

MAKING A DIFFERENCE: THE INFLUENCE OF BLACK STATE
LEGISLATORS IN POLICY MAKING

by

Guy Earl Wendell DeWeever

Dissertation submitted to the faculty of the Graduate School of the
University of Maryland-College Park in partial fulfillment
of the requirements for the degree
Doctor of Philosophy
2000

Advisory Committee:

Professor Linda Faye Williams, Chair/Advisor
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Professor Rhonda Williams

ABSTRACT

Title of Dissertation: MAKING A DIFFERENCE: THE INFLUENCE OF
BLACK STATE LEGISLATORS IN POLICY
MAKING

Guy Earl Wendell DeWeever, Doctor of Philosophy, 2000

Dissertation Directed by: Professor Linda Faye Williams
Department of Government and Politics

By utilizing various quantitative techniques and case study analysis, the dissertation examines the policy influence of black state legislators on the new welfare reform plan, Temporary Assistance for Needy Families (TANF). The dissertation begins with the analysis of a national survey of black state legislators; conducts a 50 state quantitative analysis of state-wide socioeconomic and demographic data as well as political variables; and composes an index of punitive welfare reform options chosen by states. In addition to the quantitative analyses, the dissertation also conducts case study analyses of Maryland and Mississippi to add depth and context. Theoretically, the study positions itself at the nexus of state income redistribution, black politics, and political economy. Once merged, these literatures provide an informed perspective on the combined influences of race, politics, and economics on redistributive public policies in the American states.

The findings of the quantitative analysis were inconclusive. The dissertation found an inverse relationship between the proportion of black state legislators and the monetary assistance provided TANF recipients: As black state legislators proportionally

increased, monetary benefits decreased. Surprisingly and counter to theories of income redistribution, the addition of socioeconomic, demographic, and political control variables - although contributing to greater explanatory ability of the overall model- were not able to reverse the negative relationship between percentage of blacks in state legislatures and the monetary outlays to TANF recipients.

The case study analysis found that context played an important role in the effectiveness of black state legislators. The institutional position of Maryland's black members provided them the opportunity to play an integral role in TANF policy making. In general, pragmatism ruled the day in Maryland as consensus was reached with little conflict or controversy. In contrast, Mississippi's welfare reform was heightened by the subtext of racial stereotyping, general disagreement, and unrealized expectations by Mississippi's Legislative Black Caucus members. Furthermore, the inability of Mississippi's black members to play a central role in TANF, particularly, and policy making, in general, was heightened as a result of their lack of institutional power.

Despite the differences in institutional authority and policy making, both Maryland and Mississippi legislators felt that TANF did not provide them an opportunity to model the legislation to meet their states' individual needs. TANF, it was reported, was restrictive and not as enabling as it was originally touted to be!

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This dissertation is dedicated to Ermine E. DeWeever and Oliver W. DeWeever
for their support and Jafar Arel Cline whose memory will never die!

ACKNOWLEDGMENTS

It is with great reservation that I write this section. Writing the dissertation proved to be a challenging task, however, acknowledging everyone that played a role in the completion of this project has proven to be of equal difficulty. There were so many people along the way that contributed knowingly, unknowingly, directly and indirectly to this project that I would be remiss if I did not say, "thank you" by acknowledging their contributions. Although against my better judgement and at the risk of leaving someone unmentioned, I will once again attempt the difficult.

First I would like to thank the members of my dissertation committee: Linda F. Williams, David Bositis, Vincent Marando, Ronald Walters, and Rhonda Williams for their support and invaluable insights into this project. I owe a special thanks to Linda Williams who served as my mentor, advisor, confidant and most of all friend during my tenure at the University of Maryland. "For without you Linda, my stay would not have been as enjoyable!"

In addition to my committee members, I would like to extend thanks to the cadre of graduate students – Val, Adolphis, Cedric, Circe, Donn, Erika, Kevin, Wendy, and Tamelyn– who helped me through this process by serving as a necessary outlet and extended family.

Acknowledgments are also extended to the Department of Government and Politics at the University of Maryland and The African American Leadership Institute for providing me with the time, resources, and general support to see this project come to fruition. A special thanks is extended to Ann Marie Clarke, the graduate secretary, for

all of her help in making sure I made all the deadlines. I would also like to thank Reggie and Ester, from AALI, for not burdening me with work during the final months of this project.

In addition to these academic units, a very special thanks is extended to Dr. Davis of the Office of Minority Affairs and the Committee on Africa and the Americas for their financial contributions which made the chapter on Mississippi possible. I would also like to thank – Kawanda Frisby, Carolyn Bailes, Danita Jones, and Tonya Johnson– for treating me like family and for setting up interviews, copying articles, and doing most of the ground work prior to my arrival in Jackson, Mississippi. A special thanks to Rosetta Pride from Jackson State University Graduate School for providing me with information after I left Mississippi.

Further acknowledgments are extended to Linda Edwards and Clarence Lusane, for reading earlier drafts, listening to me gripe, and in general supporting me through this process.

Of course none of this would have been possible without the help of the people who supported me throughout my educational pursuits. Acknowledgments are extended Ms. Brooks from Eastside Highschool in Paterson, New Jersey who believed in me when I didn't believe in myself. Gary Baker and Donald Price from Virginia State University for providing me with the firm academic footing which made this endeavor, just a little easier. Steven Brooks and Denise Bear from the University of Akron for providing me with an opportunity. And a big thank you to my life long friends Watson, Chuck, Reality, Terry, Michael, Sensie, Floyd, Chris, Damon, and Don.

A very special thanks and eternal gratitude goes out to Mom and Daddy who

thought me the value of an education and who supported me at every step. To my brother Oliver, my sisters Yvonne and June, my nieces Shawna, Zena, Iglory, Negesti, and my nephews Jamil, Jafar, and Kahlil and my cousin Abiegail I'm forever grateful for your support and encouragement.

No acknowledge would be complete without acknowledging the person who stood by me during this time, offered encouragement, listened to me gripe, and kept me on course to complete this degree. A special and loving thanks to my wife, Avis Jones-DeWeever, for being there when I needed someone most. An additional thanks to my son, Guy, for his patience and understanding not to bother daddy when he is on the computer!

Thank you all!

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Chapter I

Black State Legislators, Public Opinion, and Devolution

The goal of achieving progress in the electoral arena is often placed in the context of conventional wisdom that serves democratic theory. For example, the vote is said to be basic to all other rights and is perhaps the most precious right in any democracy. Through voting, it is said, groups can elect officials from their own group, who will serve their interest. Such statements, however, are rarely based on systemic empirical research. They are usually calculated to encourage action, but the role of electoral participation in helping citizens secure concessions from their government must still be one of the crucial questions for the study of democratic politics.

Linda F. Williams ¹

After passage of the 1965 Voting Rights Act, the fight for black political incorporation reached a new level as converting black voting strength into political and economic power became the focal point of the black movement. ² This new emphasis on electoral politics symbolized what many political analysts have referred to as the shift from protest politics to electoral politics, ³ and represented the institutionalization of black politics. ⁴ The institutionalization of black politics brought with it a fundamental shift in strategy. No longer were blacks going to challenge the system from outside, but instead, work to get like-minded individuals elected to public office in hopes of affecting change through the policy process. Although electoral politics has succeeded in electing blacks to office, relatively few studies have sought to systematically explore the benefits derived for the black community as a result of their electoral support. In short, as the number of blacks holding public office increases, it becomes important to ask how their presence affects public policy?

Blacks have made dramatic strides in winning elective offices. From fewer than 500 black elected officials in the nation as a whole in 1965, the number stood at more than 8,000 30 years later.⁵ The rising number of blacks in the U. S. Congress,⁶ and the growth of big city black mayors⁷ have dominated the literature on black politics. As a result, relatively little is known about black state legislators influence on policy making. First, this electoral cohort represents a larger proportion of black elected officials than either mayors or members of Congress.⁸ Second, given the current devolution of program administration from the federal government to state governments it has become necessary to gain greater understanding of the influence of black state legislators on policy making. The central research question asked by this dissertation is, "Does the presence of blacks in state legislatures result in different political and policy outputs that are more beneficial for blacks as a group?"

Back Ground

It is well- known that there is a significant racial gap in mass public opinion. Blacks and whites prefer different policy agendas; support a different set of public issue positions, and demonstrate distinctive ideological leanings.⁹ Particularly when it comes to issues involving the role government should play in solving the nation's socioeconomic woes, blacks hold more liberal positions than whites. A 1997 national opinion survey conducted by the Joint Center for Political and Economic Studies,¹⁰ illustrates this point. The survey found that generally speaking, blacks, "...viewed the federal government differently from white Americans, and [blacks] were much

stronger advocates of [an] activist federal government than whites.”¹¹

A corresponding question asked, “what should be the main responsibilities of the federal government?” Black responses were as follows: Sixty-eight percent felt the federal government should insure fair and equitable treatment of women and minorities; 66 percent suggested it should end discrimination in hiring; 64 percent felt it should deal with hunger; 63 percent felt health care should be financed by the federal government; 57 percent indicated financing higher education should be its main focus; and 56 percent felt the federal government’s main responsibility should be to protect children. White respondents answer to the same questions were, 54, 53, 44, 54, 37, and 49 percent respectively-- or in each case, 6 percentage points or more than the proportion of blacks.¹²

When questions were asked about the main role of state governments, again whites and blacks differed. However, the situation is reversed with whites supporting the position of favoring state government intervention over blacks by three to 12 percentage points. White responses to the following question were as follows: 48 percent felt helping the poor and unemployed should be its main priority; 44 percent indicated financing higher education; and 33 percent felt state government should reduce drug use and dependency. Black responses to these same questions were 36, 32 and 29 percent respectively.¹³

As illustrated by the Joint Center’s survey, there is a racial gap when it comes to the role government should play and which level of government should play it. Generally, blacks prefer a more activist federal government while whites prefer a more

pro-active state government. The different attitudes toward the federal and state governments are a result of historic circumstances. During the past half century, blacks have relied on federal institutions for protection because state governments were hostile, unwilling, and unable to protect their individual and collective rights. Take the 1964 Civil Rights Act, for example. Against persistent opposition from the states (especially Southern ones), Congress passed the Act; the President signed it into law; and the Supreme Court upheld its constitutionality. Therefore it should come as no surprise that blacks and whites – given the legacy of slavery and Jim Crow segregation pursued by Southern state governments – would differ in the perceptions of the role that federal and state governments should play in bringing about social and economic equality.

The differing perceptions of the role of government has also managed to find its way into the political arena as black candidates, seeking public office, often have argued that they can provide a unique perspective on the differing policy positions and needs of their constituents. The implication is that black elected officials--even before they take the oath of office--are different from white elected officials. Thus the assumption is that as more blacks are elected to office, not only will what Hanna Pitkin called *descriptive representation* be achieved, but *substantive representation*¹⁴ (acting for or on the behalf of blacks and their subjective and objective interests) will increase.

To explore this general thesis, while reducing it to manageable proportions, this study applies the concepts of descriptive and substantive representation to the

question of whether black state legislators are “making a difference” for blacks in the social welfare policy area. More specifically, this dissertation will examine state legislative actions on the Temporary Assistance to Needy Families (TANF) program. As will be explained below, social welfare policies are viewed as particularly relevant when we are considering the “difference” black state legislators are or are not making for their respective group. Again, the Joint Center’s national survey is helpful in illustrating this point.¹⁵

Although both whites and blacks feel something needs to be done to improve the nation’s welfare system, there is substantial disagreement over what the major problems are. In Table 1.1. respondents were asked to give their views about the magnitude of specific problems involving the welfare system (only respondents that indicated a big problem are included in this analysis). Seventy-two percent of blacks felt that the current system is not doing enough to get poor people skills and training so they can get jobs as compared to 46 percent of the white respondents. The majority of black respondents (67 percent) felt that welfare benefits were not enough for a family to get by on as compared to 37 percent of whites. When the issue of treatment of welfare recipients was asked, 66 percent of black respondents but only 36 percent of the white respondents felt that poor people are treated disrespectfully. Not providing childcare for those trying to work their way off welfare had response rates of 63 and 43 percent for blacks and whites respectively. When asked about the failure of the welfare system to build self-esteem among people on welfare, slightly more than half (54 percent) of the black respondents agreed as compared with a third (35

percent) of white respondents. Sixty percent of the white respondents believed that benefits were so generous that they discourage work; while 51 percent of blacks agreed. Welfare officials also received a vote of no confidence as 49 percent of black respondents and 43 percent of whites felt there was abuse among welfare officials.¹⁶ Of note however, is the relative agreement between both groups that cash assistance encourages poor young women to have babies out of wedlock and that there is fraud by welfare recipients.

TABLE 1.1
Magnitude of Problem¹⁷ With the Nation's Welfare System

	%Black Population			%White Population		
Problem with Welfare System	Big	Medium	Small	Big	Medium	Small
Not doing enough to give poor people skills and training so they can get jobs.	72	15	11	46	29	24
Fraud and abuse by welfare recipients	72	16	8	70	18	10
Encouraging poor young women to have babies out of wedlock, by giving cash assistance for children.	70	17	11	74	14	9
Providing benefits that are not enough for a family to get by on.	67	20	11	37	30	26
treating poor people in a disrespectful way	66	20	12	36	28	30
Not providing childcare for those trying to work their way off welfare.	63	21	14	43	34	21
Cutting off health care and other benefits when a person on welfare gets a job, so that it often makes more sense to stay on welfare	61	21	15	67	23	8
Failing to build self-esteem among people on welfare.	54	28	16	35	30	34
Providing benefits that are so generous that people don't have an incentive to work.	51	18	28	60	17	21
Fraud and abuse by welfare officials.	49	25	16	43	23	20

Source: David A. Bositis, What Devolution Means to the American Public, Joint Center for Political and Economic Studies. (1997: P34).

In general, a greater proportion of whites feel welfare benefits encourage dependency. Blacks, although agreeing in some instances with whites, are proportionally more apt to believe that the welfare system needs to do more to help welfare recipients lead a productive life. If black elected officials are providing substantive representation, one would expect the concerns of the black population, as detailed by the Joint Center's study, to manifest itself in the legislative concerns and actions regarding the new welfare reform program, TANF. This implies that some level of policy congruence is necessary if black elected officials are seeking to represent the interest of their primary constituent group in the social welfare policy area.¹⁸

Race and Welfare

Within the issue of welfare, there is the underling sub-text of race. From its inception, race has played a central role in American's attitude and subsequently benefits toward welfare. Although there were various "relief" programs prior to 1935, the Social Security Act of 1935 is widely hailed as the start of America's welfare state. The Social Security Act which incorporated the Mother's Pension into the existing Aid to Dependent Children (ADC) program, further heightened the racial division in the distribution of benefits. Prior to the federally initiated Social Security Act, "relief" was the sole province of the states. Southern Congressman, who chaired key committees, insisted that states retain sovereignty over eligibility requirements and who received benefits. As a result, many of the initial beneficiaries of the new

program were white, widowed women with young children.¹⁹

In 1939 racial disparities in benefits and eligibility worsened as Congress allowed widows and children of retired workers to receive benefits from the old age assistance program and not ADC. As a result of this policy change, ADC became the program of last resort for deserted, divorced, and single mothers-- of which blacks were disproportionately represented. Since the ADC clientele was becoming browner and browner, "the popular image of the chief [welfare] recipient changed from that of old, respectable, white people to that of young, immoral, black men and women."²⁰ "To keep [black women] from receiving benefits southern states as well as some northern states, tightened their eligibility criteria."²¹ Some states even created additional criteria to deny relief to eligible black women and their children. For example, southern states who relied on black labor, closed relief offices during cotton-picking season to force black workers to harvest crops; "man in the house rules" allowed case workers to make unannounced visits to the homes of recipients to make sure that they were no men living in the home.²² The more stringent criteria and tactics were justified because blacks recipients were viewed as undeserving.

The distinction of deserving and undeserving stemmed from the opinion of whites that the economic plight of blacks, in general, and black women in particular were the result of their own actions. "Thus the juxtaposition of race and welfare dependency in the public imagination enhanced the perspective that black welfare recipients were the 'undeserving poor,' fostering images of laggard, lazy, dull welfare recipients on the 'dole' who deserve punishment to be visited upon them because they

constitute a drag upon the economy and a blot upon the moral image of the nation.”²³

As a result of the negative attitudes and feelings about welfare recipients “public support for welfare is systematically related to underlying racial attitudes.”²⁴

Although other factors may explain America’s general feelings about welfare, attitudes toward blacks has proven to be the single most durable factor. As explained by Gilens, “were it not for whites’ negative views of blacks’ commitment to the work ethic, support for the least- favored welfare programs might more closely resemble the nearly unanimous support that education, health care, and programs for the elderly currently enjoy.”²⁵ Therefore, “...it seems fair to say that many of the objections expressed by whites to current welfare programs were in effect anti-black biases, not always so thinly disguised...It seems possible that negative expressions about welfare and welfare recipients are a socially acceptable channel for persons with politically conservative attitudes to express basically negative attitudes toward blacks at a time when blatant expressions of prejudice are not acceptable.”²⁶ It was these underlying racial attitudes and the negative expressions of black as undeserving that drove the elimination of AFDC and fueled the creation of the Temporary Assistance to needy Families Grant which stressed work over a handout!

Why TANF

The Temporary Assistance for Needy Families (TANF) grant replaced Aid to Families with Dependent Children (AFDC) in August of 1996 when President Clinton lived up to his 1992 campaign pledge to “end welfare as we know it.” As a result,

federal responsibility to match state expenditures on cash assistance to low income families with children has become a fixed block grant to states. The response by states to the challenges and opportunities offered by TANF are bound to differ as states try to move recipients from “welfare to work”²⁷ As with AFDC, generosity is expected to differ among the different states.²⁸ The decision made by state legislators will have important consequences on beneficiaries under TANF.²⁹

TANF, as did AFDC, primarily benefits children and their single mothers, and blacks are disproportionately represented among the program’s beneficiaries.³⁰ Given the disproportionate and growing share of the poor who are black, and the continuing greater likelihood of black poverty versus white poverty, the question of whether the increased presence of blacks in state legislatures benefits blacks who receive TANF is particularly relevant. It can also be expected that TANF policies would be important to black state legislators since evidence suggests that they disproportionately support redistributive remedies in the legislative work.³¹ The dissertation, therefore, seeks answers to the following question: Does the increased presence of blacks in state legislatures result in greater expenditures and less punitive welfare reform of TANF?

The Growth and Importance of Black State Legislators

As blacks increase their representation in state legislatures, they have the opportunity to influence the new TANF program. They may be a crucial, but as yet unrecognized, source of influence on the policy process related to this policy. It is time to go beyond the sparse and often contradictory literature on blacks in state

legislators to determine whether this is the case.

Blacks have gone from holding only 147 state legislative seats in 1970 to holding 579 seats, out of 7,000, by 1999. Black state legislatures have also ascended to important institutional positions of authority. Although still proportionately underrepresented in most states, by 1992 black members chaired 87 committees or subcommittees in state houses and 47 in state senates. In addition, black members served as vice-chairs of 69 committees and subcommittees in state houses and 25 in state senates.³² Given these gains, especially in regards to important institutional positions one would expect blacks, where they serve, to be important participants in state legislative outcomes,³³ yet few studies of state legislators have examined this potentiality. Although blacks have made dramatic strides in winning seats in the legislature, little is known about the benefits these elected officials have garnered for their primary constituency group.

The growth in institutional position of black elected officials, in general, and state legislators in particular, is even more remarkable given the fact that the greatest strides have been made in the South³⁴ where black descriptive representation exceeds 15 percent in six states.³⁵ The 15 percent threshold is important because of Kanter's suggestion that minorities become less constrained in their behavior as group membership exceeds 15 percent.³⁶ Kanter's pioneering work suggests that "relevant numbers of socially and culturally different people in a group, are seen as critical in shaping interaction dynamics."³⁷ When group membership in an institution/organization is below 15 percent of the total, minority members are

perceived as "tokens" or anomalies and thus their behavior is altered. Rather than just blending into the mainstream, the "tokens" continuously respond to their differential status--usually in some unnatural fashion.³⁸ However, as minority membership reaches 15 percent or greater of the total, members of the minority are less often perceived as "tokens" or anomalies and are more often able to respond to the environment in a natural and unrestrained fashion.³⁹

To test the question of whether or not black legislators act for other blacks and contribute to more generous anti-poverty benefits, this dissertation builds a model that begins with Plotnick and Winter's political-economic thesis of income redistribution that concludes that legislators act for citizens; then uses a group consciousness thesis to account for the presence and organization of blacks in state legislatures, and finally borrows from political economy approaches to control for the economic challenges and political limits of state governments in the American federalist context (further explanation and theoretical model can be found in chapter two).

Organization of Study

A three-part research strategy will be utilized in the study: 1) secondary analysis of a national survey of black state legislators; 2) analysis of aggregate demographic, economic, and political data from national and state sources; and 3) an in-depth comparative case study of the chronology of TANF policy making and interviews of key state legislators in Maryland and Mississippi. The Secondary analysis and the aggregate data analysis provide important preliminary findings which

provide a contextual foundation for which to better understanding TANF policy making in the case study analysis.

Chapter two, “Black State Legislators and Public Policy in the American States: A Theoretical Framework,” reviews the relevant works, provides the theoretical framework, lists and explains the dependent and independent variables, and identifies data and explains methodology. Chapter three, “Policy Congruence: The Legislative Priorities and Committee Assignments of Black State Legislators,” examines legislative priorities and committee assignments of black state legislators by conducting secondary analysis of a 1991 national survey of black state legislators. This chapter provides the link between black state legislators and the importance of social policy to the black community. Although this background chapter informs us about legislative priorities and committee assignments, it takes us no further than previous studies. For example, just because a legislator sits on a particular committee, or supports a particular policy does not mean he or she has the institutional influence to see it come to fruition, and therefore legislative priorities may amount to little more than a wish list.

Chapter four, “Organization and the Representation of Black Interest”, provides additional background information on whether black state legislators are “making a difference.” This chapter conducts analyses of aggregate demographic, economic, and political data from a variety of national and state sources for all fifty states. Adding balance to the dissertation by recognizing that aggregate data analysis does not tell the entire story, Chapter five, “Maryland: The Free State” and Chapter six

“Mississippi: The Closed Society” present case study analyses of TANF policy making. Thus the case studies go beyond spending levels and general character of TANF policies and help uncover contextual-behavior connections, including the impact of rule changes and key state political and economic characteristics.⁴⁰ Here the dissertation will focus on the role of black state legislators in welfare reform specifically, but also examines the overall ability of black legislators to represent the material interests of blacks as a group in Maryland and Mississippi. Chapter seven, “Conclusion: Racial Group Consciousness, Class, and Politics in the American States,” provides a summary of key findings, their implications, and conclusion.

Notes for Chapter One

1. Linda Faye Williams, "Black Political Progress in the 1980's: The Electoral Arena," In Michael B. Preston, Lenneal J. Henderson, Jr. and Paul L. Puryear (eds.), The New Black Politics: The Search for Political Power, (New York: Longman Inc 1987) p. 97.

2. Lucius J Barker and Mack H. Jones, African Americans and the American Political System (Englewood, NJ: Prentice Hall, 1994)

3. Bayard Rustin, "From Protest to Politics: The Future of the Civil Rights Movement," Commentary 39, (1965); Robert C. Smith "Black Power and the Transformation from "Protest to Politics" Political Science Quarterly 96 (1981): 43 1 43; Katherine Tate, From Protest to Politics: The New Black Voters in American Elections, (Massachusetts: Harvard University Press, 1993)

4. Robert C. Smith, "Politics' is Not Enough: The Institutionalization of The African American Freedom Movement" In Ralph C. Gomes and Linda F. Williams (eds.) From Exclusion to Inclusion: The Long Struggle for African American Political Power, (New York: Greenwood Press, 1993)

5. David A. Bositis, Black Elected Officials 1993-1997: A Statistical Summary (Washington, DC: Joint Center for Political and Economic Studies. 1998)

6. Ibid

7. Ibid

8. Ibid

9. Michael Dawson, Behind the Mule: Race and Class in African American Politic, (Princeton: Princeton University Press 1994).

10. David A. Bositis, What Devolution Means to the American Public (Joint Center for Political and Economic Studies, 1997), The Sample size consists of a national general population sample of 850 people; a national black sample of 850 people; and a national sample of 100 Hispanics. For methodology of the sample see What Devolution Means to the American Public pg 39.

11. Ibid., 11

12. Ibid., 13

13. Ibid

14. See Hanna Pitkin, The Concept of Representation, (Berkeley: University of California Press, 1967) ; Descriptive representation refers to how a legislator looks; Substantiative representation refers to how a legislator acts.
15. David A. Bositis, What Devolution Means to the American Public (Joint Center for Political and Economic Studies, 1997).
16. Ibid., 20
17. The actual wording of the question is, "Here are some things that people feel are a problem with the welfare system today. For each one, please tell me if it is a big problem, a medium problem, a small problem or not a problem at all."
18. This is not to suggest that all black elected officials, in general, or black state legislators specifically, pursue an agenda of racial politics. It simply acknowledges that by and large black elected officials, at all levels, are disproportionately elected by black constituents and thus should pursue the policy interests of their constituents in the policy arena. Furthermore, this study acknowledges, as of late, that black elected officials have been elected from diverse governing jurisdictions and thus their voting patterns are going to be reflective of their diverse constituents. One only has to look at the voting record of Congressperson's Cynthia McKinney or Ron Dellums to see that race is not the sole basis for support or opposition to legislation. This study therefore expects some variability among the heterogeneous black elected officials. However, since the vast majority of black elected officials are still elected from majority black jurisdictions, the study expects to find support for social welfare policies since they have a disproportionate impact on the lives of poor blacks living in America.
19. Jill Quadagno, The Color of Welfare: How Racism Undermined the War on Poverty (Oxford: Oxford University Press, 1994) 119
20. G. Steiner Quoted in Gerald C. Wright. "Racism and Welfare Policy in America." Social Science Quarterly 57 (1976) 718
21. Jill Quadagno, The Color of Welfare: How Racism Undermined the War on Poverty (Oxford: Oxford University Press, 1994) 119
22. Ibid
23. Ronald Walters "The Democratic Party and the Politics of Welfare Reform" In Clarence Y.H. Lo and Michael Schwartz (eds) Social Policy and the Conservative Agenda. (London: Blackwell Press, 1988)
24. Gerald C. Wright. "Racism and Welfare Policy in America." Social Science Quarterly 57 (1976) 722

25. Martin Gilens "Racial Attitudes and Opposition to Welfare" The Journal of Politics 57:4 (1995) 1010
26. D. J. Kallen and D. Miller "Public Attitudes Towards Welfare," Social Work 16: (February 1971) 90
27. TANF restricts state use of federal TANF funds in ways designed to encourage work and discourage dependency.
28. The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) requires that each state submit a plan to receive a Temporary Assistance for Needy Families (TANF) block grant. The law specifies what states must address in their plan, including how they choose to exercise various options. The secretary of the U.S. Department of Health and Human Services (HHS) is authorized to certify each plan as complete if it contains the required elements.
29. Under TANF states operate programs. The total federal block grant is \$16.5 billion each year through fiscal year (FY) 2002. The block grant covers benefits, administrative expenses, and services. States determine eligibility requirements, benefit levels, and services provided to needy families. TANF eliminates federal entitlement
30. United States House of Representatives, Green Book. Overview of Entitlement Programs. (Washington, D. C.: U. S. Government Printing Office, 1997).
31. See for example, Kathleen Bratton and Kerry Haynie. "Do Differences Matter? A Study of Race and Gender in State Legislatures" (Presented at the Annual Meeting of The American Political Science Association, Chicago, 1992); Mary Herring. "Legislative Responsiveness to Black Constituents in Three Deep South States" Journal of Politics. 52 (1990) 741-758; Cheryl Miller "Agenda Setting by State Legislative Black Caucuses: Policy Priorities and Factors of Success" Policies Studies Review. 9, (1990): 339-54; Albert Nelson. Emerging Influential in State Legislatures: Women Blacks and Hispanics. (New York: Praeger, 1991); Sue Thomas, How Women Legislate. (New York: Oxford University Press, 1994)
32. David A. Bositis Black State Legislators: A Survey and Analysis of Black Leadership in State Capitols. (Washington, DC: Joint Center for Political and Economic Studies, 1992).
33. The 1994 legislative elections witnessed significant partisan shifts from Democratic to Republican majorities in many state houses. As a result of the Republican take-over, blacks, of which the vast majority are Democrats, lost considerable institutional positions of power and influence within state houses.

34. Maryland, Mississippi, Alabama, Georgia, Louisiana, and South Carolina are the only states in the country in which black state legislators exceed 15% of the total in the lower house.
35. David A. Bositis, Black Elected Officials 1993-1997: A Statistical Summary, (Washington, DC: Joint Center for Political and Economic Studies. 1998)
36. Rosabeth Kanter "Some Effects of Proportions of Group Life: Skewed Sex Ratios and Responses to Token Women. (American Journal of Sociology), 82: 1977 965-990.
37. Ibid., 965
38. Kanter contends that individuals in the minority behave, not as they would in a different environment, but rather, in a manner that gains them acceptance from the majority.
39. Sue Thomas, "The impact of Women on State Legislative Politics". Journal of Politics 53, (1991): 959
40. Rule changes refer to the change from AFDC to waivers and finally TANF.

Chapter II

Black State Legislators and Public Policy in the American States: A Theoretical Framework

Color is not a human or personal reality; it is a political reality.
James Baldwin¹

Review of the Literature

It should be noted at the outset that the literature on state politics is not robust for seeking a grand theory or even unity of approach to guide the analysis of whether blacks make a difference in legislatures.² Moreover, the literature has only recently begun to address issues involving race. Thus, to adequately ground the research question, it is necessary to synthesize key elements of the literature on black politics and social policy as well as state politics.

Black Politics

The study of black politics has moved through four phases. First and second-generation research questions focused on minority enfranchisement, political participation, electoral success, and vote dilution. Third generation issues concerned the extent of meaningful political incorporation and coalition-building. Fourth generation issues examine the impact of representation through substantive policy outcomes. Going beyond the focus on the electoral fortunes of minority candidates and the emphasis on the types of electoral structures which shape opportunities for these candidates, this dissertation addresses third and fourth generation research questions.

Among the pioneering studies concerning third and fourth generation questions is Browning, Marshall and Tabb's study of political incorporation at the local level.³ According to Browning, Marshall, and Tabb, political incorporation is not simply inclusion--the formal/descriptive representation of group members, but "the extent to which a group is effectively represented in policy making,"⁴ that is, the exercise of substantial authority and influence. Browning, Marshall, and Tabb found substantial political incorporation at the local level and concluded that such incorporation of minority officeholders was associated with substantive representation (that is, changes in urban policies that benefitted minorities as groups). Similarly, Karing and Welch found that cities with black mayors had higher rates of spending in educational and social welfare areas;⁵ Eisinger concluded that the presence of a black mayor had a modest incremental effect on levels of black employment and on social policy efforts;⁶ and Mladenka found that blacks on city councils positively impact the level of black employment in city jobs.⁷

Few studies of state legislators, however, have followed the lead of scholars of urban politics. Despite the growing number of black state legislators, little is known about the policy influence and benefits garnered for their primary constituent group. Most studies on black state legislators have been biographical in nature or inform readers about the conditions and electoral structures in which black state legislators are elected.⁸ Others, while examining policy priorities, fail to inform us about the results of legislative actions.⁹ The question remains: How much "difference" does priority legislation make if the different perspectives brought to debates are ignored and the priority bills never pass?

One area of research that provides a promising starting point for building a

theoretical framework that investigates whether black legislators make a difference for blacks as a group is the literature on group consciousness. Group consciousness refers to a set of political beliefs and action orientations arising out of awareness of similarity.¹⁰ The emerging group consciousness literature builds on the notion that blacks, and other minorities, on the basis of historical and current discrimination and oppression,¹¹ have developed a political consciousness in many ways at odds with the most economically and politically advantaged race-gender group in America: white males. Although no race group is homogenous and differences (especially class) exist, the race-consciousness thesis posits that the shared experience of discrimination more often than not transcends differences such as class. For example, Verba and Nie demonstrate that blacks who are aware of their oppression are much more politically active than blacks who are not, and subsequently more active than whites of similar socioeconomic status. They further demonstrate that black consciousness causes blacks to participate more in campaign and cooperative activities at higher levels than blacks that do not demonstrate group consciousness.¹²

Although group consciousness is a step toward a political theory that suggests individual actions are in part tied to the socio-political position of the group they identify with, some have found methodological and theoretical problems with the concept. The greatest challenges to black group consciousness comes from those who suggest that the concept gained light during the black civil rights movements of the 1960's and cannot be duplicated since the material conditions that fostered the shared commonality of the black masses are no longer as pervasive.¹³ Others suggest that group consciousness can only be

demonstrated among women, ethnic and racial minorities and thus has no utility for the general population. Although both of these criticisms have some validity, they have little bearing on this current study. First of all, the current study is only concerned with racial minorities; and secondly, recent public opinion data have demonstrated a distinctive set of policy priorities pursued by blacks in an attempt to bring about social, political, and economic equality.

In a recent study Michael Dawson demonstrates, through the use of public opinion data, that blacks still exhibit significant levels of group consciousness. Dawson suggests that "the relationship between a black person's sense of his or her own interests and the same person's sense of interest of the racial group is the key to the apparent homogeneity of African Americans."¹⁴ For African Americans, Dawson continues, "this means that one's individual preferences are partly shaped by one's ties to the black community, one's individual perception of group interests, which, in turn, is partly shaped by one's race in a society structured by racial hierarchy. Thus, for African Americans, group interests are forged both by tensions of class and status within the African-American community and by the racial climate in the larger society."¹⁵ Blacks, throughout their existence in America, have been treated as a group and as such, individuals have tended to view progress or retrenchment on a group basis. Group consciousness therefore is an expected consequence of the subjugation blacks have faced during slavery and the post-reconstruction era which led to the collective action of the civil rights movement and continues today as individual success is measured against relative success of blacks as a group.

The utilization of group success as a surrogate for individual success makes it easier for individual blacks to measure the potential benefits or disadvantages of government policies and programs. Group cues are utilized similar to the way individual voters use political party affiliation of candidates as short cuts in making political choices. Rather than doing extensive research on a candidate's position and policies, voters simply rely on party affiliation to determine whether a candidate is good for their pocketbooks or not. In much the same way, black individuals utilize group cues from political or economic leaders in determining benefits of public policy. In short, it is simply easier than determining the implications of a given policy for oneself as an individual. Thus, as long as blacks continue to believe that their life chances, to a large extent, are tied to what happens to the group as a whole, "African American perception of racial group interests [will continue to be] an important component of the way individual blacks go about evaluating policies, parties and candidates."¹⁶ Dawson labels this phenomenon "black utility heuristic."

Black utility heuristic suggests that "as long as African-Americans' life chances are powerfully shaped by race, it is efficient for individual African Americans to use their perceptions of the interest of African Americans as a group as a proxy for their own interest."¹⁷ Black utility heuristic, therefore, transcends the boundaries of economic status within the African American community.¹⁸ Based on this thesis, the implication is that African American elected officials will have a strong sense of racial identity which will lead them to support policies of interest to blacks as a group. Evidence that black elected officials at least partially share common views is evidenced by their organization of

political caucuses within legislative bodies with the oft-stated goal of protecting or advancing their group's interests.¹⁹ In sum, from the group-consciousness framework, we can posit that one key preoccupation of black state legislators will be to reflect the subjective and objective policy interests of the black masses in their legislative work because of their common bond resulting from shared past and present experiences.²⁰ In short, the social psychology of race should make a difference in the actions of black representatives, with advancing black interests expected to be one of their most important goals.

State Legislators and Constituency Influence

In representative democracy, legislators act for citizens--either as trustees or delegates. Thus, as Plotnick and Winters contend, the very essence of "representation" is that "voter preferences do not influence the policy decision directly. Preferences only enter indirectly in a representative democracy via election of like-minded legislators, and after the election by direct or indirect (via interest groups) communication to these lawmakers."²¹

Few studies of state legislators, however, have confirmed Plotnick and Winter's view. Uslaner and Weber, for example, conclude that "American state legislators, in general, do not have views on public policy that correspond closely with those of their constituents."²² Instead, Uslaner and Weber find state legislators are most influenced by party attachment. On the other hand, Ray,²³ who interviewed state legislators from three lower house chambers, concludes that constituency influence has impact in some state

legislatures. Ray, however, suggests that the level of professionalism²⁴ is the key determining factor in legislators responding to constituency pressure. The more professional the legislature, the less effective was constituency pressure. Finally, according to Songer, state legislatures were no "closer to the people" in any meaningful sense than U.S. Congress. ²⁵

The conclusions of Uslaner and Weber, and Songer seemly contradict Dawson's "black utility heuristic," and the group consciousness theses as detailed earlier. It should be noted, however, that both black utility heuristic and group consciousness theses are specific to traditionally disadvantaged and minority group members whose bond was formed as a result of shared experiences. While neither Ray, Uslaner and Weber, and Songer examined race specifically, it is important to understand the interaction of race as a variable and to consider whether the inclusion of race would fundamentally alter their findings.

Hamm, Harmel, and Thompson ²⁶ address the racial dimension missing in these earlier studies. They seek to determine whether institutional factors (seniority or leadership position) and non-institutional factors (ethnicity and minority party status) are better predictors of activity and success in South Carolina and Texas state legislatures. Yet, they find that ethnicity and race (and partisan identification) are not dominant influences in activity or success in bill and amendment introduction or passage in these two states. Part of the reason for this result may have been the paucity of black state legislators and their limited seniority and scarce leadership positions in the state legislatures they analyze. Put simply: not enough blacks were in institutional positions to

successfully introduce, shape, promote, or pass legislation in the late 1970s.

Supporting this potentiality, a few recent studies have found black state legislators to be at least modestly influential. Miller demonstrates that black caucuses were important players in the state legislative policy process.²⁷ Similarly, Herring found that the strongest determining factor of black interests being addressed in state legislatures was the election of blacks to office and the size of the black population.²⁸

Not all recent findings support Miller and Herring's conclusions, however. Albert Nelson finds that black influence in the Democratic party of 45 lower house chambers actually decreased in the years of his study and with it, the predictive effectiveness of black representation.²⁹ According to Nelson, black state legislators are hamstrung by the conservative era. Opposition to taxes and human resource services hampered black political influence in the 1980s, he concludes.

In short, the literature on the success of blacks in state legislatures producing benefits for their larger group remains murky, inconsistent, empirically weak, and thereby inconclusive. Much more needs to be known before we can conclude that black legislators do or do not, in the terminology of Plotnick and Winters, "act" for other blacks and thus make a difference in their lives.

State Politics and AFDC/TANF

States have, of course, always been heavily involved in the creation and execution of social policy. Since creation of the Aid to Dependent Children (ADC) program in the Social Security Act of 1935,³⁰ states have exercised substantial control over welfare

policy and implementation. As a result, there has been substantial variation in state eligibility and payment rules and hence in level of benefits.³¹ When Lyndon Johnson's Great Society renamed the program Aid to Families with Dependent Children (AFDC), vastly expanded federal expenditures on it, and eased eligibility requirements for it, differences in state distribution of benefits grew rather than disappeared.³² Likewise, the new TANF program is expected to follow similar trends. The disparity among states is expected to continue, since funding for TANF is based solely on prior AFDC spending limits.

Perhaps as a result of the Great Society expansion, literature on the comparative impact of politics and economics on social policies in the states burgeoned in the 1960s and 1970s.³³ Most of this research was driven by Key's approach to understanding the relationship between public control of the political process and levels of redistribution.³⁴ In 1981, Peterson shifted attention from endogenous political processes in states to a state's position in a larger competitive environment. This competition, Peterson contended influenced the ability of states to adopt redistributive policies.³⁵ Similar to the competitive marketplace, state benefits were designed to provide a minimum subsistence level while at the same time remaining in line with neighboring states to avoid becoming welfare magnets.

Despite the extraordinary control of states over AFDC and the vast disparity in AFDC benefits by state³⁶ there have been relatively few studies of anti-poverty policies based on state-level data per se.³⁷ The ending of AFDC and the implementation of TANF has increased the importance of examining the role of states in anti-poverty programs.

As the devolution of social responsibilities to states fully takes off under TANF, it is clear that the degree of state power over anti-poverty programs will have important consequences for the parameters under which assistance is provided and the ensuing benefit levels and distribution under TANF. As with AFDC, states are expected to respond differently to the challenges and opportunities offered by TANF.

