

## Chapter 20

**For the Culture: Examining the Electoral Success of African American Incumbents in the U.S. Congress**

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“Higher we go, beg and plead for the culture” – Migos

**INTRODUCTION**

In a country where African Americans were once enslaved, denied citizenship and political office, and relegated to second-class status, a central concern of African American politics has been the benefits of political representation. Political Scientist Hanes Walton Jr. argues that the rise of African American politicians should significantly improve the lives of African Americans because these politicians will utilize their elected office to represent African Americans and pursue policies that will dismantle the legacy of racism for African Americans.<sup>1</sup> Since the passage of the Voting Rights Act of 1965, African American politicians have won many seats in the United States Congress, yet few studies have explored the electoral success of these politicians. All too often scholars have attributed their success to the creation of majority-minority congressional districts and provided very little attention toward how they represent their constituencies; to be sure, multiple contours have contributed to the electoral success of African American congressional incumbents.

In congressional elections from 1970 to 2012, while majority-minority congressional district are one factor that provides African American House Members with

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<sup>1</sup> Hanes Walton Jr., *Black Politics: A Theoretical and Structural Analysis* (Philadelphia: J. B. Lippincott, 1972).

an electoral advantage, their electoral success can also be attributed to the fact that they (1) benefit enormously from the incumbency factor, (2) they often face weak challengers in elections, and (3) they engage in a number of different symbolic and substantive forms of representation that speak to African American culture. Like their White counterparts, African American congressional incumbents are strategic actors and utilize many tactics that maximize their reelection chances.

Despite this long and complicated history of African American political representation within the U.S. Congress, African American members of Congress have been highly successful at representing the various degrees of Black interests both descriptively and substantively. In a nation with such a troubled history concerning the position of African Americans, voting has been one of the essential participatory intermediaries that have connected African Americans to the government. African Americans who were once slaves and second-class citizens have had to fight for political representation by securing and protecting their right to vote. The period of reconstruction ushered in several key constitutional amendments that enabled the rise of African American politicians in the U.S. The 13th amendment outlawed slavery except as a punishment for a crime, the 14th amendment made former slaves citizens, and the 15th amendment prohibited states from disenfranchising voters on the basis of race, religion or creed, which resulted in African Americans temporarily gaining their right to vote. The intentional use of the word "temporary" is important because it is worth noting that while the reconstruction amendments set the political context that made possible the rise of the first class of African Americans elected to the U.S. Congress, the political representation of these politicians would be short-lived due to the rise of violence, terror, literacy tests, poll taxes, and a number of Jim Crow laws that would ignore the enforcement of the reconstruction amendments.

Katherine Tate describes the rise of African American political representation in the U.S. Congress as occurring in three distinct periods: the reconstruction era, 1870-1900; the civil rights generation of Blacks elected to the U.S. House, 1928-1972; and the

post-civil rights era.<sup>2</sup> Since the incorporation of African Americans into the House of Representatives, these politicians have worked to represent the interests of African Americans in both policy and constituency service. Like their White counterparts, once elected to the Congress there is a substantial likelihood that they will be re-elected. For example, according to polling data released by Gallup, the U.S. Congress holds a 21 percent approval rating; on average more than 93 percent of its members are likely to be reelected. What explains this presumed and profound contradiction? Members of Congress of all races have enjoyed a substantial benefit from the incumbency factor, and that individuals will often express their displeasure with Congress as a political institution but hold positive evaluations of their member of Congress.

## **AFRICAN AMERICAN CONGRESSIONAL INCUMBENTS AND THE ELECTION CONNECTION THESIS**

Having won an election, African American congressional incumbents benefit from the name recognition, political trust, campaign organizations, fundraising abilities, and descriptive and symbolic forms of representation. While the incumbency factor advantage is not automatic, all of the benefits of being an incumbent work together to help African American congressional incumbents brand themselves. In particular, African American members of Congress can connect culturally to the African American community by engaging in ways that their White counterparts cannot. This engagement of both descriptive and substantive representation allows African American members of Congress to build up credit and trust with their constituency, which assists their success as incumbents and scares off potential challengers in their districts.

David Mayhew argues that the number one goal of politicians is to get reelected and that all of their legislative activity is dedicated to this objective. Mayhew notes three primary activities that members of Congress use to increase their chances of reelection<sup>3</sup>:

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<sup>2</sup> Katherine Tate, *Black Faces in the Mirror* (Princeton: Princeton University Press, 2004), 25-37.

<sup>3</sup> David Mayhew, *The Election Connection* (New Haven: Yale University Press, 1967).

advertising, credit claiming, and position taking.<sup>4</sup> Advertising describes any legislative behavior by members of Congress in which they are attempting to be seen.<sup>5</sup> This behavior includes interviews, ribbon cutting ceremonies, public speeches, and interviews. Credit claiming includes any particularistic policies, earmarks, casework, and bill co-sponsorship.<sup>6</sup> Position taking includes using roll call votes and speeches to stake out a popular position more than to change policy.<sup>7</sup> Under Mayhew's election connection thesis, members of Congress can appear to their constituencies as if they are aggressively fighting to represent their interests in Congress.

While Mayhew's foundational work does not refer to African American members of Congress, there is substantial evidence to support the claim that these tools named in his work have also been utilized by African American members of Congress as well. Like their White counterparts, these tactics allow African American members of Congress to connect and build up credit with their Black constituency. While there are countless examples of African American Congressional incumbents engaging in advertising, credit claiming, and position taking, one such example is the behavior of California's Democratic Congresswoman Maxine Waters. Affectionately known as "Auntie Maxine," Congresswoman Waters has emerged in many sensational news videos expressing her displeasure with President Donald J. Trump and his agenda. For example, in expressing her opposition to the Trump Administration, Congresswoman Waters has refused to attend State of the Union Addresses. During BET's *Black Girls Rock Award Show* Waters told a largely African American crowd the following:

"...it's all about staying woke. I'd like to share with you ways that you can help resist this president and Help lead him to impeachment. As you know, no one expected this man to be elected president, and now that he's president he certainly has defined himself. I think he's dangerous. I want everybody to get on the Internet; let's use social

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<sup>4</sup> Ibid, 3.

<sup>5</sup> Ibid, 3.

<sup>6</sup> Ibid, 4.

