

because we have only one COVI value for each state in the 25 years studied. Moreover, we know that creating majority-minority districts significantly increases the possibility of minority representation in some states (Hicks et al. 2017). Yet, what about overall minority representation in state legislatures? Is it the case that some states more than others might embrace majority-minority districts to concentrate minority votes in a manner that concedes minority representation in one district while diluting minority voting capacity in adjacent or neighboring communities (Htun 2004)? Either way, we wish to learn whether states with higher COVI values witness more or less minority representation in state legislatures. We can also test the demographic representation of females in state legislatures.

The Volume of Minority Candidates. Before we begin our tests of the representation gap, it is possible to simply test whether minorities, in general, are less likely to run for public office. We suspect that many competent minority individuals will not run for public office given the long history of White male dominance of electoral politics in the United States (Schneider et al. 2016). Understanding that the country's electoral climate is not conducive to electoral success, especially in certain states, many rational individuals will simply not run (Shah 2014). This level of disbandment is particularly troubling because it suggests a level of political anomie or alienation that will undoubtedly result in less minority representation in elected political positions.

To test minority candidate demobilization, we calculate the number of possible times a minority candidate could have run in a governor's race, a US Senate race, or an at-large House race from 1996 through 2020. In all, there were 870 opportunities, and we learn that 59 minority candidates ran in the period studied. In other words, 6.78 percent ($59/870$) of all candidates for statewide office represent one or the other of the two largest minority groups in the United

States. The rate of minorities running for office is much less than the percentage of these two groups in the population from 1996 to 2020. Indeed, in the period studied, US Census Bureau estimates suggest that over 28 percent of the country's population was Black or Latinx. Hence, we get a difference of about 21 percent ($28 - 6.78$). This finding alone suggests there will be descriptive underrepresentation of minorities in American state politics. However, we suspect this may be the case in some states more than others; and we can test this. Specifically, we want to know what role a restrictive state's electoral climate, or higher COVI values, might play when it comes to the scarcity of minority candidates and the subsequent demographic underrepresentation in elected office.⁶

Specifically, we seek to answer the research question: Do higher COVI values, indicating a more restrictive state electoral climate, produce fewer minorities and women holding state legislative seats? Although we have not consistently considered gender, we can note the systematic underrepresentation of females in elected office across the United States (Smith, Reingold, and Owens 2012). To justify our test that there will be fewer women in state legislatures when the cost of voting in the state is higher, we use the same logic of Racial Threat Theory. The theory suggests those in power will restrict the opportunity of others to unseat them. Thus, higher COVI values may systematically demobilize both minority and female candidates.

Our tests use the underrepresentation of minorities and women in 2021, and the 2020 state COVI values become our primary predictor variable. Because we are conducting tests using a single year, it is now appropriate to use the raw COVI values versus COVI ranks, which had

⁶ One might imagine that lower educational attainment, or income, on average, can explain the lack of minority office seekers we just uncovered. This possibility, alone, speaks volumes about the potential disadvantages minorities experience in trying to gain equal political footing in a majority White country.

served to standardized COVI values when running tests over multiple election cycles. Again, we look to test things in numerous ways to ensure that our findings are not simply the product of a particular measurement strategy. First, we use the gap in demographic representation gap as our dependent consideration. Second, we use the percentage of minorities or women serving in a state legislature. Considering Mississippi and using the 2019 Census Bureau population estimates, we learn that 37.8 percent of state citizens identified as Black or African American. In 2021, Blacks held only 31.03 percent of the seats in the state legislature (40/122 in the House and 14/52 in the Senate). The Black representation gap in Mississippi, for our test, equals 6.77 percent. In our second test, we use the value 31.03 or the percentage of Blacks serving in the state legislature as our dependent variable. Can the COVI help us to systematically better understand the gap and the raw percentage?