Theoretical Framework and Hypotheses

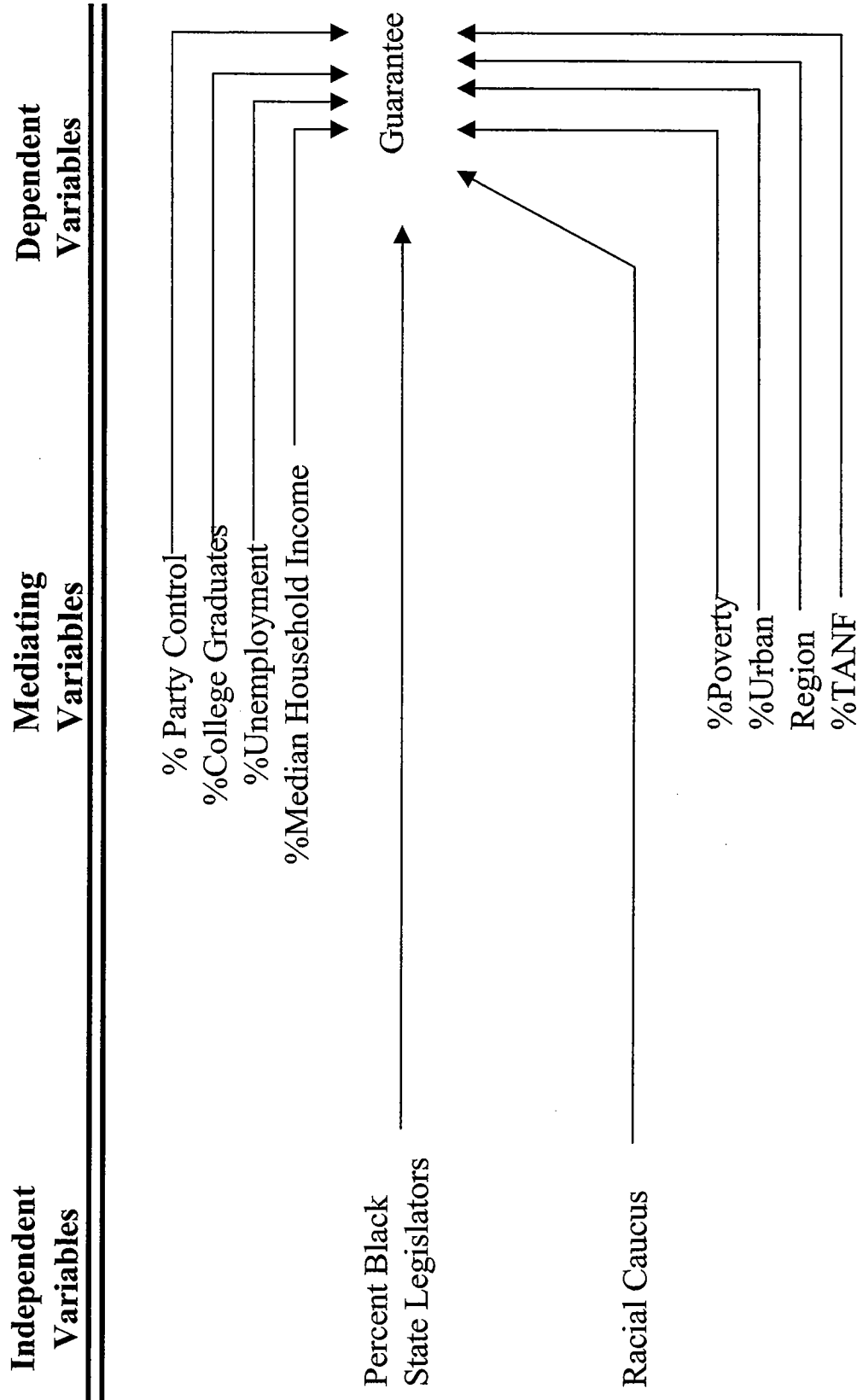
To test the question of whether or not black legislators act for other blacks and contribute to more generous anti-poverty benefits, this dissertation builds a model that begins with Plotnick and Winter's political-economic thesis of income redistribution that concludes that legislators act for citizens. It then uses a group consciousness thesis to account for the presence and organization of blacks in state legislatures. Finally, it borrows from political economy approaches to control for the economic challenges and political limits of state governments in the American federalist context.

First, consider group consciousness. From this perspective the dissertation expects historical and contemporary experiences of economic, social, and political subordination to serve as unifying factors in the politics of blacks. Black utility heuristic, which is an outgrowth of the group consciousness framework, expects individual blacks to utilize group cues as a surrogate for individual policy preferences. Consequently, if Plotnick and Winters are correct, and legislators act for citizens, we would expect black state legislators, who represent the expression of black group politics, to support the policy preferences of blacks in their legislative work. As black state legislators increase

their numerical proportions, experience, and expertise, it is reasonable to expect increased effectiveness of black state legislators.

Since blacks are disproportionately represented among negative indicators of well-being, one assumption is that one preoccupation of black state legislators will be to support more generous anti-poverty benefits. However, from the political economy perspective, the dissertation expects the effectiveness of black state legislators to be conditioned by political and economic factors. Studies on the distribution of public policy benefits suggest that the larger political and economic environment is a conditioning variable on the ability of any state legislature to provide benefits to its needy population. In short the theory suggests that since legislators act for citizens, black state legislators, as suggested by black utility heuristic, will seek to express the policy preferences of their constituents within the limits of the current political and economic environment.

Illustration 2-1 FULL MODEL: The Effectiveness of Black State Legislators



Recall that the specific goal of the dissertation is to test whether black legislators act for blacks as a group, that is whether blacks in state legislatures provide substantive, not just descriptive, representation for blacks. As stated earlier, this test will be performed on TANF. In general, accepting the group consciousness thesis, we would expect black state legislators to give higher priority to social welfare policies; and to be more likely to serve on committees overseeing social welfare policies.³⁸

This inference is derived from the following assumptions. Given the comparatively high proportion of blacks who live in extreme poverty and concomitantly the disproportionate share of benefits blacks have received from social welfare, it is reasonable to expect that black legislators will be more likely than white legislators to give higher priority to redistributive issues such as TANF. It is also reasonable to assume that in order to have influence in these key policy areas, black legislators will serve on the committees overseeing these policy areas.

Legislator priorities and committee assignments provide evidence of group consciousness among black state legislators by establishing congruence vis-a-vis policy concerns between the black community and black state legislators (chapter three). However, this is not enough, since the real concern of this dissertation is the success of black legislators in achieving a difference. For a more direct test of whether blacks are making a difference, hypothesis one is put forth: **the greater the proportion of black legislators, the more likely legislatures will support more generous TANF benefits.** This hypothesis is derived from the strategy of black electoral politics and builds on the group consciousness framework. As a result of the combination of group consciousness

and black electoral strategy, this hypothesis expects to find that as the proportion of black legislators increases, among the various state legislatures, so too will the monthly benefit allowance.

As will be explained in greater detail below in the discussion on TANF, the focus is on monetary grants awarded by the states to TANF families (higher TANF benefit levels as a proportion of the states' needs standards), and less punitive welfare reform plans.³⁹ In short, the goal is to examine the impact of the presence and organization of blacks on legislative output in this policy area.

As a corollary to the question of substantive representation, it should be noted that it may be that simply the presence of black legislators is not enough to influence policy outputs. Perhaps some form of organization may be needed to sensitize black legislators to the importance of working for blacks as a group and to facilitate their ability to do so. Consequently, hypothesis two contends that, **states with black caucuses are more likely to grant more generous TANF benefits.**⁴⁰ The second hypothesis is based on the observations of Miller who informs us that black legislators form caucuses to maximize their policy influence.⁴¹ Miller further suggests that, "In some states these bodies [organizations/caucuses] play a pivotal role in moving items from the systemic to the formal legislative agenda."⁴² Since the vast majority of black state legislators are elected from majority black or black-influenced districts with similar socioeconomic problems, a black legislative caucus will help reduce the cost of bargaining with each individual member. The caucus, therefore, may serve as a facilitator of black legislative and constituent interests.

Contextual Limits On Black Effectiveness

From political economy approaches, the model considers the inextricably linked political and economic challenges faced by black legislators in regard to social welfare policy. Supporting generous welfare benefits may be problematic in the climate of the late 1990s. In the increasingly competitive global economy, the context of declining federal aid, and heavy interstate competition for businesses (and to some extent a highly skilled workforce), states are necessarily weighing their policy choices toward helping the poor carefully. How these economic forces interact with political ones to condition policy options and outputs in states is a factor that cannot be ignored.

In general, as Brace and Jewett note, "Policy liberalism... may have been a luxury that some states could afford when federal subsidies ran high."⁴³ The retrenchment of policy liberalism is further expedited by the backlash of tax payers versus recipients of redistributive tax dollars.⁴⁴ The exigencies of the current political economy may make the challenge of any group of legislators supporting liberal social policies toward the poor exceptionally steep. These difficulties multiply in states experiencing declining economic resources and high levels of poverty. Thus, included in the model is a number of controls including socioeconomic factors such as education, income, urbanization, and economic climate (measured herein by unemployment); and political factors such as partisan balance. Together these factors will play an important role in legislators' actions⁴⁵. For instance, *vis-a-vis* TANF, a more educated populace that enjoys higher incomes will be better able to provide financially for the poor and will be less likely to strain states' welfare rolls. By contrast, in states with lower education and income levels, there

is a greater likelihood that citizens will fall into poverty although there is less likelihood that the state will be able to meet the needs of its poor population. Similarly, given the concentration of poverty in heavily urbanized states, it is likely that states with higher urbanization levels will face higher welfare roles, yet such states probably have greater financial resources and might be more able to meet the needs of the urban poor.

It is also reasonable to expect that a state's ability in general to meet its financial obligations will enter into the equation.⁴⁶ In short, states experiencing the loss of industry, higher unemployment, or other indicators of economic downturn would be adversely affected when it came to the provision of TANF benefits. Therefore, from the political economic perspective, hypothesis three considers the inextricable link between economics and politics. Their combined influence on the ability (monetary) and willingness (politics) to provide cash assistance to TANF recipients is conditioned by the combination of political and economic factors. Hypothesis three, therefore, suggests **that states with economic hardships will favor lower TANF benefit levels.** Therefore this hypothesis expects economic hardships to condition the process of outlays in the form of monetary benefits provided by individual states to recipients of TANF benefits. Consequently, in these states, blacks will be less effective no matter their percentage and level of group consciousness.

Political factors also are expected to be influential. For example, considering welfare reform plans and eligibility requirements, the ideological composition of the legislature should be expected to have an effect. On a related point, the partisan balance in state legislatures is expected to either foster or constrain opportunities for black state

legislators. As V. O. Key noted, in legislatures dominated by one party, there is no need to be inclusive of all party members, and splinter groups (e.g., women and minorities) have a much more difficult time having their issues addressed regardless of institutional influence.⁴⁷ In legislative chambers that are closely balanced the need for the party to be inclusive of all members is paramount. Therefore splinter or minority groups have the potential to wield more influence. Public opinion, too, with its dominant trend against public support for welfare recipients, is likely to influence legislators either through direct lobbying or public opinion polls and will be examined in the case study portion of the study.

Additional political and demographic factors included in the theoretical model are proportion of the minority population, overall poverty level of states, percentage of blacks on TANF, and percent college graduates. This allows the dissertation to test for the effects of these variables on TANF dependent variables as well as for correlations among TANF policies.⁴⁸ In sum, this study seeks to find out whether states with higher percentages of black legislators enact welfare reforms more with more generous benefits under TANF.

However, if the dissertation finds that the percentages of black legislators do not make a difference on TANF benefit levels, several possible explanations emerge. First, the blacks holding legislative office hold conservative orientations in this policy area; second, black legislators would like to see proposals to increase TANF payments but do not have the power to produce these results; third, blacks may support these results, but not place a priority on their achievement; fourth, white legislators are fulfilling the role

of substantive representation for blacks; or fifth, black legislators are utilizing a dependent leverage strategy. Dependent leverage strategy is when blacks continue to vote or support the same party regardless of whether the party is doing substantive things or not.⁴⁹

To further explore these possibilities, a case study of TANF policy making will be conducted on Maryland and Mississippi's legislative black caucuses. Additionally, interaction terms--such as the interaction between percent black legislators and citizens preferences--can be introduced in the case study. Finally, on a smaller scale, the dissertation will also be able to include a more qualitative dimension through interviews of black legislators that can provide support for or opposition to the empirical findings. Through these multiple means, the dissertation plans to explore the popular (albeit so far unsubstantiated) view that black representatives, as a result of group consciousness, provide not only descriptive but improved substantive representation for their constituents.

Data and Methodology

The group consciousness of black state legislators is analyzed via survey. Secondary analysis is conducted on a 1991 national survey of black state legislators designed to "estimate how blacks and their interests are faring within state legislatures."⁵⁰

The survey explores variables related to race, gender, legislative priorities, committee assignments, ideology, education, region, age, marital status, years of service in legislature, political party, level of professionalization of legislature, influence of black legislators, work environment, and so forth.

Mail questionnaires were sent to each of the 438 black state legislators. Names and addresses were selected from The Joint Center for Political and Economic Studies' publication, Black Elected Officials: A National Roster.⁵¹ The questionnaire was mailed to both the legislators home and office. Two follow-up surveys were sent to non-respondents within three weeks of the original mailings. A fourth mailing was sent to states with the lowest response rates. Of the 438 surveys mailed, 173 completed surveys were returned. The 40% response rate is well within the limits of other surveys of this type.⁵²

To surpass the limitations imposed by the survey measures, the secondary nature of survey research more generally, and test the first and second hypotheses on black legislators impact on actual outcomes in state legislatures, the second research strategy will use data derived from government sources. To explore the impact of the presence and organization of black legislators on TANF, four dependent variables will be utilized. The first dependent variables (tables 4-1 & 4-4) will be operationalized as the monthly benefit allowance for a family of three in each of the fifty states as of July 1, 1996. The second dependent variable (table 4-2) will be operationalized as the percent of the need standard met by the monthly benefit allowance for a family of three in each of the fifty states as of July 1, 1996. The third dependent variable (table 4-3) will be operationalized as the monthly benefit allowance for all fifty states split into two equal categories of twenty-five each.⁵³

Eligibility requirements, the fourth dependent variable, will be analyzed via an index of options states submitted to the secretary of Health and Human Services for final

approval.⁵⁴ Under TANF, the federal government provided states with specific guidelines for the basic requirements of their plans, including how each state should exercise various options: continue waivers, denial of drug felons, transitional child care, transitional Medicaid, time limits, family caps, supplemental employment, work requirements, community service, and other job creation strategies (see Appendix A).

Forty-four states were granted waivers before the enactment of TANF.⁵⁵ These states were given the option of keeping their waiver options or changing over to the new TANF guidelines. Thirty-three states decided to continue with their waivers,⁵⁶ nine decided to discontinue, and two, at the time data gathering was completed, did not know what they were going to do. Subsequently, the index was created out of the various options 33 individual states chose via their waivers. Waiver states were selected because they provided the greatest contrast. States that did not opt for a waiver simply utilized the guidelines offered by the federal government and little or no variability is expected among this population. Non-waiver states were coded as missing data and eliminated from this analysis. States that stayed with their waivers obviously felt their welfare reform plan was better suited for their welfare population than the federal plan, therefore analysis of the index centers on waiver states only.

The waiver options were coded "1", if the options the state utilized were more punitive than federal guidelines, or "0", if the options chosen were less punitive. For example, the new federal TANF guidelines recommends a sixty - month life time limit on TANF benefits. Connecticut, a waiver state, submitted a plan to HHS which has a limit of twenty-one months for TANF benefits. Accordingly, Connecticut was given a "1"

because this particular option is more punitive than the federal recommendations. Federal guidelines also allow states to drug test TANF recipients. Connecticut has determined it will not drug test; therefore they received a "0" for this option since this option is not considered punitive. The scores for the thirteen options for each individual state were then added together to form a composite score. The lower the score, the less punitive the plan as compared with federal guidelines, and subsequently the more progressive the state plan. Consequently, the higher the score the more punitive the state plan was determined to be when compared to federal guidelines.

The independent variables – number of black state legislators (table 4-1 & 4- 2) and presence of a black caucus (table 4-3)– were gathered from the National Black Caucus of State Legislators and the Joint Center for Political and Economic Studies. Percent black state legislature was coded as a continuous variable, while presence of a racial caucus was coded as a dummy variable. Since presence of a racial caucus was coded as a dummy variable, the allowance variable was recoded to conduct the test of association on the second hypothesis. Allowance was divided up into two categories by splitting it in half. States were ranked based on their monthly monetary payments and then the first twenty-five were collapsed into one category and the second twenty-five were added to the next, thereby readying the variable for a 2x2 Chi-Square analysis.

Urbanization will be defined as the percentage of a states' population living in urban areas. Education will be defined as the percent of states' population that are college graduates. Income will be measured as median household income as of 1989. A state's economic health will be defined by unemployment rates as of 1996. Party control is

defined as 50 percent plus one for each state legislature. Percent of state population, college graduate, percent unemployment as of 1996, percent residents below poverty, percent state population living in urban areas, black voting age population, and median household income were collected from the Census Bureau's Current Population Statistics; while party control was derived from the National Conference of State Legislators. TANF benefits were compiled from a variety of sources including: The Green Book, 1996 and The Governors Association for Best Practices.⁵⁷

For analysis of variance, the (ANOVA) procedure will be used in the early stage of analysis to establish whether there are significant bivariate differences on the dependent variables between percent black state legislators and policy output. Then regression analysis will be used to control for the effects of important political, economic, and social variables that might have been related to the dependent variables.

Cases to be Studied

The third research strategy, which builds on the findings of the first two, conducts a case study analysis of TANF policy-making on states where blacks legislators exceed 15 percent of the total state legislators in the Lower House. Alabama, Georgia, Louisiana, Maryland, Mississippi, and South Carolina are the only states in which black state legislators exceed Kanter's 15 percent threshold.⁵⁸ From this six state sample, Maryland and Mississippi are selected to be analyzed in the in-depth case study.

Maryland and Mississippi provide the greatest differences among the six states that meet Kantor's 15 percent threshold. Maryland is primarily an urban state.

Approximately 92.8 percent of the state population lives in metropolitan areas. Sixty-nine percent of the residents are white and about 25 percent are black. Hispanics and Asian Pacific Islanders represent 2.9 and 2.6 percent respectively. Maryland is one of the richest states in the nation with per capita income of \$27,221. It also has the lowest overall poverty and black poverty levels of any of the six states at 8 and 16 percent respectively. The unemployment rate is one of the lowest in the country at 4.9 %. A substantial share of employment is in manufacturing.⁵⁹

On the political side, Maryland has a long moderate tradition. Currently, political power is controlled by the Democrats. Both state legislative chambers, as well as the governor's office are controlled by Democrats. Both of the U.S. Senators are Democrats and four of the eight U.S. Representatives are Democrats.

In contrast to Maryland, Mississippi is primarily a rural state. About 70 percent of the 2.6 million state residents live in non-metropolitan areas. Three-fifths of the residents are white, and about two-fifths are African American. The Hispanic and immigrant populations are quite small at .6 and .5 percent respectively. Mississippi is, and has been for many years, one of the poorest states in the nation. Approximately 23 percent of the state's population is below the federal poverty level while almost 50 percent of the state's black population resides below poverty. The overall poverty and black poverty rates represent substantial increases over national poverty averages of 13.1 and 29.5 percent respectively. The unemployment rate is relatively high at 6.1 %. A substantial share of employment is agricultural. Mississippi's per capita income is among the lowest in the country at \$17,471.⁶⁰

Mississippi has a long conservative tradition. Currently, political power is shared by Republicans and Democrats. The governor's office is occupied by a two-term Republican, while the lieutenant governor and a majority of both legislative chambers are Democrats. The state's two U.S. Senators are both Republicans, as are three of the five United States Representatives. Like many other Southern states, Mississippi limits the powers of the governor and vests relatively more power in the legislature and independent agencies.

Table 2-1
Political, Economic, and Demographic Comparison of
Maryland and Mississippi
1995-1997

	Maryland	Mississippi
Urbanization	92.8	30
Rural	18	70
Demographics		
White	71	62.6
Black	24.9	35.9
Hispanic	2.6	0.6
Asian	2.9	0.6
Per Capita Income	27,221	17, 471
Poverty	8	23
Black Poverty	16	50
Unemployment	4.9	6.1
Employment Type	Manufacturing	Agricultural
State House Party Control	Democrat	Democrat
Governor	Democrat	Republican
US Senator	Democrats (2)	Republicans (2)
US Representatives	Democrats (4/8)	Republicans (3/5)

Source: Lexus Nexus Academic Universe <http://web.lexis-nexis.com/universe/document?> (State Profile)
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Key, Keech, and Button provide some evidence that the size and scope of the black population are important variables in blacks, as a group, electing blacks to office and subsequently receiving favorable goods and services.⁶¹ Key illustrates how blacks in the black belt were more likely to be disadvantaged both economically and politically by the

surrounding white enclaves simply because of their relative numerical proportion. Keech, in his study of Durham and Tuskegee, demonstrates how the higher concentration of blacks in Tuskegee received less favorable goods and services as compared to Durham where blacks were less concentrated. Button however, in his study of seven Florida communities, was able to identify a threshold at which point blacks were able to overcome resistance and gain favorable city services. Button suggest that when the black population is between 5 and 20 percent they are not seen as a threat .⁶² However, when it reaches between 30-50 percent resistance to demands are greatest. Once the proportion reaches above 50 percent, blacks are able to overcome resistance to their policy demands. The states in this case study— Maryland and Mississippi — have black voting age populations of 23.5 and 31.6 percent respectively. These percentages fall within the realm of resistance as illustrated by Button, thereby adding a contextual dimension to the study.

Key, Keech and Button clearly understood, context matters. Thus, in the case studies, analysis of the content, not just spending levels and general character, of TANF policies will help uncover contextual-behavior connections, including the impact of rule changes and key state political and economic characteristics. Here the dissertation will focus on the chronology of welfare reform in Maryland and Mississippi and key developments that helped to shape the final TANF provision. The method will include conducting an analysis of the substance of TANF reform bills between 1995 and 1997 and legislative records, a content analysis of key newspapers, and interviews of state legislators (see Appendix B). The media and public opinion analyses in each state will be

conducted to detect changes in the public agenda and uncover the potential impact these changes have had on black legislators seeking to support more generous TANF benefits. Finally, interviews (see Appendix C for interview questions) will be held of a purposive sample of black legislators as well as key white male leaders⁶³ in order to provide a qualitative dimension of support for and opposition to my empirical findings. In short, the case studies will provide the opportunity to go beyond the limits of the impact of black legislators on final passage and allow determination of the extent to which these legislators bring different perspectives to debates and the leadership roles they may play in shaping legislation before it reaches the floor.

Of course, this study will not be the final word on whether black elected officials make a difference for blacks as a group. Although the findings raise more questions than could be answered in this study, the debate over the effectiveness of these legislators will undoubtedly continue. Thus, the chief goal is to provide a long over-due exploratory analysis of black politics at an often overlooked level of government – the states.

For black politics in particular, this is a timely project. As the debate over race-conscious redistricting to increase black legislative representation in Congress, state legislatures, and city councils rages, the issue of whether black representatives better serve the policy interests of black America takes on increasing legal and political significance. Thus, this study makes an empirical contribution to one of the biggest questions that remain unanswered about black politics: the question of the success of black politicians in producing substantive benefits for blacks as a group.

Notes for Chapter Two

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10. Patricia Gurin, Arthur Miller, and Gerald Gurin, "Stratum Identification and Consciousness," Social Psychology Quarterly, no. 43 (1980): 30.

11. Sidney Verba and Norman Nie, Participation in America: Political Democracy and Social Equality, (NY: Harper and Row, 1972) 160;
12. Sidney Verba and Norman Nie, Participation in America: Political Democracy and Social Equality, (NY: Harper and Row, 1972)
13. Richard Shingles, "Black Consciousness and Political Participation: The Missing Link," American Political Science Review, no. 75 (1981): 77.
14. Michael Dawson, Behind the Mule: Race and Class in African American Politics (Princeton: Princeton University Press, 1994). 45-46
15. Ibid., 47
16. Ibid., 57
17. Ibid., 61
18. Although race is still a significant indicator, a small but increasingly affluent and wealthy group of blacks can be found expressing their preferences by way of class. This group, by virtue of its economic status, experiences many of the benefits of a society in which class remains significant..
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33. For example see Thomas Dye, Politics, Economics and the Public: Political Outcomes in the American States (Chicago: Rand McNally, 1966); Michael LewisBeck, "The Relative Importance of Socioeconomic and Political Variables for Public Policy," American Political Science Review, no. 71 (1977): 559-65.
34. V.O. Key, Southern Politics (New York: Knopf, 1949).
35. Paul Peterson, City Limits (Chicago: University of Chicago Press, 1981).
36. Linda F. Williams and Guy E. DeWeever, "Ending Welfare as We Know It: Will President Clinton's Plan Do the Job?" In Policy Review, (1994): 14.
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38. Although it is reasonable to expect blacks to serve on committees that oversee issues important to them, it is also possible that black legislators with seniority may also have concern for social welfare policies but may serve on more influential committees such as appropriations, banking or finance. In short, not being on a committee is not an indication of lack of concern for that committees primary responsibilities.
39. Plotnick and Winter's demonstrate that the intent of income-conditioned programs such as AFDC are best reflected in its rules and not final distribution of benefits.
40. As explained in Chapter 2, concerning TANF, the focus is on monetary grants awarded by the states to TANF families (higher TANF benefit levels as a proportion of the states' needs standards), more expansive eligibility requirements, and more favorable welfare reform plans.
41. Cheryl Miller, "Agenda Setting by State Legislative Black Caucuses: Policy Priorities and Factors of Success," Policies Studies Review, no. 9 (1990): 339-54.
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52. For further explanation of the survey design see "Accounting for the Quality of Black Legislative Life: The View from the States" by David Hedge, James Button and Mary Spear, American Journal of Political Science, (February, 1996): 82-99.
53. Although TANF was not signed into law until August of 1996, funding levels for states were based on prior AFDC funding and fixed for 5 years by a bloc grant.
54. The categories of information selected for analysis in the index do not represent all program and policy decisions confronting states. They reflect basic information that could be readily gleaned from state plans and summarized simply and concisely. The index does not capture the complexities of some of these categories.
55. Section 1115 of the Social Security Act has authorized the Secretary of HHS to waive specified requirements of the Act in order to enable States to carry out any experimental , pilot, or demonstration project that the Secretary judges likely to assist in promoting the objectives of AFDC.
56. Most waiver requests reflected one or more of the following assumptions about past AFDC rules: they discouraged work and encouraged long-term enrollment; that they discouraged marriage and encourage out-of-wedlock births; and that they failed to promote personal responsibility.
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58. David A. Bositis Black Elected Officials: A Statistical Summary 1993-1997 (Joint Center for Political and Economic Studies, 1998) 16. (In Alabama, black legislators represent 25.7 percent. Black representatives in Georgia comprise 18.9 percent. In Louisiana blacks make up 22.9 percent. Maryland's 19.1 represents the second highest proportion in this case study. Mississippi holds the distinction of having the largest proportion of black state legislators in America at 28.7 percent. In South Carolina, black legislators make up 21.0 percent. Combined, these states contain approximately 24 percent of the black voting age population in the United States.)

59. Lexus Nexus Academic Universe [http://web.lexis-nexis.com/universe/document?\(America\)_Copyright 1998 PRIMEDIA Reference Inc. World Almanac of the U.S.A.](http://web.lexis-nexis.com/universe/document?(America)_Copyright%201998%20PRIMEDIA%20Reference%20Inc.%20World%20Almanac%20of%20the%20U.S.A.)

60. Ibid

61. V.O. Key, Southern Politics (New York: Knopf, 1949); William Keech, The Impact of Negro Voting: The Role of the Vote in the Quest for Equality (Chicago IL: Rand McNally and Company, 1968); James W. Button, Black and Social Change (Princeton NJ: Princeton University Press, 1989).

62 James W. Button, Black and Social Change (Princeton NJ: Princeton University Press, 1989) 217

63. White male leaders were selected because previous research has shown that women, of both races, tended to be more sympathetic towards redistributive social policies.

Chapter III
Policy Congruence:
The Legislative Priorities and Committee Assignments
of black State Legislators

Give us the ballot, and we will no longer have to worry the federal government about our basic rights...[G]ive us the ballot and we will fill our legislative halls with men of good will...Give us the ballot and we will help bring this nation to a new society based on justice and dedication to peace.

Dr. Martin Luther King Jr.¹

The words of Dr. King echoed the importance of participatory democracy as a tool for cultivating a grassroots base that united under the banner of the civil rights movement. The quest for the ballot brought together two divergent ideologies within the black community: the nationalists and integrationists. Both the nationalists and intergrationists, “committed the black community to collective action in pursuit of political power and camouflaged the tension between assimilation and recognition of racial group identity and interests”.² Although the converging groups differed on the best way to utilize the ballot, they both agreed that community autonomy was the ultimate goal, and black solidarity was the best way to accomplish this objective.

Black solidarity evolved from a group consciousness that reflected a collective identity shaped by historic tensions which connected conceptions of efficacy to political participation.³ Subjugation created a bond among members of the black community that once ignited, under the banner of the civil rights movement, helped to bring to fruition access to the ballot box as demanded by Dr.

King.

Some 33 years later, — and after numerous amendments to the Voting Rights Act, Civil Rights Laws, and an end to defacto segregation— evidence suggests that there is still a strong sense of racial group consciousness that transcends class and is utilized as a proxy for individual interests.⁴ The central question examined in this chapter is whether black state legislators, arguably some of the greatest beneficiaries of the civil rights movement, exhibit racial group consciousness in their legislative work. Lani Guinier suggests that black electoral politics “abandoned the civil rights movement’s transformative vision of politics. In that vision, *the purpose of political equal opportunity was to ensure fairness in the competition for favorable policy outcomes, not just fairness in the struggle for a seat at the bargaining table.*”⁵

Given the growth of black state legislators, it is fair to suggest that blacks have achieved fairness for a seat at the bargaining table; however, what is not as clear is whether these seats are used to ensure fairness in the competition for favorable policy outcomes. The first part of the chapter establishes the importance of redistributive social policies to the black community. The second section devotes attention to the bifurcated class structure within the black community; why blacks unlike other ethnic groups have not diversified politically, and its impact on black group politics. Finally, the chapter establishes policy congruence between the needs of the black community and legislative priorities and committee assignments of black state legislators.

This chapter uses self reported committee assignments and legislative priorities, from a 1991 national survey of black state legislators, to examine whether black state legislators exhibit racial group consciousness by listing social welfare policies among their policy priorities and serving on committees that have oversight over the social welfare policy arena. It is believed that a legislators' sense of racial group consciousness is reflected in his/her choice of committee assignments and legislative priorities. This assumption is derived from the fact that in order for legislators to act for blacks as a group, their legislative priorities must be in line with the material needs of the black community. It is further believed that in order to have influence in these key policy areas, black state legislators will serve on committees that have direct jurisdiction over these policies. Whether black state legislators act for blacks as a group lie at the very heart of the civil rights movement and by extension the new black politics. As A. Philip Randolph noted, the African American community had achieved a "Crisis of Victory:" the Movement had achieved its fundamental objective of equal rights under the law, but blacks are still not the beneficiaries of equality and justice. Instead, the long standing problems of racism and poverty in the big city ghettos and rural America continue and in some instances are worse for blacks. ⁶

The Importance of Social Welfare Policies ⁷ to the Black Community

The successful elimination of legal restrictions to the franchise did not mean that the black political struggle was over. Instead, it meant that the use of

political participation to affect the unequal social, economic, and cultural status of blacks had just begun.⁸ As Karing reminds us, “the emphasis [of the black social rights movement] has shifted from court litigation and lobbying for general anti-discrimination status to the passage of redistributive social class policy”⁹ aimed at addressing the unequal social and economic conditions present within the black community.

Throughout the history of America, blacks have lagged behind whites on almost every acceptable socioeconomic indicator of well-being. According to 1996 poverty statistics, black poverty is three times higher than white poverty, at 28.8 versus 8.6 percent respectively. This is a slight decrease from 1991 when over a third of the black population was below the poverty line. Although black poverty has decreased incrementally, the ratio of black -to- white poverty has remained constant.

For need based programs such as AFDC, blacks are disproportionately represented among the programs recipients at 37.2 percent, while whites account for 35.6 percent.¹⁰ Since the implementation of the new Temporary Assistance to Needy Families (TANF) grant in 1996, it is estimated that a reduction of 35 percent of families and 36.9 percent of individuals who once received this benefit have been removed from the nation’s welfare role.¹¹ The racial break down of these populations was not available at the time of this writing, but early indications are that the unemployable welfare population which disproportionately consisted of black families and individuals, are remaining on public welfare roles in spite of the

existence of this punitive measure.¹²

The relationship between the black population, social policies and poverty are best illustrated by the lack of real income within and among black families as compared to white families. In 1992, the median income for black families was 57 percent of the total for white families. Black male earnings were 63 percent of that of white males. Black females, however, did better by earning 90 percent of what white females earned. Real income (adjusted for inflation) for black female headed households dropped 10 percent between 1979 and 1991 and was 58 percent less than that of comparable white families.¹³ The lack of equality in real income has undermined the gains blacks have made in white-collar and professional jobs. Although titles and job descriptions are the same as whites, earning inequities cause blacks to spend disproportionately more of their income and thus have fewer savings. Therefore, blacks are more susceptible to falling into poverty and onto the welfare roles than are whites.

The decline in manufacturing jobs and the growth of the feminized service sector reduced employment opportunities for significant numbers of black men. Between 1979 and 1994, the \$99.5 billion (in real 1987 dollars) increase in the U.S. goods and services trade deficit eliminated a total of 2.4 million job opportunities. About 2.2 million of those lost job opportunities were in the manufacturing sector. Trade accounted for fully 83% of the total 2.7 million jobs lost in manufacturing employment between 1979 and 1994.¹⁴ As a result of the over representation of black men in the manufacturing sector of the labor market, blacks men were more

likely than white men to be affected by these trends over the last two decades as is evidenced by black unemployment statistics.

In March of 1997, overall unemployment for men was 5.9 percent. Black male unemployment was double the national average at 12.7 percent and almost 3 times more than white males whose unemployment was 4.6 percent.¹⁵ Based on these indicators of well being, it is evident that social welfare safety nets are necessary for the stability of the black working class, working poor and poor. These economic classes have not been able to make significant and continual inroads into America's economy and thus are among the most defenseless populations in America.

The bulk of the gains, however, have fallen within the cohort of the much publicized and celebrated black middle-class. Located in suburban enclaves, the black middle class, the bed rock of the black community, doubled in size between 1960 and 1980. Although the black middle class does not rely as heavily on income redistribution programs,¹⁶ they nonetheless share many of the same vulnerabilities as their lower status brethren and lag behind whites of similar economic class.¹⁷

According to the 1990 census, 40 percent of the black households in America are considered middle-class as compared to 70 percent of the white households. Black middle-class status, unlike white middle class status is dependent on two paychecks and is based primarily on income and not wealth. In fact, it is estimated that the white poor has more wealth than the black middle-class.¹⁸ Therefore the black middle-class is as economically venerable, if not more so, than

the black working-class as a result of debt accumulation. "The net worth that middle-class Blacks command, range from \$8,000 for white-collar workers to \$17,000 for college graduates, largely represents housing equity, because neither the middle-income earners nor the well-educated nor the white-collar worker control anything other than petty net financial assets." ¹⁹ The black middle-class like the black working-class and poor depend on income for its standard of living. Many middle-class blacks are one pay check away from going on public assistance.

Social welfare policies, as indicated by the inequalities between blacks and whites, are important to the black community. During the past two decades there has been economic degeneration for millions of blacks, thus creating a troubling dilemma. "Poor education, high joblessness, low incomes, and subsequent hardships of poverty, family and community instability, and welfare dependency plague many African Americans." ²⁰ Since the majority of blacks lack real wealth, social welfare policies are one of the most important policy areas for the black community. If black state legislators are making a difference, it should be most evident in one of the most important policy areas for the black community: social welfare.

The vulnerable economic status of all classes of blacks increases the importance of social welfare policies for the black community. Although, blacks have made significant economic gains, it is clear that their economic status does not contribute to real wealth that is transferable from generation to generation and thus, increases instances whereby blacks could fall further behind their white counterparts in real earnings and closer to poverty. The willingness of black elected officials to

continue the fight for expansive social welfare programs is increasingly important, now more than ever, as explained by Edsall and Edsall:

...the twin issue of race and taxes have created a new, ideologically coherent coalition by pitting tax payers against tax recipients, by pitting the advocates of meritocracy against proponents of special preference, by pitting the private sector against the public sector, by pitting those in the labor force against the jobless, and by pitting those who bear many of the cost of federal intervention against those whose struggle for equality has been advanced by interventionist government policies.²¹

The impending devolution of social program administration to the states make it imperative to develop an understanding of the effectiveness of black state legislators in the policy process. Black state legislators could be an effective, but yet unrecognized, influence in the politics of the twenty-first century by fighting against retrenchment and forging new policies to protect the fragile economic positions of blacks from all economic classes. Therefore, determining whether black state legislators display racial group consciousness, by having legislative priorities and committee assignments in the social welfare policy area-- where they can help the greatest numbers of blacks--, will help determine whether the interests of blacks as a group are being represented.

Black Politics, Changing Class Structure, and Group Consciousness

The relationship between black constituents and black elected officials has received plenty of scholarly and antidotal attention. From the earlier studies of the first big city black mayors²² to studies of black presidential politics²³ through

studies of black federal representatives via redistricting,²⁴ the link between blacks and elected officials has always been a source of controversy and debate. Solutions to social and economic ills which plagued the black community could be solved through electoral politics it was believed. Scholars of black politics such as Ronald Walters,²⁵ Lucius Barker,²⁶ and Diana Pinderhughes,²⁷ suggest that the primary imperative of black politics is to advance the political interests of the African American community as a racial group. However, as Piven and Cloward note, black leadership failed "to recognize the manifold ways in which wealth and its concomitants engulfed electoral-representative procedures...[and] ... erred by ignoring the constant bias toward the interest of elites inherent in presumably neutral, governing structures, no matter what the mandate of the electorate."²⁸ Lani Guiner likewise suggested that by focusing on black electoral success, civil rights activists and federal policy makers have "...inescapably closed the door' on the real goal of the civil rights movement which was to alter the material conditions of the lives of America's subjugated minorities."²⁹

Bearing the brunt of the charges, for the inability to affect widespread change within the black community, has been black elected officials. Although studies of black mayors found them to be effective in creating jobs for city residents by enforcing residency requirements, and using affirmative action to create opportunities for qualified blacks,³⁰ these benefits primarily benefitted the black middle class at the exclusion of the black poor.³¹ Since black politics is a system challenging politics, and the material conditions of the black community's neediest

have not benefitted from it, scholars have suggested that the totality of black electoral politics has not lived up to its advanced billing.

The lack of relative economic success has led many to suggest that the use of electoral politics has been a failure for blacks. Some scholars suggest that voting is an over- exaggerated activity that does not win concessions for blacks ³² because of economic deprivation. ³³ Yet others believe that black political participation more often than not leads to co-optation of black leaders and few tangible benefits for the rank and file. ³⁴ More recently, Robert C. Smith, ³⁵ paints a dismal picture of black politics in the post-civil rights era. Smith suggests his study, "provides...detailed evidence of the irrelevancy of black politics in producing in the last twenty-five years benefits for most blacks, especially in the imperative to reconstruct and integrate the ghetto into the mainstream of American society." ³⁶ Smith also suggests that part of the problem of the black masses is that, "blacks remain dependent on a decaying party (and party system) that attempts to maintain itself in power by ignoring black policy interests and symbolically distancing itself from black people altogether, although blacks provide the party a fifth of its national vote." ³⁷

A large part of Smith's indictment of systemic politics deals with the fact that electoral politics is largely a middle-class activity. The fruits of the Civil Rights Movement significantly benefitted the black middle-class to the exclusion of the black lower-class. ³⁸ Smith concludes with this observation, "...black leaders are integrated but their core community is segregated, impoverished and increasingly in

the post-civil rights era marginalized, denigrated and criminalized." ³⁹

One explanation of why black politics has failed in its original mission to alter the material conditions of the black community, comes from scholars of class. William Wilson's, ⁴⁰ The Declining Significance of Race, is the most significant study touting the connection between class and the life chances of African Americans. Wilson makes three broad, but significant claims about class and black politics. First, due to changes in race relations, the life chances of blacks have more to do with economic class position than with day to day encounters with whites. Second, the civil rights movement benefitted mostly middle class, better trained, younger African Americans. And finally, the claim which has brought Wilson's book the most notoriety, the civil rights movement was consciously led by the black middle class to benefit their own economic class interests. If Wilson's observations are true, then, clearly a distinct class bias has developed within the black community, with the middle class pursuing a different political agenda. One conclusion that can be drawn is that the dual agenda subsequently has had a negative impact on the ability of the "New Black Politics" to live up to expectations. Or on the other hand, the black civil rights movement achieved exactly what its middle class leaders expected: a foot hold for younger, better trained, and educated blacks at the expense of the older, less trained, and less educated poor.