<sup>7</sup> Ibid, 4.

media to help educate people and to help the elected officials know and understand that this country cannot tolerate Donald Trump. In addition to that, attend rallies, show up. Whether they're talking about the fact that he has not shown his tax returns, or whether or not that they are rallying because of the way that he's trying to undo Obamacare. Whether or not you're rallying because of the kind of people that he's put in his Cabinet like Jeff Sessions, who's a racist, get involved. It's so very important that you know and understand that he does not deserve to be president, and the Congress of the United States must make the decision to impeach him. Really, there's enough evidence now, knowing that he obstructed justice, knowing that he colluded with the Russians to undermine our democracy. and really, if this Congress had the courage of its convictions, it would go ahead and initiate impeachment, but we've got to make believers out of them. We've got to push them. We've got to make sure that they understand the majority citizens of this country would not like him to remain in the Presidency. He doesn't deserve it and our country deserves better."<sup>8</sup>

Even though speeches and videos like the one cited above may appear to be trivial, the Congresswoman is strategically appealing to her constituencies because of her opposition to the Trump administration. This opposition makes her look like a fighter that is boldly resisting the Trump agenda.

## **EXPLAINING THE INCUMBENCY FACTOR**

Few political issues in the study of American politics have received as much attention and scholarly discourse as have the impact of the incumbency factor in congressional elections, yet these studies have excluded the study of African American incumbents.<sup>9</sup>

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<sup>8</sup> Maxine Waters, "Speech at BET's Black Girls Rock Awards Show," *Essence*, August 23, 2017.

<sup>9</sup> Jamie Carson, Erik Engstrom, and Jason Roberts, "Redistricting, Candidate Entry, and Politics of the Nineteenth-Century U.S. House Elections," *American Journal of Political Science*, 50 (2006), 283-293.

An incumbent is defined as a politician that has been elected and is currently occupying an elected office. Like their White counterparts, African American congressional incumbents benefit enormously from the incumbency factor. Although much of the electoral success of African American Congressional incumbents can be attributed to the creation of majority-Black congressional districts, these politicians (1) benefit enormously from the incumbency factor, (2) they often face weak challengers in elections, and (3) they engage in a number of different symbolic and substantive forms of representation that speaks to African American culture, which enables them to build trust with their constituencies. The extant academic literature suggests an undeniable and significant increase in the electoral advantages afforded to congressional incumbents since the 1960s, demonstrating that members of Congress have an increased likelihood of returning to Washington through victory margins that result from the incumbency factor.<sup>10</sup> Scholars have argued that members of Congress have an increased incumbency advantage because of the increased use of office perquisites such as the Congressional frank and travel budgets.<sup>11</sup> They have also argued the beneficial effects of increased engagement in nonpartisan activities such as constituency services.<sup>12</sup>

Others suggest that the decline in partisan loyalties coupled with the increase in the number of voters identifying with the Independent Party is what best explains the electoral safety of incumbents.<sup>13</sup> On the other hand, the increasing incumbency

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<sup>10</sup> See Robert Erikson, "Malapportionment, Gerrymandering, and Party Fortunes in Congressional Elections," *American Political Science Review*, 66 (1972), 1234-1245; Richard Born, "Generational Replacement and the Growth of Incumbent Reelection Margins in the U.S. House," *American Political Science Review*, 13 (1979), 811-817; Walter Burham, Walter, "Insulation and Responsiveness in Congressional Elections," *Political Science Quarterly*, 90 (1975): 411-435.

<sup>11</sup> Mayhew, *The Election Connection*; Albert Cover and David Mayhew, "Congressional Dynamics and the Decline of Competitive Elections," in Lawrence C. Dodd and Bruce I. Oppenheimer, eds., *Congress Reconsidered* (New York: Praeger, 1977).

<sup>12</sup> Morris Fiorina, "The Case of Vanishing Marginals: The Bureaucracy Did it," *American Political Science Review*, 71 (1977), 177-181.

<sup>13</sup> See Nelson, Candice, "The Effects of Incumbency on Voting in Congressional Elections," *Political Science Quarterly*, 93 (1978), 665-678; Mayhew, *The Election Connection*; Albert Cover; and David Mayhew, "Congressional Dynamics and the Decline of Competitive Elections," in *Congress Reconsidered*.

advantage can be attributed to ineffective opposition candidates.<sup>14</sup> Cox and Katz suggest that the increasing incumbency advantage is linked to a rise in the lack of quality candidates challenging incumbents.<sup>15</sup> Their argument suggests that incumbents have become better engineers of campaigns than their political opponents.

Much of the electoral success of African American incumbents is because of the benefits of the incumbency factor such as constituency service, weak challengers, congressional district demographics, and majority-minority congressional districts. There is entirely no reason to suspect that African American members of Congress do not utilize the same benefits of the incumbency factor afforded to Whites. African American legislators are rational actors driven by their desire for reelection. Therefore, they have an incentive to take advantage of the benefits of office to serve their reelection needs. Like their White counterparts, African American members of Congress seldom lose their reelection bids. No matter how much Whites who live in minority-majority districts may attempt to elect a White representative to Congress, a harsh reality is that their chances of success are minimal. The creation of minority-majority districts protects African American descriptive representation. Political scientists have often thought of political representation through policymaking; however, representation at the congressional level can facilitate individual engagement in a non-partisan manner, primarily through constituency service.

Gary Jacobson suggests, "From the 1950s through the 1980s, the electoral importance of individual candidates and campaigns expanded, while that of party labels

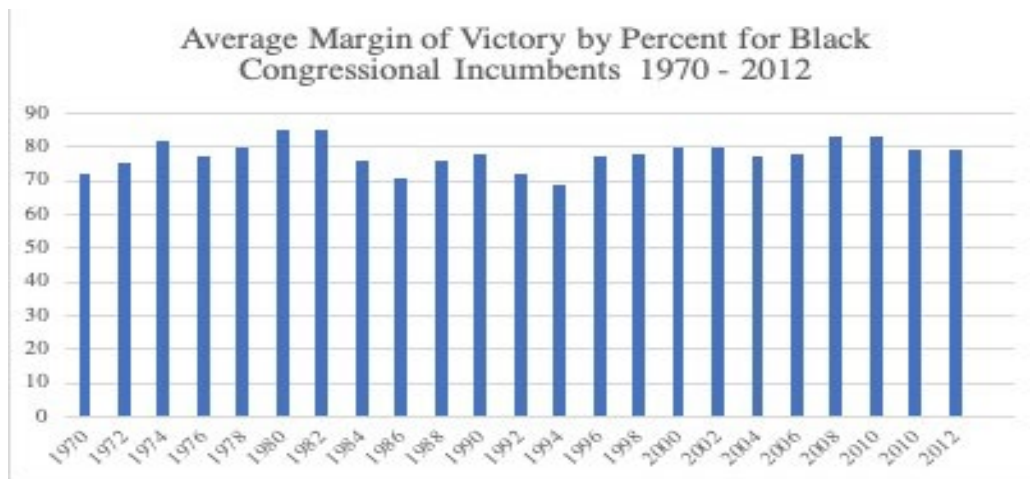
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<sup>14</sup> Thomas Mann and Raymond Wolfinger, "Candidates and Parties in Congressional Elections," *American Political Science Review*, 74 (1980), 617-632; Thomas Mann, "Mobilization of Liberal Strength in the House, 1955-1970: The Democratic Study Group," *American Political Science Review*, 68 (1977), 667-68; Gary Jacobson, "Competition in U.S. Congressional Elections," in Michael P. McDonald and John Samples, eds., *The Marketplace of Democracy* (Washington D.C.: The Brookings Institution, 2006).

