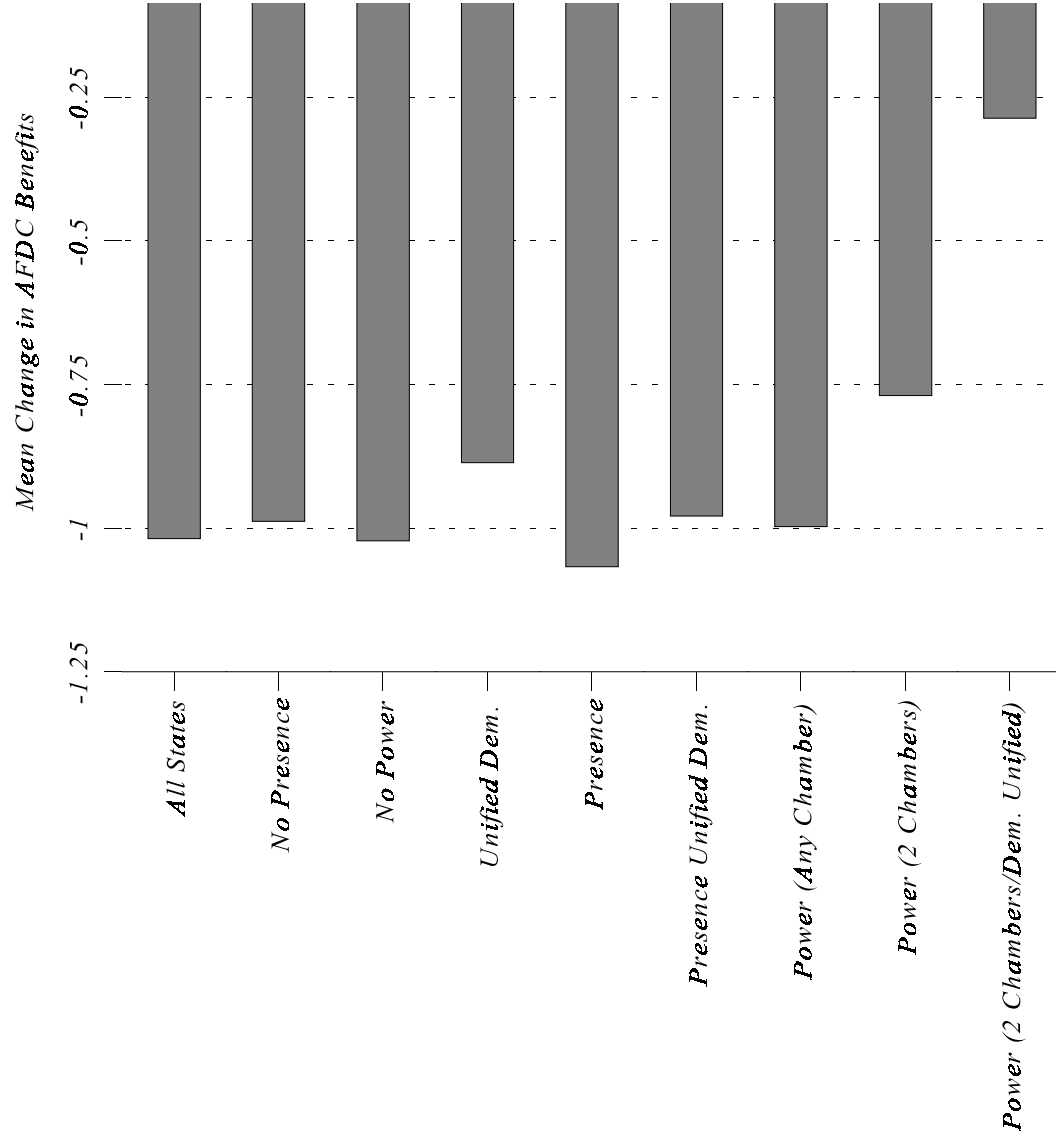


Table 2. Estimated Effects of Minority Representation on Welfare Generosity (1984-1993). Dependent Variable: Welfare Generosity (t+1)		
Independent Variable	Model 1	Model 2
Percent Black Legislators	-.079** (.020)	-.078** (.018)
Black Lower Chamber Power	.013 (.009)	.008 (.010)
Black Upper Chamber Power	.014 (.120)	.011 (.012)
Black Legislative Power	-.091* (.043)	-.107* (.046)
Black Legislative Power X Unified Democratic Government	.086* (.042)	.133** (.047)
Percent Latino Legislators	-.032* (.018)	-.025 (.020)
Latino Lower Chamber Power	-.025 (.021)	-.009 (.020)
Latino Upper Chamber Power	.054** (.015)	.051** (.015)
Latino Legislative Power	.083 (.073)	-.045 (.094)
Latino Legislative Power X Unified Democratic Government	-.047 (.077)	.013 (.086)
Unified Democratic Government	-.418** (.126)	-.651** (.184)
Percent Democrats in Legislature	.016** (.006)	.019** (.007)
Political Competition	.003 (.008)	.0003 (.009)
Ideology	-.038* (.017)	-.041* (.016)
South	-.078 (.152)	-.060 (.140)
Income	.0001** (.00004)	.0001** (.00005)
Tax Capacity	-.041 (.084)	-.041 (.091)
Unemployment	-.002 (.049)	-.013 (.051)
Education	-.003 (.014)	-.017 (.023)
Constant	-1.15 (1.94)	-1.10 (1.70)
Welfare Generosity (t)	.921** (.016)	.930** (.023)
R ²	.985	.978
N =	460	350
Note: Panel Corrected Standard Errors reported in parentheses. * indicates p < .05, ** p < .01 for a one-tailed test. Dummy variables for each year were included in the estimation, but not reported in the table.		

Table 2: Estimated Effects of Black Institutional Power on Black Legislators' Perceptions of Black Legislative Influence in Their Respective States. Dependent Variable: Perceived Black Legislative Influence.