Although small pockets of blacks express their policy preference by way of class, the vast majority of evidence suggests that race is still the best predictor of life chances for blacks living in America. In the late 1980's, a number of years

after the publication of Wilson's book, "the black infant mortality rate of 18 per 1,000 births was nearly twice the national average of 10.4 per 1,000.... At almost every age, black men die at a substantial higher rate than white men...Blacks die of heart disease at a rate 39 percent greater than whites...cirrhosis of the liver (7 percent higher), strokes (82 percent), diabetes (132 percent), cancer (32 percent), accidents (24 percent), kidney failure (176 percent) and homicides and killing by police (500 percent)." ⁴¹

To suggest that class is a better predictor than race, of life chances, is curious, since the majority of black families (60 percent) are considered not middle class. If class is so dominate, then only a minuscule percentage of the black community is able to live life to its fullest. However, according to a study in the *American Journal of Public Health*, even middle and upper class blacks cannot escape the crippling mortality statistics since the study found, **RACE**, and not class was a significant factor in the medical health and health care received by people of color. ⁴²

The findings of the above study present an interesting dilemma for scholars of class and race. Based on the findings it is clear that a distinction is not easily made as to whether race or class is a better predictor of the life chances of blacks living in America. In order to gain a better understanding of the "black dilemma" inferences must be made on the racial as well as economic dimensions. Therefore, Wilson may have been a little hasty in regard to life chances of blacks being impacted more significantly by class rather than race.

Wilson, however, was correct in pointing out the widening chasm between the black poor and the black middle class. A 1989 report by the National Research Council illustrates the growing gulf between these two classes. According to the report, "In 1970, 15.7 of black families had incomes over 35,000; by 1986, this proportion had grown to 21.1 percent....[meanwhile, the black poor]...with incomes less than 10,000 also grew, from 26.8 percent to 30.2 percent." ⁴³

Surprisingly, the growing economic cleavage has not had a significant impact on black policy preference or the political behavior of blacks. As Dawson notes, "one would expect African American political behavior to be diversified" ⁴⁴ like that of other ethnic/racial groups. Clearly this is not the case. An examination of the American political landscape illustrates this point. According to David A. Bositis of the Joint Center for Political and Economic Studies, "The black vote continued to be reliably Democratic in 1996. Clinton's share of the black vote increased slightly from 82 percent in 1992 to 84 percent in 1996." ⁴⁵ In addition, all the black members of Congress are Democrats with the notable exception of J.C. Watts (R-OK); and most black mayors and state legislators are also members of the Democratic party. Needless to say, the overwhelming majority of black voters are registered Democrats as well. Perplexing, though, is the notion that "virtually all social science theories of race and class, except black nationalism, predict that black political diversity will follow black economic diversity." ⁴⁶

Black political diversity has been slow in coming to fruition because there is no real difference in terms of the accumulation of wealth between the black middle

class and the working poor. The economic diversity between these groups result from income and not the accumulation of wealth or assets, thereby middle class concerns are the same as the concerns as the poor. In addition, both groups rely on the public sector for economic maintenance: The black middle class via government employment and affirmative action; while the black poor rely on income redistribution. As a result both groups are pro-government intervention. Since the Democratic party has shown itself to be pro redistribution-- jobs vis-a-- vis affirmative action and income vis-a-vis redistribution -- it is understandable why black political diversity has not followed similar patterns of other ethnic groups. Therefore, although economically there is more diversity among blacks, the common bond of oppression and discrimination transcends class interests ⁴⁷ and thus contribute to cohesiveness of blacks in the political arena regardless of the diversity among the different economic class stratus. Therefore, as long as African-American life chances are powerfully shaped by race and class, it is efficient for individuals to use their perceptions of group interest as a proxy for their individual interests.

As demonstrated by the indicators of well being, even the most affluent blacks in America do not have the same life expectancy nor life chances as whites. The pervasiveness of institutional racism affects all economic classes within the black community, and thus has contributed to the racial consciousness of blacks. Regardless of how much money or status blacks accumulate, their life chances are permanently tied to the color of their skin. Unlike white ethnic groups, successive

generations of blacks still maintain the pigmentation of their ancestors. While all that is required of white ethnic's, is a change of name, blacks do not have that luxury and thus are trapped into permanent second class citizenship regardless of how much income or wealth they accumulate. This is why economic diversity does not translate to political diversity as displayed by other ethnic and racial groups.

As Harding argues, "in societies ravaged by racial and ethnic conflict, individual success may be strongly linked to group success."⁴⁸ It is simply easier for individual blacks to determine whether a particular government policy is good for the individual by determining its impact on blacks as a group. It is common to use proxies in the political arena since economic issues tend to be complicated and the cost benefit too great for individuals to determine where their individual interests are being hurt or helped. Therefore, it is rational for blacks to use group interest as a surrogate for individual interests.

If Dawson's black utility heuristic is correct, and public opinion data suggests that it is, then one would expect black elected officials, who are also products of the historic and current subjugation faced by blacks in America, to also display a sense of group consciousness in their work as representatives. Therefore it would be reasonable to expect black state legislators to at least share some of the concerns as the black constituents they represent by having legislative priorities and committee assignments in line with the material needs of their constituents.

Legislative Priorities

It seems then that one preoccupation of black elected officials should be to represent the material interest of their constituents. Given the fact that the vast majority of black elected officials are elected from majority black or near majority black jurisdictions, it is asked whether they strive to represent the interests of blacks as a group by identifying legislative priorities that are related to the material interest of blacks. Since blacks are disproportionately represented among the nations poor, in general have shorter life expectancies than whites, and are unemployed at double the rates of whites, one would speculate that anyone representing the interest of blacks must list these issues among their legislative priorities.

Therefore, we might expect black state legislators to pursue redistributive kinds of policies and subsequently list them among their legislative priorities. Studies, however, have shown that in recent years black issues have become less clearly definable.⁴⁹ This is in part due to the burgeoning black middle class which has a somewhat different set of legislative priorities. For example, as noted by Wilson,⁵⁰ the black middle class cares about redistributive issues, but not the redistribution of income, their concern is the redistribution of jobs via affirmative action and government set-a-sides.

Although this may in fact be the case, core issues within the black community have not diversified when one thinks about the source of redistribution. Whether redistribution involves income (for the black poor) or jobs (for the black middle class), they both require government intervention. As Gurin, Hatchett, and

Jackson⁵¹ noted in their electoral study, members of the black electorate were more supportive than whites of government guarantee of jobs for everyone desiring a job, of government sponsored anti-discrimination legislation, of programs targeting racial and ethnic minorities for economic initiatives and for increases in public welfare and education spending.⁵² More recently, Whitby, although agreeing that opinions of blacks vary widely, notes that "black favor liberal policies."⁵³ Even when income is taken into consideration, blacks on the whole, can be found to the left of whites in regards to the role of government. Whitby further illustrates this point by demonstrating that, "Blacks are nearly three times more likely than whites to favor educational quota programs for minority applicants, four times more likely to support policies that would give preferences in the hiring of minority employees, and twice as likely to believe that the government should implement policies guaranteeing everyone a decent standard of living."⁵⁴

Although not an exact science, poll data is a reliable source of information in determining the policy interests of the black community. For black elected officials, however, legislative priorities are important in determining what the legislator deems as important. Since a state legislator needs to be in office in order to effectively represent the interest of their constituents, most obviously of importance is reelection and therefore some legislative priorities will reflect issues that help to bring about this desired result. Another thing a legislator might deem important is making good policy since this is his/her primary duty. Finally, in order to achieve the first desired outcome: reelection, a legislator must have among his/her legislative

priorities issues important to their constituents. Since this chapter investigates whether black state legislators display group consciousness, it is expected that legislators who have a strong sense of group solidarity will list social welfare policies among their legislative priorities.

Committee System

It is often said that the life blood of Congress is the committee system. For without this division of labor, Congress would get very little done. The committee system allows members of Congress to specialize and compartmentalize their duties, thereby promoting expertise and specialization within the committees and subcommittees which in turn contributes to a smoother running system. The centrality and importance of the committee system and committee assignments in Congress is well established. However, in state legislatures, the subject has been given little attention. As noted by Uslander and Weber "Committees have not been investigated in any great detail at the state level and theory development in this area is noticeably lacking."⁵⁵

Although research on committees at the state level is lacking, the limited research that has been done demonstrates that committees are as important, if not more so, at the state level than at the federal. As demand for legislative action rises so to does the demand for legislator action. Each session legislators introduce large volumes of complex and technical bills too numerous for the entire legislature to deal with in a timely manner. Rather than gridlock, these bills are farmed out to

specific committees where legislators have expertise. "...[D]ivision of responsibility [therefore] is necessary not only to cope with the increasing demands but also to exercise legislative control over government agencies." ⁵⁶

Committees have become essential tools for state legislators. As Francis and Riddlesperger remind us, in an ever increasingly complex world, "committees and subcommittees make it less complex to bargain and easier to learn about the preferences of other voting members," ⁵⁷ thereby committees help reduce the costs for all members. Since committees and subcommittees have gained in stature and importance within the state legislature, they have become the principle centers of decision making. ⁵⁸

As a result of the professionalization of state legislatures and the increasing number of programs entrusted to them, committees have become an essential tool for legislators. As with Congress, state legislative committees shape, mold, and formulate legislation. A legislators' committee assignment is crucial to the type of legislation they introduce. In order to have influence, in shaping favorable policies for their constituents, legislators seek committee assignments that have the greatest influence over issues that are of concern to their constituents. As the old adage goes, "most bills die in committee," therefore what comes out of committees have a better than average chance of becoming law.

Membership turnover and partisan change are greater in state legislatures, than Congress, resulting in greater movement between and among committees ⁵⁹ which creates more opportunities for members. Within the state legislatures,

committee assignments are made by the leadership and not the party as is the case with Congress. After each election, members are polled as to their preferences for committee assignments. Generally speaking, the leadership tries to accommodate as many members as possible. Since seniority plays a smaller role in the state legislature than congress,⁶⁰ accommodating new members preferences is a lot easier. In fact, Hedlund and Patterson⁶¹ found that between 30 and 60 percent of members committee preferences were granted in the states they examined.⁶²

Since members more often than not get the committee assignments they desire, and committees have become the principal centers of decision making; it is safe to assume that a legislators committee assignment has two functions. First, legislators want to serve on committees that have the greatest influence on their constituents; and second, legislators choose committees based on their interest in the work of the committee. Consequently, Table 3-1 illustrates self-reported committee assignments of black state legislators by policy area.

These legislators were asked to list the most important committee that they serve on. The largest percentage (16), indicated that Health and Human Services was the most important committee that they served on. This is not surprising given the fact that the HHS committee and subcommittees cover such issues as welfare, children and families, and social services which have proven to be important policy areas for the black community. This finding is consistent with the conclusions of other studies of black state legislators in the policy process. Following closely behind HHS are appropriations, banking and education with 12.1, 13.3, and 11

percent respectively.

Table 3-1
Most Important Legislative Committee

Committee	Valid Percent
Aging	2.5
Agriculture/Natural Resources	3.1
Appropriations	13
Banking	14.2
Capital Outlays	.62
Consumer Affairs	.62
Drug Abuse	.62
Economic Development	1.9
Education	12
Elections/Redistricting	5
Finance/Ways and Means	7.4
Health and Human Services	16
Housing	1.2
Judiciary	9
Labor	4
Local and Urban Development	6
Transportation/Public Utilities	3.1
Tourism	1.2

Generally speaking, HHS is not considered as prestigious a committee assignment when compared with appropriations, ways and means, or banking. Surely most legislators know and understand the relationship between these power committees and their positions within the larger legislature and its tie to their legislative careers. Therefore, it is reasonable to assume that most members list the power committees high on their priority list. Although most state legislators get their first choice of committee assignments, surely the leadership cannot accommodate all requests. Consequently, some members get their second and third committee choices. Therefore, black legislators satisfaction with their committee assignments can be used as a proxy as to whether the member was placed on a particular committee, or whether they actively sought to be placed on a particular committee.

Table 3-2, illustrates black state legislators' satisfaction with their committee assignments. Members were asked, "overall how satisfied are you with your committee assignment?" Less than 2 percent of the respondents indicated that they were "very dissatisfied" with their committee assignments; while 7.2 percent said they were "dissatisfied." At the opposite end, 53 percent reported that they were "satisfied" and 38.6 percent said that they were "very satisfied." The overwhelming majority (91.6 percent) indicated some level of satisfaction with their committee assignments. These findings would suggest that the vast majority of black state legislators were able to get a satisfactory committee assignment. Further suggesting, as one could reasonably assume, that individual black state legislators may have

some influence within the state legislatures at least in achieving a satisfactory committee assignment.

Table 3-2
Satisfaction With Committee Assignment

	Valid Percent
Very dissatisfied	1.2
Dissatisfied	7.2
Satisfied	53
Very Satisfied	38.6

The findings on individual legislators' satisfaction with committee assignments are not surprising and are as we expected. Due to a variety of factors, expertise, longevity, importance of district, etc, it is expected that some black legislators will have more influence than others and thus garner more satisfactory committee assignments. However, we are not solely interested in individual accomplishments, but rather the influence of blacks state legislators as a whole. Therefore we turn our attention to black state legislators on the whole.

Table 3-3, illustrates the responses of black state legislators to the influence of black caucuses on several matters related to influence within the state legislature. Specifically the question asked, "How much influence does the [black] caucus have in matters [related to the legislature]?" In regard to the caucus having influence in committee assignments, 38.3, percent reported it has no influence, 47.4 percent indicated that it had some, and 14.3 percent suggested that it had a great deal of influence. Influence in party affairs revealed similar findings in regards to

committee assignments with 29.9 percent indicating “little or no” influence, 57.8 percent indicated “some,” and 12.3 percent reporting the caucus having “a great deal.” Developing legislation revealed 16.3, 54.2 and 29.4 percent respectively for “little or no,” “some,” and “a great deal” of influence by the caucus. When it comes to providing election assistance to new members 38.7 percent of the respondents reported that the black caucus had “little or no” influence, 43.3, percent suggested “some,” and 18 percent indicated “a great deal” of influence. Socializing new members, revealed 19.4 for “little or no,” 52.3 percent for “some” and 28.4 percent for “a great deal” of influence. Passing legislation important to blacks revealed the highest percentage for “a great deal” of influence with 47 percent; along with the lowest percentage for “little or no” influence (7.7 percent); while “some influence” with 45.2 percent, rounds out the table.

Table 3-3
Influence of Black Caucus

	Little or No	Some	Great Deal
Committee Assignments	38.3	47.4	14.3
Party Affairs	29.9	57.8	12.3
Developing Legislation	16.3	54.2	29.4
Providing Election Assistance to Members	38.7	43.3	18
Socializing New Members	19.4	52.3	28.4
Passing Legislation Important to Blacks	7.7	45.2	47.1

Conclusion

Evidence presented in this chapter, and additional previous research, suggests compellingly that black state legislators pursue redistributive ends in their legislative work. Taken a step further, Michael Dawson's black utility heuristic suggests that this is a conscious undertaking by black state legislators due to historical and current realities of oppression. Committee assignments and legislator priorities are an adequate starting point to gain insight into whether black state legislators make a difference for blacks as a group. Unfortunately, however, analyzing only legislator policy priorities and committee assignments do not inform us about the influence of black state legislators, particularly when it comes to social welfare policies. What we are concerned with then, is whether these legislators are able to utilize their policy priorities and committee assignments, as outlined in this chapter, to produce favorable policy outcomes for their constituents. In short, legislator-constituent policy congruence has been established. It is now time to focus upon whether committee assignments and policy priorities lead to substantive policy outputs for the black community and the representation of black policy interest.

Notes for Chapter 3

1. Dr. Martin Luther King, Jr. quoted in Lani Guinier, The Tyranny of the Majority: Fundamental Fairness in Representative Democracy (New York: The Free Press, 1994) 44
2. Lani Guinier, The Tyranny of the Majority: Fundamental Fairness in Representative Democracy (New York: The Free Press, 1994) 45
3. Ibid
4. Michael Dawson, Behind the Mule: Race and Class in African American Politics (Princeton: Princeton University Press, 1994).
5. Lani Guinier, The Tyranny of the Majority: Fundamental Fairness in Representative Democracy (New York: The Free Press, 1994) 69; emphasis added.
6. Robert C. Smith and Richard Seltzer, Race, Class, and Culture: A Study of Afro-American Mass Public Opinion, (NY: State University of New York Press, 1992) 100; Clarence Lusane, African Americans at the Crossroads: The Restructuring of Black Leadership and the 1992 Elections. Boston: South End Press, 1994) 3.
7. Although social policies can denote a variety of things, this chapter is primarily concerned with anti-poverty means-tested policies.
8. Robert C. Smith and Richard Seltzer, Race, Class, and Culture: A Study of Afro-American Mass Public Opinion, (NY: State University of New York Press, 1992) 100; Lucius J Barker and Mack H. Jones, African Americans and the American Political System (Englewood, NJ: Prentice Hall, 1994) 30-47.
9. Albert K. Karing "Black Resources and City Council Representation" Journal of Politics 41 (February) 34.
10. U.S. Department of Health and Human Services; The Administration for Children and Families. <http://www.acf.dhhs.gov/news/tables.htm>
11. TANF seeks to reduce spending on welfare by encouraging "able bodied" recipients to work.
12. Jason De Parle, "Shrinking Welfare Rolls Leave Record high Share of Minorities," New York Times, July 27, 1998: A1 and Barbara Harris, "Welfare to Work; Not Working for Immigrant Families, Study Shows," San Jose Sentinel April 13, 1999: A1

13. U.S. Census Bureau, Population Division, Racial Statistics Branch
(<http://www.census.gov/population/www/socdemo/race/black96rep.html>Source:)
1996
14. Robert E. Scott, Thea Lee, and John Schmidt, "Trading Away Good Jobs: An Examination of Employment and Wages in the U.S., 1979-1994" Economic Policy Institute (October 1997)
15. U.S. Census Bureau, Population Division, Racial Statistics Branch
(<http://www.census.gov/population/www/socdemo/race/black96rep.html>Source:)
1997
16. Some scholars, most notable economists, suggests that affirmative action and minority-set-asides are redistributive since they seek to transfer jobs from one hand to another. This dissertation, however, does not investigate the redistribution of jobs, but rather, the redistribution of income.
17. Michael Dawson, Behind the Mule: Race and Class in African American Politics (Princeton: Princeton University Press, 1994)
18. Ibid., 29
19. Melvin Oliver and Thomas M. Shapiro, Black Wealth, White Wealth: A New Perspective on Racial Inequality, (New York: Routledge, 1997) 205.
20. Ibid., 24.
21. Thomas B. Edsall and Mary D. Edsall, Chain Reaction: The Impact of Race, Rights, and Taxes on American Politics, (NY: W W Norton and Company, 1992). 1
22. On the election of black mayors see William Nelson and Philip Meranto, Electing Black Mayors, (Columbus, Ohio State University Press: 1977); Paul Kleppner, Chicago Divided: The Making of a Black Mayor, (DeKalb, IL: Northern Illinois University Press, 1985); Wilbur Rich, Coleman Young and Detroit Politics, (Detroit: Wayne State University Press, 1989); Carl Stokes, Politics and Power: A Political Autobiography (New York: Simon and Schuster, 1973); Michael Preston, Lenneal Henderson and Paul Puryear (eds.) The New Black Politics: The Search for Political Power, (Longman: New York, 1987); Alex Poinsett, Black Power Gary Style: The making of Mayor Richard G. Hatcher, (Chicago: Johnson Publishing, 1970).
23. See for example Ronald Walters, Black Presidential Politics: A Strategic Approach (New York: SUNY Press, 1988); Sheila Collins, The Rainbow Challenge: The Jackson Campaign and the Future of U.S. Politics, (New York: Praeger, 1986); Adolph Reed, The Jackson Phenomenon: The Crisis of Purpose in Afro-American Politics, (New Haven: Yale University Press, 1986)

24. Kenny J. Whitby, The Color of Representation: Congressional Behavior and Black Interests. (Ann Arbor: University of Michigan Press, 1997); Carol Swain Black Faces, Black Interests: The Representation of African Americans in Congress. (Cambridge, MA: Harvard University Press, 1995).
25. Ronald Walters, Black Presidential Politics: A Strategic Approach (New York: SUNY Press, 1988).
26. Lucius Barker, Our Time Has Come, (Chicago: University of Chicago Press, 1988)
27. Dianne Pinderhughes, Race and Ethnicity in Chicago Politics, (Chicago: University of Chicago Press, 1987)
28. Frances Piven and Richard Cloward. Poor People's Movement: Why They Succeed, How They Fail. (NY: Vintage Books, 1979).
29. Lani Guinier quoted in David Hedge, James Button and Mary Spear, "Accounting for the Quality of Black Legislative Life: The View From the States," American Journal of Political Science, (February 1996): 82-99.
30. Peter, Eisinger, "Black Employment and Municipal Jobs: The Impact of Black Political Power," The American Political Science Review. No 76 (1982) 380-392
31. Robert C. Smith We Have No Leaders: African Americans In The Post-Civil Rights Er. (New York: State University of New York Press, 1996).
32. William Keech, The Impact of Negro Voting: The Role of the Vote in the Quest for Equality (Chicago IL: Rand McNally and Company, 1968).
33. Hanes Walton, Black Politics: A Theoretical and Structural Analysis (New York: JB Lippincott, 1971) 200.
34. Frances Piven and Richard Cloward. Poor People's Movement:)Why They Succeed, How They Fail. (NY: VINTAGE Books, 1977).
35. Robert C. Smith We Have No Leaders: African Americans In The Post-Civil Rights Era. (New York: State University of New York Press, 1996).
36. Ibid., 277
37. Ibid., 280
38. William J. Wilson, The Declining Significance of Race: Blacks and Changing American Institutions (Chicago: The University of Chicago Press, 1980)
39. Ibid., 276

40. William J. Wilson, The Declining Significance of Race: Blacks and Changing American Institutions (Chicago: The University of Chicago Press, 1980)
41. Isabel Wilkerson and Angela Mitchell, "Staying Alive! The Challenge of Improving Black America's Health," Emerge, (September 1991) 25
42. Ibid.
43. Clarence Lusane, African Americans at the Crossroads: The Restructuring of Black Leadership and the 1992 Elections. Boston: South End Press, 1994) 8.
44. Ibid., 8
45. David A. Bositis "Blacks and the 1996 Elections: A Preliminary Analysis" (Joint Center for Political and Economic Studies, Washington, DC) 1996
46. Michael Dawson, Behind the Mule: Race and Class in African American Politic. (Princeton: Princeton University Press, 1994), 45.
47. According to Gurin, Miller and Gurin (1980), "Class consciousness involves correct identification of the classes and ones location in the class structure, as well as recognition that one's class interest are opposed to those of other classes (3 1).
48. Russell Harding, quoted in Michael Dawson Behind the Mule: Race and Class in African American Politic. (Princeton: Princeton University Press, 1994.) 57
49. William J. Wilson, The Declining Significance of Race: Blacks and Changing American Institutions (Chicago: The University of Chicago Press, 1980); Katherine Tate, From Protest to Politics: The New Black Voters in American Elections (Massachusetts: Harvard University Press, 1993).; Michael Dawson, Behind the Mule: Race and Class in African American Politic (Princeton: Princeton University Press, 1994)
50. William J. Wilson, The Declining Significance of Race: Blacks and changing American Institutions (Chicago: The University of Chicago Press, 1980)
51. Patricia Gurin, Shirley Hatch, and James S. Jackson, Hope and Independence: Blacks' Response to Electoral and Party Politics, (New York: Russell Sage Foundation, 1989)
52. Edith Barrett, "The Policy Priorities of African American Women in State Legislatures," Legislative Science Quarterly, no. 20 (1995): 224.
53. Kenny J. Whitby, The Color of Representation: Congressional Behavior and Black Interests. (Ann Arbor: University of Michigan Press, 1997) 8
54. Ibid., 8-9

55. Eric Uslaner and Ronald E. Weber, Patterns of Decision Making in State Legislatures. (New York: Praeger, 1977) 433
56. Wayne Francis and James W. Riddlesperger, "U.S. State Legislative Committees: Structure, Procedural Efficiency, and Party Control," Legislative Studies Quarterly, 7 (November 1982).
57. Ibid., 463
58. Francis and Riddlesperger also point out that their respondents said that their committees were not used a great deal in their legislature.
59. Hurbert Basehart, "The Effects of Membership Stability on Continuity and Experience in U.S. State Legislative Committees," Legislative Studies Quarterly (1980).
60. Malcolm Jewell and Samuel Patterson, The Legislative Process in the United States. 4th ed (NY: Random House, 1986).
61. Ronald D. Hedlund and Samuel Patterson, "The Legislative Antecedents of State legislative Committee Assignments," Legislative Studies Quarterly, no 17 (November 1992).
62. It should be noted that the frequency of preferences granted only apply to the states in their study (Iowa, Maine, Pennsylvania, and Wisconsin). Generalizations outside these states must be made with care.

Chapter IV

Representation and Organization of Black Interests

...let me simply say that our common conceptions of representation are obsolete!...we can finally say with confidence what representation is not. But, in spite of many centuries of theoretical effort, we cannot say what representation is.

Heinz Eulau¹

Representation is an extremely rich and complex concept in political theory and admits to no easy measurement for the empirical researcher. Although the linkage between constituent and legislator is not exact, and methodological and theoretical problems persist, the political scientist would be remiss if (s)he did not examine this most basic tenant of American Democracy: Do legislators represent the policy interest of their constituents?

Since legislators/constituent policy congruence has been established, it is now time to build on the findings from chapter three by turning our attention to the question of whether black state legislators provide substantive and not merely descriptive representation for blacks as a group. In doing such, this chapter examines the influence of black state legislators on the Temporary Assistance to Needy Families grant. More specifically, this chapter examines what influence, if any, do varying proportions of black state legislators play in the policy process; whether the presence of a black legislative caucus influences legislative public policy outcomes; and whether the influence of black state legislators is conditioned by socioeconomic and political considerations?

Findings

The findings from the bivariate regression model for hypothesis one (the greater the proportion of black legislators, the more likely legislatures will support more generous TANF benefits) is summarized in Table 4-1. The regression illustrates that percent black state legislators and the monthly benefit allowance for a family of three (the dependent variable) are statistically significant. The adjusted R-square (26.2%), however, indicates that this model does not explain much of the relationship between these two variables. Although the relationship is not strong for a regression, it is strong for a bivariate model. Similar studies of the effects of black state legislators on policy making² have illustrated comparable strength of relationships. It is this dissertation's contention that 26.2% demonstrates a strong enough relationship to conclude that these variables are statistically dependent and suggests that percent black legislator is a critical explanatory variable in state public welfare expenditures.

Ironically, however, the relationship between percent black state legislators and monetary allowance is negative as suggested by its slope of -11.6. Therefore, for every percentage increase in black state legislators, there is a decrease of \$11.65 in the monthly benefit allowance! This is surprising given the fact that the dissertation hypothesized the relationship in the other direction: as the percentage of black state legislators increases so to would the monthly benefit allowance for a family of three. This finding, therefore is inconclusive as no support was found for the hypothesis as suggested.

Table 4-1
The Impact of Black Representation on
the Monthly Benefit Allowance in the American States

Variable	Unstandardized Coefficient	Standard Coefficient	P-Value
Constant	484.577 (27.991)		.000
% Black State Legislator	-11.651*** (2.746)	-.526	.000

***p < .001

Adjusted

R-Squared = 26.2

df= 48

The need standard³ is believed to be a better predictor of a states' intent to help its needy population. Since each individual state determines its own need standard and monthly benefit allowance, the proportion of the need standard represented by the monthly benefit allowance is a strong indicator of how a particular state views its dependent population. For example, states that provide monthly benefit allowances equal to the need standard can be said to characterize their needy population as deserving, while states that provide less than the need standard characterize their needy as undeserving.

For a further test of hypothesis one the monthly benefit allowance for a family of three for each individual state was divided into the state's need standard. A bivariate regression was then performed on the new variable ALLNEED and the percentage of black state legislators. As illustrated by Table 4-2, this regression model is significant. However, the association between these variables as indicated by the adjusted R-squared of only 10.5% is weak. As with the earlier model, the

relationship has a negative slope of 1.35. Again this suggests that for every percentage increase in black state legislators there is an association of \$1.35 decrease in the percentage of the need standard that states are providing their welfare populations represented by the proportion of the monthly benefit allowance grant. Again, the evidence in support of black state legislators making a difference in the monthly benefit allowance is inconclusive.

Table 4-2
Monthly Benefit Allowance as a Proportion of the
Need Standard in the American States

Variable	Unstandardized Coefficients	Standardized Coefficients	P-value
Constant	72.690 (5.336)		.000
% Black State Legislator	-1.349* (.524)	-0.352	.013

*p < .05

Adjusted

R-Squared = 10.5

df= 48

When comparing Tables 4-1 and 4-2 it is clear that the addition of the need standard variable has had some effect on the overall model. The second model (4-2) loses some explanatory ability as indicated by the decrease of the adjusted R-squared of .157. Table 4-2 also has a smaller slope which indicates that black state legislators do not have as dramatic a negative impact on the need standard as they do on the monthly benefit allowance.

The findings in Table 4-1 and 4-2 are, however, explainable. The states

where black state legislators comprise relatively large percentages of state legislatures are the states that are among the poorest in the country. Represented in this group are states like Louisiana, Alabama, and Mississippi. Although these states have significantly high proportions of black state legislative representation, they also have large overall poverty levels – 18.3%, 25.5% and 23.6% – , and staggering black poverty levels of 37.7%, 46.6%, and 45.7% respectively. These states are approximately five to 10 percentage points higher than the national average for overall poverty (13.1%); and eight to 16 percent points higher than the national average for black poverty (29.5%). The per capita income of these states are also among the lowest in the country at \$20,055, \$19,824, and \$17,471 dollars respectively which is well below the national average of \$28,732. The combination of low per capita income and high levels of poverty produces a scenario in which spending on social welfare stretches the already shrinking coffers of the state. Balancing other financial needs, against the desire to help the poor, becomes a lose-lose proposition for the poor.

The other end of the spectrum is represented by states like New Hampshire, Minnesota and Vermont. These states have lower numbers of black state legislators, relatively lower poverty—10.2%, 6.4%, and 9.9 % –, but higher per capita incomes of \$26,520, \$25,580 and \$22,127 respectively. Although black poverty in Minnesota, for example (36.8 %), rivals states with proportionately higher black populations, the relative number of poor is much smaller. This allows states of this kind to spend more money per family while at the same time remaining within their

budgets. The relatively high per capita incomes also allow these states to provide a better monetary standard of living for their welfare populations. The poor by virtue of living in these states enjoy a relatively better standard of living than their counterparts in poorer states even though black state legislators are much smaller or nonexistent.

Findings regarding the second hypothesis (states with black caucuses are more likely to grant more generous TANF benefits) are represented by the Chi-Square output in Table 4-3. As illustrated in Table 4-3, the relationship between the presence of a racial caucus and the monthly benefit allowance is significant. Unlike the earlier expressions, though, this relationship is in the hypothesized direction. The Chi-Square output suggests that a discrepancy as large as 5.33 between the expected and observed frequencies would only occur 2.1 percent of the time if the monthly benefit allowance is not related to the presence of a racial caucus. As a result of the findings of the Chi-Square analysis, we cannot reject the null hypothesis that there is no relationship between presence of a black caucus and the monthly benefit allowance (see Appendix D for Chi Square Table).

Table 4-3:
The Influence of a Racial Caucus on the
Monthly Benefit Allowance in the American States

Independent Variable	Chi-Squared Value	N
Racial Caucus	5.333* (.309)	50

Note: *p < .05

Pearson's C value is in parentheses

The value of the multi-variate model as compared to the bivariate model lies in its ability to significantly increase the explanatory capability of the model. By adding socioeconomic and political variables to the model, an increase in the strength of relationship between the dependent and independent variables is expected. Remember, these control variables have been theorized, in other studies, to influence public welfare expenditures in the American states.

The explanatory ability of the multi-variate model is a significant improvement over the simple bivariate models. As illustrated by Table 4-4, the full multi-variate model is significant. The adjusted R-squared (65.4%) shows that there is a strong relationship between the independent variables (percent black state legislator, percent college graduate, percent unemployment, median household income, percent poverty, percent urban, region, and percent TANF) and the dependent variable (monthly benefit allowance). Inclusion of control variables in hypothesis three contributes to a significant improvement over the findings of hypothesis one (Table 4-1 & 4-2) and two (Table 4-3). Although the model provides greater explanatory ability, the relationship is still negative and therefore counter to what was hypothesized. Therefore the test of whether states with economic

hardships will favor lower TANF benefits is inconclusive.

In the full model (Table 4-4) four of the nine independent variables are significant. Percent college graduate, percent poverty, percent TANF recipients, and percent black state legislator perform as expected. Percent poverty and percent black state legislator illustrate a negative relationship. Median household income, region, unemployment, urban and party control are not significant in the full regression model. Five variables have negative relationships: percent poverty, percent urban, median household income, percent black legislator, and party control.

Significant Variables

In the full model percent black state legislator performs as it did in the simple bivariate model of hypothesis one. It is significant and has a negative relationship. The relationship, however, has changed from -11.651 to -.7458. The decrease in the relationship suggests that the negative effect of black state legislators on the monthly benefit allowance is not as dramatic, when socioeconomic and political variables are included in the model. Therefore, when political and economic variables are included, a percentage increase of black state legislators is associated with a \$7.46 decrease in the monthly benefit allowance and not \$11 as indicated earlier in Table 4-1. Nonetheless, this finding is counter to what was hypothesized.

Percent poverty is significant variable. However, as poverty increases the monthly benefit decreases as illustrated by its negative slope of 19.529. This suggests that for each percentage increase in poverty, the monthly benefit allowance

decreases \$19.53. The direction of the relationship is not surprising since we expected increases in poverty to be negatively associated with increases in the monthly benefit allowance. Intuitively we expected for states with persistent high levels of poverty to also be states that are among the poorest in the country. Consequently these states have less financial resources to help their needy populations. Therefore as poverty increases, there are less available funds per recipient or family.

The variable TANF behaves as expected. The variable is significant and has a slope of 20.2. Therefore, for every percentage increase in TANF recipients, there is a \$20.22 increase in the monthly benefit allowance. The findings for this variable suggests that as percent state population on TANF increases so to does the monthly benefit allowance. This is generally expected as states with more TANF recipients will also be states that spend more TANF funds on welfare.

Percent college graduate is also significant. The slope of 16.8 indicates that the variable has a positive impact on monthly benefit allowance. This finding affects the dependent variable as expected. States with highly educated populations earn more income and therefore have more discretionary income to contribute to social services. Thereby, as percent college graduate increase, spending on the monthly benefit allowance increases \$16.82.

Non-Significant Variables

Median household income is not significant. The assumption that higher household income would allow states to provide greater monetary benefits to their

needy population is not borne out in this multi-variate model. Urban is not significant. The behavior of this variable is counter to what we anticipated. Since the demand for services are greatest in urban areas, it was believed that this variable would be significant. The unemployment variable is not statistically significant. The finding of no relationship is surprising given the fact that one would expect there to be a direct relationship between unemployment and social safety net programs. Intuitively, higher unemployment rates should lead to greater spending on the monthly benefit allowance. The assumption is that the unemployed will heighten demand for social services and subsequently contribute to higher expenditures on the monthly benefit allowances. Our findings, however, are contrary to our intuition and assumptions.

Further investigation reveals that the lack of a relationship between the unemployment variable and greater monthly benefit allowance can be found within employee insurance programs. Arguably there are two types of unemployment: long term and short term. The long-term unemployed are already populating state welfare roles and therefore labor market fluctuations have a very limited impact on this population. Likewise, the short term unemployed does not have a significant impact on state welfare roles and expenditures because they are more likely to receive unemployment compensation, severance pay and workers compensation. As a result, periodic down-turns in the labor market will not have as dramatic an effect as originally thought.

The region variable is statistically non significant. This variable performs the worst of any variable in the full regression model. Region was thought to be an

important indicator in the monetary guarantee of the monthly benefit allowance. Since black state legislators are concentrated in the South, we expected region to be significant. Party control also proves to be statistically non significant. As has been suggested by other studies, party control has very little if any relationship to the guarantee. This, however, is not to suggest that politics doesn't matter, but rather that decisions about redistribution are by-products of a state's public opinion which influences the liberalism of both the Republican and Democratic parties. These parties are in turn rewarded for their ability to represent state public opinion. As suggested by Downs,⁴ parties move towards the center to attract the most votes. Therefore, the composition of the electorate is believed to be a better predictor of the type of policies that emanate from the legislatures than party control. As noted by Erikson et., al.,⁵ it is the ideological flexibility of both parties that obscures the linkage between party control and public policy.

Table 4-4
Full Model: Monthly Benefit Allowance in the American States

Variable	Unstandardized Coefficients	Standardized Coefficients	P-value
Constant	309.763 (156.601)		.055
% Black Legislators	-7.458** (2.401)	-.348	.004
Party Control 1997	-14.116 (18.917)	-.071	.460
% College Graduate	16.862** (5.402)	.418	.003
% Unemployment 1995	29.038 (16.353)	.215	.084
Median Household Income	2.662E-03 (.002)	-.160	.254
% Poverty	19.529 ** (5.891)	-.529	.002
% Urban	-1.540 (1.180)	-.147	.200
Region	3.785 (15.047)	.026	.803
% TANF	20.224* (8.878)	.262	.028

Note: *p <.05, **.01

Adjusted

R-Squared = 65.4

df= 47

The composite scores from the index are listed in Table 4-5. Also included in this table are the percent of the state's black population, percent black state legislators, percent poverty, percent urban, and percent black poverty. Since our

regression and chi-square models were inclusive and negative relationships were found between the monthly benefit allowance and percent black state legislators and caucuses, it is important to see whether the same type of relationships would hold in our index.

The index illustrates that the relationship (percent black state legislators and type of options states chose with respect to waivers) is in the hypothesized direction. As the proportion of black legislators increase there appears to be a decrease in punitive composite scores among waiver states. Using this measure, the states with the most punitive reform plans are the states with little or no black population and subsequently, fewer black representatives.

With a composite score of eight, Connecticut, which has 7.4 and 5.9 percent black voting age population and black state legislators respectively, is shown to have the most punitive welfare reform plan. Delaware, Illinois, and Tennessee are all tied for second with composite scores of seven. Delaware has the highest proportion of black voting age population of all the states that ranks high on the punitive measure index with 16.9 percent; while Tennessee represents the state with the highest percentage of black state legislators with 13.10 percent.

States with large black populations and significant numbers of black state legislators like Alabama, Georgia, and South Carolina can also be found among the states on the punitive list, but they rank in the middle of the scale with composite scores of five, four, and four respectively. Rounding out the scale are Maine, Montana, and South Dakota who prove to be the least punitive states with composite scores of one, one, and zero respectively.