<sup>15</sup> Gary Cox and Jonathan Katz, *Elbridge Gerry's Salamander: The Electoral Consequences of the Reapportionment Revolution* (Cambridge University Press, 2002).

and national issues diminished.”<sup>16</sup> Although scholars have debated the empirical measurements of the incumbency factor, they all seem to agree that “the emergence of a more candidate-centered electoral process helped one class of congressional candidates to prosper: the incumbent officeholder.”<sup>17</sup> To be sure, the incumbency advantage offers significant electoral dividends.

**Figure 1**



Source: <https://www.opensecrets.org/overview/reelect.php>

Figure 1 reveals that members of Congress are more likely to get reelected. What is it about the incumbency advantage that yields such powerful electoral benefits? One of the classic explanations suggests that the institutional characteristics of Congress breed an environment in which incumbents use resources to serve their election objectives. In expressing his sentiments about the institution of Congress, David Mayhew contends, “If a group of planners sat down and tried to design a pair of American assemblies with the goal of serving members’ reelection needs year in and year out, they would be hard-pressed to improve on what exists.”<sup>18</sup> Such a political structure permits members of Congress to pursue their reelection goals. The structure of Congress fosters a

<sup>16</sup> Gary Jacobson, *The Politics of Congressional Elections* (New York: Longman Publishing, 2009), 27.

<sup>17</sup> Ibid, 27

<sup>18</sup> Mayhew, *The Election Connection*, 18-82.



decentralized committee system that allows members to specialize in a certain legislative area. This self-selection system positions the individual legislator to serve local interests better. Essentially, the specialization of committee service provides members of Congress with a legislative platform on which they can write and advocate for specific policies. Just as the institution of Congress facilitates an environment that benefits incumbents, parties also bow to the electoral needs of members. In exploring the underpinnings and inner workings of Congress, Mayhew noted that "the best service a party can supply to its congressmen is a negative one: It can leave them alone. Moreover, this is in general what parties do."<sup>19</sup> By leaving members alone, the system permits members to engage in position taking. According to Jacobson, "Members of Congress also voted themselves an astonishing array of official resources that could be used to pursue reelection. These include salary, travel, office, staff, and communication allowances that are now, by a conservative estimate, worth more than \$1 million per year for each house member and up to several times that for senators."<sup>20</sup>

One of the significant advantages of being an incumbent is the official control of resources used to contact constituents.<sup>21</sup> Members of Congress expanded this effort in the 1960s by increasing the level of professionalization. One of the most widely accepted views is that "voters were more known to favor the candidate with whom they were familiar (that is, whose names they could recall when asked), so more extensive self-advertising by members could be expected to have direct electoral payoffs, assuming that it made them more familiar to voters" (Jacobson, 2006, 38).<sup>22</sup> Simply put, members of Congress are afforded the resources to achieve their reelection goals.

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<sup>19</sup> Mayhew, *The Election Connection*, 12.

<sup>20</sup> Gary Jacobson, "Competition in U.S. Congressional Elections," in Michael P. McDonald and John Samples, eds., *The Marketplace of Democracy* (Washington, D.C.: The Brookings Institution, 2006), 36.

<sup>21</sup> Jacobson, Gary. "Terror, Terrain, and Turnout: Explaining the 2002 Midterm Elections," *Political Science Quarterly*, 118 (2004), 1-22.

<sup>22</sup> Gary Jacobson, *The Politics of Congressional Elections* (New York: Longman Publishing, 2009), 38.

## CONSTITUENCY SERVICE

Despite the various mediums members of Congress utilize to enhance the incumbency advantage, Morris P. Fiorina (1977) has argued that constituency service is the most important vehicle.<sup>23</sup> Fiorina suggests that members of Congress were able to change the focus of their activities from simply a policymaking role to a more service-based role.<sup>24</sup>

In describing this development, Gary Jacobson (2006) contends:

Essentially, they created needs and then reaped the rewards of spending more time and energy catering to them. In the three decades following World War II, Congress enacted legislation that greatly generated an increasing volume of demands from citizens for help in coping with bureaucratic mazes or in taking advantage of federal programs. Members responded to the demands by continually adding to their capacity to deliver assistance, including the growth of personal staff.<sup>25</sup>

This growth in demand provided an opportunity for legislators to engage in activities beyond policymaking. It created an opportunity for lawmakers to build up credibility among voters in their districts. Fiorina sums up the benefits of constituency service by suggesting that "the nice thing about casework is that it is mostly profit; one makes more friends than enemies."<sup>26</sup> Given the nonpartisan nature of constituency service, it is plausible that voters would prefer an incumbent candidate. Simply put, "incumbents' increased emphasis on nonpartisan district services has altered the meaning of the electoral choice."<sup>27</sup> As such, even if a voter did not support a candidate, they are still privy to these services.

The research on constituency service is long and complex yet much of the research covering this topic has not investigated Black constituency service. Christian R. Grose

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<sup>23</sup> Fiorina, Morris, "The Case of Vanishing Marginals: The Bureaucracy Did It," *American Political Science Review*, 71 (1977), 177-181.

<sup>24</sup> Ibid, 177-181.

<sup>25</sup> Jacobson, "Competition in U.S. Congressional Elections," 39.

<sup>26</sup> Morris, "The Case of Vanishing Marginals," 177-181.

<sup>27</sup> Jacobson, "Competition in U.S. Congressional Elections," 40.