The figures below display the gaps by state for each subpopulation we are considering. Note the strong positive association between the gap in representation of African Americans and COVI values in 2021 found in Figure 6.2. This relationship is statistically significant, and there is greater underrepresentation of Black Americans in state legislatures when state COVI values are higher. Of all 50 state legislatures, only eight legislatures overrepresent Black Americans. The eight states all appear below the zero (0) horizontal line. Specifically, Colorado, Illinois, Missouri, Nevada, New Jersey, Ohio, Oregon, and Washington all have rates of Black legislators exceeding the rate of Blacks within the state. Notably, six of the eight states have negative COVI values indicating that voting is less restrictive, on average. Conversely, there is an underrepresentation of Blacks in the other 42 state legislatures. The states with more than a five percent gap are Arkansas, Louisiana, Massachusetts, and Mississippi. Of those four, only

Massachusetts has a negative COVI value. The other three states are ones where the act of voting is more of a hassle.⁷

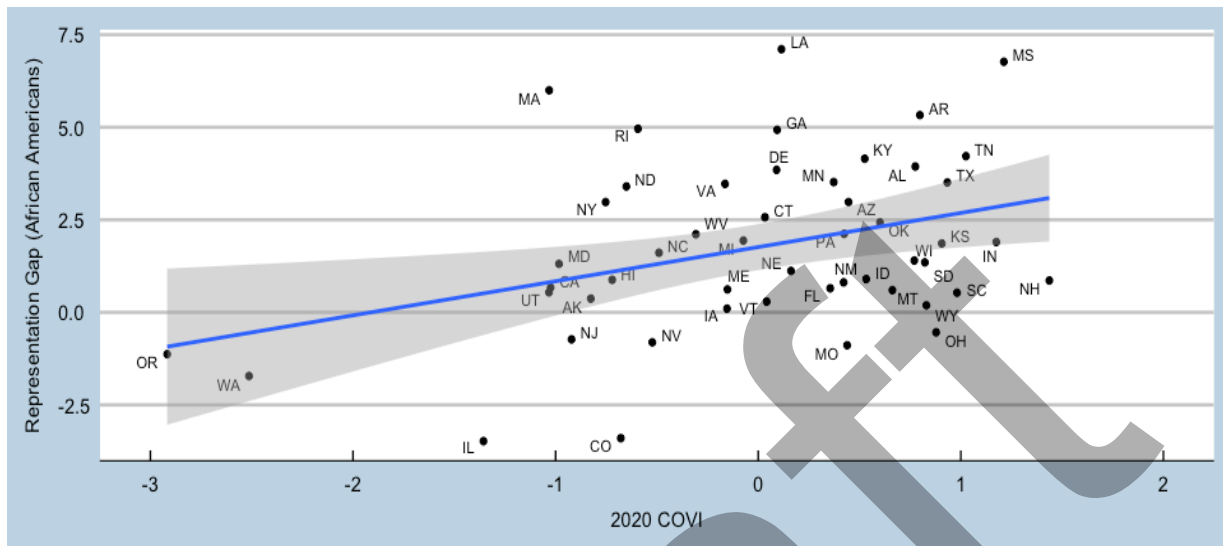


Figure 6.2. The 2020 COVI and the Gap between % Blacks in State Legislatures and State Black Populations in 2021

Considering the gap in representation of the Latinx population, we note in Figure 6.3 that all states are above the horizontal line marked by zero (0). In other words, there is an underrepresentation of the Latinx population in every state’s legislature. The closest state is West Virginia, where only 1.7 percent of the state residents identify as Latin American or Hispanic, and 1.49 percent of state legislators (2 out of 134 total legislators) identify as Latin American or Hispanic. Notably, West Virginia is a conservative state and has voted for the Republican Party presidential candidate in the past six presidential election cycles (2000-2020). But West Virginia has a negative COVI value in 2020, indicating it is a state with a more inclusive state electoral-institutional climate, on average.

⁷ Note, it is known that professional sports teams, such as the New England Patriots and Boston Celtics, with fans in Massachusetts underrepresent Blacks on their rosters. Whack, Erin Haines. May 3, 2017. Boston sports struggle with perception built on racist past. AP. <https://apnews.com/article/c1cd588301c640fc9cdd58cd813f876a> (last accessed Feb. 12, 2021).