Table 4-5: Welfare Reform Scale

State	%BSL	%BVAP	%Urban	%Poverty	%Black Poverty	%Black TANF	Composite Score
AL	25.70	25.30	60.3	18.3	37	75.6	5
AZ	5	3.00	87.5	15.7	27.5	8.10	4
CA	8.80	7.40	92.6	12.5	21.1	17.7	3
CT	8.3	5.90	79	6.8	19.8	31.2	8
DE	4.9	16.9	73	8.7	22	64.8	7
GA	17.8	27	63.2	14.7	30.3	73.4	4
HA	00	2.50	89	8.3	8.8	1.3	2
IL	11.9	14.80	84	11.9	31.10	56.6	7
IN	7.3	7.8	64.9	10.7	29	39.2	3
IA	.8	1.70	60.6	11.5	37.1	13.4	4
KS	4	5.80	69	11.5	30	27.9	3
MI	10	13.90	70.5	13.1	33.7	52.1	4
ME	00	.4	44.6	10.8	20	1	1
MN	.8	2.20	69.8	10.2	36.8	22.4	4
MA	4.40	5	84.3	8.9	23	17.9	5
NM	2.9	2	72.9	20.6	27.8	4.2	3
MO	8	10.70	68.7	13.3	29.9	44.00	1
MT	00	.3	52.6	16.1	31	.3	3
NE	00	3.60	66.1	11.1	31.1	24	6
NC	14	22	50.3	13	27	63.8	4
ND	00	.6	53.3	14.4	15.5	.7	5
OH	12.2	10.6	74.1	12.5	32.3	44.1	4
OK	3	7.40	67.7	16.7	34.6	28	3
OR	3.3	1.60	70.7	12.4	29.8	7.8	2
SC	19.4	29.8	54.7	15.4	31.4	76.8	4
SD	00	.5	50	15.9	19.6	.7	0
TN	13.10	16	60.9	15.7	32.4	50.6	7
TX	8.7	11.9	80.3	18.1	31	33.7	3
UT	00	.7	87	11.4	30.5	2.8	5
VT	.7	.3	32.1	9.9	21	2.6	2
VA	8	18.8	69.4	10.2	22.4	64.4	3
WA	1.0	3.10	76.4	10.9	22.8	10.8	4
WI	6.10	5	65.7	10.7	40.8	40.40	6

*The higher the composite score, the more punitive the welfare reform plan submitted to HHS

Interestingly, as Table 4-6 illustrates, the overall poverty levels in the least punitive states' (Maine, 10.8; Missouri, 13.3; and South Dakota, 15.9) are greater than the poverty levels in the most punitive states (Connecticut, 6.8; Delaware, 8.7; and Illinois, 11.9). Intuitively, one would expect states with persistent high levels of poverty to be among the poorest in the country thereby resulting in decreasing financial resources for their needy populations and more punitive welfare reform plans. However, our index proves to be counterintuitive. We find that neither poverty levels, per capita income, nor urbanization (when compared between the most punitive and least punitive states) significantly impacts the punitive nature of each individual state's welfare reform plan. Instead, race appears to be the most significant factor influencing the type of reform selected by individual states, since the only significant difference between the most punitive and least punitive states is the size of their respective black populations.

The least punitive states (Maine, Missouri, and South Dakota) have black voting age populations of 0.4, 10.7 and 0.5 percent respectively. The most punitive states (Connecticut, Delaware, Illinois, and Tennessee) have black voting age populations of 7.4, 16.9, 14.8, and 16.0 percent respectively. Based on this analysis, it appears that there is a strong correlation between black population and the punitive nature of the TANF options chosen by individual states.

Table 4-6
Most Punitive States vs Least Punitive States

State Score	%BSL	%BVAP	%Urban	%Poverty	%Black Poverty	Composite
CT	8.3	8.3	79	6.8	19.8	8
DE	4.9	4.9	73	8.7	22	7
IL	11.9	11.9	84	11.9	31.10	7
ME	00	0.3	44.6	10.8	20	1
MO	8	10.70	68.7	16.1	29.9	1
SD	00	0.5	50	15.9	19.6	0

In the regression analysis (Tables 4-1 and 4-4) it was found that there is a negative relationship between percent black state legislators and the monthly benefit allowance. In fact, the strongest regression model is the one which looks at percent black state legislators and black population (see Appendix E). This is understandable giving the fact that the overwhelming majority of black elected officials in America are elected by black populations. Consequently, wherever there are black elected officials there will be black voters. Then, a reasonable assumption can be made that as the black population increases so too does punitive welfare reform options, and less monthly benefit allowance. Based on this analysis, percent black state legislator and black voting age population prove to be better predictors of the type of welfare plans instituted by a particular state than level of poverty, urbanization, or per capita income all of which have been identified by previous studies to be significant when talking about income redistribution in the American state.

Percent poverty is strongly associated with percent black population. As percent black increases so too does poverty. When poverty is added to the index there is no change in relationship though. The regression analysis (see Appendix F) is insignificant. States with large overall poverty rates are both high and low on the punitive reform scale. For example, New Mexico has the highest poverty levels among the states on the punitive list, yet its welfare reform plan is moderate with a composite score of three. Connecticut (already discussed) has the lowest poverty levels among the punitive states, but has the most punitive welfare reform plan. What is peculiar about both New Mexico and Connecticut is that they both have low black voting age populations and low black proportions of black state legislators (albeit New Mexico has high Latino voting age population). However, when percent black is added, the slope becomes positive, but there is still no relationship. These measures of inference provide a visual picture of what is going on with the states in our sample and the importance of race and welfare reform.

Conclusion

The evidence uncovered in this chapter proved to be inconclusive since only one directional relationships were hypothesized. Nonetheless some assumptions can be drawn from the evidence uncovered. Disturbing though, and contrary to what the dissertation hypothesized, the presence of significant proportions of black state legislators had a negative impact on the monthly benefit allowance. As the proportion of black state legislators increased, the monthly benefit allowance for a

family of three decreased. Since there is a strong relationship between blacks being elected to office and the size of the black population, of which a disproportionate segment is poor and impoverished, these findings may be cause for careful evaluation of the impact of race in the allocation of equitable distribution of anti-poverty benefits. This chapter began by building on the descriptive findings from Chapter Three. The goal of this chapter was to determine whether black state legislators make a difference for blacks as a group. This chapter suggests that the ability to provide substantive representation is conditioned by both socioeconomic and political variables as suggested by the findings.

As demonstrated by the index of punitive welfare reform, race was a significant variable in the decisions made by individual state legislators. Scholars such as William Wilson ⁶ have argued with considerable conviction that class is the better determinant of life chances for blacks. Although class is a contributing factor, this analysis suggests that race is a more important variable when one is talking about state-supported assistance. The models examined in this chapter illustrate the importance of race in impacting benefit levels for needy citizens. States with large black populations were the states that had the most punitive welfare reforms and the least generous cash assistance to their citizens. In short, race proved to be a better indicator of benefit levels than any other variable including poverty level.

The evidence against a class argument is so overwhelming that the statistical analysis produced negative relationships between benefit allowance — black voting

age population, poverty, and percent black state legislators. In these instances, the relationship was always negative. Therefore, the dissertation suggests that any model of welfare benefits must take into consideration the specter of race and its impact on the American political and socioeconomic landscapes.

This dissertation also recognizes the fact that numbers do not tell the entire story. There are still questions about the role of black state legislators to be examined which final tallies do not answer. As with most quantitative analyses, context is often a problem. Quantitative analyses, generally speaking, do not concern themselves with what was actually possible. They only concern themselves with end results. Since our regression analysis, in the full model, determined that socioeconomic and political variables are important variables when considering monthly benefit allowance, it would be short-sighted to assume that we can gain all we need to know by simply analyzing aggregate data. Therefore the remaining chapters will conduct a case study on Maryland and Mississippi that will help lend a qualitative dimension to this study by uncovering contextual findings.

Notes for Chapter Four

1. Quoted in "Changing Views of Representation," In Heinz Eulau and John C. Wahlke, eds, The Politics of Representation: Continuities in Theory and Research, 1978.
2. James Llorens "Black Empowerment in the State Legislature: The Impact of Black Representation on Public Welfare Expenditures in the American States 1970-1988" (Pd.D. diss. , Louisiana State University, 1992); Mary Herring, "Legislative Responsiveness to Black Constituents in Three Deep South States," Journal of Politics, no. 52 (1990): 741-758.
3. Need Standard is determined by individual States and represents the income the State decides is essential for basic consumption items.
4. Anthony Downs, An Economic Theory of Democracy (NY: Harper 1957)
5. Robert Erikson, Gerald Wright, and John McIver, "Political Parties, Public Opinion, and State Policy in the United States," American Political Science Review, no. 83 (1989): 729-750.
6. William J. Wilson, The Declining Significance of Race: Blacks and Changing American Institutions (Chicago: The University of Chicago Press, 1980)

Chapter V

Maryland: “The Free State”

The basic tenet of black consciousness is that the black man must reject all value systems that seek to make him a foreigner in the country of his birth and reduce his basic human dignity.

Steve Biko¹

Sitting just South of the Mason-Dixon line, and known for its anti-slavery stance, the home of Fredrick Douglas and birth place of Thurgood Marshall, Maryland is often refereed to as the “free state.” The moniker, however, has nothing to do with the Mason-Dixon line nor Maryland’s abolition of slavery during the colonial period; but rather, with Maryland’s refusal to enforce the Prohibition Statue. So strong was Maryland’s anti-prohibition stance that the editor of the Baltimore Sun, Hamilton Owens, wrote an editorial suggesting that “Maryland should secede from the Union rather than prohibit the sale of liquor.” In subsequent editorials, Owens continued the use of the term “free state” and it became Maryland’s unofficial nick-name.

So awe-inspiring and chivalrous is Maryland’s “free state” moniker that laymen and students of history often mistake it as referring to a beacon of light from the North that blacks in bondage tried so desperately to reach in search of freedom. Placed in the context of Maryland’s mixed feelings to slavery and its geographical location just below the Mason-Dixon line, this interpretation of the free state is a logical conclusion and illustrates the importance of context. Context, as has been demonstrated elsewhere, and will be demonstrated here, is important to

understanding how permanent minorities impact public policy in the American states. All too often conventional wisdom dictates that if things are not markedly better; there is failure without realizing that just maintaining the status quo is in itself a remarkable accomplishment in an era of retrenchment politics.

To this point, the dissertation has presented information on the growth and importance of black state legislators, the importance of social welfare policies to the black community, committee assignments and policy priorities of black state legislators, and aggregate data analysis on the relationship between the proportional strength of black state legislators and monthly benefit allowance. Moving from the aggregate to the separate and distinct, this chapter acknowledges that context matters. Consequently, the dissertation conducts contextual analysis of the influence of black state legislators in Maryland and their influence in TANF policy making. Before the dissertation can place the influence of Maryland's black legislators in context, it is first necessary to understand the political culture, economic, and social history of Maryland. As with every state in the Union, Maryland's political culture invariably contributed to the state's politics and by extension the role black men and women are able to play in Maryland's political and economic life. Therefore, in order to gain a true contextual understanding of the relationship between black state legislators and policy making, historical circumstances are important to understand.

Back Ground

Maryland has a rich history of being a moderate state. Unlike other colonies, Maryland did not have an official religion. George Calvert, the founder and original proprietor of the Maryland colony, although being Roman Catholic, did not impose his religious beliefs on the habitants of the colony. Instead, he allowed everyone to practice their religious beliefs in private. Calvert preached and practiced separation between Church and State. During the formative years of the colony, there is no public record of any individuals being persecuted as a result of their religious beliefs. Members of different sects and religions, it is believed, were cohabitating side by side. However, during a brief period in 1649, George's son, Cecilius Calvert, the Lord of Baltimore, lost his political power and influence as a result of the political and religious turmoil in his home country of England. With the demise of his political strength, supporters – Roman Catholics and Protestants– feared the demise of religious tolerance .²

Fearing pressure from forces within and outside the colony, in 1649, the Maryland General Assembly hastily passed "The Act Concerning Religion" doctrine. The act was intended to protect the religious liberty of the colonies inhabitants. Over the years the Act has become known as the "Toleration Act". There is some dispute, however, as to whether the Act really allowed unlimited religious freedoms to all, or whether it limited religious expressions to those religions that proclaimed Jesus Christ as its savior.³

In addition to religious tolerance, the Maryland Colony also allowed

individuals from different nationalities to settle in its community. In fact, it is believed that the Maryland colony may have had America's first naturalization act. Unlike other colonies that granted land and settlement rights to people from the Netherlands, Maryland, for example, through an act of the General Assembly granted non-Englishmen full rights, privileges and immunities.⁴ The combination of religious tolerance and naturalization were major contributing factors in the development of the Maryland colony.

As the Maryland colony developed, the need and thirst for cheap and eventually free labor gained importance within the colony. Initially Maryland utilized indentured servants who worked the fields for a predetermined period of years in order to pay off their debt for passage to the New World. Some of the indentured servants were also of African decent and were also allowed to own land once they worked off their debt. However, by 1642, the laws began to evolve and with it the status of black Africans.

In 1663, the Maryland Assembly passed a law stipulating that all Africans brought into the colony had to remain in servitude for life. In addition, all children born to these individuals would also be subject to servitude for the duration of their life. Africans were no longer considered indentured servants, but for all intent and purpose, free laborers. Colonial courts, however, would grant black Africans their freedom if they were baptized as Christians. In an attempt to circumvent the Colonial Courts, in 1664, the land Barron's of the Maryland Assembly, in order to prevent the lose of free labor, passed a law that stipulated that conversion to

Christianity did not affect the status of blacks Africans .⁵ This act effectively bonded black Africans to generations of servitude.

With the status of black Africans determined, religious freedom, and naturalization the norm, the Maryland colony prospered. By 1755 it is believed that approximately 153,000 people lived in the Maryland colony. Of this number 28 percent were black and 2 percent mulattoes. Since tobacco was a labor intensive crop, in the areas of Anne Arundal and lower Western Shore counties it is estimated that populations of blacks ran as high 40-50 percent. In northern and western Maryland, where mostly wheat, a less labor intensive crops were grown, blacks accounted for roughly 14 percent of the population.⁶

Sprinkled throughout the colony were free blacks. It is believed that 1 percent of the black population and 40 percent of the mulattoes were free.⁷ During this period, Maryland housed the largest free black population of any state that held people in servitude for life. The free populations consisted of decedents of black Africans that were freed before the restrictive slave laws were in place and individuals that were able to buy their freedom or whose relatives were able to purchase their freedom for them.

In part, due to the efforts of free blacks during the Civil War and the inherent contradictions of Americans fighting for sovereignty while at the same time denying it to human beings simply on account of their race, the sentiment of white Marylanders towards slavery began to changed. After the war free blacks that met the same property qualifications as whites were allowed to vote under the terms of

Maryland's new constitution. Furthermore, in 1783 the Maryland General Assembly made it illegal to import people in bondage into Maryland for sale. More importantly for blacks in Maryland, however, were the increase in manumissions.⁸

Being faithful to Maryland's religious doctrine, manumissions utilized religion as a basis for the freeing of black Africans that were in bondage. In 1777 and 1780, Quakers and Methodists respectively prohibited their members from owning persons. This effectively freed hundreds of Africans and set Maryland on a course to be worthy of its "free state" moniker. Although thousands of Africans still remained in bondage and racism still persisted, and in some areas intensified as free blacks and poor whites struggled to maintain economic existence, Maryland's free black population continued to increase.⁹

By 1850 it is estimated that over 24,770 free blacks lived on Maryland's Eastern Shore; 11,000 in Southern Maryland; 13,000 in Western Maryland; and 25,000 in Baltimore City. Although these were significant numbers and represent significant proportions of the total population, the total number of non-free blacks still out-numbered free blacks. The notable exception, however, was Baltimore City where free blacks out-numbered non-free blacks by 8 to 1. Between 1790 and 1850 the number of free blacks in Baltimore City grew from 323 to over 25,000. Largely these numbers represent blacks moving from rural Maryland to the city in search of employment, and moving closer to families and friends who purchased their non-free brethren out of slavery.¹⁰

Seeds of Political Power

As a result of the increased numbers, Baltimore's black population sought full participation in the political, economic and social life of the city. Being denied the opportunity to fully participate in the affairs of the city, Baltimore's black population turned to self sufficiency. Leading the charge were black women groups. "Assured of city-wide newspaper publicity and support from the influential Baltimore Afro-American [newspaper], these progressive black women identified immediate needs, provided services to improve living conditions, helped to unify the black community, and inspired some interracial cooperation at a time when the two races were drifting farther apart."¹¹

Black women's organizations in early twentieth century Baltimore laid most of the foundation for self-help and social service programs that were influential in helping blacks in Baltimore become politically and civically active in the affairs of Maryland's largest city¹². These groups sought to address health issues, educational programs, inferior housing, and inadequate food for the young and old. In addition, they held charity drives, bought land in the country side so that black children could have some place to go during the summer, provided wood for heat in the winter, and forged ties with white women civic organizations that proved to be beneficial in helping them implement their agenda.

Together the two groups formed an advisory committee called the Women's Cooperative Civic League that met once a month to, "informally discuss the problems which confront the colored people and possible ways in which they may be

assisted in meeting these problems wisely. ”¹³ Identified were such things as lack of temporary detention homes for delinquent black children, lack of truant schools for black children, the poor condition of school buildings, and improper city zoning laws. In addition, the Committee noted that the street and alleys in areas where blacks lived, “were rather uniformly worse” than those in the white sections of town. They cited poverty and lack of a spokes person to lobby City Hall as contributing to the problems of blacks in the city of Baltimore. Spurred by these observations, the Committee formed six subcommittees that were subsequently used to put pressure on city government for needed services for the black community: Refuse Disposal, Smoke abatement, Home Gardens, Milk, Education, and Zoning.¹⁴

Gaining in stature and power, the Committee sought to organize black residents for political action. By 1924, the Committee organized residents in Wards 6, 12, 14, 17, 19, 22, and 27. Of importance were housing, beautification of the neighborhood, and health. Although the Committee was successful in bringing attention to these problems, it was less successful in making real changes for the black residents in Baltimore. The Baltimore Sun reported that “approximately one-hundred thousand blacks in the city lacked decent housing and that diseases that had been formerly confined to the poor housing areas were spreading to the better areas and had become epidemic.”¹⁵ Despite these failures, the Women’s groups were influential in forging a feeling of community among the black residents that served as a basis for solidarity during segregation and continued thereafter as blacks sought formal access to political power.

Although Maryland was more racially tolerant than most states of the South, it nonetheless had its share of racial problems. Black migration to the North, segregation, and the decline in employment after the World War Two created a labor proliferation situation which pitted white workers against black workers. Nonetheless, the mobilized black community was able to maintain a toe hold in service industries such as state and federal jobs, city services, utilities, bus drivers or the telephone company.¹⁶ Building on the early activism and models of the earlier self help programs, black Baltimoreans confronted segregation head on and were able to effect meaningful change. In 1947, blacks pressured the University of Maryland to accept more blacks into its law school and forced the city of Baltimore to appoint its first black police sergeant. In 1949, Baltimore's first black plumber was licenced while both Baltimore and Frederick County medical societies admitted black physicians. In addition, hospitals on the Eastern Shore, where segregation was more rigid, opened it doors to black doctors.¹⁷

The 1950 election of Governor Theodore Mckeldin (former mayor of Baltimore) marked a significant turning point for blacks in Maryland. A strong advocate of racial equality, Governor Mckeldin, appointed blacks to state commissions and to several courts. The Governor also instituted a new Maryland Commission on Interracial Problems and Relations. The Commission, although well intended, was unable to slow the mounting tensions between the races and expedite the full integration of blacks into both the economic and social life of Maryland. Like other urban centers in America, rioting and racial hostilities took its toll on

Legislative Black Caucus

Out of the ashes came the call for political activism. Seeking a bridge of understanding, and to solicit radical changes around the conference table and through the state legislature, three men affiliated with the University of Maryland proposed the formation of Maryland's Legislative Black Caucus. Leading the charge was the late Roosevelt Duncan, administrator; the late Norman V.A. Reeves, counselor; and Howard "Pete" Rawlings, ¹⁹ instructor; who is also the current Chairman of the House Appropriations Committee.²⁰

Although the first wave of post-reconstruction black elected officials entered the Maryland General Assembly in 1954, it was not until 1967 that significant numbers of blacks were elected to the Maryland Legislature to form a cohesive block. The 1967 election witnessed the seating of eleven new black members to the General Assembly. Bringing the total to fourteen and representing one of the largest black delegations in the country. ²¹ Although numbers are sketchy, it is believed that at least nine of the fourteen members represented Baltimore City and were a mix of Republicans and Democrats. The significance of the 1967 election was the consolidation of black political power in Maryland.

By 1970, black state legislators formed Maryland's Legislative Black Caucus. Organized around the theme that in the, "American two-party system, politics is a matter of adversaries and alliances, members shared the view that it is of

the highest wisdom to have stable alliances among and with those of similar interests. Thus it was natural that when a sufficient numbers of black legislators had been elected , they could form themselves into such a grouping. ”²² The black caucus is organized in such a way that the chair and co-chair are always from different chambers. Each member of the caucus serves on one or more of the nine standing committees: education, legislative review, fund-raising, minority enterprise, insurance, fiscal and budget matters, health, constitution, and ad hoc. The purpose of the caucus is to: 1) act as a catalyst for the black community; 2) inform members and the community of vital issues; 3) act as a liaison between the black community and the state legislature; 4) discuss legislation and; 5) act as a study group for the black community.²³

During the formative years of the black caucus it was able, through the amendment process, to strengthened bankruptcy laws, secure the first bill making cross- burning a felony, and sponsored resolution requiring the enhancement of Morgan State University and other black colleges throughout the state of Maryland. The black caucus was also instrumental in opening public accommodations for blacks, helping to secure voting rights for the District of Columbia, and an overhaul of the welfare system.²⁴

Growing numbers and gaining membership on key legislative committees has diversified the black caucus and positioned its members to be important players within the Maryland General Assembly. Once expected to only focus on issues of concern to blacks, caucus members have diversified and expanded their scope of

expertise as different members bring different perspectives to the legislature.

Caucus members played pivotal roles in the 1980 redistricting process by gaining important positions on key redistricting committees. Through its leverage, members were able to add seats from Prince George's County, Carroll County, and Baltimore City-- thereby doubling and adding significantly to its size and influence within the Maryland General Assembly.²⁵

As is illustrated by table 5-1, between 1994-1997 there were approximately thirty-five black members in the Maryland General Assembly, eight senators and twenty- seven delegates. The gender breakdown was twenty- four men and eleven women. Black members represent 19 percent of the total legislature. Having been regular members of the Maryland General Assembly since 1954, blacks in 1995 occupied two chairperson positions on standing committees, one vice-chair, the Majority Whip, and two Deputy Majority Whips in the House. On the Senate side, blacks occupied three chairperson positions, and the Majority Leader.

Table 5-1
BLACK MEMBERS ON STANDING COMMITTEES
1994-1997

Committee	Members
HOUSE	
Appropriations	Rawlings (Chairman), Currie** (Majority Whip), Branch*, Dixon, Douglas+, Parham+, Parker, Proctor,
Commerce and Government Matters	Benson, Oaks*, Patterson*
Economic Matters	Cummings (V-Chair, Speaker Pro Tempore), Exum
(Deputy	Majority Whip), Kirk, Jones, Boston
Environmental Matters	D. Davis, Fulton, Murphy, Nathan-Pulliam
Judiciary	Arrington+, Montague, Baker*, Burns*, B. Hughes, Turner*,
Ways and Means	C. Davis, Howard, Marriott, Mitchell*, Muse*
Rules and Executive Nominations	Harrison (Chairperson)
Consent Calenders	
SENATE	
Budget and Taxation	Irby , R. Hughes, Lawlah, McFadden*
Economic and Environmental Affairs	Blount (Chair, Majority Leader)
Finance	
Judicial Proceedings	Kelly
Executive Nominations	Young (Chair)
Rules	Trotter (Chair)

Source: Maryland Manual, 1994/1995 and 1996/1997; National Caucus of Black State Legislators:
Directory of African American State Legislators.

*Elected in 1995

**Elected to the Senate in 1995.

+ Left the Legislature in 1995

It is evident that blacks in Maryland have ascended to institutional positions of authority. However, as Hanna Pitkin reminds us, and this dissertation seeks to consider, there is a difference between descriptive/symbolic and substantive representation.²⁶ When talking about legislative black caucuses, Maryland's is generally held in high regards as a result of its members institutional positions and relative size. However, institutional position and size are only indicators of perceived power and provides only cursory information about the ability to effect meaningful change. In addition, the political and social history of the State of

Maryland would dictate some level of institutional authority by blacks. The question then becomes, “were black state legislators able to utilize their relative size and institutional positions in the welfare reform debate to make a difference in the lives of blacks in Maryland?”

General Assembly

Like all states, except Nebraska, Maryland has a bicameral legislature. Members of both houses are elected every Gubernatorial election cycle for four years which is an off-year for presidential elections. The Maryland General Assembly is a professional legislature. It has a full-time permanent staff and delegates are compensated for the time spent in the legislature. During session, the state pays for food, housing, and transportation expenses in addition to salaries. The ninety-day session starts the first Wednesday in January and may be extended only by resolution of both houses or by the governor. The legislature consists of 188 members: forty-seven senators and 141 delegates.²⁷

Both senators and delegates of the Maryland General Assembly are only permitted to serve on one standing committee. House members can serve on one of eight standing committees: Appropriations, Commerce and Government Matters, Constitution and Administrative Law, Economic Matters, Environmental Matters, Judiciary, Ways and Means, Rules and Executive Nominations, or Consent Calenders. Senators can serve on either Budget and Taxation, Economic and Environmental Affairs, Finance, Judicial Proceedings, Executive Nominations, or

Rules.

Political Economy

As with the rest of the Middle-Atlantic subregion -- Delaware, South Jersey, and Eastern Pennsylvania, -- Maryland is a diverse manufacturing center. In at least small numbers, nearly every industry is present within the borders of Maryland.

Ranging from heavy industries such as steel mills, ship yards, and petroleum refineries to lighter industries like electronics, or food processing plants.

Marylanders earn their living in a variety of occupations from fishing and farming to research and development, thereby encompassing all aspects of the economy.²⁸

Trade industries represent 24.4 percent, service 29.9 percent, government 19.1 percent and other encompasses 26.6 percent.²⁹

In general, Maryland has an affluent population, well educated and well housed population. Maryland ranks nineteenth in population and experienced a population increase of 5.5 percent between 1990 and 1995. The state also ranks fifth in population density with 81.3 percent of its population living in urban areas. Maryland has a relatively young population with 63 percent of its residents between the age eighteen and sixty-four. The state consists of roughly 2 percent of the nation's population. Marylanders also earned nearly 2 percent of the nation's income.³⁰

In fiscal year 1994, Maryland spent approximately 1.5 percent of its total budget on AFDC or \$83 for every resident in the state. Six percent of Maryland's

population receives AFDC. Over seventy-seven thousand families in Maryland receive AFDC of which blacks constitute 70 percent. The maximum AFDC benefit for a family of three in Maryland for FY 1995 was \$373 which is down 42 percent from 1970 in real dollars. In other words, Maryland's cash assistance has not kept pace with inflation. Its AFDC benefit is 34 percent of the 1996 poverty guideline which is \$12,980 ,dollars for the year or \$1,082 monthly. ³¹

The Seeds of Welfare Reform

Although Maryland's welfare burden is modest as compared to other states, the state nonetheless followed the national trend by overhauling its welfare system. The state of Maryland began its welfare reform movement prior to federal legislation that enacted the Temporary Assistance for Needy Families (TANF) act. Maryland was one of the states that received a waiver from the federal government to enact experimental welfare reform programs.

In January of 1994 Governor William Donald Schaefer submitted his welfare reform package to the Maryland General Assembly. It marked the third attempt by the Schaefer administration to reform welfare.³² To the surprise of many, the governor's proposal included a "family cap" and "time limits."³³ Many were surprised because the Governor was previously opposed to family caps.

Many believed that the governors "sudden" about face was politically motivated. Adding to the speculation concerning the governor's motive was the release of a December 1993 poll conducted by the University of Baltimore's

Schaefer Center for Public Policy. The poll showed that almost three-fifths of the 931 respondents favored reducing welfare benefits to women who had additional children. When probed about his change of heart, the Governor responded, "I think we're trying to send a message that if you can take care of the child at a non-public expense, fine. If you can't, maybe you shouldn't have that child." Susan P.

Leviton, a member of the governor's welfare commission did not believe the governor's personal responsibility retort. Instead Ms. Leviton believed that it was a quick solution to a very complicated problem. Ms. Leviton suggested that, "because it [was] an election year, we need[ed] things that look[ed] like a quick solution".³⁴ She further suggested that the governor's plan was not in line with the reality of the welfare problem in the state where women on welfare are no more likely to have more children than non-welfare recipients.

The governor's bill was expected to face stiff opposition in the general assembly. It, however, was greeted with mixed but supported reactions. Delegate Howard Rawlings, Chair of the House Appropriations Committee, the committee that has jurisdiction over welfare reform, expressed concern but nonetheless supported the goal of family caps. Rawlings, a black Baltimore City Democratic, suggested that once welfare mothers make the decision to have more children, "the public has to be responsible for it. It is not a decision that is consistent with attempting to eliminate their dependence on the welfare system." Delegate Astle, a Democrat from Annapolis, believes that people are frustrated that welfare has become a permanent solution for many poor families. We don't mind providing a

helping hand, he said, "but we don't want to adopt them for the rest of their lives. "³⁵

In the legislature the welfare debate heated up as liberal advocates for the poor sided with conservative anti-abortion advocates. The groups found common ground over family caps. Maryland Right to Life, an anti-abortion advocacy group feared that family caps would force poor women to seek abortion rather than risk losing additional benefits. The Legal Aid Bureau, advocates for the poor, feared children will only be hurt in the long run by limiting benefits. In addition, advocates for the poor pointed out that the Schaefer plan did not ease restrictions on family planning which is an essential component in the fight to limit family size.

Surprisingly, the Schaefer plan which came under heavy criticism from children's, welfare, poor, and anti-abortion advocates, received support from a local chapter of the nations leading civil rights organization, the National Association for the Advancement of Colored People (NAACP). This much needed support came at a time when the New Jersey plan-- which also has family caps and time limits-- was being challenged in US District Court in Newark, NJ by the American Civil Liberties Union (ACLU) and the National Organization of Women for denying women of their constitutional rights.

The support of the Maryland branch of the NAACP provided a much needed boost for the Schaefer plan. Calling welfare a form of "slavery" that robs people of their incentive to succeed, Reverend John Wright, state president of the Maryland NAACP, endorsed the plan in principle. Reverend Wright suggested that effective reform must include the creation of real job opportunity and must lessen the stigma

that families on public assistance often face. "The end result of all this must be self-sufficiency.... If you keep paying me for nothing, and I become lazy and nonchalant, that's slavery" said Reverend Wright.³⁶ Also voicing support for "family caps" was Leroy Warren of Montgomery County, a national board member of the NAACP. Warren stated that "family caps was reasonable because you just can't keep having kids and expect somebody else to take care of your kids." Warren continued the slavery theme when he suggested that, "It is a form of slavery. It's an addiction. You've got to break the cycle somewhere." You've got to "get people in the mode of doing something positive other than watching MTV", said Warren.³⁷

With the welfare movement picking up speed and much needed support from the nation's oldest civil rights organization, the Schaefer administration felt good about the chances of its bill coming out of committee, where most bills tend to die. Voicing this opinion was Speaker of the House Casper Taylor (D-Allegheny), a noted supporter of welfare reform who stated that, "That kind of momentum is contagious." On the Senate side, Thomas P O'Reilly (D-Prince George's) Chairman in the Senate Finance Committee who was also pleased about the position of the NAACP said, "we might pick up some votes in the senate and house that we might otherwise lose."³⁸

Aside from family caps and time limits, the governor's proposal also required welfare recipients to find full-time jobs within eighteen months or perform community service. Recipients would also be allowed to keep their medical assistance and food stamps while employed. They must take parenting class and

underage mothers must live at home to receive benefits. The general take on the governor's bill was that it promotes responsibility. Although most agreed on the bill's merit, the sticking point was family caps. Family caps was important because Maryland does not provide for medicaid funded abortions. Therefore, poor women would have no opportunity to get an abortion, while at the same time not getting additional benefits for added children. Advocates for the poor and welfare opponents felt that the children were going to bear the brunt of the governor's proposal.

The House and Senate supported two different bills: the Schaefer bill and a bill sponsored by Delegate Maggie L. McIntosh of Baltimore City. The McIntosh bill received support from the house and differed from the Schaefer bill in that it had no family cap and was believed to be more humane. With the Senate supporting the Schaefer bill and the house supporting the McIntosh bill, they set themselves on a collision course. The Senate passed its version of the bill, with family caps, by a twenty-nine to eighteen vote. The House passed its version, without family caps, by a 109 to twenty-three vote. With two weeks left in the session and the two chambers split over medicaid funding for abortion, which is at the heart of the family cap debate, it appeared that welfare reform was in jeopardy.

Amongst the posturing, legislators also had reelection on their minds. Welfare reform became a political football in the Maryland legislature, as it had been in the rest of the country. People from both sides of the aisle wanted reform. Delegate Robert Flanagan, a Republican, and supporter of the Schaefer bill said the

bill ...”discourages welfare recipients from having additional children they can’t care for,... it takes away existing disincentives for people to get married or live together as a family and it requires people on welfare to work.” In short, “ the free ride is over” said Flanagan. Delegate Virginia Thomas, a Democrat, said “we have to make people more responsible for their behavior.” Senator Christopher McCabe, a Republican, suggested that, “the government should not have policies that encourage dependency on the system, but needs to provide a bridge for people entering the work force.”³⁹

After months of hard talk and posturing the Maryland General Assembly took the teeth out of the Schaefer proposal. The Conference committee, made up of three house members and three senate members, organized to iron out the differences between the differing versions of the bills bowed to pressure from anti-abortion, pro-choice, and advocates for women rights and the poor. Instead of family caps, as insisted by the governor, legislators opted for incremental change. The resulting bill was a far cry from what the governor had hoped for. The bill approved by the legislature created a pilot program for select applicants in Baltimore City, Anne Arundel, and Prince George’s Counties. It expanded job training for welfare recipients and required those not employed after 18 months to join a work program. State Human Resource Secretary, Carolyn Colvin, dissatisfied about the legislative outcome said, “You’re don’t have a bill of substance without family cap....Your putting a Band Aid on.” Upset over the result of the actions by the Assembly, Schaefer vetoed the bill and vowed that he would “push to achieve the

same end [results] through procedures available under federal welfare requirements.”

⁴⁰ Although this option was available all along, the Schaefer administration felt it was more important to have the General Assembly approval before implementing the controversial family caps. As the legislative session ended with the defeat of some of the governor’s priority legislation, the general feeling was that the legislature played it close to the vest by only seeking modest changes in an election year.

Personal Responsibility

As the election season heated up, it became obvious that personal responsibility would be an important campaign issue. Congressional Republicans, led by Newt Gingrich, were pushing the “Contract with America” which outlined the conservative vision for America. Contained within it the Contract was the Personal Responsibility Act-- Welfare Reform. The Personal Responsibility Act, “Discourages illegitimacy and teen pregnancy by prohibiting welfare to minor mothers and denying increased AFDC for additional children while on welfare, cut spending for welfare programs, and enact tough two-years-and-out provision with work requirements to promote individual responsibility.” (Contract With America). In short, the Personal Responsibility Act contained many of the provisions as the Schaefer bill and became the 1994 campaign theme throughout the country and in Maryland.

Helen Bentley, Republican candidate for governor, raised the stakes in the

Maryland gubernatorial election. Taking the Schaefer proposal a step further, Ms. Bentley declared that not only was she in favor of family caps and time limits, but that she would cut off benefits to convicted felons or anyone involved with illicit drug usage. When probed about the effect this plan would have on children in the homes, Ms Bentley suggested that, "stiff penalties will discourage drug use if parents know that their families will suffer some and so will they." In the battle for the public agenda, Ms. Bentley's Republican opponent, Delegate Sauerbrey called Bentley a late-comer to the welfare issue and suggested that her ideas were stolen from others and therefore unoriginal.⁴¹

As the campaign battle heated up, it became clear that the poor would once again be the target of political ambitions. The nightly news recounted stories of welfare abuse and mismanagement by welfare agencies, officials, and recipients. Even welfare recipients began to speak out about the need for reform. Constance Tolbert of Baltimore, a former welfare recipient and current public servant, criticized the current system because, it has almost "replaced the father in welfare families." she said.⁴² Welfare rhetoric invariably and irreversibly changed the public perception about welfare from a hand- up to a hand-out, from unfortunate circumstances to personal responsibility, and from the deserving poor to the undeserving poor.

On the coattails of welfare reform and taxes, Republicans all across America swept into office. As Republicans took control of Congress for the first time in 40 years, and made significant pick-ups in state legislatures⁴³, it became evident that the

public mood had shifted. No longer could advocates of the poor stand defiantly against the changing public agenda. Even in Maryland, a traditionally strong Democratic state, Republicans picked up twenty-two seats in the house and senate.⁴⁴ The Democratic candidate for governor, Prince George's County Executive, Parris N. Glendening, found himself in a political battle with Republican Ellen Sauerbrey for the office of Governor. In an election marked by personal responsibility, Glendening's, silence on this matter may have caused the election to be closer than predicted as he eked out a slim victory on the strength on the black vote in Baltimore City.

Prior to the election, Glendening through a spokesman stated that he was against family caps and time limits. However, after the election, the governor-elect found himself squarely in the middle of the personal responsibility debate. On the right, the growing Republican minority suggested that they finally had enough votes to advance their long time causes-- tax reductions, lobbying restrictions, and welfare reform.⁴⁵ On the left, Speaker of the House, Casper Taylor, saw a clear mandate in the elections. "Voters are calling for a stronger sense of fiscal, social, and personal responsibility", he noted. Taylor, urging his colleagues to move aggressively, predicted that a welfare reform bill much like the one vetoed by Schaefer last session would pass easily in the upcoming session.⁴⁶

The Welfare Reform Pilot Program

As the 1995 session began, it became clear that politicians on both sides of the political aisle heard and understood the public frustration with welfare and welfare recipients. The first bill introduced in the session, House Bill # 1, sought to institute family caps. This marked a stark departure from the 1994 session where the house defeated the Schaefer bill as a result of its inclusion of family caps. Heeding the political winds, and with very little opposition from advocates for the poor, Maryland politicians moved with stealth like speed to overhaul the state's welfare program. Governor Glendening, who previously stayed out of the welfare fray, then vowed to oppose family caps; quickly jumped on board the welfare reform bandwagon as it became evident that the legislature was going to pass the bill.

The welfare reform movement had picked up such speed that in less than a year everyone thought it was the right thing for welfare recipients. House Speaker Taylor, blamed the old system for the breakdown of the "urban family" and called the system "fundamentally flawed." Baltimore Democrat and Chair of the House Appropriations Committee, Howard Rawlings, who supports family caps wanted to know whether, "...public policy should support irresponsible behavior?" Even Susan Leviton, founder of the nonprofit group, Advocate for Children and Youth, who in 1994 vehemently opposed welfare reform tempered her comments. Ms. Leviton, although still having reservations said she liked many aspects of the reform package, and "thinks the bill is on the right track."⁴⁷ With all the key players on board, the Maryland Legislature overwhelmingly passed welfare reform. In the house the vote

was 121 to eleven while the Senate passed its version by a 45 to 2 vote.

The differences between the Senate and House versions were ironed out in Conference Committee. In August of 1995, Maryland joined thirty other states that received waivers from the Clinton Administration to implement experimental welfare reform programs.

The Maryland plan has been widely hailed as one of the most humane approaches to welfare reform. Unlike other states, Maryland has taken a realistic approach to the chronic problem of welfare dependency. Designed to last only five years, the program encompassed three thousand households receiving AFDC in Baltimore City, Anne Arundel County, and Prince George's County. The program required recipients in those counties to participate in job search and job training programs in order to receive benefits. In addition, the legislation required the Maryland Department of Health and Human Services to provide transportation and two years of guaranteed childcare as well as medical insurance if the employer does not provide it.

Statewide, the Pilot Program included a "family cap" provision. Maryland modeled its "family cap" provision after New Jersey's plan. However, Maryland instituted a "soft cap" that makes its plan more lenient than the New Jersey plan. Rather than simply cutting off benefits for additional children born to welfare recipients, the provision, although not providing additional cash benefits, allows recipients who do have additional children to receive vouchers. The vouchers can be used to purchase diapers, baby formula, and other necessities for the child, but does

not allow recipients to purchase alcohol, drugs or other illicit items. The purpose of the voucher system is to protect the well-being of the baby, while at the same time discouraging recipients from having additional children merely for the additional cash benefits. In short, most of the pitfalls of welfare reform that critics have questioned have been addressed in one way or another in the Maryland plan.