(2011) has found that “the constituency service piece of representation is most critical” when it comes to building trust among Black voters in congressional districts.<sup>28</sup> Grose uncovers that African American Members of Congress do a better job of serving and reaching their African American constituents than do Whites. Voters in congressional districts rely on their members of Congress to help track down Social Security checks, obtain veteran benefits, get passports, tours of the congress, and investigate important matters. Grose argues that African American members of Congress strategically open offices in areas where their African American constituencies can easily have access.<sup>29</sup> African American Members of Congress generally employ staffers who are deeply rooted in the African American community. Employing African American staffers better helps the member of Congress to identify and address the concerns of the districts.<sup>30</sup> David Cannon contends that having staff members who are Black serves several important functions for African American members of Congress, all of which helps serve the individual member’s reelection goals.<sup>31</sup> Cannon believes that hiring African American staffers in congressional offices signals the importance of race to the member’s constituency and allows constituencies to receive assistance from people who have similar life experiences.<sup>32</sup> Even though constituency service is not policy work, it goes a very long way when it comes to building relationships within a congressional district. An individual voter might not remember what policy a member of Congress has passed, but they will certainly remember the assistance they received and are likely to reward the individual member during election season.

## **ELECTORAL CHARACTERISTICS: THE QUALITY OF THE CHALLENGER CANDIDATES**

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<sup>28</sup> Christian Grose, *Congress in Black and White: Race and Representation in Washington and at Home* (Cambridge: Cambridge University Press, 2011), 87.

<sup>29</sup> Grose, *Congress in Black and White*.

<sup>30</sup> *Ibid*, 29.

<sup>31</sup> David Cannon, *Race Redistricting, and Representation: The Unintended Consequences of Black Majority Districts* (Chicago: University of Chicago Press).

<sup>32</sup> *Ibid*.

The quality of candidates challenging the sitting incumbents is another crucial factor that explains the success of African American incumbent candidates. Congressional incumbents often win decisively, regardless of the strength of the candidate: "many incumbents win easily by wide margins because they face inexperienced, sometimes reluctant challengers who lack the financial and organizational backing to mount a serious campaign for Congress."<sup>33</sup> Although frequent visits back to the home district, casework, and other legislative activities are aimed at winning reelection, candidates also employ these tactics to influence the perceptions of various constituencies and potential challengers. For example, if ambitious politicians perceive that they have no realistic chance at winning, they will be reluctant to challenge incumbents because challenging a popular incumbent is likely to be political suicide for one's career. The political organization and connections generally scare off ambitious politicians, and as a result, African American Congressional incumbents are overwhelmingly challenged by weak and inexperienced candidates.

Examining the quality of challengers in House elections, Krasno and Green<sup>34</sup> set forth the standard for measuring candidate quality, asserting that candidate quality must account for both attractiveness and political skill. Krasno and Green (1988) define these two attributes as follows: The term attractiveness includes the full range of attributes which may be appealing in the eyes of the voters; qualifications for office in the form of education or occupational experience, familiarity resulting from name recognition, and personal attractiveness due to the appearance of a personality. Political Skill refers to the ability to organize and conduct a campaign.<sup>35</sup>

Taking into account attractiveness and political skill, Krasno and Green create a candidate quality distribution index that captures the quality of challenges on a scale of

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<sup>33</sup> Jacobson, "Competition in U.S. Congressional Elections," 42.

<sup>34</sup> Jonathan S. Krasno and Donald Philip Green, "Preempting Quality Challengers in House Elections," *Journal of Politics*, 50 (1988), 920-36.

<sup>35</sup> Krasno and Green, "Preempting Quality Challengers in House Elections," 921.

0-7.<sup>36</sup> Candidates are assigned scores based on their level of political experience and political careers. The higher the level of the office a particular candidate has served in, the higher the score a particular candidate is assigned. For example, a candidate is assigned a 4 if he or she has current past or statewide political experience; a 3 if the candidate has current or past citywide political experience; a 2 if the candidate has current or past countywide political experience; a 1 if the candidate has appointed political experience; and a 0 if the candidate does not have any political experience.

Furthermore, Carson, Engstrom, and Roberts suggest that "candidate quality is a fundamental piece of the puzzle in understanding the historical development of the incumbency advantage in American politics" (289).<sup>37</sup> Moreover, the structure governing American congressional elections has significantly affected the competitiveness of congressional races.<sup>38</sup> Scholars such as Argersinger have found that elections in the nineteenth century were "characterized by high levels of partisanship and electoral competitiveness and slight shifts in voting or turnover of legislators were substantial."<sup>39</sup> Contemporary elections in the House are just the opposite, as has been previously demonstrated. Scholars have attributed the high reelection rates of House of Representatives members to several factors, including competitive elections<sup>40</sup> and partisan redistricting.<sup>41</sup>

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<sup>36</sup> Krasno and Green, "Preempting Quality Challengers in House Elections," *Journal of Politics*, 50 (1988), 920-36.

<sup>37</sup> Jamie Carson, Erik Engstrom, and Jason Roberts, "Redistricting, Candidate Entry, and Politics of the Nineteenth-Century U.S. House Elections," 289.

<sup>38</sup> Gary Jacobson, "The First Congressional Election After BCRA," in Michael Lalbin, ed., *One Election Later, 2004: Politics After the Bipartisan Campaign Reform Act*, (Baltimore, MD: Rowman and Littlefield).

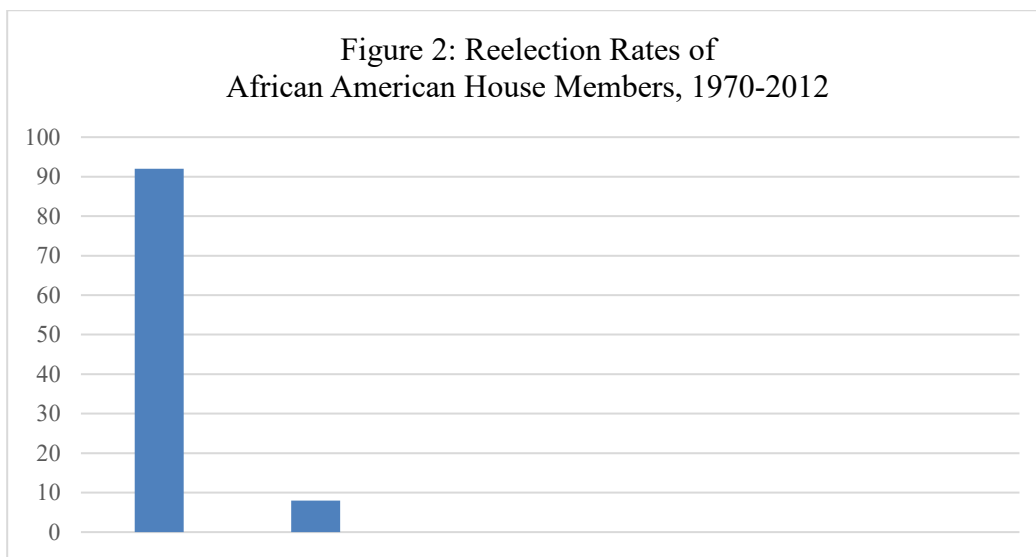
<sup>39</sup> Peter Argersinger, "New Perspectives on Election Fraud in the Gilded Age," *Political Science Quarterly*, 100 (1986): 668-687.