Overall, there is not a positive relationship between COVI values and the Latinx representation gap. Undoubtedly, the variability in the size of state Latinx populations is part of the explanation. In 2019, state Latinx population size varied from 1.7 percent in West Virginia to 49.3 percent in New Mexico. In California, one of the states where it is easiest to vote, 39.4 percent of the population identifies as Latinx. California has a small legislature, 120 seats in total, yet 33 Latinx state legislators hold 27.5 percent of the seats in the two legislative chambers (22/80 in the state House and 11/40 in the state Senate). There is almost a 12 percent gap (39.4 – 27.5) in representation in the state ranked sixth easiest to vote during the 2020 election cycle. This finding alone suggests that states with larger Latinx populations might find it more challenging to close the Latinx representation gap, irrespective of the cost of voting. In part of the analysis that follows, we will exclude states with larger Latinx populations to better understand how higher costs of voting compromise Latinx representation. Note, though, in Figure 6.3, that the state of Texas does conform to expectations. It has the largest gap in representation and one of the higher 2020 COVI values.

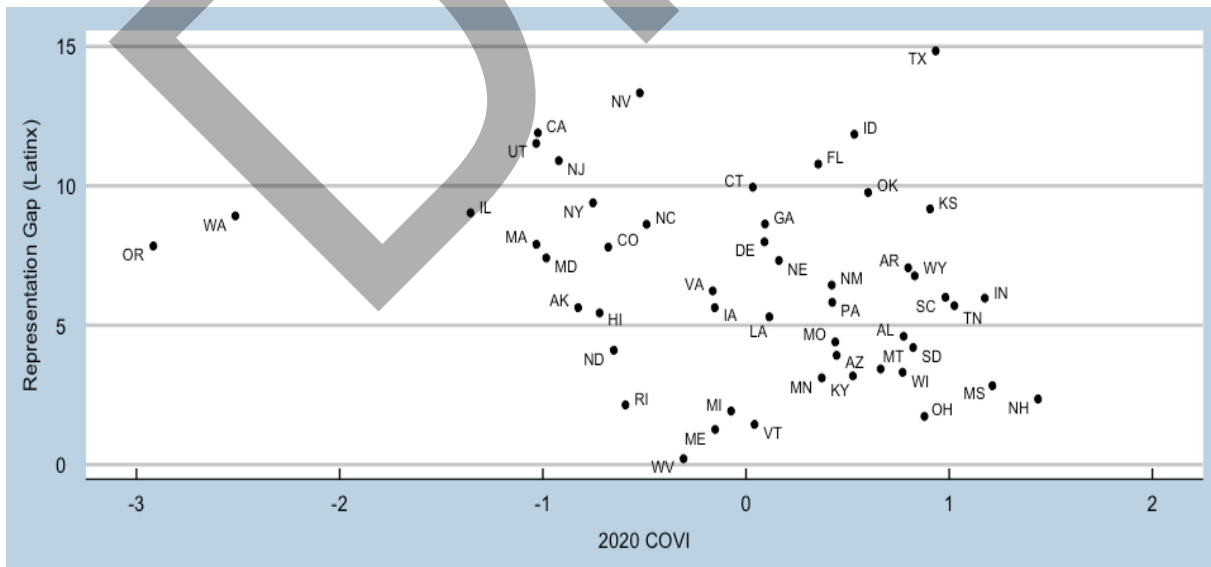


Figure 6.3. The 2020 COVI and the Gap between % Latinx in State Legislature and State Latinx Population in 2021

When we turn our attention to the proportional representation of women in state legislatures, displayed in Figure 6.4, we find the same pattern for African Americans. A statistically significant positive association is, again, apparent. In other words, as COVI values turn positive and voting gets more restrictive, the gap in the representation of women grows larger. Nevada is the only state in the Union where women hold a greater percentage of state legislative seats than the population. In the Silver State, in 2021, 58.73 percent of the 63 state legislators (27/42 House and 10/21 Senate) were female. Moreover, the representation gap is below 10 percent in Colorado, Maine, Oregon, Rhode Island, and Washington, all of which make voting easier, on average. States that make it harder to vote, such as Alabama, Mississippi, Tennessee, South Carolina, and Wyoming, have among the states with the most prominent female representation gaps.