Individual Level Predictors	b	se
Committee Chair	.2549	.2522
Party Leader	.1391	.2548
Gender	-.5154*	.2662
Seniority	-.0094	.0185
Contextual Explanations		
Percent Black Democrats	.0040	.0270
Single Chamber Black Institutional Power	.1764	.5292
Dual Chamber Black Institutional Power	1.177*	.5893
Party Competition	-.0125	.0117
Majority Minority District	-.8092**	.2665
District Income	-.0590	.1743
Quality of Black-White Relations	1.005**	.1807
Deep South	-.723**	.2999
Constant	4.975**	.7867
N	148	
F	6.08**	
Adjusted R ²	.2930	
* indicates p < .05, ** indicates p < .01, one-tailed test of significance		

Table 4 Hazard Ratios for Latino Representation and Adoption of English Only Laws. Dependent Variable: Log Likelihood of Adopting English Only Laws			
Independent Variable	Model 1 (All States)	Model 2 (Initiative States)	Model 3 (Non-Initiative States)
Democratic Government	.433	.997	.282*
Republican Government	.2.59	1.16	5.30
Ideology	.981	.959	1.03
Unemployment	13.74	.0000	64036
South	14.07	3.86	16.37
Percent Foreign Born	1.58×10^{-23} **	11.05	3.52×10^{-20} **
Direct Initiative	.231		
Percent Foreign Born X Direct Initiative	9.52×10^{25}		
Percent Latino Legislators	1.12	1.26*	.608
Proportion Latino Power Upper Chamber	.649**	.771	.00002**
Proportion Latino Power Lower Chamber	1.10	1.17	3.8×10^{-8} **
Observations	498	185	313
States	44	17	27
Adoptions	20	9	11
Wald Chi-Square	59.36**	49.7**	440.62
Note: Cells contain the hazard ratio for each indicator. * indicates $p < .10$, ** $p < .05$ in a one-tailed test of significance.			