<sup>40</sup> David W. Brady and Bernard Grofman, "Sectional Differences in Partisan Bias and Electoral Responsiveness in U.S. House Elections, 1850-1980," *British Journal of Political Science*, 21 (1991), 247-256.

<sup>41</sup> Erik Engstrom and Samuel Kernell, "Manufactured Responsiveness: The Impact of State Electoral Laws on Unified Party Control of the Presidency and the U.S. House of Representatives, 1840-1940." *American Political Science Review*, 49 (2005), 547-65.

Even the method by which candidates were recruited for political office has been cited as a factor affecting the quality of challengers. Dallinger and Ostrogorski dispute the candidate recruitment process,<sup>42</sup> indicating that before the move toward the direct primary during the 1990s, party caucuses nominated congressional candidates. In this model, the quality of the candidate is determined by the composition of the actual nominating caucuses. Swenson and Bensel suggest that many of the political caucuses were operated by strong party organizations whose sole intentions were to recruit strong competitive candidates to challenge seats in Congress.<sup>43</sup>

Where do African Americans Congressional incumbents fit within this literature? Between 1970 and 2012, there was a total of 426 elections involving African American incumbents in the U.S. House of Representatives.



Source: Congressional Election Data, 1970-2012.

Figure 2 shows the reelection rate of African American Congressional Incumbents in 1970-2012<sup>44</sup>. The data suggest that African American incumbents in Congress are reelected at

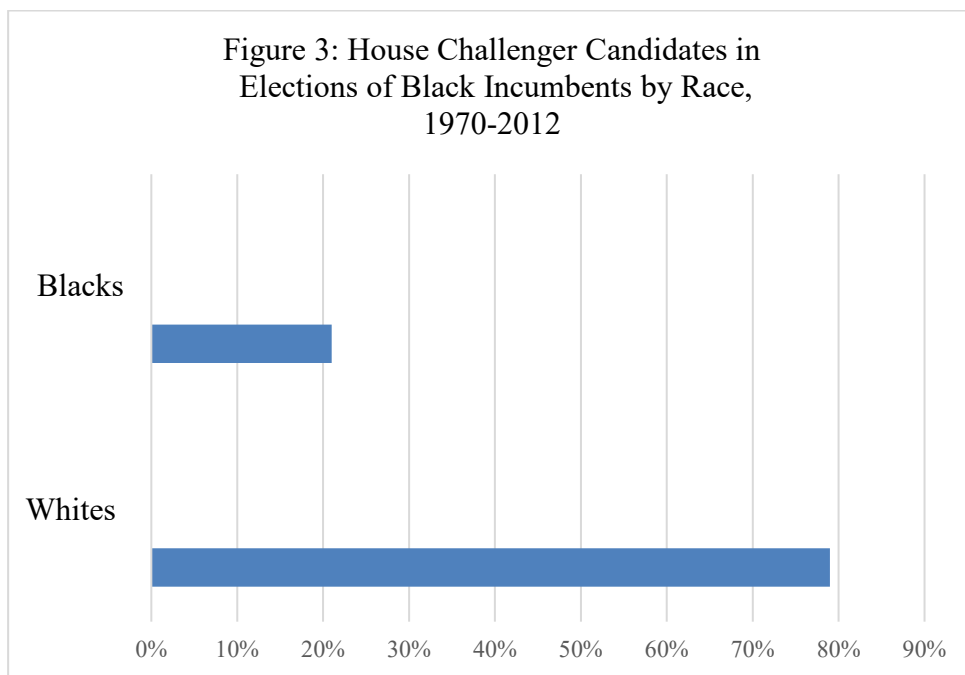
<sup>42</sup> Frederick W. Dallinger, *Nomination for Elective Office in the United States Senate* (NY: Longsman, 1897),

<sup>43</sup> Argersinger, "New Perspectives on Election Fraud in the Gilded Age," 668-687.

<sup>44</sup> To examine the electoral success of African American incumbents, this research relies on an original dataset of 1970-2012 and encompasses 426 elections of African

a very high rate. Figure 2 shows that nearly 92 percent of African American congressional incumbents between 1970 and 2012 were reelected, confirming the expectation of the incumbency advantage.

African American incumbents often face weak challengers and are more likely to be opposed in an election by a White opponent. According to figure 3, between 1970 and 2012, Whites made up about 79 percent of the candidates challenging Black incumbents while African Americans or other racial groups made up only 21 percent.



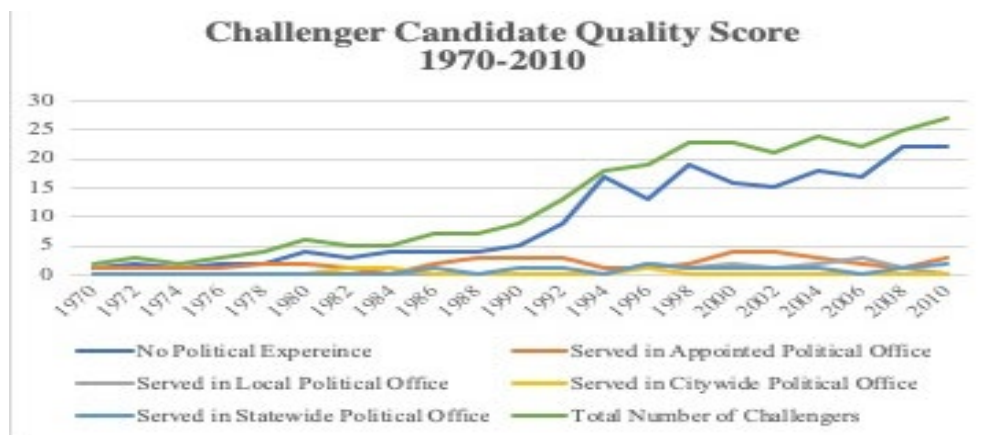
The incumbency factor scares off strong candidates from challenging congressional incumbents. According to Table 1, weak candidates overwhelmingly challenge African

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Americans in the U.S. House of Representatives. This analysis utilizes the U.S. House Clerk's publication entitled *Statistics of the Congressional Elections in the United States 1968-2012* and the U.S. Census Data, *The United States Congressional Districts and Data*. A record of all congressional elections returns for both the incumbents and the challenger candidates was compiled. Only elections involving African American incumbents were analyzed. To determine the race and quality of the challenger candidate, an extensive content analysis was conducted through the use of online newspaper searches and database (i.e. LexisNexis) queries.