Welfare Innovation Act of 1996 (FIP)

The Maryland plan was due to take effect in April of 1996. However, many feared the Clinton Administration, in its battle for the public consciousness with the Republican Congress, would seek more stringent guidelines. Among the uncertainty of welfare reform was funding. The Maryland legislature knew that drastic cuts in funding for welfare were coming down the line. The question would be whether Maryland could still maintain its current approach to welfare reform or would federal guidelines preempt the program that was due to take effect in April of 1996.

Trying to anticipate the direction Washington was going, Governor Glendening submitted additions to the 1995 Welfare Pilot Program to the General Assembly. The additions would: 1) require welfare recipients to find a job within two years or accept public service employment; 2) grant more flexibility to local welfare departments; and 3) establish a system that would allow welfare officials to identify recipients who are employed and do not report their income to social service. The Glendening bill was unexpectedly opposed by Maryland Association of

Counties, although it stood to gain the most from the new legislation since it would give them greater discretion over their welfare program. Not surprisingly opposition came from Baltimore City and Prince George's County where significant numbers of the state welfare recipients reside. The backlash to the bill resulted from the perceived notion that Maryland was abandoning its commitment to providing needed services that would help poor families get off of welfare and find self-sufficiency. ⁴⁸

Fearing the worse, the Maryland legislature debated the virtues of revisiting welfare reform in order to get it closer to what many anticipated the new federal regulations would be. Delegate Rawlings, Chair of the House Appropriations Committee, stated that his, "preference is that we don't do anything until we hear with some certainty what the federal government is doing." ⁴⁹ Delegate Samuel I. Rosenberg, a Baltimore City Democrat and chairman of the subcommittee that oversees welfare reform, criticized the new initiative as being a "budget-driven bill in search of policy a justification." Linda Fox, Deputy Director of the Department of Health and Human Service, did not share the legislators' opinion. Fox believed that, "the smart states are moving ahead....we believe that it's in the best interest of poor families in Maryland that we get ahead of the curve."⁵⁰

Despite the uncertainty, the Maryland General Assembly passed the Welfare Innovation Act of 1996. Senate Bill 778 won overwhelming approval from the Maryland General Assembly by a vote of forty-seven to zero in the Senate and 129 to five in the House. The Bill was similar to the Glendening version and repealed

the Welfare Reform Pilot Program that the General Assembly passed in 1995. The new legislation converted local social service departments into job placement centers. It further replaced the Aid to Families with Dependent Children (AFDC) program with the Family Investment Program (FIP). Each county and Baltimore City were given the flexibility to create their own "tailor-made" welfare programs. FIP promoted job training and placement while offering temporary cash payments only as a last resort and after assessing each family's specific needs and resources.

The Welfare Innovation Act of 1996 also tightened eligibility requirements. In order to participate in the Family Investment Program a family must include a minor child, or a pregnant women. Assistance would only provided if recipients are residents of Maryland, complies with the requirements of the local child support enforcement office, is engaged in a job search or currently participating in work activity, and met all other Program requirements as established by the Secretary of Human Resources.

In addition, the Family Investment Program also includes a five-year life-time eligibility limit for benefits and current program recipients must seek work within two years of starting the program. The Program also includes a clause called the "full family sanction" which eliminates benefits in cases where a recipient does not report for required work or training. The plan does, allow recipients whose assistance was terminated to maintain eligibility for medical assistance and food stamps, as long as the recipient qualifies for such. It also provides funds for non-profit organizations in order to assist individuals whose benefits were terminated.

The Welfare Innovation Act of 1996 implemented "family caps." The new Program also repealed the one hundred- hour-work rule which prevented recipients or family unit members from working more than one hundred hours a month or lose benefits. In order to keep families together, the legislation permitted assistance to families with more than one parent in the home and disregarded certain types of income when determining eligibility requirements. This change lifted the general prohibition against providing assistance to families with a father or stepfather living in the household. In addition, it required the Secretary of Human Resources to provide grants to nonprofit organizations to establish welfare demonstration projects. The demonstration projects were to promote innovation, create incentives, and opportunities as they pertain to program recipients.

The Program further required the Governor to provide sufficient funds for the Family Investment Program to ensure that the value of temporary cash assistance, combined with federal food stamps, is at a minimum 61% of the State minimum living level. In addition, the Governor was required to provide sufficient funds to maintain the Program at the level of the fiscal 1997 appropriation.

The Welfare Innovation Act of 1997 (TANF)

After months of speculation, the fears and hopes of many came to fruition as President Clinton, signed in to law the Personal Responsibility and Work Opportunity Reconciliation Act in August of 1996. The Act effectively ended the federal guarantee of welfare and created the Temporary Assistance to Needy

Families (TANF) grant. The new legislation gave states even more flexibility in crafting their welfare programs to fit the unique characteristics of their welfare recipient populations.

Although Maryland managed to be ahead of the curve, by implementing their Welfare Innovation Act of 1996, there was still some tinkering required for the state to be in full compliance with the new TANF program. Clergy from around the state urged Governor Glendening and the state legislature to suspend Maryland's welfare reform plan until they could find ways to revise it. Reverend Douglas Miles, Co-chairman of Baltimoreans United in Leadership Development (BUILD) stated that, "We must go out and organize other churches to prod the governor and the state legislature to stand up to the government of America and say we will not be party to this welfare reform effort." State officials countered by suggesting that, suspending welfare reform would cost the state \$229 million – Maryland's entire public assistance budget for the year.⁵¹ Under federal guidelines, Maryland would lose 11.5 million dollars if twenty-one thousand current welfare recipients (seventeen thousand in Baltimore) were not in jobs by October 1, 1997. In addition, Maryland is suppose to reduce its rolls by 25 percent each year.

As a result of the impact of the federal welfare reform legislation on the "Welfare Innovation Act of 1996", legislation was introduced in the 1997 Session to address several issues of concern that had arisen. To be in full compliance, Maryland had to focus on drug abuse testing of recipients, legal immigrants, supplemental security income (SSI), and several miscellaneous matters. Although

some of these addendums to the 1996 Act were controversial, Maryland's TANF provision passed the legislature with very little opposition. The Senate passed its version by a forty-two to two vote and the House passed its version 123 to ten. The Conference Committee Report was adopted by the House eighty-seven to forty-five and the Senate forty-five to zero.

The new federal welfare reform law gave states the option of testing TANF recipients for the use of controlled substances. Maryland, although, agreeing to test, utilized a slightly different approach. The State, through local departments of social services, administered assessments of each applicant. Individuals who had histories of substance abuse or whose assessment revealed potential problems that may impair their ability to find or keep work were remanded for further substance abuse testing. Those that were determined to have a substance abuse problem received treatment at the state's expense. Recipients that refused treatment or did not attend substance abuse classes were refused benefits.

Maryland allowed legal immigrants who arrived in the United States before August 22, 1996, to continue receiving medical benefits. Under the Maryland TANF plan, the Department of Human Resources was required to provide Family Investment Program benefits to those legal immigrants who were not eligible for federally funded cash assistance if they lived in Maryland for at least twelve months or previously lived in a state that provided non-federally funded cash assistance to such legal immigrants. Medical Assistance benefits to pregnant women and children of legal immigrants who arrive in the United States on or after August 22,

1996 was also provided. Food stamp benefits were also provided to children of legal immigrants who are not eligible for federally funded food stamp benefits by reason of their immigration status, if they meet all other food stamp program eligibility requirements and any other requirements imposed by the State of Maryland.

The Welfare Innovation Act of 1997 made further changes to the legislation that was enacted during the 1996 Session. The law offered liability protection to nonprofit organizations providing transitional assistance and child specific benefits to Family Investment Program recipients. It protected these organizations by including them in the Maryland Tort Claims Act under specified circumstances. In addition, it broadened the types of organizations that may serve as third party payees to include for-profit organizations or governmental entities. The payment of administrative fees to these organizations were added to help defray the cost of acting as third party payees. Procedures were streamlined and greater flexibility was given to the Secretary of Human Resources for establishing demonstration projects. The new law allowed the Secretary of Human Resources to award such grants to cover operating costs only to other persons, such as local health departments, religious organizations, and institutions of higher education. It also provided broader guidelines for demonstration projects.

Surprisingly, there was very little opposition to the implementation of TANF. Unlike earlier welfare reform initiatives, advocates for the poor, women, or children were noticeably silent even on controversial issues like drug testing, family caps,

time limits, and the treatment of immigrants. More so, the black community was not visible in the welfare reform debate; nor were their duly elected officials. This is truly surprising giving the disproportionate impact the new legislation would have on the black community.

Black Politics and Welfare Reform ⁵²

Looking from the outside it appears that the voice of blacks in the welfare debate was noticeable silent. Unlike issues of education, the Maryland Legislative Black Caucus (LBC) appears not to have taken an official stance on welfare reform, in particular TANF. The chronology of welfare reform, as previously described, appears to be void of racial politics. Delegate Howard Rawlings, Chair of the Appropriations Committee, the committee of original jurisdiction for welfare reform in the House, believed that racial politics was void because, "There was no public outcry about the issue. No NAACP or NUL [National Urban League]" therefore, there was no direction. There was no racial politics because the "...people working very closely with us to insure that the package itself is not punitive were people of all races. And they came from... Montgomery County, Baltimore City, Baltimore County, Prince George's County. So I did not see [welfare reform] as a racial issue" adds Delegate Joanne Benson from the twenty-fourth Legislative District in Prince George's County.

Delegate Clarence Davis, from the forty-fifth Legislative District in East

Baltimore and former member of the Black Panther Party noted that, "The strange thing about it [the debate surrounding welfare reform] is that most of the groups we met with, although we were black, were white because you don't have blacks coming down here fighting for an agenda. But be that as it may, many of the white groups – what I call Big Willie groups – have our interests at heart. So whereas we may disagree with them on certain points, their motives were good." Delegate Adrienne Jones from the tenth Legislative District in Baltimore City, concurs with Delegate Davis. She stated that "the people who spoke for the poor during the welfare debate did not look like us. Although they said good stuff and meant well, it would have been nice for some black activists to have also participated in the debate" (witness testimony list can be found in the Appendix G).

Delegate Talmadge Branch from the forty-fifth Legislative District in Baltimore City, believes that racial politics was down played because the committee system limits the ability of black caucus or other members from being too active in the affairs of committees that they do not sit on. "They can ask questions if they want, but the Joint Committee and the Appropriations Committee and the Senate pretty much, were the ones that put together the reform itself." Even if members of the LBC wanted to be involved, "... they can't form the legislation. Only the committee itself can do that. They can't even add testimony" said Branch. However, Senator Clarence Mitchell⁵³ from the forty-fourth Legislative District in Baltimore City, believes that welfare reform was an issues of "class" and not race. "What you're dealing with is an assault on poverty. And that's what we were talking

about is the majority of your welfare recipients in the United States of America are white. And so if you're looking at who really lost in this battle it was poor folk across the line" said Senator Mitchell. Delegate Branch and Senator Mitchell represented the LBC on the Joint Committee on Welfare Reform. The committee was formed to iron out the differences between the House and Senate versions of the TANF reform bill.

Just because the Caucus was not overtly visible does not mean that they did not play an important role in welfare reform. Delegate Davis, suggests that one role of the black caucus, was to fight popular media opinion about welfare recipients within the legislative chambers. The caucus' "...role was to humanize the legislation because there are a lot of people who wanted to bring about welfare reform for evil motives." Popular opinion was that, "People [were] using up tax money, lazy, don't want to work.. That kind of thing. When we all know that's not reality or that's not the truth. And so our whole thing was to make sure that the proper face on the legislation was there because there are many of us who believe in welfare reform but for different reasons than let's say some of the people who may come from the conservative vote".

A supporter of welfare reform, Delegate Davis shares the sentiment about the evils of pathological welfare dependency. He suggests that, "... Welfare reform was to give people an opportunity to develop to the maximum of their human potential which they cannot do or could never do if they were trapped into that welfare thing. Because the welfare thing perpetuates itself and it creates slaves to

the system. Coming out of the Black Revolution, we want our people to be free. And you can't be free as long as you're dependent on the government because the government is fickle...--our folks are like puppets on a string and will never be free" said the former Panther.

The responsibility lies with each individual member of the LBC to report back to the larger group what is going on within each individual committee. "The caucus as you know-- we have members on various committees, And if I saw anything that looked underhanded or wasn't in the best interest of our people then I probably -- or poor people -- then I probably would draw [that to the] attention of the caucus....[and] the caucus would probably unionize or come together as a union to not agree with what's being done. With myself being a member [on the Joint Committee for Welfare Reform], I'm the eyes and ears for the caucus while I'm there", noted Branch. Although the responsibility lies with each member to inform the larger body, "some of them asked questions [about welfare reform]. And I would clearly answer them. Some would ask me various questions about where it's going; what's happening; what's the real deal with this; what's the real deal with that? So they could get a flavor of what was really happening. But so many bills come through [the] legislature that when you have a bill within a committee, most of us rely on the expertise of the people within that committee because they pretty much dissect that bill from head to toe or top to bottom. So we kind of rely on each other in the various committees." explained Delegate Branch.

The debate surrounding welfare reform in Maryland, as suggested by

Delegate Samuel Rosenberg, a white Democrat from the forty-second Legislative District in Baltimore City and Chair of the House Sub-Committee on Welfare reform, was based on lots of "misinformation." The media only focused on "punitive stuff that was in the earlier version of the bill but did not make it to the final version. This caused the activist community to only focus on the punitive stuff without looking at the positives included in the bill." Family caps was an issue that received lots of media attention because it was easy for people to understand and conjured up images of social engineering. Nonetheless there; was very little debate from the LBC on the issue of family caps. The reason for this could be "lack of direction" as suggested by Delegate Rawlings.

It appears that the Caucus received mixed messages from their representatives on the Joint Committee on Welfare reform. Delegate Branch favored caps, while Senator Clarence Mitchell opposed caps. Branch believed in the popular but thus far unsubstantiated opinion that, "people being on welfare are having children for the sake of increasing their amount of cash benefits." Therefore, "we decided to not allow a cash benefit to be given, but to instead give a voucher for them to receive baby food or Pampers or something like that for the child." This approach has been successful because "It removes that incentive for many of the young kids that were having kids that were on Social Services. Many of them just saw it as a way of increasing their cash benefit while remaining on welfare because there was no end to it," explained Delegate Branch. Senator Mitchell on the other hand, thinks family caps are "penal in it's approach." Welfare reform is suppose to

be an attempt to "...change attitudes. You don't need to have caps to do that." You need to show "people how they can do more with having less children. By trying to educate-- you see education to me is the key. The more educated -- and all the studies have shown this -- the more educated the welfare recipient the less children they have." Although both Delegates feel strongly about welfare reform, the LBC along with the rest of the legislature implemented family caps in the TANF reform bill.

There was a compromise of sorts though. Maryland, as alluded to by Delegate Branch implemented a soft cap: no additional cash benefits, but recipients could get vouchers for formula, diapers etc. In addition, recipients entering jobs and educational programs were allowed to keep their medical benefits and there was also a strong education component included something Senator Mitchell said he felt strongly about. The Bill also provides daycare so that parents can go to work. Nonetheless, members of the LBC had mixed feeling about the final legislation. Delegate Branch stated that he was "happy with it. [It] put more people to work. And people are feeling better about themselves by being in a position of working and receiving their own check as opposed to a handout." Senator Mitchell on the other hand, stated, "I didn't want my name on the actual bill as a cosponsor...[because]... I don't believe that government should place a five year window on helping people who need to be helped. I just don't think that that's a humane and fair way." Likewise, Delegate Benson, stated that the Caucus was "... not fully pleased with the Welfare Reform Bill, but we feel that if you compare it to other bills around the

country, this bill...I mean, it's really a model. It still needs a lot of work" conceded Delegate Benson.

According to Delegate Benson, the caucus "worked diligently to try to remove language that we felt was very punitive. The package that was presented at first was very, very punitive. So there were those of us who were able to sit down, both women and minorities, to look at the bill to come up with a livable package that could pass the House and the Senate. We weren't completely successful, but we have had some influence on that [TANF] Welfare Reform Bill. People understand that if you want something passed down here you have to have seventy-two votes. And with that package we were going to vigorously oppose it."

Delegate Benson's comments suggest that the black caucus was relatively successful in removing much of the punitive language from TANF. However, the caucus' success, as limited as it may have been, begs the question—why was the caucus not more visible in the debate? Once President Clinton signed it into law, TANF "...[bound] the hands of the states to the extent where we would have to fit within certain guidelines. It didn't allow for us to have much of a window to fight it in Maryland." To influence TANF the fight had to take place on Capitol Hill. "About four or five of us went over to Washington for many rallies in reference to urging Clinton not to sign the *welfare* reform initiative.." TANF could not be stopped no matter what state legislators did. "So when you don't see much of a fight from us. The bottom line is it was real; it was passed; we had to do it" stated Senator Mitchell.

Counter to popular belief, TANF does not provide greater discretion to states. The legislation provides certain options states must accept or be penalized fiscally. "If we did not accept...if we had done the waiver, which is what some people had wanted at the time, they [federal government] were going to force states that were in a position to waive fully implementing the federal piece." There were punitive penalties states would face. For example, "We could have potentially lost a one hundred million dollars a month based on [not implementing TANF.] So all that having been said, I think particularly on the issue of us not having necessarily an outcry. Our cry was in Washington. When that cry failed we had to deal with what we had to deal with for Maryland" explained Senator Mitchell. Delegate Adrian Jones disagrees. She believes that there "was no out cry during debates because welfare reform was not a sexy issue. For example, during debates about Baltimore Public Schools there were lots of people coming out of the woodwork because no one wants to be anti-education." However, welfare reform was a different issue. The public mood dictated the debate and "caucus members played to the press" concludes Jones. No one wanted to be on the wrong side of that debate!

It appears that the substance of TANF limited the amount of influence opponents could have on the legislation. Since it was federal legislation, the battles were fought before the President signed it into law. TANF, although the focus of this dissertation, leads to the larger question of whether the Legislative Black Caucus or black members in general have policy influence within the Maryland General Assembly? "There is absolutely no doubt about it" said Delegate Benson. "You have to look at our numbers

and they are increasing. There are times in which we do go to the Governor and we go to the Speaker of the House to talk about issues that are very, very important to us. Issues that we feel very strongly about. And we've been able to exercise a lot of influences."

Exercising influence is important, but does influence translate into meaningful legislation? "As a matter of fact the affirmative action – well we don't call it affirmative action – but we had a bill that the caucus was very concerned about that dealt with minority participation. We are the only state in the nation where the goals for the minority participation went up and not down" explained Delegate Benson. In the era of retrenchment politics, it has become increasingly difficult for minority legislators to protect the interest of their constituents via race specific solutions. Nonetheless, Delegate Benson states that the black caucus has been successful in not only protecting minority participation, but increasing it from "10 to 14 percent." Senator Mitchell also believes that the caucus has been effective in protecting the interest of blacks. "We had discrimination hearings across the entire state of Maryland in 1994 and '95 looking at discrimination in state government. As a result of that we now have – give the Governor a lot of credit; Governor Glendening and his chief of staff – we have mechanisms in place for getting rid of folks who discriminate against state employees. So it's a change in the culture. A change in the cultural environment within state government. We've been very effective."

The effectiveness and strength of the black caucus is a result of "strong members in strategic positions," explains Senator Mitchell. "We have Chairman Howard Pete Rawlings, who is chairman of the Appropriations Committee. He basically shapes the

budget in our state. The majority leader of the senate, Senator Currie, guides and shepherds discussion on the floor. If you get the majority leader behind the legislation it is going to go through. So that's leverage and power." Echoing a similar point is Delegate Branch, who credits Speaker of the House, Casper Taylor for offering "a number of opportunities" to blacks. "The Speaker himself appointed Elijah Cummings, the first black Speaker Pro Tempore of the House. I would say with his [Taylor] leadership, many of us have opportunities to serve as chair on subcommittees and special committees. And I think Casper Taylor is a very fair guy," concludes Branch.

Delegate Jones, has a different perspective on things. She agrees that "blacks have institutional positions, but not institutional power. They get positions with fancy titles but generally speaking are not allowed to do anything! Typically, they play to the press."

In a similar vain, Delegate Davis also admits the influence is limited because caucus members have not exploited their full political potential at the negotiation table. "...we are playing politics along the line of master for those who came before us who control politics" explains Davis. Davis is suggesting that blacks, although having institutional positions toe the party line. They are too loyal to the democratic party even to the detriment of the black community.

Delegate Jones points to the "lack of cohesion" as the major impediment to blacks not realizing their full potential. Large numbers and institutional positions, although helpful in passing legislation, has had the unintended consequence of affecting the cohesion of the LBC. There are "too many centers of power. The caucus is so large it affects group cohesion" explains Delegate Rawlings. "As a whole we are not strong

because I don't think we pull together. We don't pull together as strongly as we should. We could do a lot more is what I'm saying." concludes Delegate Branch. Delegate Benson notes that cohesion depends on the issue: "...there are issues that could bring us together. Any issues that are centered around needs of children the caucus comes together." Delegate Davis, however, believes that cohesion is not the problem, but rather "egos." "And the egos are not necessarily about the issue as much as it is about the communication and process. For instance, we'll have one member who just can't stand this other member no matter what she gets up and says, he dogs her out."

There is also factionalism, explains Delegate Branch. "Prince Georgian's will stick together on an issue and Baltimore will stick together on an issue. But then we unify on one of the other issues." Factionalism appears to be strongest when issues are perceived as zero sum. In the fight over funding for Baltimore City school, the caucus was split. When Baltimore City "first got the money they [Prince Georgian's] were saying, well why should Baltimore get it and we not get it? So you get that divisiveness there when it comes from jurisdiction to jurisdiction. Issues like that, but for the most part, I would say on 90 percent of your issues, we stand as a bloc. We stand as a unit." Delegate Benson does not see factionalism. "I have seen the Baltimore City Caucus delegation work very, very well with the Prince George's delegates. And you also have representatives on board from Baltimore County, Howard County and the Eastern Shore. And so we have not become territorial because we all recognize that what impacts on a minority on the Eastern Shore and Baltimore City has the same basic impact on a minority from Howard County or Prince George's County. So I don't see the

separation.” explains Delegate Benson.

Although some see a lack of cohesion, the LBC has a strong sense of racial group consciousness. Members see themselves as representing blacks in the entire state and not just blacks from within their districts. “When you’re elected in this state, once you’re an elected official, I don’t care where you are, if you’re a black elected official in a city you represent all the black people in that city or state or whatever. That’s the nature of who we are.” As black people, we must play the war game as it is. And the way I define politics is civilized, organized warfare” explains Delegate Davis. “The reason why I am here is because of what I can do for my people” states Delegate Benson. “We always must understand that we are here serving people who may not have a voice otherwise. So we don’t just speak for the people in Prince George’s County or in Baltimore City. We have to speak for counties that don’t have representation, which means that we just cannot be selfish about this. So we need to be sure that we stay focused understanding that what we’re doing down here is far bigger than anybody or anything. It involves the well being of a population of people who make-up about 26 percent of the population here in the state of Maryland.” she says. “I just don’t represent my district. I represent African Americans across the state!” concludes Senator Mitchell.

Although blacks statewide have been instrumental in electing Democrats to office, the Democratic Party Organization has been less than enthusiastic in aiding the caucus, suggests Senator Mitchell. For electing the Governor, “we should, not just from the Governor but from the Democratic Party in the state, get a certain amount of agenda items and get a certain amount of the things that are our needs brought to the

table and dealt with. And not placed in a position where we are patting hands when we are the main vehicle and the steadiest voter in the Democratic Party.” Needless to say, “I am not satisfied with what we get, not even from the Governor in reference to what we gave.” Delegate Benson shares Senator Mitchell’s assessment. The party as an organization has “not been actively involved in issues that impact on [black] caucus members. As individuals they have been very supportive, but as a party they have not.”

In an attempt to be more effective in the legislature and have their issues addressed by the party organization, caucus members have embarked on an aggressive agenda. “For the last three years we have had a Legislative Committee within the caucus. What we do is we identify legislation that is particularly important to us as a caucus and we will either get a letter of support; physically go and testify on its behalf to whatever committee it’s in front of; gather groups whether it’s the NAACP, ministers or whatever to come down here and also testify on its behalf. Whatever we feel is important enough to do to guarantee the passage of a particular legislation” acknowledges Senator Mitchell. The caucus is “moving forward,” suggests Delegate Benson. “We don’t have time for any foolishness. There is something that we deserve and it is our purpose down here, and it should be, to get what we rightfully deserve. So you’re looking at somebody who is not for any foolishness at all, none, period, zero, zip.” Delegate Davis suggests that the caucus needs to hold “...a constituent assembly made up of people from all over the state.” Although most black elected officials here come from Baltimore City and Prince George’s County, “our strength as far as black politics, lie in western Maryland, southern Maryland and eastern shore. And not only do we constitute that 40 percent

base, but we're abjectly loyal to the Democratic Party. And anything that we want out of this legislative body we should get. And if we don't then we have failed what I call the revolution. So toward that end, we have not fulfilled our responsibility or our mission as black elected officials" concludes Delegate Davis.

On a slightly different vein, Delegate Branch thinks the caucus should be more realistic about its vision. "I see down the road the caucus being the power that it is currently...the caucus has to begin to negotiate with leadership as to positions that we will be taking on. Chairman of whatever; vice chair of this. We just need to get in some leadership positions." Senator Mitchell thinks that more leadership positions would be open if the caucus "pulls together and strongly go after leadership positions." The Speaker of the House and the President of the Senate would be more amenable to opening up leadership positions down here if the caucus went there and said, "The next chairmanship that opens up if it's not going to be an African American then you can't count on us for a particular vote. Now if we did that you would see leadership positions open dramatically." Simply stated, the caucus needs to follow the lead of the Women's Caucus who have been very effective with this strategy. "They go to the Speaker and President of the Senate and they say if it's not happening we're taking our fifty some votes between the House and the Senate and we will kill something. And they get a response." explains Senator Mitchell. Delegate Davis believes that the caucus needs to enter into "negotiated power- ship where they effectively utilize their numbers and unity to form a bloc and get what they want in that manner." Granted "we have not done that as we should have done it. And there are some of us who are still fighting for that to

come about. And I think it will come in the future because you know after all Rome wasn't built in a day, so to speak!"

Conclusion

This chapter began with a discussion of the importance of context. Context proved central to our understanding of the role of black state legislators in Maryland's General Assembly. The relative tolerance of the state of Maryland proved to be an enabling factor for blacks and by extension black elected officials. From the Doctrine of Religious Tolerance, to the Manumissions, thru the self-help women's organizations, to the advent of electoral politics, blacks in the state have been part of the social as well as political fabric of the state.

As a result of the states long standing liberal tradition, welfare reform occurred by means of biracial and bipartisan efforts. Based on the accounts of black elected officials, there was relatively little need for racial politics as both blacks and whites sought to put together the best possible welfare reform plan. The story of welfare reform is one of incremental politics. When Governor Donald Schaefer first introduced welfare reform many were skeptical and resistant to the idea. However, as public perception changed so to did the perceptions of policy makers. After each successive iteration, welfare reform became more punitive. The legislature went from one that was resistant to "family caps and time limits" to one that overwhelmingly favored them as it became clear that Marylander's wanted change.

As illustrated by this chapter, Maryland's Legislative black Caucus, although not

publically, played a role in the development of TANF. Delegate Branch and Senators Mitchell McFadden and Currie were four of the eight members selected to served on the Joint Committee on Welfare Reform that ironed out the difference between the House and Senate versions of the Bill. LBC's role was not in developing the legislation, or in providing substantive amendments, but rather making sure that the legislation was fair and just for their constituents. Previous studies that focus only on roll call analysis fail to understand that permanent minorities strength does not lie in their ability to pass legislation, but rather in their ability to prevent harmful legislation from passing. It is easier to galvanize support to kill legislation than it is to pass it.

There has been much discussion in the literature about the lack of concern for the black vote by the democratic party. In fact, some of the black members interviewed also pointed to the lack of support from the party. However, there is evidence to support the contention that without the party structure, blacks in Maryland would not have influence within the Maryland General Assembly. Party politics are important and necessary for the advance of blacks in state governments. This point will be come clearer as we examine the Mississippi's legislature which is based on weak party politics.

Also counter to the literature, though not surprising, is the lack of cohesion among black caucus members. Generally speaking, one is led to believe that the larger the size of the Caucus the more effective they will be as legislators when they vote as a unified bloc. However, Maryland demonstrated that the larger the Caucus, the more diverse their interests and thus, the less unified their votes. In this study the relative size of the black caucus was utilized as an independent variable in determining the ability of

black legislators to pass priority legislation, it is clear that the larger the number the more diverse the interests. The size of Maryland's LBC served as an enabling factor as well as a restriction on the type of policies that could foster agreement. The lack of cohesion is significant in that it illustrates that blacks are diverse in their opinions and in the districts that they represent. Gone are the days of the monolithic black elected officials. As demonstrated by Maryland there are several avenues to power and influence, of which size is but one.

Notes for Chapter 5

1. Janet Cheatham Bell "Famous Black Quotations: and Some Not So Famous" (Chicago: Sabayt Publications, 1986) . 3 7
2. Suzanne E.G. Chappelle, Jean H. Baker, et al., Maryland: A History of Its People: Baltimore (The John Hopkins University Press, 1986), 19
3. For further discussion on this point see, The History of Maryland Province and State, by Matthew Andrews (Chapter 3) 1965
4. Matthews P. Andrews, History of Maryland: Providence and State (Hatboro Pennsylvania: Tradition Press, 1965).
5. Suzanne E.G. Chappelle, Jean H. Baker, et al., Maryland: A History of Its People: Baltimore (The John Hopkins University Press, 1986), 24-25.
6. Ibid., 40
7. Suzanne E.G. Chappelle, Jean H. Baker, et al., Maryland: A History of Its People: Baltimore (The John Hopkins University Press, 1986), 40-41.
8. Manumissions were plantations where slave holders freed their black Africans.
9. Suzanne E.G. Chappelle, Jean H. Baker, et al., Maryland: A History of Its People: Baltimore (The John Hopkins University Press, 1986), 89
10. Ibid., I 10
11. Cynthia Neverdon-Morton, "Afro-American Women in Baltimore: Activists for Change and Progress, 1904-1925," In A Franklin Parks and John B. Wiseman, ed. Maryland: Unity and Diversity (Dubuque, Iowa: Kendall- Hunt Publishing Company, 1990), 123.
12. See Maryland Unity and Diversity for a fuller explanation of the activities of black women civic groups in Baltimore. (1990) 123-128.
13. Ibid 126
14. Cynthia Neverdon-Morton, "Afro-American Women in Baltimore: Activists for Change and Progress, 1904-1925," In A Franklin Parks and John B. Wiseman, ed. Maryland: Unity and Diversity (Dubuque, Iowa: Kendall- Hunt Publishing Company, 1990), 123

15. Ibid 126-128
16. Suzanne E.G. Chappelle, Jean H. Baker, et al., Maryland: A History of Its People: Baltimore (The John Hopkins University Press, 1986), 287
17. Ibid.
18. Ibid
19. Delegate Rawlings may be considered the most powerful black state legislator in America.
20. Library and Information Service Division, African American Legislators: General Assembly of Maryland 1955-1995. (Annapolis: MD Maryland General Assembly, Department of Legislative Reference)
21. Diana Frese (eds) Maryland Manuel: A Guide to Maryland State Government (Baltimore, MD: United Books Press, INC. 94-95).
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23. Ibid
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25. Ibid
26. Hanna Pitkin, The Concept of Representation. (Berkeley: University of California Press, 1972)
27. Diana Frese (eds) Maryland Manuel: A Guide to Maryland State Government (Baltimore, MD: United Books Press, INC. 94-95).
28. James E. DiLisio, Maryland: A geography. (Boulder, CO: Westview Press, 1983).
29. Lexus Nexus Academic Universe (<http://web.lexis-nexis.com/universe/document?> (Maryland)_Copyright 1998 PRIMEDIA Reference Inc. World Almanac of the U.S.A.
30. Ibid

31. Ibid

32. The first attempt, "Project Independence" was a job training program that sought to reduce the welfare rolls by 10 percent. Project Independence was unsuccessful since it went statewide as the recession hit and caseloads doubled. The second attempt was to hold parents responsible by reducing welfare checks if children did not go to school or were not receiving regular medical check-ups. The program proved to be a moderate success, as parents (i.e. mothers), abided by the new guidelines.

33. Family caps disallows additional benefits to welfare recipients who have additional children while on welfare, while time limits, limit the amount of time a family can receive welfare benefits

34. Laura Lippman and Marina Sarris, "Schaefer welfare reform proposes 'family cap'," The Baltimore Sun, 27 January 1994, sec. News, p. 1B.

35. Ibid

36. James Bock, "NAACP endorses most of welfare plan," The Baltimore Sun, 5 March 1994, sec. News, p. 113.

37. Ibid

38. Deborah A. Leiderman, "County's lawmakers back welfare reforms," The Sun (Baltimore), 6 March 1994, sec. News, p. 9B.

39. Deborah A. Leiderman, "County's lawmakers back welfare reforms," The Sun (Baltimore), 6 March 1994, sec. News, p. 9B.

40. Frank Langfitt, John A. Morris and Robert Timberg, "Governor vows to push welfare 'family cap'," The Baltimore Sun, 12 April 1994, sec. News, p. 1A.

41. Robert Timberg, "Bentley would toughen welfare requirements campaign 1994 -- The Race for Governor," The Baltimore Sun, 8 September 1994, sec. Local (News), P. 1C.

42. Marina Sarris, "Welfare Reform Plan Lauded" The Baltimore Sun, 12 February 1994, sec (News), p 2B.

43. On the strength of the "Contract with America", Republicans pick up 372 seats in the state houses and 108 in state senates (National Conference of State Legislatures).

44. "Post-Election Partisan Composition of the State legislature" (National Conference of State Legislatures, 1997).

45. The 1995 session of the Maryland General Assembly had the largest numbers of Republicans in 75 years.

46. Sarah Engram, "The Issue Is the Needs of Children," *The Sun* (Baltimore), 11 December 1994, sec. Editorial, p. 3F.

47. Frank Langfitt, "Governor supports welfare reform," *The Baltimore Sun*, 21 March 1995, sec. Local (News), p. 9B

48. C. Fraser Smith, "Maryland Welfare Reform May be Delayed" *The Baltimore Sun*, 18 March 1996, sec. Local (News), p. 113.

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50. Ibid

51. "Punishing the poor without helping them," *The Baltimore Sun*, 13 December 1996, sec. Editorial, p. 26A Letters.

52. All the interviews were conducted at The Maryland General Assembly.

53. Clarence Mitchell was recently elected to the Senate. However, during the TANF debates he was still a member of the House. Clarence Mitchell was elected to the seat that his father once held.

Chapter VI

Mississippi: "The Closed Society"

"...the beginning and the end of Mississippi politics is the Negro."

– V.O. Key, Jr.¹

Sitting in the center of the former Confederacy, and known as the birth place of the Blues, Mississippi is often referred to as "the closed society." Unlike Maryland, however, Mississippi, has earned its moniker as a result of its history of exclusionary politics. The closed society moniker is something that Mississippi has tried to shed in the post civil rights era. Once the bastion of overt racism and economic subordination of blacks, Mississippi has made "the most dramatic and far reaching changes of any state in the Union."²

The changes, most forced, others evolving out of necessity, however, are contextual in nature. Having made the most dramatic and far reaching changes is an indictment and not praise for the state of Mississippi and demonstrates the importance of context. Undoubtedly the state of Mississippi is light-years away from the Mississippi observed by Key in 1949. Gone are the white primaries, one-party politics, black codes, and overt segregation. Nevertheless, the specter of race, poverty, and economic subordination of blacks and poor whites is still a factor of everyday life in Mississippi. The story of Mississippi illustrates how its persistent and pervasive "closed society" is still ever-present in the minds of Mississippians today, and is a factor in the political life of the state. As Frank Parker notes,

“politically [Mississippi] has been the most repressive state for black people”, thereby placing into context why Mississippi has been credited with making the most dramatic changes in regards to its politics. Simply stated, Mississippi had the furthest distance to travel and thus achieved the most changes simply out of default.

The tale of Mississippi has dominated the study of Southern politics and is one that does not need to be recounted in full detail here. However, like all fifty states Mississippi is distinct. Intuitively, we know that the culture, geography, and history of a state mold its government and create a system of politics different from that found in any other state. To understand welfare reform in Mississippi, it is first necessary to gain a historical perspective on Mississippi politics. The story of Mississippi proves to be an interesting and multifaceted story based on racial politics and economics. The co-mingling of politics and economics conditions politics in Mississippi which are manifested in the current political and social battles over welfare reform.

Back Ground

As part of the Louisiana Territory, ownership of Mississippi changed hands several times before finally becoming a colony of the United States. France established the first white colony in 1699 as part of the expansive Louisiana Territory. In 1763, the British took control and was subsequently supplanted by the Spanish. The focus of these colonial powers was the Natchez County region which offered some of the most fertile soil in the New World. ³

France, being the first to settle Mississippi, sought to implement a profitable

agricultural economy in the Natchez region. However, unable to convince immigrants with agricultural skills to relocate to the region, the French experiment was failing. Proprietors of the colony sought help from the French government by suggesting that they send Africans to work the fields. This request went unanswered as the French did not have the financial resources as a result of an ongoing war. ⁴

Unable to obtain free slave labor the proprietors turned to Indian, and white indentured servitude. As with other colonies, the use of Indian slavery and white indentured servitude proved to be an unfavorable proposition due to a variety of factors of which severe climate was the most prominent. Out of frustration and unwillingness to do their own work, white colonists threatened to leave the colony unless Africans were imported. Fearing the demise of what many predicted would be a profitable venture for the French economy, the French government turned to African labor. ⁵

Although sparse numbers of black Africans were in the colony from its inception, mass importation did not occur until 1719. It is estimated that between 1723 and 1731 approximately 350 black Africans were imported into the Louisiana Territory a year. The vast majority were located in the fertile Natchez region and accounted for 39.2 percent of the regions inhabitants. African labor was concentrated in this region because it grew diverse crops such as: wheat, rice, cotton, tobacco, and indigo. Aside from agricultural work, Africans also performed such work as clearing the forest, making roads, building homes, and unloading ships at the port. In short, any work that was deemed too strenuous for whites were performed by black

Africans.⁶

The French controlled the Louisiana Territory until 1763 when the English took control after defeating them in the Seven-Year War. By 1779, the Louisiana Territory became part of the United States, as a result the Revolutionary War. Although the colony changed hands on several occasions, each colonial ruler still had trouble getting people to settle in the Natchez Region. A plan was devised to grant asylum to persecuted individuals from other colonies to help inhabit the region.⁷

With these new settlers came a growth in the population of Africans. Settlers to Mississippi brought their free laborers with them from other English colonies most notably Georgia. As a result of the need for free labor, slave trade became a profitable endeavor. Owners of Africans from colonies as far away as Virginia brought them to the new frontier, Mississippi, to reap a hefty profit. It is estimated that by 1800 there were 2,900 black Africans in the Natchez region; by 1810, the population had swollen to more than 14,706; and by 1820, it more than doubled to 32,814.⁸ Statewide, black Africans accounted for 44 percent of Mississippi's total population by 1820. In Washington County, Africans out-numbered whites ten to one by 1840 and represented over 50 percent of Mississippi's total population by 1850.⁹

Although the overwhelming majority of black Africans in Mississippi were in forced servitude, there were some free blacks who managed to exist in the closed society. In 1800, there were 182 free blacks, 458 by 1820, and it peaked at 1,366 in 1840.¹⁰ Most of these free blacks were skilled laborers—blacksmiths, artisans, etc.—and they lived in the urban centers. Between 1840 and 1860 the number of free

blacks in Mississippi was cut in half as a result of the organized efforts of the state legislature. "In 1831 the legislature passed a law requiring all free blacks between sixteen and fifty to leave Mississippi unless they were able to show proof that they were of good character."¹¹ The legislature didn't stop there, but instituted a series of laws designed to control the black laborers.