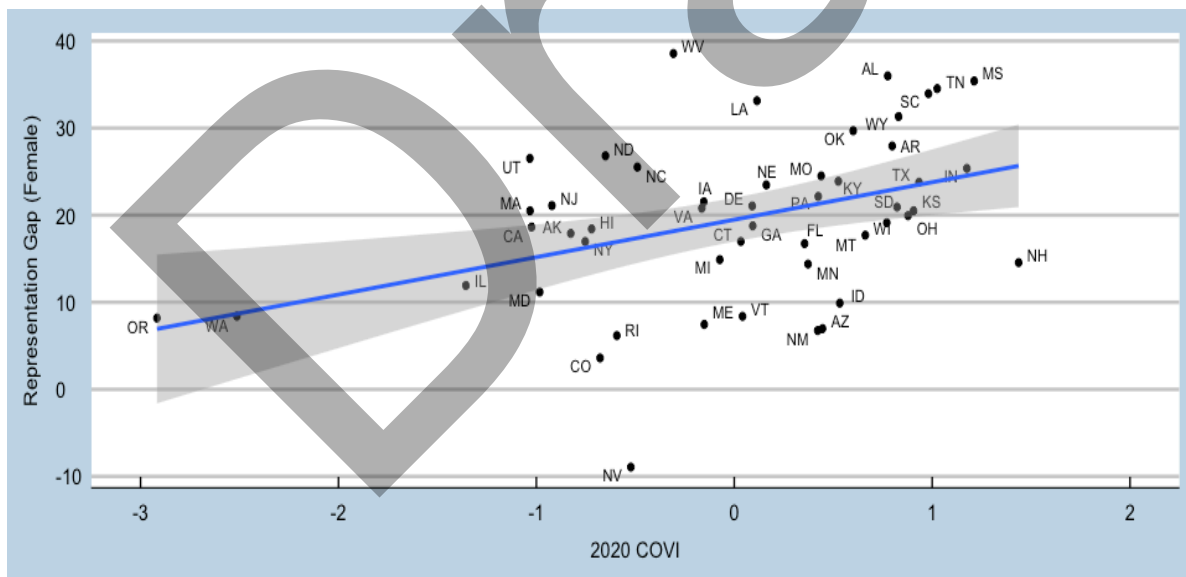


Figure 6.4. The 2020 COVI and Gap between % Females in State Legislature and State Female Population in 2021

The scatterplots are interesting and tell an important story. However, we also test the effect the cost of voting has on the percentage of representatives in each state legislature while

controlling for the size of each state's minority and female population. Specifically, we use the percentage of the Black, Latinx, and Female delegation in each legislature in 2021. We combine the representatives from the two chambers, add the two chamber sizes, and do the division to obtain the proportion of each group and then multiple by 100 to get *%Black Legislators*, *%Latinx Legislators*, and *%Female Legislators*. These become our three dependent variables in the next analysis. Our key explanatory variable is each state's 2020 *COVI* value. We use the Census Bureau's 2019 population estimates of each group as a control variable. As the state Black Population and state Latinx Population grow as a percentage of all state residents, we expect that the size of the same group will increase in the state legislature. Although there is some variation in *the female population*, we do not anticipate enough variability to pick up a statistically significant relationship in this instance.⁸

In these abbreviated models, we also control for the *Squire Index*, an indicator of legislative professionalism. In contrast to what we did in Chapter 5, we use the raw Squire Index values. The use of the raw values is possible because we are not comparing states over time. Higher Squire Index values are associated with greater legislative professionalism. We expect greater representation of minorities and women in these less elite and more full-time legislative bodies. A positive association with the 2015 Squire Index values is anticipated (Squire 2017). Recall from Chapter 4; we used legislative professionalism as a proxy or surrogate for state culture. We might imagine that more elite-led amateur legislatures will have fewer minorities and women, irrespective of the cost of voting. In Chapter 4, we learned that higher Squire Index ranks, indicating a more traditional state culture, helped explain variation in state *COVI* ranks.

⁸ The state, in 2019, with the largest female population is Alabama, where 51.7 percent of residents were female in 2019 and the state with the lowest percentage of females was Alaska with 47.9 percent.