American congressional incumbents. From 1970 to 2012, 74 percent of candidates challenging African American incumbents had no previous political experience, 15 percent had experience serving in appointed capacities, 3 percent had served in local countywide political office, 3 percent had served in citywide political offices, and 4 percent held current or past political experience in statewide political offices. Table 1 displays the challenger candidate quality score by election year from 1970 to 2012<sup>45</sup>. Table 1 demonstrates an increase in the number of challenger candidates with no political experience starting around 1992, this pattern continued well into the late 2000s.

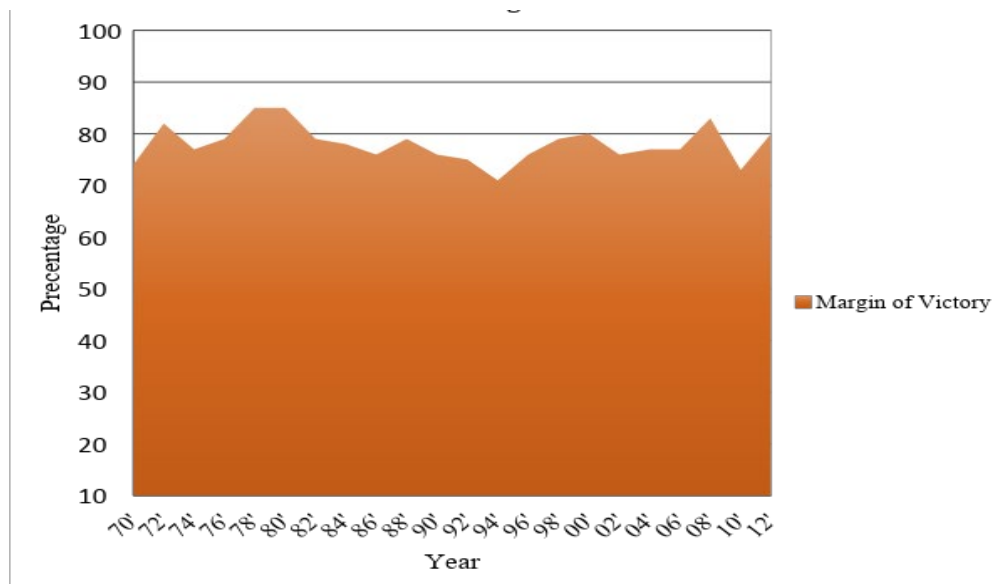
**Table 1. Challenger Candidate Quality Score, 1970-2012**



Even with the margin of victory, the evidence suggests that African American incumbents win reelection by a sizable proportion of the total vote share. The average margin of victory for African American members of Congress is 78 percent, with a range of 57-99 percent. The margin of victory for African American incumbents has remained stable over time. Figure 4 displays the average margin of victory for African American House incumbents by election year.

<sup>45</sup> Table 1 only includes the challenger candidate quality scores for which data is available. While *LexisNexis* provided much of the information regarding the past political experience for many of the challenger candidates, the candidate quality score for all elections within the sample was not determined.



**Figure 4: Average Margin of Victory for Black Incumbents**

Not only do African American Congressional incumbents win, but they do so by wide margins.

## **THE INTERSECTION OF DESCRIPTIVE AND SUBSTANTIVE REPRESENTATION AMONG AFRICAN AMERICAN CONGRESSIONAL INCUMBENTS**

The foundation of the fight from slavery to liberation for African Americans in the U.S. has been a long and contentious battle for political representation. The framers of the U.S. Constitution devoted much attention to the idea of representation. One of the primary debates at the Constitutional Convention of 1776 centered on this complex notion of representation. The Anti-Federalists wanted the legislative branch of government to reflect the makeup of society, and the Federalists believed that because members of the legislative body would be subject to elections, they would remain loyal to all segments of society. Nearly 200 years after the ratification of the U.S. Constitution and nearly 50 years after the Voting Rights Act of 1964, the critical debate about political representation remains an area of vigorous debate. Since the creation of majority-minority congressional districts, scholars have examined if the presence of African Americans in Congress is necessary to advance and represent the interest of African Americans. Hanna Pitkin

(1967) has made an essential distinction between descriptive representation and substantive representation.<sup>46</sup> Pitkin describes descriptive representation as those who “stand for” a specific group of individuals with whom they may share features such as race or gender. Pitkin describes substantive representation as those who “act for” a specific group of people in which the representative seeks to pursue and advance policies that reflect the interests of that group.<sup>47</sup> Put simply, descriptive representation occurs when a member of Congress shares features such as race while substantive representation occurs when a member of Congress pursues and enacts legislation that ultimately benefits the people that they have been elected to represent.

Since African Americans have not always been included within the institution of Congress, it is worth noting how African Americans Congressional incumbents benefit from both descriptive and substantive representation. Any discussion of political representation among African Americans must note that very few African Americans in the U.S. Congress are elected from districts with majority White electorates. As a result, an overwhelming majority of African American members of Congress are elected from majority Black districts, making their very first form of representation descriptive. One benefit of descriptive representation is its increase in political trust for historically marginalized groups such as African Americans. Claudine Gay finds that when a member of the same race in Congress represents African Americans, they are more likely to contact their member of Congress.<sup>48</sup> Similarly, Jane Mansbridge contends that descriptive representation can forge political trust between the representative and the people that they represent.<sup>49</sup> Moreover, descriptive representation adds to the quality of the policy debates in Congress and contributes to distinct policy outcomes.

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<sup>46</sup> Hannah Pitkin, *The Concept of Representation* (Los Angeles: University of California Press, 1967).

<sup>47</sup> Ibid, 38.

<sup>48</sup> Claudine Gay, *Choosing Sides: Black Electoral Success and Racially Polarized Voting*, paper presented at the American Political Science Association, September, Atlanta, Georgia, 1999.