The expansive growth of Africans in the Mississippi region brought with it new laws and codes of conduct for the African laborers. The laws "...left little doubt as to where and how these people [Africans] were to fit into Mississippi society....whites intended the law to secure themselves in their right to slave property and in their persons as well."¹² Typically the laws restricted the movement of Africans, prevented them from gathering together, and prescribed severe penalties for a host of other "offenses" from running away to talking back to whites. In short, "The laws embodied little real recognition of the slaves' humanity."¹³ Although other colonies also instituted laws against Africans, Mississippi's was believed to be the most severe as a result of its dependence on free labor and the exponential growth of non-free persons within the borders of the colony and eventually the state of Mississippi. So intent was the state of Mississippi in keeping blacks in perpetual servitude that a 1842 law read:

...slaves taken from this State and emancipated may not return...Free Negroes or mulattoes may not emigrate to this State...Hereafter, it shall not be lawful for any person, by last will or testament, to make any devise or bequest of any slave or slaves for the purpose of emancipation, or to direct that any slave or slaves shall be removed from this State for the purpose of emancipation elsewhere.¹⁴

This passage effectively sealed the faith of black Africans in Mississippi until the end of the Civil War.

Reconstruction

At the conclusion of the Civil War, blacks were emancipated. The war left blacks free socially, however, it left them dependent on a decayed southern economic system. "The South was in shambles, its major cities gutted or shelled, its farms neglected, crops un-gathered, banks closed, Confederate money worthless, and about one third of its male citizens wounded or killed."¹⁵ Consequently, blacks who occupied the bottom rung in the southern society found themselves in even worse economic despair than their white counterparts. Abraham Lincoln observed the plight of the newly freed blacks and suggested that they were, "A labor less, landless, and homeless class [trapped] in the hazy realm between bondage and freedom."¹⁶

To help relieve the economic burden of the South, Freedmen Bureaus were established in 1865 as an aid society for blacks and poor whites. Supported by the Reconstruction Congress, Freedmen Bureaus can be considered an early attempt of social welfare. Freedmen's Bureau distributed food, clothing, and medicine. The Bureaus also sought to resettle blacks in rural areas, find them jobs, supervised work contracts between black's and white employers, acted as counsel when blacks had to appear in court, and established schools for black children. In all, the Bureaus built or aided in the creation of 4,000 schools, with some 9,000 teachers and almost 250,000 black students and was the first widespread free public school system in the South.

As a result of the work of the Freedman's Bureaus, black literacy rate went from 1 in 10 in 1865 to 21 percent by 1870.¹⁷

Having relied on the free labor of Africans for so long, white Mississippians were not going to give up their way of life without a fight. In an attempt to stop the Freedmen's Bureaus efforts and to put blacks back into their place in southern society, the Ku Klux Klan came into being. The Klan intimidated, maimed, and killed blacks who refused to be subservient. The Klan's reign of terror was successful in undoing most of the work done by the Freedmen's Bureaus. In addition, during their waning days of power, southern legislatures controlled by Democrats, implemented the "black codes." The black codes sought to offset federal edicts by keeping blacks in a system similar to that of slavery. In Mississippi, the black codes required black males to sign labor contracts; those who failed to sign were subject to arrest as vagrants. An apprenticeship system required dependent blacks to be apprenticed to suitable whites, with first choice given to former owners. In short, the black codes sought to limit the civil liberties of blacks.¹⁸

In order to provide blacks some legal protection, the Civil Rights Act of 1866 and the Reconstruction Act of 1867 were implemented. The Civil Rights Act conferred citizenship on blacks and was bolstered further by the Fourteenth Amendment. The Reconstruction Act placed the South under occupation by federal troops. Together, these Acts provided blacks some legal protection. Unwilling to accept their former laborers as full citizens, Mississippians refused to ratify the Fourteenth Amendment. As a condition of being readmitted back into the Union,

Mississippi was forced to accept the Amendment. Begrudgingly, the legislature accepted them, however, it quickly became apparent “that Mississippi...was not meant for blacks or poor whites. The class-based dominance of American politics and Mississippi’s version of that bias meant that blacks had no rights, and white authorities in Mississippi and the federal government largely countenanced that view for well over eighty years. ”¹⁹

Further fueling white hostilities toward blacks was the fact that black Mississippians had a numerical voting majority. Between 1869 and 1876, blacks constituted 53 percent of the voting-age population.²⁰ As a result of the Fifteenth Amendment, blacks were granted the right to vote and duly exercised their new found right. During this period, white Republicans controlled the Mississippi legislature, as a result of the strength of blacks who voted overwhelmingly Republican. In 1870, white Republicans held 52 seats, white Democrats held twenty-five seats, while blacks controlled the remaining thirty seats . After the 1873 elections, blacks controlled important offices such as lieutenant governor, secretary of state, education superintendent, and Speaker of the House. In addition, Mississippi sent two black Senators to Congress.²¹

Black electoral gains, however, were short lived. In 1875, white Democrats instituted the Mississippi Plan to ensure they would win that year’s election. The Plan included intimidating blacks, stuffing the ballot box with Democratic votes, destroying Republican ballots, substituting Democratic tickets for Republicans tickets for illiterate blacks, and miscounting ballots. After the expected poor Republican

showing in the election, the Democrats took control of the Mississippi legislature and they immediately impeached the black lieutenant governor and forced the resignation of the Republican Governor. In 1876, white Democrats consolidated their hold on state government by passing a series of laws that ultimately reduced black voting power and by extension eroded the Republican party.²²

Post-Reconstruction

The election of Republican Rutherford B. Hayes in 1877 effectively ended the period of reconstruction, and turned the life chances of blacks back over to their former en-slavers. In a back room deal, to break an electoral vote tie, Hayes offered to remove federal troops from the South if southern Democrats supported his candidacy. Hayes received the needed congressional support necessary to become president and subsequently withdrew troops from the South.

By the turn of the century, Mississippi was solidly controlled by conservative white Democrats who utilized a reign of terror sponsored by the Ku Klux Klan, the White Brotherhood, the Rifle Clubs, the Council of Safety, the Pale Faces, and the Knights of Camellia to effectively maintain their closed society.²³ Lynching became the preferred way of dealing with uppity blacks. It is estimated that “between the years 1882 and 1925, 535 blacks were lynched in Mississippi, more than any other state.”²⁴

In 1890, Mississippi implemented its fourth state constitution which disenfranchised blacks and ushered in the era of Jim Crow segregation. Although

adopted, it was never ratified. According to C. Vann Woodward, the new constitution perpetuated and solidified the power of the Black belt oligarchy...It disenfranchised the race that comprised a majority of the population and thrust whites into control of a minority of their own race in the black counties.”²⁵ The new constitution instituted stricter voting requirements. It required a two year state and one year district requirement for voting, registration four months before an election, and a two dollar poll tax payable two years before the election. In addition, voters were required to read any section of the state constitution or to be able to understand it when it was read to them. Although poor whites were affected by the new voting requirements, it achieved its required effect: diluting the number of eligible black voters. Of the 147,000 eligible black voters in 1892 only 8,600 were registered. The disenfranchisement of blacks in Mississippi was complete. So complete that some 70 years later in 1964 only 7 percent of the eligible black voters were registered.²⁶

The inability to fully participate politically between 1890 and 1964 adversely influenced the economic life chances of black Mississippians as well. Black economic subordination was sealed by the caste system known as sharecropping.²⁷ Sharecropping was an agreement between black planters and white plantation owners in which the planter in return for housing, seed, and credit at the commissary store would work a crop. Theoretically, when the crop was sold the planter would share in the profits. However, according to records kept by the plantation owner, the black planter owed the plantation owner money at the end of the year. Therefore, the black planter and his family became bound to the soil. Under threats of arrest and severe

penalties black families were trapped in a new system of slavery called sharecropping.

Passage of the Social Security Act of 1935 and Old-Age Assistance threatened the white southern oligarchy. Fearing an end to their sharecropping and tenant-lien systems, white southerners, found creative ways to deny blacks benefits because they feared it would make black sharecroppers too independent. Some southern states simply closed benefit offices during harvest season to force blacks to harvest crops or go hungry. Others, only offered blacks half the benefit allotment that they offered whites. Mississippi for example, offered lower benefits in cotton growing county's as compared to other parts of the state. Mississippi, like many other southern states circumvented federal guidelines of equal payment by using a separate standard for Confederate veterans.²⁸

Historically, the South feared a strong central government. Although the New Deal created a proliferation of national bureaucratic agencies, cooperative federalism allowed national policies to vary widely from region to region. "In the case of old age assistance, national authority in program administration was carefully circumvented."

²⁹ Cash payments to blacks were kept below subsistence levels in order not to undermine the prevailing wage structure of the tenant-lien and sharecropping systems in the South. Although racial disparity was officially illegal, the differential treatment of blacks in the south "reflected both the political clout of southern congressman and the prevailing view that racial differences in income were natural."³⁰

This prevailing view has historical as well as contemporary implications for the black masses in Mississippi. As a result of this prevailing attitude, blacks in

Mississippi have been trapped in a complicated system of subjugation as well as economic subordination. For example, up until the late 1960's the city of Jackson refused to recruit businesses from outside the state for fear that they would bring about unionization of the work force and, in turn, cause wages to increase. In other parts of the state, economic development campaigns focused on business activities that would not employ large numbers of semi-skilled and unskilled workers. The idea behind these campaigns was to prevent the in-migration of outsiders and to restrict the movement of blacks, thereby keeping them dependent on the existing white power structure.³¹

Things Are Changing

By 1940 the systematic exclusion of blacks came under attack. Black clergy, professionals, and school teachers with the aid of the National Association for the Advancement of Colored People (NAACP) pushed for progressive reforms in the political, economic and social life of black Mississippians. These independent actions paved the way for the civil rights movement in 1960's which was organized and supported by such organizations like the NAACP, the Student Nonviolent Coordinating Committee, the Mississippi Freedom Democratic Party, the Congress of Racial Equality, the Council of Federated Organizations, and other local organizations, and activists who have remained nameless.³²

After much pain, suffering and death, the words of Governor Hugh White that Mississippi "will use every legal means at our command,"³³ to maintain our way of

life, rang true. In 1964, one decade after *Brown*, Mississippi schools were still not desegregated; blacks for all intent and purpose were still second class citizens; and the reign of white terror was still a way of life in Mississippi. Working together with the federal government, the civil rights groups were able to bring to fruition what Frank Parker calls, "the most far-reaching voting rights legislation ever enacted," the 1965 Voting Rights Act. Section 4 of the act immediately suspended all literacy test and other discriminatory voter registration tests in seven states of the former confederacy: Mississippi, Alabama, Georgia, Louisiana, South Carolina, Virginia, and forty counties in North Carolina.³⁴ The voting rights act was viewed by many as the crowning achievement of the civil rights movement. With the Act in place, blacks could no longer systematically be locked out of the political system. And by extension, could gain some semblance of control over the economic conditions facing the black community.

Although the voting rights act, the civil rights act, and the Fourteenth and Fifteenth Amendments were in place, the life chances of blacks did not improve significantly as many expected in Mississippi. The Mississippi legislature, to combat the increase of black voter registration (6.7 to 59.8 percent) engaged in the political strategy of massive resistance. Between 1966 and 1982, the legislature engaged in a series of tactics to dilute black voter strength that included gerrymandered state congressional districts, switching from single member districts to multi-member districts, utilization of at-large elections, increased paper work for black candidates, switching of polling places at the last minute, changing offices from elective to

appointive, municipal annexations, and intimidation.³⁵

Overcoming the barriers to Jim Crow segregation, and to some extent, economic subordination, and overt racism took years of litigation in Mississippi. Despite the fact that most of Mississippi's federal judges were unsympathetic to the injustices suffered by blacks at the hands of the white power structure, litigation proved to be moderately successful. Through litigation multi-member state legislative districts were broken up, at-large elections were struck down, and excessive racial gerrymandering was eliminated. Once these barriers to black voting were eliminated, large numbers of black candidates were able to win election to legislative, county, and city offices. Mississippi went from being the state with the largest number of black "citizens" and the lowest number of black elected officials, to the state that came closest to proportional representation.

Political Awakening— Again: Legislative Black Caucus

In 1979, after a long protracted court battle which lasted thirteen years and an unprecedented nine visits before the Supreme Court, the overwhelmingly white Mississippi legislature finally abided by court order and apportioned their state legislative districts. The adherence to the one person one vote principle changed the complexion of Mississippi politics as seventeen new black members were elected to the state house.

In 1980 the Mississippi Legislative Black Caucus was formally organized. The organization stemmed from a 1979 seminar sponsored by Political Science

Department at Jackson State University. The seminar, intended to acquaint the seventeen newly elected members to the legislature, marked the first time that all black members of the Mississippi General Assembly were together in one place. This initial meeting served as a catalyst for the formation of the LBC.³⁶

The first chair of the LBC was Robert Clark³⁷, the first black person elected to the Mississippi General Assembly since reconstruction. According to the original by-laws, the purpose of the caucus is:

- 1) To serve as a forum for discussion of legislative measures introduced in the Mississippi legislature;
- 2) To develop and affect legislation which addresses the priority concerns of Mississippians
- 3) To serve as a vehicle to cause and impact on policies and practices established by all agencies and departments of the Mississippi state government; and
- 4) To provide a mechanism for informing the citizenry of Mississippi of bills and resolutions pending before the Mississippi legislature which have particular implications for the community.

The caucus also does not limit membership to black members. The by-laws read that “any person who holds elective office as a state senator or state representative in the Mississippi Legislature and who has a demonstrated commitment to the cause of equitable opportunity for black citizens of this state, shall be eligible to become a members of the caucus.” The LBC is funded by the Political Education and Economic Development Foundation. The non-profit Foundation was created by the caucus to provide financial support for the caucus activities.³⁸

TABLE 6-1
BLACK HOUSE MEMBERS ON STANDING COMMITTEES
1994-1997

Committee	Members
Agriculture	Bailey, Bozeman Evans, Gibbs, Smith +
Apportionment and Elections	Banks, Blackmon, Perkins, Robinson, Scott, Watson, T Green +, Schoby +
Appropriations	Flaggs, Green, Henderson, Watson
Banks and Banking	Watson, Shepphard+
Conservation and Water Resources	Baily, Broomfield (V-Chair), Gibbs
Constitution	Clark, Morris, Green +, Sweet+
County Affairs	L. Coleman, Gibbs, Green, Robinson, Thorton
Education	Baily, Broomfield, Clark, M. Coleman, Morris, Clarke, Dickson, Walker
Ethics	Walker
Fees and Salaries of Public Officers	Broomfield, Green, Morris, Young, Sweet+
Game and Fish	Clark, Green, Smith +
Insurance Banks,	Bozeman, M. Coleman,
Interstate Cooperation	Clarke, Henderson
Judiciary A	Banks, L. Coleman, Robinson, Watson, Green +
Judiciary B	Baily, Blackmon (Chair), Dickson, Fredericks, Perkins, Scott, Walker, Smith +, Sweet+
Judicial En Banc	Blackmon (V-Chair)
Labor	Flaggs (Chair), Green, Bozeman, Fredericks, Labor
Local and Private Legislation	Perkins, Fredericks (V-Chair), Green +
Management	Ellis, Schoby +
Military Affairs	Broomfield,
Municipalities	Banks, Clarke, Flaggs, Morris, Watson (Chair)
Oil, Gas, and Other Minerals	Evans, Scott
Penitentiary	Blackmon, Coleman, Ellis, Fredericks, Thorton, Henry+
Public Buildings, Grounds and Lands	Bozeman, M. Coleman, L Coleman, Dickson, Evans, Henderson, Shepphard+, Perkins
Public Health and Welfare	M. Coleman , Clarke, Evans, Fredericks, Scott, Henry+ Schoby+
Public Utilities	Ellis (Chair), Shepphard+, Sweet+
Rules	Robinson, Shepphard+, Clark
Transportation	Dickson, Gibbs, Henderson, Robinson Walker, Young Schoby +, Shepphard+
Universities and Colleges	Flaggs Walker, Young (Chair), Smith +
Ways and Means	Clarke (V-Chair), Ellis, Young, Henry +, Shepphard+

Source: Mississippi Legislative Session Roster, 1995-1997; National Caucus of Black State Legislators:
Directory of African American State Legislators, 1995-1996.

*Elected in 1995

+ Left the Legislature in 1995

TABLE 6-2
BLACK SENATE MEMBERS ON STANDING COMMITTEES
1994-1997

Committee	Member
Agriculture	Jackson, Jordan
Appropriations	Harden, Johnson, Simmons, Turner,
Business and Financial Institutions	Harden, Jordan
Constitution	B. Blackmon
Corrections	Harden, Simmons
County Affairs	B. Blackmon, Frazier
Economic Development, Tourism and Parks	Horhn (Chair), Turner
Education	Harden, Jackson, Jordan, Turner
Elections	Harden, Horhn, Turner (V. Chair)
Environment Protection, Conservation and Water Resources	Horhn, Turner
Fees and Salaries and Administration	Harden (V. Chair), Turner,
Finance	B. Blackmon (V. Chair), Frazier,
	Jordan, Walls (V. Chair), Walls
Forestry	Jackson (V. Chair)
Highways and Transportation	Jackson
Insurance	Horhn, Jordan
Interstate and Federal Cooperation	
Judiciary	B. Blackmon, Frazier, Johnson (V.Chair), Turner, Walls
Juvenile Justice	
Labor	Horhn Johnson
Local and Private	
Management	
Municipalities	B. Blackmon, Frazier (V. Chair), Jordan
Oil, Gas, and Other Minerals	Johnson
Ports and Marine Services	Johnson, Walls
Public Health and Welfare	B. Blackmon, Simmons
Public Properties	Frazier, Jordan (V. Chair)
Public Utilities	Jackson
Rules	
Universities and Colleges	Frazier, Jackson, Simmons (V. Chair)
Veterans and Military Affairs	Johnson
Wildlife and Fisheries	

Source: Mississippi Legislative Session Roster, 1995-1997; National Caucus of Black State Legislators: Directory of African American State Legislators, 1995-1996.

*Elected in 1995

+ Left the Legislature in 1995

General Assembly

The Mississippi legislature is comprised of 174 members: 122 in the lower house and fifty-two in the upper house. Both the house and senate members serve four year terms. Oddly, Mississippi has off-off year elections.³⁹ Starting in 1970, Mississippi has held regular legislative sessions that convene the first Tuesday in January and generally runs for 125 days following an election ⁴⁰ and ninety days all other times.

Mississippi however, can be characterized as an amateur legislature. Unlike Maryland in the previous chapter, Mississippi offers its 174 legislators centralized staffing and accommodations. Several legislators share one receptionist who is responsible for correspondence, scheduling, and most matters pertaining to the duties of a public servant. Most members, however, provide their own constituent services which generally amounts to letter writing and helping constituents solve problems with public services. In addition, several legislators share the same room separated only by room dividers and is best described as a bull pen. Only committee chairpersons and vice chairs have their own receptionists and private offices.

Members of the general assembly are compensated in a variety of ways. Each legislator receives \$10,000 per legislative session and \$800 per month when the legislature is not in session. In addition, a \$76 a day per diem can be claimed by each member for food. Legislators are also compensated \$0.20 a mile for trips from Jackson, Mississippi, the capitol, to their legislative districts once a week.. In all legislators can be compensated between \$20,000 to \$25,000 a year.⁴¹

As a result of the number of legislators, Mississippi has twenty-eight committees in the house and twenty-eight in the senate. In addition, there are six joint committees. In all the Mississippi general assembly has sixty-two standing committees. Therefore, there is approximately one committee for every three state legislator and each member can serve on as many as seven subcommittees. The legislature is dominated by Democrats, although party lines are rarely enforced. Committee appointments, as with Maryland, are made by the Speaker in the house and the lieutenant governor in the senate.

The constitutional powers of the governor, according to most political observers, are weak when compared to that of the governors in each of the fifty states. The heads of eight executive departments including the lieutenant governor are elected directly by the people. In addition, numerous boards and commissions administer public policies independent of the governor. Although, constitutionally the governor is weak, he has the ability to rally public opinion. As the states most visible public official, the governor, in recent years has rallied public opinion to reform social services, increase education spending, and has sought to modernized Mississippi's core industries. Since 1980, the governor has gained complete control over the budget and has utilized it as a carrot and stick in battles with the legislature.⁴²

Political Economy

Mississippi began the 1990s with expenditures outpacing revenues. The downward economic spiral caused the state's General Fund to decrease from \$84

million in 1989 to \$4.9 million by July of 1990. In an attempt to slow the decrease, Mississippi's General Assembly approved river boat gambling in the Gulf Coast region along the Mississippi river. Gambling proved to be a profitable endeavor for the state as actual revenues were three times higher than projections. The profits strengthened the General Fund⁴³ as the overall economic condition of Mississippi improved.

Unemployment rates in 1993 decreased in eighty-one of the states' eight-two counties and reached a low of 6.4 percent state wide, representing a 22 percent improvement over 1992. This economic growth outpaced the country as a whole. Although still robust, revenues from gaming have leveled off since reaching its zenith in 1993. By 1995 the state's economy began to slow slightly. Unemployment, however, reached its lowest point in sixteen years at 5.9 percent.⁴⁴

Although the state experienced positive economic growth, Mississippi still remains one of the poorest states in the nation. The state has a poverty rate of 22.8 percent, and one out of every three children live in poverty. Ranked thirty-first in population, Mississippi experienced a 5.5 percent population increase between 1990 and 1996. The majority of the states inhabitants are eighteen to sixty-five years of age and represent 60 percent of the population. Mississippi is primarily a rural state as 65 percent of its population reside in rural areas. The state also houses approximately 1 percent of the nation's population.⁴⁵

In FY 1996, Mississippi spent approximately 11 percent of its state budget on social welfare programs. Ten percent of the state's population received AFDC in 1994. Over 52, 000 families received AFDC of which blacks constitute 82 percent. The

maximum AFDC benefit for a family of three in Mississippi is \$120, and has remained unchanged since 1985 and represents only 11.8 percent of the federal poverty level. In addition to the \$120 a month cash benefit, eligible Mississippians also receive approximately \$315 per month in food stamps. Although Mississippi's benefits are relatively low, the state allows families to continue to receive benefits as their income increases. This helps offset the lowest benefits of all fifty states including the District of Columbia. Mississippi is one of six states that does not provide elderly and disabled citizens with an optional state supplement of the federal Supplemental Social Security Income (SSI). In addition, the state does not operate a General Assistance Program. As a result, income support for poor families comes primarily from the federal government. Mississippi, due in part to its lower social economic status, receives nearly 70 percent of its total welfare funding from the federal government.⁴⁶

Reorganizing DHS

Though Mississippi's chief executive is viewed as relatively weak in the area of agenda setting and policy making, in recent years the governor has gained influence in the area of social services. In 1991, at the request of Governor-elect Kirk Fordice, the Mississippi legislature reorganized the state Department of Human Services (DHS). During its 1992 legislative session, the five member State Board of Human Services⁴⁷ was abolished and DHS was subsequently added to the governor's cabinet. This action converted DHS from an independent agency, whose director was elected by the voters of Mississippi, to an executive agency whose director was appointed by the governor,

with Senate confirmation. More importantly, the change in status conferred greater control over the direction and scope of social service administration in the State of Mississippi to Governor Fordice .⁴⁸

Reorienting DHS to fit his political philosophy, Governor Fordice's perspective on welfare focused on limited temporary assistance centered around work.⁴⁹ "Now is the time we ought to be able to take every able-bodied person in the state of Mississippi off the welfare rolls and onto the work rolls," said the Governor. "The American people are ready to do something about welfare [and] Washington bureaucrats don't know how to fix welfare. It wouldn't be in the shape that it is in if Washington had a clue on how to fix it. We do know how to fix it in Mississippi. We've got jobs going begging. Now is the perfect time."⁵⁰

Faith and Families

In keeping with his philosophy on welfare, Governor Fordice's first attempt at welfare reform centered around churches providing assistance rather than the government. Following the lead of Newt Gingrich (R-GA), who was influenced by the 1992 book, *The Tragedy of American Compassion* by Marvin Olasky, Fordice instituted the Faith and Families program in 1994. The program links poor families with churches, synagogues, and mosques. The way the program works is that a congregation adopts a family (usually a single mom and children) referred by the state welfare department. Once enrolled, recipients are allowed to keep their medicaid and food stamps benefits. Theoretically, the congregation would provide counseling, support,

networking, connections to jobs, as well as leads to jobs and childcare. In addition, the congregation instructs individuals on how to interview for jobs, what to wear to interviews, and provides transportation when necessary.

The Reverend Keith Moore, supporter and field coordinator of Faith and Families, believes that the intensive personal attention offered by churches cannot be offered by the government. In fact, the government is at fault for “fostering dependency,” said Reverend Moore. “Some individuals don’t want to be just given a place to stay. They don’t want you to give them a subsistence allowance every month. They want a job.” Moore defends the charges about the separation of church and state by suggesting that the program doesn’t teach religion, but shows people that there is a value in their life. “...it’s all right to be down, but the question has to be asked: When do I want to get up?,” concludes Moore.⁵¹

Although Faith and Families has the support of influential clergy like Reverend Moore, it nonetheless came under heavy criticism. David Ingebretson, state director of the American Civil Liberties Union labeled it an election year gimmick. Representative Ed Blackman, then chairman of the legislative black caucus, also believed that Fordice was merely posturing for the pending election and the program “...will vanish from the scene very quickly, but probably not before this years election.” Although praising Moore for his dedication, Blackman predicted Faith and Families would “result in nothing.” Blackman does, however, recognize that the program has had some success, but it will only be short lived since “There’s only so much churches and individuals in those churches can do. They’re asking the poorest of our community to take on this

task.” Calling it “Faith and Foo Foo”, human rights activist Rims Barber suggests it is a wonderful public relations gimmick, that appeals to people that want to see welfare families deficient in some way. State NAACP Director, Beatrice Branch called the program a joke. And yet others decry the program for lack of financial support since the only money put into the program pays administrative fees to field coordinators.⁵²

Aside from the criticism, Faith and Families never lived up to the expectations of the governor or DHS. Lack of support from the churches, unenthusiastic acceptance from welfare recipients, and lack of financial resources proved to be unintended consequence of the program. In Mississippi there were approximately 5,500 churches and 59,343 families on welfare. Three months into the program only 55 families and some 200 churches were enrolled. Reverend Keith Tonkel suggested that low church involvement was due in large part to the unwillingness of churches to get involved with anything that was political.

Furthermore, Faith and Families suffered as a result of a lack of understanding about the program by welfare recipients which caused many eligible recipients to avoid it. After the sluggish beginning however, Faith and Families, on the whole, proved to be moderately successful. Between July 1995 and June 1997, 114 of the 226 families in the program found subsidized jobs, and eighty-five left welfare all together.⁵³ Given these limited successes, Faith and Families faded into the background as it became apparent that government sanctioned reform and not voluntary associations were better suited for Mississippi’s welfare problem. Subsequently, the goals of Faith and Families were curtailed and it became a private non-profit organization administered by DHS.

Mississippi, however, was not done with welfare reform as the state took more aggressive actions to help “remove the burden of dependence.”

Spurred by Governor Fordice’s philosophy on welfare and work, Mississippi modified its welfare program to include a strong work component. However, before any changes to the current welfare system could be made it was first necessary to regain the trust and support of the legislature. According to Representative Rob Smith, chairman of the joint legislative task force overseeing bloc grants, “There are a lot of fears in the block grant program strictly because of what happened in the past.”⁵⁴ In 1994, against the wishes of the legislature, former DHS executive director Greg Phillips, acting on behalf of Governor Fordice, privatized the collection of past-due alimony payments. As a result, “there has not been trust established, personally speaking, from the governor’s office to the legislative branch that I can feel comfortable with,” expressed Smith.⁵⁵ A consequence of the feud with the legislature was the resignation of Philips in 1995 and the appointment of Don Taylor, as the new executive director of DHS.

Adding more tension to the situation was the position of the administration that welfare reform legislation was the sole priority of the governor. In speaking to the senators, Taylor suggested that it is generally accepted nationwide that governors write welfare plans and state lawmakers decide how to spend state and federal money to carry out those plans. Representative Smith, however, decried the administration’s perspective, suggesting instead that it was misinformation by the National Governors Association in order to provide governors with control over the process. Still stinging

from the lost alimony battle with DHS, Smith feels uncomfortable about allowing the administration to write the reform plans giving their recent history.

Operation Make A Difference

In an attempt to rally public opinion and support for the governor's newest welfare to work initiatives, the governor's office along with DHS, engaged in a campaign to publicize welfare fraud. As Mississippi was awaiting welfare waiver approval from the U.S. Department of Health and Human Service (DHHS), the Division of Program Integrity of DHS intensified "Operation Make a Difference." As a result, welfare fraud occupied the public agenda in Mississippi. Amongst complaints of selective prosecution, Robert Cook, head of Program Integrity for DHS said, "We are not doing the witch hunt thing. We want people entitled to services to receive them. We are after those who try to defraud the state." ⁵⁶

In the southern phase of the two-phased Operation Make a Difference, 297 actions were taken including eighty-three fraud convictions and others were pending for more than \$456,280 dollars in fraudulent payments. According to other reports from DHS, it received 204 food stamp convictions and 903 restitution agreements, a 266 percent increase over Fiscal Year 1993. In addition, the courts ordered \$982,728 in restitution and wavier agreements. So successful was the southern phase of Operation Make a Difference, that DHS expanded it to the more urban north where fraud was believed to be more prevalent, but harder to investigate as a result of the dense population. Nonetheless, early returns suggested that the added efforts made a

difference as indictments, referrals for prosecutions, convictions, and outstanding warrants totaled more than \$456,280.⁵⁷ As a result of Mississippi's stepped up welfare fraud convictions, the state went from thirty-ninth in convictions in 1993 to eighth by 1997.

Work First

In part due to the publicity of welfare abuses, pending federal legislation, and a changing public agenda, in 1993 the Mississippi legislature passed Senate Bill 2718⁵⁸. SB 2718 authorized DHS to apply for waivers from the U.S. Department of Health and Human Services (DHHS) for pilot welfare reform programs in the state. Federal approval of the waiver resulted in the Mississippi Welfare Reform Restructuring Program Act of 1993. In 1994, House Bill 1287⁵⁹ authorized DHS to implement the Mississippi Welfare Reform Restructuring Program Act statewide in 1993. After two years of posturing, politicking, and tinkering, SB 2718 and its predecessor HB 1287 were phased in over a three month period.⁶⁰ The demonstration program was instituted in six counties and was entitled the "New Direction Demonstration Program."

As with other states, Mississippi's demonstration program contained family caps and subsidized work for recipients of AFDC.⁶¹ Believed to be the most punitive demonstration program in the nation, Mississippi denied food stamp benefits as well as the entire AFDC benefit to all members of recipient families that had an adult who failed to meet the program's work requirements. The New Direction Demonstration Program was divided into three separate programs: Statewide/Learnfare, Work

Encouragement, and Work First.

As its name suggests, Statewide/Learnfare was implemented state wide. The intent of this program was to discourage out-of-wedlock-births while enforcing parental responsibility. Some highlights of this program include: children between the ages of six through seventeen were required to attend school 90 percent of the time, immunization was required, Family Caps were implemented, teen parent live at home program, and a social contract that all AFDC recipients were required to sign acknowledging their responsibilities to the state.

The Work Encouragement and Work First Programs focused on employment. The theory behind these programs, according to Governor Fordice, “is that people without an employment history will learn job skills and become self-sufficient.”⁶² The Work Encouragement program was implemented in only two counties. The Work Encouragement program fostered employment by not counting earned wages against AFDC benefit levels.⁶³ In addition, non-custodial parents were required to participate in JOBS to meet child support obligations.

Work First, the center piece of the welfare demonstration program, received most of the attention since it was the most controversial of the three demonstration programs. Work First was a five year pilot program implemented in six counties.⁶⁴ It had strict work participation requirements, subsidized job placement, and less restrictive transitional services. AFDC and food stamp recipients who were unable to find unsubsidized jobs were required to work in subsidized private-sector jobs as they became available. Failure to comply resulted in total loss of all AFDC and food stamp

benefits for the entire family. Although Work First was only implemented in six counties, employers throughout the state could take advantage of subsidized workers. Work First employees made minimum wage of which employers were required to contribute a minimum of \$1.00 per hour, provide necessary training, supervision, and a regular staff mentor to assist participants in the work place.⁶⁵ Wages were paid from the employees AFDC and food stamp benefits and covered all but \$1.00 which was paid by the employee to insure employees were earning at least minimum wage.

Personal Responsibility and Work Opportunity Reconciliation Act (TANF)

The Work First demonstration program did not last the entire five year period as originally intended. Instead it only lasted until August 1996 when President Clinton signed into law the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA). In response to the PRWORA, DHS had to end the Work First demonstration program in the six counties. Rather than rewrite the entire statute, DHS with the approval of the governor, decided to implement Work First statewide.

The battle over the public agenda intensified as Work First faced the real possibility of becoming Mississippi's permanent welfare reform program. The prospects and fears of Work First becoming a statewide program elevated the debate surrounding Mississippi's welfare reform efforts. In an attempt to quell the fears of Mississippians about the new welfare reform plan, DHS, the governor's office, and the state legislature held public meetings throughout the state. The meetings were used to explain how the plan works and to get feed back from Mississippians. Mississippians

were given 45 days to comment of the new plan before the legislature convened.

Rims Barber, human rights activist, was not sure what impact the meetings would have on Mississippians. "People are apprehensive about this law. We don't know what's coming next. At first blush, I don't get a lot of clarity out of this plan," he said.⁶⁶ Commenting on Work First, Theda Skocpol a professor of government and sociology at Harvard University suggests that handing welfare checks to employers to pay employees "... sounds like the old system of sharecropping."⁶⁷ Don Taylor, executive director of DHS, suggested that "the plan offers hope where none previously existed. Our current system is a paternalistic plantation mentality approach that has entrapped the poor." Countering Taylor's remarks was US Representative, Bennie Thompson, who stated that, "welfare reform in the present configuration doesn't offer any hope, just more misery for family and children. "⁶⁸

Others suggest that welfare reform involved stereotyping. "People like to find someone to blame. We always like to blame someone we think is black," said Reverend Carol Burnett, Director of Moore Community House in Biloxi. "Race and gender" issues are mixed into reform issues, she added. Dismissing this line of reasoning, Don Taylor suggested that if Mississippi wanted to stick it to the poor, the state could have followed the lead of Florida or New York who he believes have more punitive reform plans than Mississippi.⁶⁹

Larry Temple, deputy director of DHS was not as kind in his remarks about Reverend Burnett's comments. Temple noted that comments like Burnett's are typical from heads of agencies who fear losing grant money as less and less poor people

require their services. "People that are most anxious are people that make tons of money off welfare and suddenly believe that people are going to be out on their own," added Temple. Changing the focus from service providers to DHS, Representative Bennie Thompson, suggested that, "If you didn't have poverty, you wouldn't need a Department of Human Services. So I guess Don Taylor and his staff may include themselves among people who wouldn't have a job if there was no poverty in the state."⁷⁰

Further debate centered around the ability of Mississippians to find work in one of the poorest economies in the country. Marianne T. Hill, a senior economist for the state College Board, noted that 15,000 manufacturing jobs have been lost since 1995. Hill suspects that things will only get bleaker as women are forced to find work in an already tight labor market that currently has 13 percent unemployment for black women.⁷¹ Larry Temple, however, doesn't buy this argument either, suggesting that they are plenty of entry level jobs for women with opportunities for advancement. Supporting this contention was Senator Jim Bean, R-Hattiesburg, Chairman of the Public Health and Welfare Committee. Senator Bean remarked that in many places, jobs are going unfulfilled. Contractors, for example, are importing construction workers for \$14 an hour because they can't find enough Mississippian's to fill them.⁷² Hill, however, doesn't deny this claim. She suggests that "occupational segregation" keep women out of jobs like construction and truck driving. Besides, welfare reform is going to have a greater effect on women and children than men. Therefore the focus should be on job prospects that are open to women.

There is also the larger question about what happens to children when “mom” is at work. Senator Bean suggests that Mississippi will be able to provide adequate childcare. Representative Alyce Clarke, D-Jackson, vice chairwomen of the House Ways and Means Committee and member of the Legislative Black Caucus, expressed her doubts about childcare. She said she has pushed for state laws that require employers that have more than one hundred employees to offer on-site childcare. But the legislature, which is basically male dominated, didn’t see a reason for it.⁷³

The public debates on welfare reform were well received by members of the legislature. Senator Smith suggested that, “We got an idea of what people were thinking and what we need to discuss before the legislative session.” “By hearing from the people all across the state, those of us involved with the legislature and executive branch have a better understanding of what people want” said, Representative Jim Bean.⁷⁴ Utilizing their new found knowledge of what Mississippian’s want, a list of four general items were outlined: Better understanding of services and requirements of the program; Childcare that stresses education and skills development; Adequate and affordable transportation where it currently does not exist; and training and opportunity for jobs that offer more than a minimum living wage.⁷⁵

As the legislative session began, the mandate was clear: Draft a welfare reform bill that all Mississippians could live with. On January 7, 1997 House Bill 766, to established Mississippi’s Temporary Assistance to Needy Families Grant was referred to the Public Health and Welfare and the Appropriation Committees. HB 766 went through the house with relative ease. By January 22, 1997 it was passed as amended by

a vote of one hundred to nineteen with three not voting or absent. Of note is the fact that eighteen of the nineteen nay votes were from Members of the Legislative Black Caucus and constitutes 40 percent of its membership.⁷⁶

On the Senate side, HB 766 also went through the legislature with relative ease and was passed within fifteen days. Although both chambers supported HB 766, a conference committee was called to iron out the differences between the two bills. Representatives Moody, Clarke, and Miller were joined by Senators Bean, Simmons and Hall on the Conference Committee. The major sticking point between the two versions was work requirements, training dealing with marriage counseling, and reporting requirements. Moody, chairman of the House Public Health and Welfare Committee, expected the process to move quickly. Agreeing with Moody was Jim Bean, Chairman of the Senate Public Health and Welfare Committee. "I hate to put a timetable on it but I would like to get it to the governor as soon as possible," said Bean.

On March 12, 1997, the Governor Fordice signed the Welfare Reform Act and approved the State Plan authorizing DHS to implement the TANF Work Program statewide (TWP) and other reforms throughout the state. In July of 1997, DHS contracted with for-profit and non-profit firms to provide job readiness training and job placement services to TANF clients. By the end of 1997, job placement services were available to TANF clients in every county in the state.⁷⁷

TANF Provisions ⁷⁸

The Mississippi TANF provision signed into law by Governor Fordice provided TANF recipients with an average of \$116 per month in cash benefits. Recipients are allowed a sixty month lifetime limits on benefits, the maximum allowable by federal guidelines. Adult TANF recipients must be engaged in an acceptable work activity within twenty-four months of receiving cash benefits. Recipients who are not exempt,⁷⁹ must attend a twenty hour Basic Job Readiness Training program and possibly an additional twenty hour Enhanced Job Readiness Training program. They must also participate in a structured and supervised Job Search program that runs up to 140 hours. Combined, Job Readiness Training and Job Search programs must not exceed more than 160 hours.⁸⁰

For clients who fail to cooperate with job placement efforts, penalties have been built into the TANF program. The first violation results in sanction of TANF and Food Stamp benefits for at least two months or until compliance; the second violation - six months; the third violation - twelve months; and after the fourth violation - permanent termination of benefits. In order not to punish the children, medicaid benefits will be continued in each instance. TANF also continues the Work First provision of subsidized employment, except it has been extended statewide.⁸¹

Eligibility for TANF Benefits

In order to be eligible for TANF benefits, recipients must have at least one dependent child in the household, meet strict income and resource limits, and sign a Personal Responsibility Contract acknowledging obligation to the State. TANF benefits are reduced as income and resources increase. In order to remain in full compliance, children must attend school. Failure to comply without good cause for children six through twelve years of age results in a 25% reduction in TANF and Food Stamp benefits until compliance. Failure to comply without good cause for children thirteen through seventeen years of age means disqualification for the child in TANF and a 25% reduction in the household food stamp benefit allowance until compliance. Children must be immunized. Failure to comply means 25% reduction in both TANF and Food Stamp benefits until compliance. TANF money payment is limited only to children existing at the time the family is first approved for assistance or born within the first ten months of receiving benefits. If a family has not received public assistance for twelve consecutive months, they may include a child born after this time period has passed. Rights to child support must be assigned to the State. Failure to comply ends benefits until compliance.⁸²

Welfare Reform and Black Politics⁸³

The state of Mississippi has the largest proportion of blacks in the United States as well as the largest number of black state legislators. Conventional wisdom would dictate that a Caucus of forty-five members would be influential players in the public

policy process. However, the above chronology of welfare reform policy making in Mississippi is void of organized group politics by Mississippi's Legislative Black Caucus. Furthermore, journalistic accounts support the contention that Mississippi's Legislative Black Caucus (LBC), much like Maryland's in the last chapter, played a diminished role on the issue of welfare reform.