<sup>49</sup> Jane Mansbridge, “Should Blacks Represent Blacks and Women Represent Women? A Contingent ‘Yes,’” *Journal of Politics*, 61 (1999), 628-57.

Critics of descriptive representation downplay its significance because many in the school of thought suggest that African American members of Congress should be judged based on the number of pieces of legislation that they can pass. Any serious analysis of substantive representation must distinguish between bill sponsorship and bill passage. This line of thought ignores the fact that bill passage and lawmaking is only one aspect of legislative behavior. It also discounts the reality that African American members of Congress are also a minority within a deliberative body of more than 400 members. For example, Bratton and Haynie find that African American members of Congress are less successful at getting their legislation passed than their White colleagues.<sup>50</sup> Many factors such as the majority party, committee assignment, and party leadership impacts what legislation is considered and passed. Still, however, African American Members of Congress appear less successful at lawmaking than their White counterparts. Analyzing data from the 104th Congress, Tate shows that "typically Blacks sponsored about seven pieces of legislation in 104th Congress, while White Democrats sponsored about ten and Republicans about thirteen."<sup>51</sup> Bill sponsorship data from the 103rd Congress shows that African American Democrats were just as successful as White Democrats in ushering their legislation through Congress.<sup>52</sup> African American women in Congress have also played a significant role in bill sponsorship, at times having a more aggressive policy agenda than their male counterparts.

One of the most vocal critics of descriptive representation has been Carol Swain, who argues that Black descriptive representation is not required for substantive representation.<sup>53</sup> She further suggests that descriptive representation actually undermines substantive representation. She suggests that White members of Congress have represented Black interests better than some Black members. It is important to note

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<sup>50</sup> Kathleen Bratton and Kerry Haynie, "Agenda Setting and Legislative Success in State Legislatures: The Effect of Race and Gender," *Journal of Politics*, 61 (1999), 658-679.

<sup>51</sup> Katherine Tate, *Black Faces in the Mirror* (Princeton: Princeton University Press, 2004) 79.

<sup>52</sup> Tate, *Black Faces in the Mirror*.

<sup>53</sup> Carol M. Swain, *Black Face, Black Interests: The Representation of African Americans in Congress* (Cambridge, MA: Harvard University Press, 199).

that scholars have asserted that her findings are limited in scope because of her small sample size. Still, however, African American bill sponsorship holds significant implications for the value of descriptive representation. This representation literature contends that African American members of Congress bring distinct policy interests to the legislative chamber that represent the interests of African Americans. However, what exactly are "Black interests"? Black interests reflect policies and issues that have disproportionately impacted African Americans, including legislation concerning "civil rights, poverty, crime, and unemployment."<sup>54</sup>

Despite institutional features that present challenges to substantive representation, descriptive representation also positively impacts substantive representation. The clear policy interest of African American members is often found at the agenda-setting stage of the lawmaking process and in committee deliberations. Tate (2004) notes that African American members are more likely to serve on policy or constituency services committees, giving them a significant voice in deliberations.<sup>55</sup> Under this view, "agenda setting provides legislators with a broad opportunity to define problems and establish policy alternatives."<sup>56</sup> Cannon finds in this process that African American members of Congress join forces with other marginalized groups to sponsor bills and usher those bills through the legislative process.<sup>57</sup> In a comprehensive investigation of legislative behavior among African American lawmakers, Haynie finds that issues important to African Americans are significantly more likely to be introduced when African Americans are in legislative chambers.<sup>58</sup> Similarly, African Americans are more

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<sup>54</sup> Michele Swers and Stella Rouse, "Descriptive Representation: Understanding the Impact of Identity on Substantive Representation of Group Interests," in Eric Schickler and Frances Lee, eds., *The Oxford Handbook of the American Congress*, (NY: Oxford University Press, 2011), 246.

<sup>55</sup> Tate, *Black Faces in the Mirror*.

<sup>56</sup> Swers and Rouse, "Descriptive Representation," 252.

<sup>57</sup> David Cannon, *Race Redistricting, and Representation: The Unintended Consequences of Black Majority Districts*. (Chicago: University of Chicago Press).

<sup>58</sup> Kerry Haynie, *African American Legislators in the American States* (New York: Columbia University Press, 2001).

likely to participate in hearings and other forms of committee work when policies that reflect African American interests are debated.<sup>59</sup>

The extant literature on African American legislative behavior within the U.S. Congress reveals that descriptive representation matters for substantive and symbolic policy outcomes. These policy pursuits engage African American culture in a way that connects to the intimacy of the African American community. Symbolic legislation has played a significant role in assisting African Congressional incumbents in achieving their reelection goals. According to Valeria Sinclair Chapman, symbolic legislation is any "legislation sponsored with the objective of giving psychological reassurance to constituents that representatives are working in their interest and are responsive to their needs."<sup>60</sup> Many African American members of Congress have sponsored resolutions that are examples of symbolic legislation to honor important figures in the African American community. For example, Democratic Congressman Bennie G. Thomson from Mississippi's 2nd Congressional District sponsored a bill that renamed the post office in Jackson, Mississippi after Civil Rights activist Medgar Evers. He also sponsored a resolution that named the post office in Ruleville, Mississippi, after Fannie Lou Hamer. Members also sponsor resolutions honoring teachers, activists, university administrators, and many other segments of the African American community. It was symbolic legislation sponsored by Congressman John Lewis that led to a national holiday honoring Dr. Martin Luther King Jr. While these resolutions may seem trivial, the representation of African American figures by African American members of Congress serves an essential function in providing reassurance to African American constituencies.

Just as African American members of Congress pursue symbolic legislation, they also sponsor substantive legislation that reflects the interest of African Americans. African American interests include any legislation that seeks to impact the lives of African

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<sup>59</sup> Katrina Gamble, "Black Political Representation: An Examination of Legislative Activity within U.S. House Committee" *Legislative Studies Quarterly*, 32 (2007), 421-46.

<sup>60</sup> Valeria Sinclair Chapman, *Presence, Promise, and Progress; Black Representation in the U.S. Congress* (Unpublished manuscript, Ohio State University, 2002).

Americans positively. Substantive bills sponsored<sup>61</sup> by African Americans in the 116th Congress:

H.R. 582: Raise Wage Act

H.R. 4: Voting Rights Advancement Act of 2019

H.R. 40: Commission to Study and Develop Reparations Proposal for African Americans

H.R. 7390: Violence Against Women Act of 2019

H.R. 4448: Medicare Drug Pre-Negotiation Act

H.R. 447: Affordable and Safe Prescription Act

H.R. 35: Emmett Till Anti-lynching Act.