The lack of visibility by the LBC, according to Representative Edward Blackmon, Chairman of the Judiciary A Committee, is a by-product of "...the white press..." The Clarion Ledger, Mississippi's leading newspaper "is not going to cover us from a positive standpoint. It's just not going to happen," stated Blackmon. Although the Clarion Journal did not report it, Representative Blackmon indicated that the LBC was very active both inside and outside of the legislature. The LBC held "retreats ...[where] We had access to model legislation proposed by [welfare and poverty] groups" stated Representative Blackmon. "The legislative Black Caucus and I personally were very involved in the welfare reform from the very beginning. As a matter of fact even before we passed our state legislation initiative we held a lot of forums and meetings around the state to make the general public aware" added Senator Simmons, Vice Chair of the Public Health and Welfare Committee.

Representative Mary Coleman, supporting Blackmon and Simmons' contentions, stated that the LBC, played an important role by holding "...hearings across the summer to get input from the citizens on how they think this should be done and the bills and things they would like for us to introduce." Using the suggestions from the citizens, the LBC "...drafted legislation." She, however, was not surprised that

no headlines were made. "I think the reason you do not see a lot of names of black legislators is because number one, we are outnumbered in this process. There are 35 of us out of 122. [Since] we don't chair those major committees our input sometimes does not get back to the public as to actually how hard we are down here fighting for our people who are less fortunate" concluded Representative Mary Coleman.

Representative Alyce Clarke, Vice Chair of Ways and Means, also indicated that the caucus held state-wide meetings. These meetings she contend did not just focus on TANF but on other issues of concern to the black community. TANF, however, received the greatest concern because within "...the Black Caucus most of us have districts where a number of our constituents would be recipients of TANF."

Contradicting his fellow LBC members, Senator John Horn, Chairman of the Tourism and Parks Committee, acknowledged LBC's "lack luster participation in regards to meetings." He however, noted that it had nothing to do with lack of concern by LBC members about TANF, but rather with the realization, "that their hands were tied. The [TANF] train had already built up steam and it was very difficult to stop it given the tenor of congress at the time, ...the disposition of our governor and of the two gentlemen that share Public Health and Welfare Committees in the House [Representative Moody] and Senate [Senator Bean]." The train was moving so fast that when the senate voted for TANF, "there was only one person who got up to speak against the bill – yours truly. And there were only two senators who voted against the bill: Senator Willie Simmons who is vice chairman of the Public Health and Welfare and yours truly." Representative Robert Clark, Speaker Pro-Tem and the first black

member elected to the Mississippi legislature since reconstruction, shares Senator Horn's assessment of their hands being tied when it came to the TANF legislation. Representative Clark suggested that, "All the major issues [were] already predetermined. The first time I heard the word TANF was from my chairman [who went to a meeting in Washington, DC]." Representative Stribblings, Vice Chair of the Public Health and Welfare Committee, further suggested that TANF, "...came down almost verbatim from the federal government. We had very little room to deviate."

Although the TANF train was moving quickly, Representative Alyce Clarke, believes that the LBC still played a role in its formulation. "The real truth is when you're only thirty-five out of 122 you play a part to a degree, but not a kind of part you would like to play. We were able to get some things in that would not have been in if it were not for our presence" stated Representative Clarke. Representative Blackmon also credits the LBC for the positive changes made on behalf of TANF recipients. "The changes that were being proposed and the efforts being made came exclusively from members of the Black Caucus on both the Senate side and the House side." For example, the LBC was successful in placing – tracking, a longitudinal training study, economic development in poor neighborhoods, an entrepreneur training program, and transportation into the final TANF legislation, according to Representative Scott.

In addition, "The caucus members worked very hard in trying to lighten the load so to speak. Trying to stretch out as much as we could from the state standpoint of what they allowed under the federal requirements" explained Representative Blackmon. LBC members also engaged in political battles within the legislative

chambers. "The battle was in subcommittee, it was in committee. Those are unrecorded votes and a lot of tradeoffs were made to get whatever we were able to get. By the time the final vote was taken an exhaustive struggle and battle had taken place within the legislative process" stated Representative Blackmon.

"Senator Willie Simmons, Vice-Chairman of the Public Health and Welfare Committee, attempted to put twenty-six amendments in the TANF legislation on the senate side" explained Representative Ameri Scott, the most outspoken LBC member on the issue of welfare reform.⁸⁴ For example, Simmons proposed a Medicare buy-in for college students so they could keep their benefits and a slush fund that could be used to help fund the Medicare buy-in. "Each one of his amendments were defeated in the Public Health Committee. The LBC worked closely together drafting those amendments. When the bill came up on the House side, we already had a good bit of discussion about the bill. I guess you could say we had raised hell about it to be quite frank and honest with you," stated Representative Scott.

On the house side the LBC was ready for the battle over welfare reform. Having witnessed what happened on the senate side, LBC house members were determined not to allow it to happen on their side of the chamber. LBC members felt "That there were things that were just mean and not helpful to people. And so when the chairman discovered that he was not going to be able to... just push this thing down our throats...well not down my throat, [because] I was going to use everything that was available to me... Just whatever we could do to slow this process down if we didn't have some input" stated Representative Scott.

As a result of their tactics, the LBC got the aforementioned amendments into the final TANF legislation. Although these amendments could be termed a success, Representative Robert Clark emphatically stated, "No! We're not satisfied, not by a long shot" with the TANF legislation. "The caucus wanted the health care of the children to be put under the partner of Medicare. But the powers to be did not want it." explained Representative Clark. Representative Mary Coleman also indicated that she was "not satisfied with [the final version of TANF] because I think we still need to do something about childcare and we still need to do something about transportation." Senator Horn, disliked TANF for philosophical reasons. He felt it did not live up to the dream of President Lyndon Johnson's War on Poverty...which was... designed to increase prosperity and to create wealth....So it really seemed to me to be a very deliberate attempt to widen the gap between the haves and the have nots," explained Senator Horn.

As it turned out, the LBC members were not alone in their dislike of the final TANF legislation. Representative Moody, Chairman of the Public Health and Welfare Committee disliked TANF because Mississippi's welfare waiver plan "Work First" was "a lot more lenient with its education component than TANF. Because the federal legislation doesn't allow for any continued education in their proposal." Representative Stribbling stated that the legislature "tried to find ways around the issue when we were crafting our state bill under the federal plan to try to find ways to edge around that somehow... It was just very difficult to do. So that's the big negative. Under Work First we could do some of those things." Nonetheless, according the Representative Moody,

Vice Chair of the Public Health and Welfare Committee, "We have taken the most lenient route we could possibly take as far as sanctions, as far as family sanctions go."

With TANF in place, the frustration of LBC members increased as they realized their amendments, although law, would not have the intended impact. A lobbyist for the Department of Human Services, who wanted to remain anonymous, indicated that "the LBC tried to do the right thing but they were misled by the Fordice administration and DHS." Supporting this contention is Representative Scott who has been at odds with DHS since the passage of TANF. The entrepreneur training program, transportation, and tracking that LBC members added to the TANF legislation, have "...never been acted on although it is law. The Department of Human Services has never done anything. We've written letters...and mandated they evaluate these programs. There's never been anything done," concluded Scott.

Tracking, according to Representative Scott will also help determine where and how the money is being spent. "DHS has a great deal of discretion in regard to this money...and they can do what they want to do with it. We have tried for two years to get tracking data to do a longitudinal study of what is going on out here with these programs....And of course we have not been able to get that data. And this state has refused really to do it. And they went so far as to say well we're going to get some criteria from the federal government on tracking. Now that's almost unheard of in the state of Mississippi that rejects everything the federal government has ever said. But now on this particular thing when we're talking about hundreds of millions of dollars and we don't know where they are going, 'oh well we want to wait and see what the

feds say.' So we still really don't know where all the dollars are being spent. We still don't know what's going on out there. [Added to all of this, Mississippi sent] back \$62 million, Don Taylor, [Director of DHS] should be terminated! We are the poorest state in this union and we sent back \$62 million to the federal government. He ought to be arrested," concluded a frustrated and angry Representative Scott.

To combat DHS, the LBC has introduced new legislation targeted toward TANF in hopes of reviewing some of the provisions, but the legislature has been resistant to it, as explained by Representative Scott. "One of the problems that we've had with our welfare reform program is the fact that we have not been able to get any legislation back up since we passed our initial TANF program. We have introduced bill after bill that would have brought all of those co-sections back up where we could look at it and talk about it and see if there were any changes that might need to be made. But we have not been able to do that...We are hamstrung [because]... without good data you can only just make an argument or supposition. And we know people are hurting out there because we see it, but we really need good data, in my opinion to make our point."

Representative Moody, disagrees with Representative Scott. He suggested that Mississippi has tracking in place. And [the state is] just a few days away from receiving a full report on the latest tracking efforts which started back last summer." Siding with Representative Moody is Representative Stribbling who stated that, "We have an oversight committee that has eight members of the legislature and we hear an update about once every quarter. So we try to keep up on it as much as possible. But there's going to be people falling through the cracks, there's no doubt about it." Scott

does admit that there is tracking, but not “the extensive tracking that the LBC placed into the final TANF legislation.”

Caucus members believe the primary reason they have been unable to review the TANF legislation is because the issue was perceived to have racial overtones. Representative Stribbling, however believes race was removed from the debate. “The further we got into it and the more we got the legislature involved in it we found out that it was not a black or white issue. It crossed all color lines and all social lines in our area that needed assistance and needed to make a different type of life for themselves.”

Representative Stribblings is correct, “There was not a spoken racial tinge to the debates that we had here in the legislature, but there’s the undertone, stated Senator Horn. “There’s a subtext. And that subtext in this state on just about every issue is on the basis of race. People went out of their way in the legislative debate here in Mississippi of not trying to appear as if it had anything to do with race, but everybody knew what was going on.” Representative Banks also sees racial overtones within the legislature, “that when certain issues do come up many times they are voted along racial lines. When you have a governor in Mississippi who says we don’t do race anymore. Yet in all of his appointments and policies they are extremely racial and also chauvinistic.”

Representative Scott doesn’t believe it is race per say, but rather the “...perception of race [that drives Mississippi politics.] If people perceive that education is a black issue, that Medicaid is a black issue, that human services, oh those are programs for black people” whites are less likely to support them. Supporting the

notion of perception is Representative Linda Coleman who suggested, "...that anything that is offered by a black member, which is not racial in nature, becomes racial anytime my name appears on it, their name appears on it. Or anytime I go to the podium to speak, it doesn't have anything to do with it, but it's viewed as a racial issue." Representative Fleming also acknowledges the perception of race. When legislation is perceived as a black white thing "...we're going to be out numbered two to one. If it's crafted in a way where it's just like oh it's only going to benefit the black community and all that, then they will jump on it. It's like if they think it's only going to benefit the city of Jackson, the rest of the folks will gang up on it." "Anytime that we attempt to do anything as a group in this legislative body you have to be very careful that it doesn't have a polarizing affect in that it signals it is a black/white issue. And hey, they run for cover, explained Representative Blackmon.

The polarizing of issues extends into the sponsoring of legislation by LBC members as well. Typically "...what happens in this legislature is that legislation sponsored by blacks gets coopted by whites. Some of the ideas of the caucus have been picked up by the greater body and of course they're able to get them through. But if we come with it, then chances are it's just not going to pass," explained Linda Coleman. Echoing a similar point is Representative Clarke. "Our ideas are very seldom accepted in my opinion. There are bills and ideas that they introduce...[but] when it comes to our ideas we never have any money. But yet two years later or a year later that becomes somebody else's idea then that's a good idea." "What really happens" stated Mary Coleman, "is a lot of times when we draft legislation that's introduced, the next year a

white person comes back and introduces that same legislation and it's passed but it doesn't have our names on it." Therefore when the public docket is examined, it appears as if black members are not introducing good legislation.

Since the LBC "can't out vote the majority, in order to get anything done, if it's something as serious as welfare reform that has such tremendous impact, the efforts necessarily had to be within the committee process, subcommittee process," suggested Representative Blackmon. Even within committee, Representative Clark believes that blacks are cut out of the policy formulation process. "...Blacks are not in on formulating the collaborated policies. You can argue the issue, you can punch the button, and you can say yea or nay on the house floor and in committee...But blacks have no say so in what is brought to committee and what makes it to the floor. We could get more things done from the black perspective if blacks were in on the formulation of the policy. But when the policy is brought forward then the blacks are put in the position as being opposed to the leadership. If they could have a voice in the formulation of the policy" blacks could be more effective.

In order to be effective, LBC members need to chair the "money" committees: Ways and Means, Appropriations, Finance or Public Health. "He who has the gold makes the rules," stated Senator Horn. "And if you're not on a committee in the House or Senate which can say we're going to spend X amount of dollars for this, then you really have very little power to impact the lives of our people. Now that's not to say that the Judiciary Committee is not important; or the Elections Committee is not important; or the Constitution Committee is not important; or Municipalities is not important

because they are all important. But at the same time, when you look at it from the standpoint of generally what we're doing in those kind of committees is preventing stuff." As Representative Coleman said, "Sometimes all we can do here is sort of like hold the line. ...just hold it the way it is!"

The prospects of gaining chairmanship on a money committee is unlikely to happen since committee assignments are based on race and not party affiliation. "I think our house is divided more by race than by anything. What I generally say is, Mississippi is a part of the 'Good Ole Boy Network,'" explains Mary Coleman. "Committee chairman and vice chairmen and committee appointments [are] given to people who are not black and they don't have the qualifications or the seniority or the experience as black members have and possess" stated Representative Banks. Agreeing with Representative Banks is Representative Fleming, who stated that, "All of the important chairmanships are given to the white members in this house...And we are placed in menial positions when it comes to house chairmen and even in vice chairmen. People who are going to speak up or who are going to push issues that are important won't be on the kind of committees that gets things done that's important to our people and to the state of Mississippi as a whole." The Democratic Leadership can get away with this because, "In Mississippi, the Democratic Party, from an organization standpoint and what it does here is non existent in this legislative body. It has no presence. There are Democrats at the local level, but there is no organization within the legislative process – Democratic organization – there is no party within the legislature. [However,] there are very clearly defined racial lines," explained Representative

Blackmon.

“The party politics are black politics verses white politics. Those are the parties. It’s not Democrats and Republicans because you can’t tell a white Democrat from a white Republican very often. They are going to vote exactly the same with some exceptions,” stated Senator Horn. In the Mississippi legislature, Republicans “...are appointed to very powerful committees on both sides of the legislature by Democratic leaders. For instance... The chairman of the Ways and Means on the House side is a Republican. The chairman of the Enforcement and Election on the House side, something they committed as very, very crucial and important to the black community, is a Republican...So you’re elected Democratic speaker of the house and half of his chairmanship voted Republican. The same with the Lieutenant Governor who is elected statewide as a Democrat, his power appointments go to Republicans, concludes Representative Horn.

Representative Fleming does not see the appointments as an issue of race, but can not quite place his finger on what is the real problem. On “the Senate side you’ve got seven black senators that have gavels (chairs), but there seems to be some kind of...hesitancy to do certain things. It seems like there are certain restrictions or other things that are put on our chairs as opposed to other folks. It could be because of the fact that this is relatively new to have that many.” Senator Horn, however knows exactly what is wrong. As chairman of the Tourism and Parks Committee, the senator stated that “My committee has been stacked against me. I don’t have the right members on there. Here’s who I wanted on there. Here’s who I got. And these boys ain’t going to

let me do a damn thing unless I'm submissive."

In addition to committees being stacked against black members, legislation is also funneled away from committees that have black chairs. For example, Tom Ennis chairs the Public Utilities Committee but "legislation that should have been under Public Utilities ends up in Judiciary which has a white chairman. [In addition,] Percy Watson who chairs Municipalities said that for the first three years of his tenure he didn't get any bills...Then you have very large and important legislation dealing with large corporations that are funneled to another committee for some other reason," explained Representative Linda Coleman.

Senator Horn indicated that funneling doesn't occur with his committee, however money bills are double referred. "My committee comes as close as any of the committees [chaired by a LBC member] as being a money committee cause I can deal with bonds" explains Senator Horn. However, he does not have sole discretion over the bonds. In the Mississippi senate, any bill that deals with money must be referred to the Finance Committee. Therefore all of Senator Horn's bills are double referred to finance "...if they have money features in them. To maintain tradition what I've been told is it has to be double referred to finance. Now I can bring in a general bill and once it gets into my committee add money to it and just kind of back door it that way" but because it is double referred Senator Horn loses control over the money.

Even if Senator Horn's revenue bills did not have to be double referred, he could still lose control over them. Mississippi has an additional committee called the Legislative Budget Committee that sets the states budget in the Fall prior to the up

coming legislative session. The committee is made up of the Lieutenant governor (president of the senate), the Speaker of the House, Speaker Pro-Tem of the house, president pro-tem of the senate, appropriation chairs from the house and senate, Finance chairman from the senate, Ways and Means chairman from the house and a few select appointments. "The Legislative Budget Committee determine what you have or how much you have to appropriate. Then your Appropriations Committee go on and appropriate that. See they have state aid and state economists and all these people, they come in and make the projection of how much money you're going to have to spend in this year" explained Representative Gibbs. Since blacks do not chair any of the money committees, there is only one black member on the Legislative Budget Committee: the Speaker Pro-Tem, Representative Clark. "When it comes down to making decisions about the state's budget it's not done in this 90 day session, by and large. You can tweak it here but the budget is set by that [Legislative Budget] Committee in the fall. So if you don't have your folks at the table to a great extent, what kind of input do you expect to have come January?" questions Senator Horn. A further consequence of the Budget Committee is its ability to undermine priority projects for LBC members and their constituents. Since the legislative budget is set prior to the session, all the money is appropriated without the input of caucus members. Therefore, it becomes very difficult to find money once the session starts for economic development for the black community. In essence, by limiting who can be on the Budget Committee, much needed economic aid never reaches the black community. Therefore, Mississippi's black caucus members have assumed the role of spoilers since they have very little

input on economic matters within the state.

Aside from the over arching problems of race in the Mississippi legislature, LBC members are optimistic about the future. "We're in a maturing process. We're growing into this sophistication of how this political scene works; where the power really is; how we can access it and so forth, states Senator Horn. The next frontier explains, Representative Blackmon, "...is to implant the appropriation process. That's where the real power is. I can propose all day long in my committee. If I can't get the funding for any of my ideas I might as well not have an idea. And the people who control that are far beyond my reach. I can sit here and pontificate. I can pretend but it's not reality. I obviously have some power, but I don't have the ultimate power. The ultimate power in the legislature is spending the money. That's where it is."

In order to achieve this objective, the LBC has formed "a Leadership Committee within the caucus. [The committee will] "look at every appointment that the speaker has be it chairmanships; be it to boards and commissions. We're not going to say we want chair of this, but we're going to tell him we want chair of one of the money committees," explained Representative Mary Coleman. Senator Horn, however, is not willing to only settle for committee chairmanships, but wants chairmanships that control state agencies. "We need to have more impact on who is appointed to these boards and commissions."

Before these objectives can be met, the LBC must find some common ground from which to cooperate. Representative Clark sees personalities and petty jealousy as the stumbling block to cohesion. On the house side "...blacks in this body have not

been able to set personalities aside. Just because a black does not agree with you on one thing, then we have a tendency to point to that one thing and to say he or she is bad. And then sometime when some black takes the floor of the House, you will have some blacks that are going to open fire on whatever he brings. For example, one of the members of the House in a millionaire. But I'll be darn if lots of us is not envying him more than the white folks, just because he is successful."

In addition to personalities, Representative Clark was quick to point out that the relative size of the LBC makes cohesion difficult. "Up until 1980 the highest number of blacks that had been in this legislature was four. We worked together beautifully. But when you got the influx of blacks in here in 1980 we just wandered in the wilderness until Willie Perkins became chairman of the Black Caucus. The last two years under the leadership of Representative Willie Perkins, we have made more progress as a black group than we have made since 1980. He got us to come together and sit down and put our strength behind an issue without regards to whose idea it was; or without regards to who get onto the floor talking about it."

Representative Blackmon, acknowledged the lack of cohesion but attributes it to politicians being political. "The things that divide us are the things that traditionally divide politicians from the legislative body. We come from different areas of the state. We differ in terms of our philosophy. We differ in terms of ideology. We've got different kinds of interests peculiar to our area that we're in. That's going to cause us to think individually sometime as opposed to collectively." Echoing similar sentiments is Representative Mary Coleman, who suggested that the lack of cohesion is "...going to

be based on who you represent. [For example,] Clint Morris does not represent a majority black district. So for that reason his voting patterns are just a little bit different from ours.”

Representative Fleming, the newest and most idealistic member of the black caucus, sees it a little differently. He sees it as the “old civil rights guard versus the new economic empowerment people.” “The sense of empowerment from the eyes of most traditional black Caucus folks is that it’s a carryover from the Civil Rights Movement. And dealing with the public amenities and voting rights and blatant racism. You still have those battles. But for the most part, now it’s more about institutions and economics-- it’s not about black and white anymore. It’s about have and have nots. And I have to work my way up to get the mind-set of the caucus and the mind-set of my colleagues in the legislature to start thinking of empowering people in that way economically and educationally, rather than just the traditional way as far as fighting for certain inalienable rights, as they would say” explained Representative Fleming.

Although they are differences, Representative Ellis suggested that, “When the time becomes necessary for us to bond together on a particular issue we pretty much do stand together.” Supporting this contention is Representative Clark who suggested that, “most of the time when an issue of importance comes up you aren’t going to find many soloists. If it’s a critical issue you will find the blacks, they will come together as a choir, rather than that soloist.” To the contrary, Representative Fleming suggested, bonding together is nothing more than talk. “Every now and then we’ll have a vote and we will send a message or whatever; and do this and do that. But it kind of just happens.

It's like we talk about issues and we will throw out different things. But when it comes to the floor, people just vote the way they want to." Representative West suggested that things are getting better as a result of the caucus maturing. "Prior to my being up here I was told that there was a lot of division among the caucus members themselves. However, I must say that I've had a real positive experience from my two years. I'm assuming that maybe it was coincidental that at least 1997-98 when I came to my first session there appeared to be pretty good cooperation. There appears to be more cooperation this year than there was even in '98, my first year. So it's moving in the right direction. I guess it is a sense of the maturity."

Although the caucus is moving in the right direction, Representative West, stated that, "we don't use our leverage often enough or tactfully enough to really be able to achieve what I would consider to be some progressive things that we could do as a caucus." Supporting this contention is Representative Fleming who suggested that "caucus members have a defeatism attitude. It's like they talk about well we only have so many votes and blah, blah! One of the things that I would like to see happen more is utilizing what they have strategically. If we're going to be the only 35 folks that are going to be against this bill, fine. We can utilize our thing to use all of our time to debate an issue; drag it out. We can use the rules to our advantage to a certain thing and then we can vote as a bloc. And that will send a message to an agency or a group that is pushing that legislation. They will say, well uh oh, we done got the black folks mad."

In addition to voting en bloc, Representative Fleming also subscribes to forming coalition with others in order for blacks to get legislation passed. "We just need to

really build coalitions if it's going to help out our people and sell it like it helps out everybody, especially the average person. What I would like to see the caucus do more of, is do a lot more coalition building. Stop thinking within that box or this is just a black thing and we're going to deal with it that way. My district is 85 percent black. But that 15 percent, I represent them also. And to be honest those 15 percent are more loyal than the 85 once they elect you. So we've got to keep that in perspective and use that to our advantage. So we need to claim that heritage to an extent and not so much try to be the people outside anymore hanging on the door but the people inside building that coalition; building that awareness."

Coalitions, according to Representative Rufus Straughter, do not work. "We at times try to correlate with other members of the white race. And it's very seldom that we get anything done when we try to correlate with them. Their attitude as I see it in this house is somewhat racially motivated. And this is just a personal opinion. We can work with members of the other side to help get legislation passed that benefit them in their effort. But when we try to do those things that we think are beneficial to the black neighborhood or to black people we run into stone walls as it seems. We can talk individually with some of them and they will talk in favor of what it is we're trying to do. But once that board lights up you see a different attitude."

Expressing a similar opinion is Representative Banks. Coalitions according to Banks, is not a solution to the problem of race in the Mississippi legislature. The LBC has supported bills for other areas in the state and has formed coalitions with other members. "Yet in turn the representatives for those areas, when the legislative Black

Caucus needs their vote, it's not to be found. And as a caucus I believe that we have to do a report card on our white colleagues in this legislature and rate their performance to us on issues important to black people and remember and remind them. Hey, you didn't vote for us so we're not going to support your issue. Until we get more of the pie, get more respect, more economic development, more facilities for our black colleges and universities then we have got to stop voting for things for other parts of the state, especially where there is no black representation. That's how I feel about it," stated Representative Banks.

Although the LBC is outnumbered and race is a dominant feature in the Mississippi legislature, LBC members have still been able to protect the interests of their constituents. The LBC has started using its leverage to force change within state agencies. "All of the state agencies got a lot of racist men," stated Representative Linda Coleman. "So we decided we were going to start taking agencies one by one and try to make a difference in them. So last year (1998) we started with Wildlife and Fisheries. That was the agency that we targeted. So we started to vote against all of their bills. The Wildlife and Fishery bills came up every Black Caucus member had a red light. We had one or two, but the majority had a red light up there. They took notice of that. They started to hire more blacks. When they came down this year to do their little display downstairs, you know who was out there manning the display? Black conservation officers!"

In another show of solidarity, the LBC refused to confirm Governor Fordice's appointments to the College Board. Fordice tried to appointed two white males to fill

the vacancies previously held by a black male and a white male. The caucus however felt one of the vacancy should have gone to a black person and refused to confirm the appointment. "He said that he couldn't find anyone black that was capable of serving on the college board. The committee in the senate that had the say so of whether or not the appointments would be confirmed, was chaired by a black person. The subcommittee was also chaired by this black person. And they refused to allow the governor's appointees to go through. So we do have some small victories," explained Representative Straughter.

The LBC has also been influential in the educational policy arena. "The single greatest contribution made by members of the legislature, who happen to be African American, has been their commitment to improving education in the state" suggested Representative Horn. "Since 1992 members of the Black Caucus have been able to successfully secured in excess of \$200 million in bond authorizations for new building construction and repair renovation of existing facilities, as well as, improvements in existing facilities or expansion of existing facilities. And I dare say had we not been here we would not have come close to that number. Generally if we give a dollar to Ole Miss or Mississippi State or the University of Southern Mississippi, then we're going to give at least 75 cents to these historically black institutions. Now someone may make the argument, "Well that's still not the same." Prior to our coming in large numbers, we might have been lucky to get five cents or as much of a dime to that dollar. So if there is one thing that we've done that has had a direct, obvious, very dramatic impact it's been on support going to historically black colleges and universities. But there's still a lot of

work to be done” stated Senator Horn.

Conclusion

Black state legislators in Mississippi played a minor part in the welfare reform debate. As they admitted, they held hearings around the state, however these were only fact-finding and information sessions designed to warn citizens of the impending policy. They did not pursue an active agenda, outside of the legislature, in regards to the welfare reform— partly because welfare, counter to popular opinion, limited the amount of discretion states could have on TANF. As we learned with Maryland, by the time welfare reform reached the state level most of the parameters were already determined. Since the national welfare to work movement has been predicated on racial stereotypes, to expect anything less from what Frank Parker called the, “most repressive state for black people,” would truly be expecting too much of Mississippi. It is clear that Mississippi’s welfare to work reform was one that was carefully crafted to gain public support. Using the power of public opinion, Governor Fordice skillfully implemented his agenda that focused on “work rather than a hand out.” First the Governor reorganized DHS, then he organized a campaign to publicized welfare fraud. Together, these events led Mississippi to seek waiver approval from the Clinton Administration and forced the legislature to support his welfare reform policies.

Welfare reform in Mississippi went through several iterations. Mississippi, a waiver state, began to reform its welfare reform before federal mandates. From Faith and Families, to Work First, and Finally TANF, Governor Fordice’s ideology of work

in return for benefits would come to fruition. Not only did the Governor get his wish, but by sending back \$62 million dollars to the federal government, he made sure that his ideology would continue well into the next decade.

Black state legislators in Mississippi have a host of problems, the least of which is race. Not only are they locked out of the power structure, but their ideas are coopted. They have numbers, but lack institutional power. Granted, the legislative black caucus in Mississippi is relatively new, and blacks are only recent arrivals to the legislature, however, the lack of institutional positions of power is troubling in light of the fact that Democrats numerically outnumber Republicans. The Mississippi legislature is one that is predicated on factionalism and ideology but not party. The lack of party politics in Mississippi is detrimental to black state legislators acting for blacks as a group. Without a strong party structure there is no incentive for white Democrats to be inclusive of all Democrats. As suggested by members of the Legislative Black Caucus, race is still a dominant feature of life within the Mississippi legislature. Although there are more blacks in the legislature than any other time since reconstruction, blacks are locked out of the decision making process.

The inability of blacks to gain chairmanships of the "money" committees has had a devastating impact on their ability to serve their constituents. As evidenced by their inability to force the legislature to reconsider the welfare legislation, black members, although having large numbers, do not have institutional power and therefore are merely symbolic representation of the expression of black policy interests. Passing priority legislation is directly correlated with the ability to control some aspect of the

budget process. Numbers are important, however, Mississippi has demonstrated that there is a distinct difference between substantive and symbolic representation. Without black caucus members being strategically located, they are effectively locked out of the decision making process.

Also of note is the lack of cohesion by black caucus members. Intuitively, one would assume that the larger the numbers the more power and influence a group would wield. However, Mississippi's black caucus is counter to our assumptions. The size of the caucus, in some respects is a hindrance because it has become more difficult to form a united voting bloc. Although, the caucus comes together on important issues, it is clear that race is not enough to unify them on all or even most issues.

This chapter began with a 1949 quote by V.O. Key that, "The beginning and the end of Mississippi politics is the Negro." Some fifty years later, in 1999, it appears that the beginning and the end of Mississippi politics is still one of color. Yes, there are more black elected officials since reconstruction, but substantively, blacks are not able to provide for their primary constituent group. The number of black state legislators illustrates just how far Mississippi has traveled, while their lack of political incorporation illustrates how far the state still has to travel.

Notes for Chapter Six

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9. James V. Sullivan and Kathleen Sullivan, Mississippi, The Land, The People. (Brandon Mississippi: Ollray Publishing Company, 1994: 99)
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33. James Loewen and Charles Sallis, eds., Mississippi: Conflict and Change (New York: Pantheon, 1974), 247-251
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35. For further detail See Frank Parker Black Votes Count: Political Empowerment in Mississippi after 1965. (Chapel Hill, North Carolina: The University of North Carolina Press.) Chapter 2.
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37. Robert Clark retells a story about the first time he entered the Mississippi Legislature. Rather than sit next to the newly elected black representative, a senior member of the legislature cut his desk in half and placed Clark's portion in the hallway.
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44. Gretchen G. Kirby & Jerome Gallagher Income Support and Social Services for Low-Income People in Mississippi (Washington, DC: Urban Institute, 1998, 14-15).
45. Lexus Nexus Academic Universe (<http://web.lexis-nexis.com/universe/document?> (Mississippi)_ Copyright 1998 PRIMEDIA Reference Inc. World Almanac of the U.S.A.
46. Gretchen G. Kirby & Jerome Gallagher Income Support and Social Services for Low-Income People in Mississippi (Washington, DC: Urban Institute, 1998, 26).
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50. Dennis Camire. "Time Right for Welfare Reform, Fordice Says." The Clarion Ledger March 24 1995 3A
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53. Charlotte Graham "'Faith and Families' Hits a Snag Finding Matches." The Clarion Ledger 8-9-97 pg 1A

54. Charlotte Graham "'Faith and Families' Hits a Snag Finding Matches." The Clarion Ledger 8-9-97 pg IA

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56. Butch John, "Fraudulent Welfare Claims Targeted in Investigation." The Clarion Ledge .(4-20-95 :IA

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58. For a complete listing of the provisions of this bill see General Laws of the State of Mississippi 1993 . Pg 1139-1165.

59. For a complete listing of the provisions of this bill see the General Laws of the State of Mississippi 1994 . Pg 969-983.

60. Senate Bill 2718 was phased in from October 1995- January 1996.

61. Gretchen G. Kirby & Jerome Gallagher Income Support and Social Services for Low-Income People in Mississippi (Washington, DC: Urban Institute, 1998, 27).

62. Emily Wagster, " Fordice Offers Timetable on Work First Welfare Reform Plan." The Clarion Ledger (4/20/95: 1 B)

63..Under AFDC, \$90 of work expenses, \$130 of earned income, and 1/3 of the remaining earned income of the recipient was disregarded during benefit calculation. The \$30 disregard was limited to the first 4 months of earnings and the 1/3 disregard was limited to the first 12 months of earnings.

64. Adams, Harrison, Jones, Lee, Hinds and Washington County's.

65. Employers were only allowed to use subsidized employees for a maximum of six months after which they had to either hire the employee at regular wages or release them.

66. Butch John, "State Reveals Welfare Reform Plan." The Clarion Ledge Nov 22 1996 1a-9a

67. Kathy Lally. "Mississippi Hopes Work First Ends Welfare: State Pays Companies to Hire Poor" The Baltimore Sun 12-1-96). 1 A

68. Butch John. "It Can't Provide Jobs, How Will Poor Live After Welfare?". The Clarion Led2er 11-24-96
69. Butch John. "It Can't Provide Jobs, How Will Poor Live After Welfare?" The Clarion Led2er 11-24-96 15A
70. Butch John. "It Can't Provide Jobs, How Will Poor Live After Welfare?" The Clarion Ledger 11-24-96 15A
71. Butch John. "For Some Working Mothers, Welfare Still Needed." The Clarion Ledger 11-24-96
72. Emily Wagster. "Now What? Panel Looks at Welfare Reform Effect." The Clarion Led2e 2-18-1997 1A and 9A
73. Emily Wagster. "Now What? Panel Looks at Welfare Reform Effect." The Clarion Led2er 2-18-1997 1A and 9A
74. Butch John. "Hearing Focus on Welfare Reform" The Clarion Ledger 12-19-96 113
75. Butch John. "Hearing Focus on Welfare Reform" The Clarion Ledger 12-19-96 2B
76. Mississippi House Journal, 1997
77. Mississippi Department of Human Services Division of Economic Assistance
<http://www.mdhs.state.ms.us/ea wr.html>
78. For the complete Mississippi TANF provision, see The General Laws of the State of Mississippi: 1997, Chapter Number 316, pg 85-113.
79. Exemptions from the lifetime Time Limits of the TANF program and the TWP mandatory work activities are granted for the following reasons: Parent or caretaker caring for a severely disabled child or household member; Incapacity (must be approved by the Medical Review Unit); Over age 60; or Documented history of domestic violence (medical and law enforcement) - not to exceed 12 months in the 60-month lifetime benefit period. Temporary exemptions from the TWP (but not from Time Limits) are granted for the following reasons: Caretaker of a child under 12 months of age; The recipient may choose to be exempt for this reason for a total of 12 months out of the client's 60-month lifetime limit; Teen parent (under age 20) head of household, who has not completed high school or received a GED, must be referred to the work program once the infant becomes 12 weeks old; Temporary of illness or injury; 3rd trimester of pregnancy; or Satisfactorily participating in a substance abuse treatment program.

80. Mississippi Department of Human Services Division of Economic Assistance
[http://www.mdhs.state.ms.us/ea wr.html](http://www.mdhs.state.ms.us/ea_wr.html).

81. TANF and Food Stamp benefits are placed into a fund from which employers are reimbursed an hourly amount of \$1.00 less than the hourly minimum wage for a period of six months.

82. Mississippi Department of Human Services Division of Economic Assistance
[http://www.mdhs.state.ms.us/ea wr.html](http://www.mdhs.state.ms.us/ea_wr.html)

83. The face to face interviews were conducted in the Mississippi legislature during

Chapter VII
Conclusion: Racial Group
Consciousness, Class, and Politics in the American States

A community is democratic only when the humblest and weakest person can enjoy the highest civil, economic and social rights that the biggest and most powerful possess.

A. Philip Randolph¹

Given the fact that there is no standard criterion for assessing the relationship between constituent influence and legislator actions, different approaches have been utilized. Some have measured various aspects of constituent opinion,² others have sought to measure legislator actions,³ and still others have sought legislators' perceptions of constituency preferences.⁴ This study took the next logical step and examined legislator actions in a single policy area that was important to their constituents.

Representatives may or may not be familiar with the particulars of a bill on the floor, however, they probably have well formed preferences on issues that motivate political conflict. Constituents, likewise, may not have perfect information about the particulars of certain legislation, but they too are able to express an opinion on core issues. To simplify matters, policy agreement/disagreement between legislator and constituents are more easily measured when core issues and beliefs are examined. Although there is no perfect correlation between legislators actions and constituent influence, the problem becomes simplified when the basic issues that characterize much of the political conflict in the United States are examined.

The New Deal brought about a fundamental shift in American politics. With it came core questions about the extent to which the national government should interfere in domestic economic life to promote the welfare of otherwise disadvantaged sectors in the society. Although this is hardly the only core issue, this issue domain formed the basis of the Miller and Stokes study of representation⁵ which laid most of the theoretical foundation for studies of representation, including this study.

Thirty-three years later, two of the three core issue areas identified by Miller and Stokes are still hotly contested. The role of government in bringing about economic security and integration⁶ have split the American populace down racial lines. As illustrated in Chapter one, the social welfare issue domain is important when we are considering whether black state legislators represent the interest of blacks as a group. Since welfare is an issue infused with racial stereotype and politics that suggests blacks lack the Protestant work ethic, are lazy and immoral, it is expected that legislators, seeking to represent the material interest of their constituents, will do so in the core cleavage area of social welfare (i.e. economic security).

Overview of Study

Set within the context of devolution, this study acknowledged the growing importance of black state legislators in policy making as the administration of social welfare programs are devolved to the states. This study began with what appeared to be a simple straight forward proposition: "Do black state legislators make a difference

for blacks, as a group, in the social welfare policy area?" Although simple on the surface, the examination of this question required a multi-faceted approach which yielded some interesting findings about the intersection of race, class and politics in the American states. Since there was no single theoretical approach or body of literature that spoke directly to the substantive policy outcomes of black state legislators, this study was built upon the theoretical foundation of scholars of urban politics who utilize the concept of political incorporation when examining the benefits derived for a group as a result of group members being elected to political office.

Few studies of state legislators, however, have followed the lead of scholars of urban politics. Despite the growing number of black state legislators, little is known about the policy influence and benefits garnered for their primary constituent group. This study therefore contributed to our understanding of substantive policy representation at the state level by examining output of the political system via monthly benefit allowance and the role black state legislators played in the development of the new welfare reform program, Temporary Assistance to Needy Families. Using the concept of political incorporation as the template, this study synthesized key elements of Racial Consciousness, State Legislators and Constituency Influence, and State Politics and AFDC/TANF. The synthesis of these literatures led to a theoretical proposition that suggested that since legislators act for citizens,⁷ black state legislators, as suggested by black utility heuristic, would seek to express the policy preferences of their constituents⁸ within the limits of the current political

and economic environment.⁹

Overview of Findings

Using this tenet as a guide, the study was broken into three parts. Part one (Chapter three) of the study provided evidence of policy congruence between black state legislators and the material needs of the black community. Conducting secondary analysis of a survey of black state legislators, the study demonstrated that black state legislators were disproportionately represented on committees whose primary responsibilities cover the administration of redistributive programs (Table 3-1); were satisfied with their committee assignments (Table 3-2); and reported black caucuses had a “great deal” of influence in passing legislation important to blacks (Table 3-3).

Taken together the above findings demonstrated that there is some semblance of policy congruence between black state legislators and their constituents. These findings proved to be insightful as they provided evidence of group consciousness and thereby provided important back ground information for the case study analysis of TANF policy making. In order to determine whether black legislators act for blacks as a group it was first necessary to gain some measure of group consciousness-- for without group consciousness there would be no need to expect black state legislators to represent the material needs of the black community nor to expect them to represent the group interest of blacks in their legislative work. These findings therefore were significant! Although group consciousness proved to be an interesting finding, it took

us no further than previous studies in understanding the impact of the presence and organization of black state legislators on legislative outcomes in the social welfare policy area.

Part two of the study, therefore, conducted a more direct test of the impact, presence, and organization of black legislators in the political system. For this, three hypotheses were put forth. Hypothesis one suggested that, the greater the proportion of black state legislators, the more likely legislators would support more generous TANF benefits. This hypothesis, proved to be inconclusive since the relationship is not in the hypothesized direction. Hypothesis one, therefore, was counter to the study's original contention that higher proportions of blacks within a given legislature would yield more money in the form of the monthly benefit allowance (Table 4-1).

A second test of hypothesis one was conducted. In this test the monthly benefit allowance was divided into the need standard. Remember, the need standard is determined by each individual state and represents the amount of money each state determines is necessary to maintaining a basic subsistence level. Therefore, by dividing the monthly benefit allowance into the need standard we should get a better indicator of a state's intent to provide monetary compensation for their needy population. The resulting ratio was then analyzed in a bivariate regression model against the percentage of black state legislators. Again the relationship was inconclusive since it was counter to what was hypothesized. (Table 4-2).

Recognizing that disparate individuals may need some form of organization to sensitize them to working as a coherent bloc, hypothesis two was put forth. This

hypothesis stated that states with black caucuses would be more likely to grant more generous TANF benefits than states that did not have a racial caucus. Unlike the first hypothesis, this hypothesis proved to be significant; but the strength of the relationship was relatively weak as states with racial caucuses were not significantly better in providing monetary compensation for their dependent populations than states without such organizations. Again, the finding of this hypothesis was counter to what the study hypothesized, that the presence of a racial caucus would have a positive impact on the monthly benefit allowance (Table 4-3).

The negative relationship in hypothesis one and the lack of strength of relationship in hypothesis two resulted from a lack of model sophistication. In order to gain further explanatory insight, additional variables were included. Hypothesis three, therefore, contained variables (party control, percent college graduates, percent unemployment, median household income, percent poverty, percent urban, region, and percent TANF) that have been theorized, in other studies of income redistribution in the American states, to be influential factors in a state's ability to provide monetary compensation for their dependent populations. The resulting hypothesis suggested that states with economic hardships would favor lower TANF benefit levels.

The addition of political and economic variables although contributing to greater explanatory ability and strength of relationship, did not affect the direction of the relationship as it was inconclusive. In the full model, black state legislators had a negative affect on the monthly benefit allowance, although social, economic, and political variables were included in the model. The additional variables, although

not changing the direction of the relationship, did decrease the negative affect of black state legislators on the monthly benefit allowance from \$11.35 to \$7.45 (Table 4-4). The variables poverty, percent TANF, and percent college graduate were all significant while median household income, percent urban, percent unemployment and region were all non-significant.

Next, the study created an index of punitive welfare reform that examined the TANF options chosen by individual waiver states. By comparing the options states chose against the guidelines offered by the federal government, this index provided a different look at how waiver states were providing for their dependent populations. As indicated, by Plotnick and Winters, "...the redistributive intent of a program is best reflected in its rules and not in the final distribution of benefits".¹⁰ Generally speaking, this index supported the inherent racial subtext inherent in welfare reform. This finding suggested that states which had sizeable proportions of blacks chose the more punitive welfare reform options. This finding still held true as poverty was included in the index. As a result of this index, the study concluded that "race" was a major influences in determining a particular state's choice of options and by extension their intent to serve its needy population via welfare reform (Tables 4-5/6).

Race played a significant role in America's changed attitude about welfare. Although welfare was always a controversial subject, it reached its zenith in the era of Reaganomics and retrenchment politics. From nightly news reports about "welfare queens" to the overt use of code words and stereotyping, welfare was viewed as a

“hand out” and not a “hand up.” Embedded in the welfare rhetoric were anti-black attitudes that manifested themselves in states that had concentrated black populations. As suggested by Gilens, “...the American public thinks that most people who receive welfare are black...[and that]...blacks are less committed to the work ethic than are other Americans.”¹¹ As a result of these feelings and attitudes, state governments, chose the more punitive options which they believed coincided with the mandate of the American public.

Getting tough on poor people attitude changed the ideological balance of Congress as well as state houses throughout the country as Republican were elected in unprecedented numbers. With the “Contract with America” in their pocket, and a perceived public mandate, there was little advocates of the less fortunate could do to stem the tide of the “Republican revolution,” thereby, losing an important bargaining chip: public support. The end result was more punitive welfare reform in states where public perception was predicated on racial stereotypes.

The index of punitive welfare reform, combined with the regression analyses point to a troubling scenario for blacks in the American states and question the ability of black state legislators to provide substantive representation for their primary constituent group. Recognizing that numbers by themselves do not guarantee favorable policy outputs and that political skill, process, and leadership can not be judged by regression analyses alone, Part three of the study focused on the contextual dynamics of permanent minorities as they attempt to garner material benefits for their primary constituents. For this, the study turned to a case study analysis of TANF

policy making in Maryland and Mississippi. Utilizing the secondary and case study analysis as background, the study then focused on the five possible explanations as put forth earlier in the study – therefore, moving beyond previous studies of this type that do not include contextual dynamics of blacks in state legislatures and as a result ignoring what was actually possible.

The study put forth several alternative explanations in the event the aggregate data analysis found black state legislators did not make a difference on TANF benefit levels. Since the aggregate data analysis was inconclusive, it is now time to turn to the alternative explanations. First, blacks holding legislative office hold conservative orientations in this policy area; second, black legislators would like to see proposals to increase TANF payments but do not have the power to produce these results; third, blacks may support these results, but not place a priority on their achievement; fourth, some white legislators are fulfilling the role of substantive representation for blacks; or fifth, black legislators are utilizing a dependent leverage strategy.

The study found some conflicting evidence of legislators holding conservative opinions in this policy area. In Maryland, for example, pragmatism ruled the day. Support for punitive welfare reform came from both sides of the political aisle as Democrats, Republican, white and black legislators supported reform. Black legislators in Maryland supported the most controversial and conservative aspects of reform: family caps and time limits. Some even voiced the unsubstantiated opinion that people on welfare have more children to get additional benefits. The unity resulted from the 1996 elections which ushered in 22 new Republicans to Maryland's

state legislature. So powerful was the message that Democratic challenger Glendening, who opposed welfare reform prior to election, eked out a narrow victory over Republican challenger Elaine Sauerbrey. The election garnered additional support for reform and changed the way legislators felt about welfare reform as no one wanted to be labeled “anti-reform,” as suggested by Delegate Adrianna Jones.

In Mississippi, black caucus members were generally opposed to welfare reform because they felt the debates, although not overtly, had racial over-tones. The tenor of the debate forced Mississippi’s black members to adopt the more liberal position in the welfare debate. By the time TANF finally came around many of its provisions were already in place and operating throughout the state as a demonstration project.

Evidence was also uncovered, at least in Mississippi, that black legislators wanted more lenient proposals for TANF but did not have the institutional influence to see such measures come to fruition. Since blacks were locked out of leadership positions, they played a subservient role in the welfare reform debate. As detailed by members of the black caucus, they had some input in the TANF legislation, but not enough. The LBC was successful in putting into the final TANF legislation transportation, tracking, and a longitudinal training study. However, they were unsuccessful in getting the Medicare buy-in and the funds to support it. The successes, nonetheless, were short lived as there was no funding for the LBC’s amendments.

In Maryland by contrast, black members occupied leadership positions but

many of them favored punitive reform. Public opinion and leadership from the NAACP proved to be a significant factor in the decisions made by members of Maryland's Legislative Black Caucus. As such, there was very little intra or inter party fighting about the proposed provisions in Maryland's TANF legislation. Delegate Rawlings suggested that there was no public outcry from the affected community, their representatives and as a result no direction from which to follow. As a result, the Maryland black caucus only sought relief for welfare recipients in softening "family caps." In addition, by the time TANF was enacted, Maryland had already put into place many pieces of its components in earlier reform measures. TANF as it turned out proved to be a bipartisan effort and a model for incremental policy making.

The study found no evidence that welfare reform was not a priority issue in Maryland and Mississippi. The theme of the 1996 Maryland elections were personal responsibility. As a result of public attention, and the election outcome, legislators in Maryland could not avoid making reform a priority issue. In Mississippi, a campaign to promote welfare abuse and fraud was instituted that garnered plenty of media coverage and helped pave the way for reform. As a result welfare reform received plenty of attention as town meetings and issue sessions were held throughout the state to educate the populace about the pending legislation. Members of the black caucus also indicated that they provided model legislation which resulted from their brain trust meetings throughout the state.

The study found no evidence that white legislators were fulfilling the role of

substantive representation for blacks. For example, in Maryland, there was biracial support for the legislation. As indicated by all members of the black caucus, their job was to make sure that a fair and equitable piece of legislation was put together and not one that disproportionately hurt their constituents. Delegate Benson for example, suggested that she represented all blacks in Maryland, even those who were being represented by white members of the general assembly. Furthermore, as indicated by members of the black caucus, the Maryland general assembly did not view welfare reform as a racial issue. Instead, they wanted to provide the best legislation possible.

In Mississippi, no evidence of whites providing substantive representation for blacks was found. Welfare was viewed as a racial issue. Members of the legislative black caucus indicated that white members are generally hostile to issues that hint of involving blacks. This being the case, white representation of black interest never materialized in Mississippi. As indicated by members of the Mississippi Legislative Black Caucus, racial politics played a significant role in the development of TANF and permeates every aspect of the Mississippi legislature. LBC members felt that they were shut out of the important leadership positions because of race. So pervasive is the specter of race in Mississippi that it is used as a basis for advancement. Race determines committee assignments as no black members chair any of the "money committees" (Ways and Means, Appropriations, Finance, Banking etc). Typically this results in a lack of funding for LBC initiated legislation. For those members who do chair a committee, legislation is either funneled to other committees or their committees are stacked against them.

The study did find evidence of blacks utilizing dependent leverage strategies. In Maryland, a strong party state, black members toed the party line. As part of the leadership structure, black members are tied to party politics. Furthermore, black members continue to play politics along the party line even though, they admit that the party as a whole does not provide the caucus, as a whole, with election support even though the black vote was responsible for electing Governor Glendening in 1994. Further proof of the lack of party support stems from the recently created legislative studies committee instituted by members of the LBC to ensure more leadership positions are made available to their members.

In Mississippi, blacks utilize dependent leverage strategies also, though a different version of it. Although they are locked out of leadership positions, many members of the LBC still harbor hopes that the Democratic leadership will include them in the governing structure. The Democratic party in Mississippi is nonexistent, yet blacks remain loyal to it. The legislature is organized along ideological lines, yet blacks consider themselves Democrats and support party positions in legislation. More so, black members have often formed coalitions with other "Democrats" although their support is seldom reciprocated for their own priority legislation.

Implications of Study

As suggested by Lani Guinier, and supported by the case studies, blacks have achieved access to the bargaining table, but have not achieved fairness in the struggle for favorable goods and services. Based on the findings of this study one implication

is that formal inclusion in governing bodies of minority office holders in and of itself is **not** enough to guarantee improved benefit levels for minority group members.

Getting like-minded individuals elected to office, a stated goal of the civil rights movement, is a start but as demonstrated in this study, is but one aspect of what is necessary to improve the material condition of blacks living in America. An unintended consequence of this goal is the lack of cohesion. As caucuses continue to increase in size and black members continue to be elected from diverse constituents, they are becoming less and less cohesive. The lack of cohesion played an important role in the legislatures of both Maryland and Mississippi as personality conflicts, districts interests, and the need for institutional influence affected the ability of caucus members to come together and vote as a cohesive bloc. As a result, this study found no evidence to support Rosabeth Kanter's assertion of a 15 percent threshold as being a critical tipping point for the effectiveness of black state legislators.

The second implication is intimately connected to the first. This study, like Browning, Marshall, and Tabb's, seminal work, demonstrated that political incorporation varies from jurisdiction to jurisdiction and is dependent upon political legacy, history and culture of the state. Black state legislators in Maryland, as a result of Maryland being a moderate state, have achieved greater political incorporation than blacks in Mississippi. This is evident by the number of blacks that have institutional positions of authority. Mississippi on the other hand, has denied blacks access to leadership and other institutional positions of authority. Although possessing the highest number of black elected officials in America, black elected officials in

Mississippi are not part of the leadership and thus are not politically incorporated.

Unlike Browning, Marshall, and Tabb though, party politics, the third implication, plays an important role in the ability of state legislators to represent the material interest of their constituents. Although, Democrats numerically outnumber Republicans in Mississippi, the lack of strong party lines has hindered the prospects of blacks gaining greater institutional positions of authority. Ideologically, white Democrats are closer to white Republicans and as a result, the Democratic leadership tends to support the nomination of white Republicans to committee chairs and vice-chairs over "more qualified" blacks. In contrast, blacks in Maryland, a strong party state, has utilized the party structure to its advantage. As noted earlier, the Maryland legislature houses the most powerful black elected official in Maryland.

The fourth implication rests squarely on the shoulders of race. Although some have proclaimed race not to be a dominant indicator in the life chances of blacks, this study suggests otherwise. As was demonstrated in this study race is still a dominant factor in politics at the state level. As suggested by the aggregate data analysis, the index of punitive welfare reform, and the case study of Mississippi, race is at the crux of the inability of black elected officials to represent the material needs of their constituents in the social welfare policy area. Race of the legislator and racial proportions within the state were shown to be related to the amount of money that is provided welfare recipients via the monthly benefit allowance.

Not only has race proven to be a significant indicator, but when it is combined with class it makes for a deadly combination. Arguably, welfare reform was the

single most divisive issue in American politics during the decade of the 90's. From the Republican Ronald Reagan's "New Federalism" to Democrat Bill Clinton's "End Welfare as We Know It," the poor who are disproportionately black, had to be "saved" from the "culture of poverty." Welfare reform was simply class warfare as politicians did not have the political will to stand in the face of a changing public agenda. No where else was this more evident than in Maryland where the NAACP supported the more punitive aspects of welfare reform and black state legislators followed suit even though common sense and most available data pointed to a changing economy as the chief reason for persistent poverty and not lack of self control.

The final implication of the study is the inability to provide conclusive evidence of the black utility heuristic as suggested by Dawson.¹² In the first part of the study, black state legislators did indeed exhibit policy congruence with the black community. However, the case studies revealed a reality that was quite different. Black state legislators in both Maryland and Mississippi spoke in regards to representing the black community and did exhibit, in speech, black "nationalistic" rhetoric. Nonetheless, there was a disconnect when it came to what actually needed to be done to raise the boats of all stuck at the bottom. For example, in Maryland, many of the legislators supported welfare reform based on "nationalistic principles." Many believed that welfare reform was needed because the current welfare system was "holding our people back" while others supported it because they felt it promoted "illegitimacy." These differing views about welfare reform point out a glaring

weakness in Dawson's black utility heuristic.

As evidenced by this study, it is clear that black legislators do in part represent group interests. However, what is not as clear is whether they represent group interest that are different from their own individual class interests. In other words, black elected officials are increasingly middle class and as such believe that their concerns (middle class) are that of the black community as a whole. Black utility heuristic, however, does not account for the increasing class divisions within the black community, but instead represents an era in which there was very little class division within the black community. Back then, the interests of black elected officials were similar to all blacks regardless of their economic class status because they all came from the same community. As diversification of income and status have become more profound, black elected officials are increasingly living in the more prominent areas of their districts and are mistaken their individual interests as that of the larger black community. Black utility heuristic, nonetheless maintains that race, which is still a significant factor, is the glue that provides the link between the different economic classes in the black community. This may be the case, however in the social welfare policy area, there was little support for black utility heuristic. Further research needs to be done which examines a more typical "civil rights" issue as oppose to "social welfare" to test the black utility heuristic/group consciousness theses.

Conclusion

As stated in the beginning of this study, “the goal of electoral politics and by extension, electoral participation, is to secure concessions from government.” As demonstrated by this study, different methodologies yield different conclusions to this statement. Studies of black elected officials have traditionally only relied on one type of methodology: case study analysis, aggregate data analysis, or survey analysis. The utilization of only one method yields skewed findings. Due to the varying sizes of black state legislators; the different political cultures of states; and the varying socioeconomic dynamics of the state, one methodology does not capture the struggle of permanent minorities in America’s state houses for political power. Therefore it was necessary to combine different methodologies in order to get a complete picture of the influence of black state legislators. The case studies provided the necessary contextual dynamics that aggregate and survey analysis cannot provide. Through the lense of the case study it was shown that black elected officials, at least in the battle for welfare reform, were not the problem, but rather the environments-- political, economic, and ideological-- with which they are forced to work.

This research clearly demonstrates that black legislators perceive themselves as acting for blacks as a group. However, further examination suggests that no matter how well- meaning the intentions of black state legislators are, they are mediated by their continuing small proportions within state legislatures, economic challenges, ideological climate, interest group lobbying or the lack thereof, and the political limits of state government in the American federalist context. These meditations

often result in black state legislators, despite sharing policy priorities with blacks as a whole, delivering little to key segments of African American community—especially the poor—at least in the realm of social welfare. In this context, politics is clearly “not enough.” Perhaps rebuilding civil society and resurrecting unconventional politics such as protest must accompany politics as usual even in the new millennium. Past eras reveal blacks make more progress not when they take an either/or strategy but when participation in the electoral-representation process, initiation of legal suits, and protest politics occur contemporaneously-- each reinforcing and expanding the other.

Notes for Chapter Seven

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APPENDIX A:
SELECTED TEMPORARY ASSISTANCE TO NEEDY FAMILIES
PROGRAM OPTIONS

Introduction

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) requires that each state submit a plan to receive a Temporary Assistance for Needy Families (TANF) block grant. The law specifies what states must address in their plan, including how they choose to exercise various options. The secretary of the U.S. Department of Health and Human Services (HHS) is authorized to certify each plan as complete if it contains the required elements. States may amend their plans at any time.

Summary

Number of plans. As of June 30, 1997, fifty (50) states, the territory of Guam, the U.S. Virgin Islands, and the District of Columbia had submitted TANF plans to HHS; and forty-three (43) of these plans have been certified as complete. States that have not yet submitted a plan to HHS are not included in the matrix. In addition, although Guam and the U.S. Virgin Islands recently submitted plans, the information could not be incorporated into the matrix at this time. Throughout this document, the District of Columbia is included in the count as a state.

Administering agency. Each state must designate in its TANF plan the primary agency responsible for administering the program. Some states have identified multiple agencies.

Effective date. The effective dates shown on the matrix reflect the dates that the requirements of TANF become effective, as identified by each state.

Continue waivers? Before P.L. 104-193 was enacted, forty-five (44) states and the District of Columbia had HHS-approved welfare reform demonstration waivers. Under the new law, states may continue or terminate their welfare reform demonstration waivers. The increased flexibility of the federal welfare reform law eliminates the need for waivers in most areas. Thirty-three (33) states intend to continue some or all of their waivers, nine (9) states intend to discontinue their waivers, two (2) states are still considering the issue, and four (4) states did not have waivers. The remaining states, as indicated by the notation N/I, either have not yet decided to continue existing waivers, or did not address this issue in their plans

Time limit shorter than 60 months? The law prohibits states from using their federal TANF funds to provide assistance to a family that includes an adult who has received assistance for sixty months, regardless of whether assistance is provided consecutively. A state may exempt up to 20 percent of its average monthly caseload from this time limit on assistance. A number of states have shorter time limits, but most of these also have extensions and exemptions that are not detailed in the matrix. Twenty-two (22) states indicate that they will have time limits shorter than sixty months, twenty-nine (29) states report that they will have a sixty-month time limit.

Community service after 2 months? By August 22, 1997, states must require parents or caretakers who are not working after two months of receiving benefits to participate in community service employment unless the Governor opts out of this requirement. Two (2) states intend to implement the community service requirement after two months, thirty-three (33) states intend to opt out of the community service requirement, and five (5) states will make a decision by August 22, 1997. The remaining states, as indicated by the notation N/I, either have not yet made a decision on the community service requirement, or did not address this issue in their plan.

Work requirement shorter than 24 months? The law requires that parents or caretakers engage in work, as defined by the state, within twenty-four months of receiving assistance or when they are ready, whichever comes earlier. As with the sixty-month time limit, states may require recipients to engage in work before the maximum time limit specified in the law. Some states with shorter work requirements also have exemptions or extensions that are not detailed in the matrix. Twenty-one (21) states indicate that they will require recipients to work before twenty-four months, thirty (30) states intend to use the twenty-four-month period in the federal law.

Different treatment for out-of-state families (i.e., interstate immigrants)? States have the option to treat families from out of state differently than state residents with respect to eligibility rules and benefit levels. Thirty-six (36) states indicate that they will treat interstate immigrants the same way they treat state residents, fourteen (14) states report that they will treat interstate immigrants differently than state residents. The remaining state, as indicated by the notation N/I, either has not yet made a decision on the treatment of interstate immigrants, or did not address this issue in its plan.

Provide TANF to legal noncitizens (i.e., qualified aliens)? The new law requires states to specify whether they will provide TANF to legal noncitizens (i.e., qualified aliens) who were in the United States as of August 22, 1996 and to provide a description of this assistance if they intend to do so. Forty-nine (49) states indicate that they will provide TANF to noncitizens as the federal law allows, one (1) state will not provide benefits to noncitizens. The remaining state, as indicated by the notation N/I, either has not yet decided to provide TANF to legal noncitizens, or did not address this issue in its plan.

Deny TANF to drug felons? Under the new law, individuals convicted of a drug-related felony are ineligible to receive TANF or food stamp assistance unless a state enacts legislation to opt out of this provision. Twenty-seven (27) states plan to deny TANF to drug felons, six (6) states plan to opt out of this provision. The remaining states, as indicated by the notation N/I, either have not yet decided to deny TANF to drug felons, or did not address this issue in their plan. This count could change depending on the outcome of the legislative process.

Transitional child care longer than 12 months? The new law ends the previous entitlement to twelve months of transitional child care and folds funding for this care into the new Child Care and Development Block Grant. Before P.L. 104-193 was enacted, sixteen (16) states had received waivers to extend transitional child care for longer than twelve months for families leaving welfare for work. Twenty-two (22) of the states that have submitted TANF plans indicate that they will provide such assistance for longer than twelve months, though a waiver is no longer required, and twenty-five (25) states indicate that they will not provide such assistance. The remaining states, as indicated by the notation N/I, either have not yet decided to extend transitional child care assistance for longer than twelve months, or did not address this issue in their plan.

Transitional Medicaid longer than 12 months? The law continues transitional Medicaid for twelve months for families who would lose eligibility because of increased earnings and for four months when eligibility is lost because of increased child support payments. Before P.L. 104-193 was enacted, eleven (11) states had received waivers to extend transitional Medicaid for longer than twelve months. Ten (10) of the states that have submitted TANF plans indicate that they will continue their waiver authority to provide Medicaid assistance for longer than twelve months, and thirty-eight (38) states report that they will provide it for twelve months. The remaining states, as indicated by the notation N/I, either have not yet decided to extend transitional Medicaid assistance for longer than twelve months, or did not address this issue in their plan.

Drug testing? The new law allows states to test TANF applicants for drug use. Two (2) states indicate that they will test applicants, forty-two (42) states report that they will not require such testing. The remaining states, as indicated by the notation N/I, either have not yet made a decision on drug testing, or did not address this issue in their plan.

Allow Individual Development Accounts (IDAs)? States may allow TANF recipients to establish IDAs to accumulate funds to pursue postsecondary education, purchase a home, or start a business. Funds in these accounts will not be counted in determining eligibility for federal assistance. Eighteen (18) states indicate that they will allow recipients to establish IDAs, twenty-three (23) states will not allow recipients to establish IDAs. Some states have also established an account limit. The remaining states, as indicated by the notation N/I, either have not yet made a decision on IDAs, or did not address this issue in their plan.

Family cap? Although the federal law is silent on the issue of family caps on benefits, a number of states have already established a cap on benefits to recipients who have additional children while receiving welfare. Twenty-two (22) states indicate that they have a family cap, twenty-four (24) states report that they do not have a family cap. The remaining states, as indicated by the notation N/I, either have not yet made a decision on a family cap, or did not address this issue in their plan.

Diversion payments? States may provide diversion assistance to enable families to avoid receiving welfare assistance. Diversion assistance may be provided in different ways, including a one-time lump sum payment, as well as health care, child care, and other services. Twenty-five (25) states intend to provide diversion assistance, seventeen (17) states will not provide such assistance. The remaining states, as indicated by the notation N/I, either have not yet decided on diversion payments, or did not address this issue in their plan.

Subsidized employment? The law allows states to subsidize private sector and/or public sector employment for recipients. Typically, subsidized employment refers to "cashing out" TANF, food stamp assistance, or both, and providing funds to employers who in turn pay wages to recipients. Thirty-two (32) states intend to subsidize private sector and/or public sector employment, thirteen (13) states do not plan to subsidize employment. The remaining states, as indicated by the notation N/I, either have not yet decided to subsidized employment, or did not address this issue in their plan.

Other job creation strategies? States are considering a wide range of job creation strategies, some of which are noted in their TANF plans. These strategies are too numerous and far-ranging to include in the matrix. They include providing tax credits and other employer incentives (Arizona, Florida, Hawaii, Kansas, Kentucky, Maryland, Wisconsin, and Wyoming); creating industry partnerships and customized employment projects (Alabama, Hawaii, Kansas, and Kentucky); developing interagency task forces or linkages, typically among welfare, workforce and economic development systems, for job creation, job development, or employer marketing (Georgia, Hawaii, Iowa, and New Hampshire); using workforce investment boards or councils (Michigan, New Jersey, South Dakota, Texas, and Vermont); supporting entrepreneurial programs or small business loans (Hawaii, Montana, South Dakota, and Tennessee); convening a statewide employer job summit (Vermont); using one-stop career centers (Florida, Missouri, Utah, and Wisconsin; and designating groups and positions responsible for soliciting employers to hire welfare recipients (Missouri—self-sufficiency teams, South Dakota—employer relations specialists, and Virginia—chambers of commerce).

Source: National Governors' Association Center for Best Practices, Summary of Selected Elements of State Plans for Temporary Assistance for Needy Families (TANF). As of June 30, 1997.

APPENDIX B:
LIST OF PERSONS INTERVIEWED
MISSISSIPPI

Name	Committee Assignments	Years in Legislature
Rep. Edward Blackmon	Judiciary (chair), Judiciary En Banc (vc), Apportionment and Elections, Juvenile Justice, Rules, Ways and Means, Congressional Redistricting, Legislative Reapportionment	16
Rep. Earle Banks	Constitution, Interstate Cooperation (vc) Judiciary, Public Health and Welfare and Public Utilities	7
Rep. Willie M. Bozeman	Insurance, Judiciary, Local and Private Legislation, Public Utilities, Transportation	6
Rep. Robert G. Clark	Speaker Pro-Tem, Management (chair), Constitution, Education, Game and Fish, Legislative Budget, Public Health and Welfare, Rules	31
Rep. Robert G. Clarke	Ways and Means (vc), Education, Juvenile Justice, Public Health and Welfare, PEER	13
Rep. Linda Coleman	Penitentiary (vc), Appropriations, Fees and Salaries of Public Officials, Judiciary	7
Rep. Mary Coleman	Education, Insurance, Public Buildings, Grounds and Lands, Public Health and Welfare, Ways and Means	5
Rep. Tyrone Ellis	Public Utilities (chair), County Affairs, Municipalities, Penitentiary, Ways and means	19
Rep. David Gibbs	Agriculture, Apportionment and Elections, County Affairs, Transportation	6

Rep. David Green	Fees and Salaries of Public Officers (vc), Appropriations, County Affairs, Game and Fish, Management	19
Rep. Fleming	Conservation and Water Resources, Transportation, Juvenile Justice	1
Sen. John Horne	Economic Development (chair), Environmental Protection, Conservation and Water Resources Finance, Insurance, Juvenile Justice, Management, Port and Marine Resources	6
Rep. Robert Moody	Public Health and Welfare (chair), Appropriations, Insurance, Rules, Congressional Redistricting, Executive Contingent Fund, Legislative Reapportionment	15
Rep Omeria Scott	Apportionment and Elections, Juvenile Justice, Municipalities, Public Health and Welfare	6
Sen. Willie Simmons	Public Health and Welfare (vc), Agriculture, Appropriations, Corrections, Economic Development, Tourism and Parks, Juvenile Justice, Universities and Colleges	6
Rep. Rufus Straughter	Agriculture, Judiciary, Public Buildings, Grounds and Lands, Universities and Colleges, Executive Continent Fund	3
Rep. Ken Stribling	Public Health and Welfare (vc), Constitution, Juvenile Justice, Ways and Means	11
Phillip C. West	Agriculture, Conservation and Water Resources, Juvenile Justice, County Affairs	2

MARYLAND

Name	Committee Assignment	Year in legislature
Del Joanne C. Benson	House Commerce and Government Matters	9
Del Talmadge Branch	Appropriations; Joint Committee on Welfare Reform	5
Del Clarence Davis	House Ways and Means Committee	17
Del Adrienne A. Jones	Appropriations	3
Sen. Clarence Mitchell	Judicial Proceedings Committee; Joint Committee on Welfare Reform	5
Del Howard P. Rawlings	Chair Appropriations	21
Del Samuel Rosenberg	Appropriations; Chairman Joint Committee on Welfare Reform	17

APPENDIX C : PERSONAL INTERVIEWS

WELFARE REFORM

Welfare reform has been a hotly debated issue at the federal level. However, in conducting my research, I didn't find the level of outrage from members of the Maryland Black Caucus as I thought I would find. In fact, would it be fair to suggest that Legislative Black Caucus was passive in the welfare reform debate?

Did members have a brain thrust? Did they have individuals come in and speak about the issue.

Did the black caucus have an agenda when it came to welfare reform?

Did they form a working group?
Did they hold meeting/ brain thrusts?
Did they have a united front?
Did they

1. What role, if any, did individual black legislators play in the development of the new welfare to work program?
2. What role, if any, did the Maryland Black Caucus play in the development of the new welfare to work program?
3. Are the members of the black caucus satisfied about the final version of the new welfare to work program?
4. What has been the response of your constituents to the new welfare to work program?
5. Was the welfare reform debate in the Maryland General Assembly split along party lines?

Please explain.
6. Was the welfare debate in the Maryland General Assembly split along racial lines?
Please explain.

PERCEPTION OF BLACK CAUCUS

1. Is race a key element affecting the attitude and behavior of the caucus members in making political decisions?
3. Should members of the black caucus vote together on issues?
4. What kind of issues are the black caucus concerned with? Please list.
5. Are black members of the legislature limited in terms of obtaining leadership positions in the Maryland General Assembly?

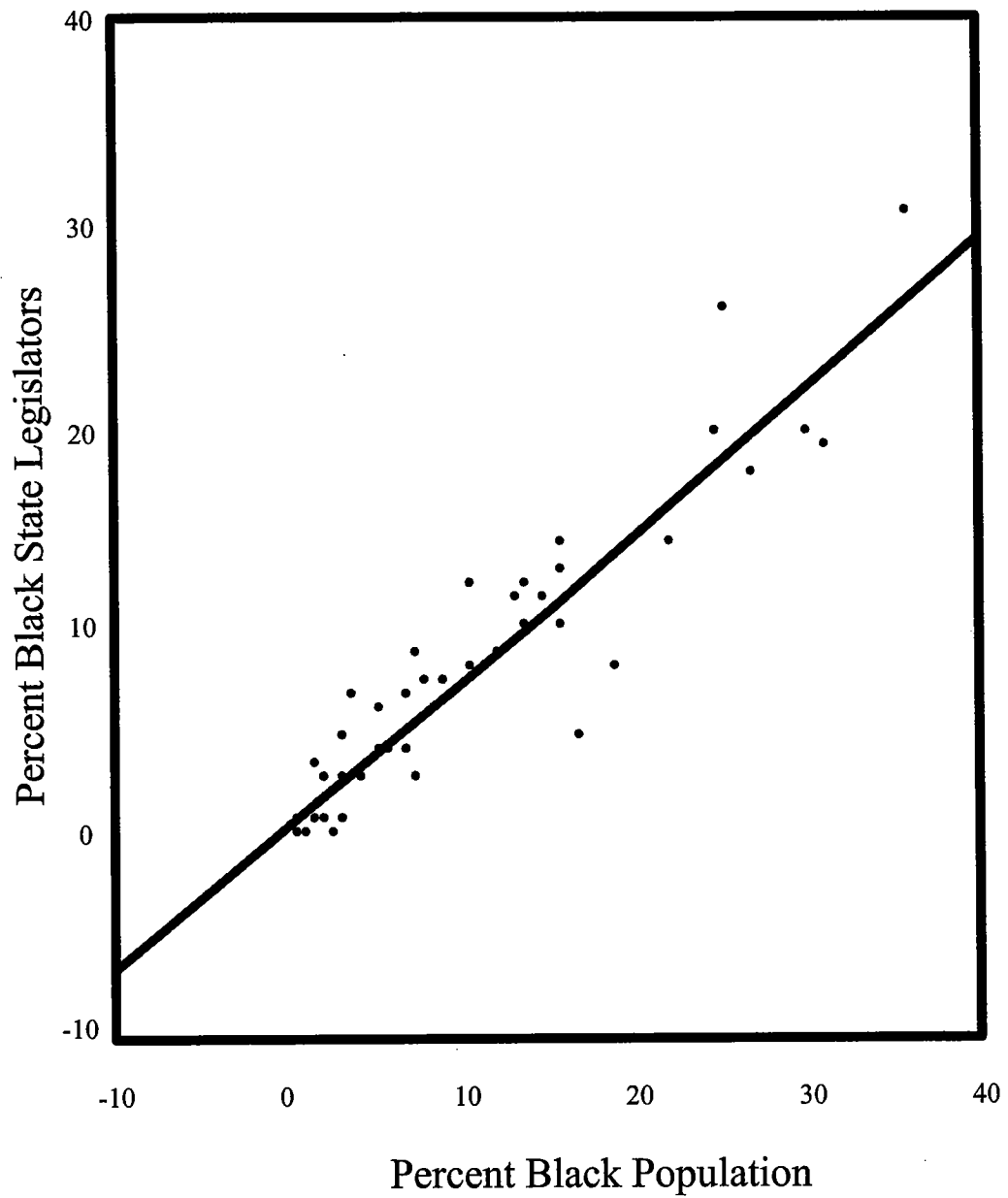
If yes, please explain.
6. Do bills sponsored by black state legislators have as much chance of success as bills sponsored by other legislators? Please explain.
7. Is there group cohesion among black legislators?
If no, please explain.
8. Do you consider the Black Caucus an influential group in the Maryland General Assembly?
If yes, why?
If no, why not?
9. Do blacks receive a fair share of the political patronage dispensed by the Democratic party in Maryland?
10. How important is the Maryland Black Caucus in formulating legislation important to blacks?
11. How important is the Maryland Black Caucus in passing legislation important to blacks?

**APPENDIX D:
CHI- SQUARE OUTPUT CROSSTABULATION**

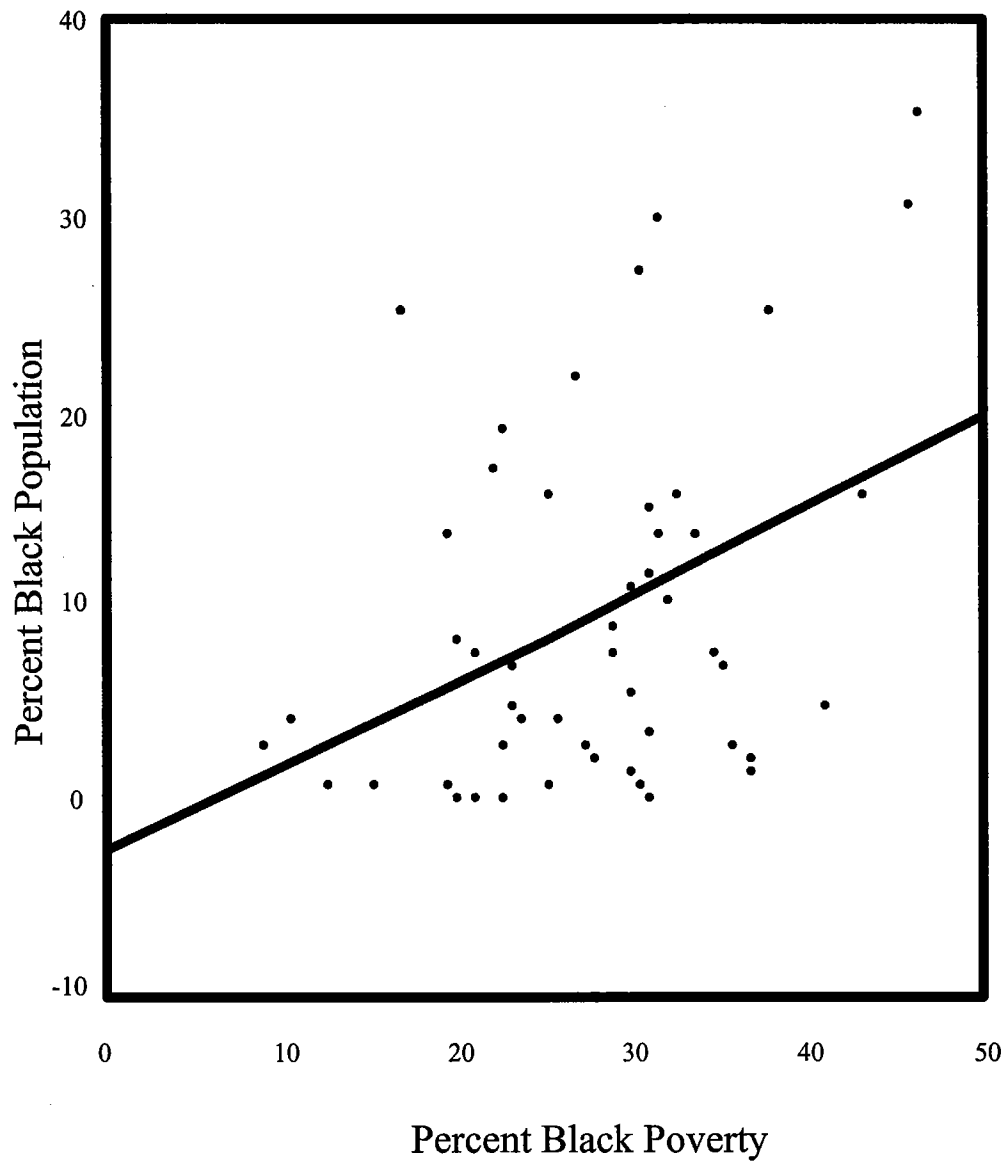
**Table 4-3
The Influence of a Racial Caucus on the
Monthly Benefit Allowance in the American States**

		Black Caucus		Total
		No	Yes	
Monthly Benefit Allowance	Low	6	19	25
	High	14	11	25
Total		20	30	50

**APPENDIX E:
PERCENT BLACK STATE LEGISLATOR BY PERCENT BLACK
POPULATION**



APPENDIX F
PERCENT POVERTY BY PERCENT BLACK POPULATION



APPENDIX G:
Witness Testimony List
Senate Bill 499 (Maryland)
Welfare Innovation Act of 1997 (TANF)

NAME	Representing	For Against
Michael Rosenthal	MHEC Deputy Sec	X
Sue Estry	AFSME	X
Ray McInerney	AFSME	X
Fran Bernstein	AFSME	X
Glen Middleton	AFSME	X
Gwendolyn Foster	AFSME	X
Richard Dowling	MD Catholic Conference	X
Daniel Szabo	American Jewish Committee	X
Alvin Collins	DHR Secretary	X
Lynda Fox	DHR Deputy Sec	X
Barbara Shipnock	DHR Deputy Sec	X
Dr. Patrick McIntyre	Med Chi	X
Jack White	MD Legislative Council of Social Workers	X
Ed Gerity	MD Legislative Council of Social Workers	X
Yvonne Gelchrist	Dir. City of Baltimore Dept of Soc Service	X
Dr. Perry Borenstein	Asst Comm Balt City Health	X
Bonnie Bessor	Action for the Homeless	X
Lauren Kalling	MD Jewish Alliance	X
Lynda Mealle	Catholic Charities	X
Vince McCann	MD Interfaith Committee	X
Jan Schmidt	ACY	X
Roger Townsend	MHA	X
Lynda Zumbrum	Howard County DSS	X

Frederick J. Nastu	Drug " Testing	X
James Williams	Drug " Testing	X
Jeff Albert	Drug " Testing	X
Bobbi Seabort	American " Pediatrics	X
Natalie Collins	MAHMO	X
Kathleen Laughran	MAHMO	X
Bill Benton	How County Board of Social Service	X

Source: The Witness List was obtained from the Maryland Legislature Docket Room.

Note: Some of the names and organizations are misspelled because of illegibility of the original document.

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