Each of these pieces of legislation represents essential issues to the African American community. These House Resolution sponsorships by African American members of Congress allow members to claim credit for advocating for the interests of their constituencies. Members are then able to use these items as they campaign for re-election. Additionally, members are able to communicate the nature and potential impact of these laws in newsletters and town-hall meetings. African American members of Congress have also been highly successful at “bringing home the bacon,” an expression that refers to the securing of federal funding for projects within their district. Christian Grose (2011) finds “Black representatives are more likely than White representatives to allocate projects to Black constituents.”<sup>62</sup> Specifically, Grose shows that “there is a direct relationship between the election of African American legislators” and funding for “historically Black colleges and universities.”<sup>63</sup> From the vantage point of a constituency, this advocacy connects to the concerns of the community, allowing members to build a reputation for substantive advocacy.

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<sup>61</sup> While this list is not exhaustive, it does reflect a small sample of the types of substantive policies that African Americans in the U.S. House of Representatives pursue. The above mentioned House Resolutions were sponsored by Maxine Waters, Shelia Jackson Lee, Elijah Cummings, or Bobby Rush.

<sup>62</sup> Grose, *Congress in Black and White*, 135.

<sup>63</sup> *Ibid*, 136.

Although individual legislators have indeed sponsored substantive legislation, the Congressional Black Caucus has been instrumental in keeping the substantive policies relevant to African Americans on the political agenda. Since its founding in 1971, the Congressional Black Caucus has been a strong advocate for reforming criminal justice, fighting voter suppression, expanding access and making health care more affordable, protecting workers, and improving access to quality education. In advocating for these issues, Rep. Willie L. Clay, Sr. said, "Black people have not permanent friends, no permanent enemies....just permanent interest." One of the challenges, however, has been that the interests of the Congressional Black Caucus have not always been the interests of the Democratic Party. The representational dilemma faced by African American House members is that they must satisfy their constituencies and their political party. The role of party leadership, committee assignments, rank, and party unity has often presented internal dissension for African American House members.

Despite this incongruence between the Democratic Party and the Congressional Black Caucus on issues important to African Americans, the Congressional Black Caucus has been an influential force in advocating for Black interests. Pinney and Serra have found that social issues remain an important policy priority for members of the Congressional Black Caucus,<sup>64</sup> noting a substantial degree of cohesion among caucus members and finding that caucus members strategically use their ability to co-sponsor legislation to serve their political ambition. In addition to the Congressional Black Caucus's focus on social issues impacting the African American community, the caucus has also established an alternative annual budget. It is often said that budgets reflect priorities. Nothing reveals the Congressional Black Caucus's policy priorities than their alternative budget. The Congressional Black Caucus 2018 Alternative Budget called for a fairer tax code to generate more than \$3.9 trillion. Under this proposal \$1 trillion would be used to enhance infrastructure in historically underserved communities. The budget also allocates \$250 billion for K-12 and higher education. The budget proposal further expands universal

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<sup>64</sup> Neil Pinney and George Serra, "A Voice for Black Interest: Congressional Black Caucus Cohesion and Cosponsorship," *Congress and the Presidency*, 29 (2002), 69-86.

health care by allocating \$23 billion over the next ten years.<sup>65</sup> Although their budget is very progressive and indeed represents the interest of African Americans, leaders in the Democratic Party have not gotten behind these proposals and U.S. presidents have historically ignored these proposals.

## CONCLUSION

According to McCormick (2015), African American politics is predicated on the assumption that "(1) that the election of more Black politicians would contribute to material improvement in the lives of African Americans who live in the United States; and (2) Black elected officials would seek to pursue policy initiatives designed to improve the lives of African American Americans" (1).<sup>66</sup> Although mainstream political science scholarship has neglected to center African American congressional incumbents into their studies, these politicians—like their White counterparts—have taken advantage of the incumbency factor. These politicians have brought distinct policy interests to the U.S. Congress as they have represented Black interests descriptively and substantively.

Consistent with much of what political scientists know, African American congressional incumbents 1) benefit enormously from the incumbency factor, (2) often face weak challengers in elections, and (3) engage in many different symbolic and substantive forms of representation that speak to African American culture. In addition to facing weak challenger candidates, they typically win their bid for reelection by large margins. Scholarly understandings of political representation have traditionally treated descriptive and substantive representation as two distinct forms of representation;

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<sup>65</sup> "CBC Releases Alternative FY 2018 Budget," Washington, DC, March 15, 2017, accessed October 30, 2019, <https://cbc.house.gov/news/documentsingle.aspx?DocumentID=429>

<sup>66</sup> Joseph McCormick, "The Obama Presidencies and the Continuing Significance of the Racial Divide in American Politics," in Todd Shaw and Robert Brown, eds., *After Obama: African-American Politics in the Obama Era* (unpublished, 2015).



however, for African American Congressional incumbents, symbolic representation is also substantive representation. Both descriptive and substantive representation are necessary components of African American political representation. One is inconceivable without the other. It is not enough to simply evaluate African American members of Congress on the number of bills they are able to pass. Any serious attempt to evaluate these members must engage a holistic view of their representational styles.

The evidence presented here raises several important questions concerning Black political representation. First and foremost, most of the scholars studying Black political representation must move the discussion from one that seeks to uncover the ability of African American politicians to make a substantive change in the Black community. Furthermore, scholars must look beyond the question of whether or not Whites will vote for an African American candidate. The creation of majority-Black districts and the incumbency factor seem to create a haven for Black representation at the congressional level. In 2018, several African Americans were elected to the U.S. Congress from majority White districts, presenting an opportunity to investigate how and if representation can facilitate racial learning and the conditions or context in which this learning is more likely to take place. Additionally, future research must continue to disaggregate White response to African American leadership by the level of political office.

### **Discussion Questions**

- 1.** Essential to representative democracy is the concept of representation. Compare and contrast descriptive and substantive representation. Which type of representation is more beneficial? How do these different forms of representation benefit both constituencies and African American Congressional incumbents?
- 2.** Describe the incumbency factor. How have African American Congressional incumbents benefited from the incumbency factor?
- 3.** Scholars studying representation have attempted to define Black interests. Based on the information presented in this chapter, is the included definition sufficient? If so, why? If not, why not?

4. What is the impact of descriptive representation on substantive policy outcomes?

**Writing Prompt**

Identify at least two African Americans currently serving in Congress. Research their legislative records and discuss which form of representation reflects in the types of bills they have sponsored and co-sponsored.