

THE CHANGING FACE OF THE CONGRESSIONAL BLACK CAUCUS

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I. INTRODUCTION

In March of 2007, Congressman John Lewis faced a problem of a metaphysical variety. Try as he might, he simply could not be present in two places at once. The setting was Selma, Alabama, during the series of ceremonies commemorating the 1965 march across the Edmund Pettus Bridge on Bloody Sunday.¹ About four decades earlier, a much younger John Lewis (then, a spokesman for the Student Nonviolent Coordinating Committee) had been assaulted and beaten by a phalanx of Alabama state police while leading a march protesting the state's denial of the ballot to black citizens.²

That moment in time secured Lewis's place in American history and politics as a hero of the civil rights movement, and it later made him the easy favorite to win a Congressional seat representing the city of Atlanta, Georgia.³ Among the country's best-known black political leaders, Congressman Lewis was a prime catch for any politician who was lucky enough to appear with him during the march. Evidence of even a tacit endorsement from him would have been an appealing prize for any of the Democratic presidential hopefuls, all of whom were heavily courting black voters in the South's primary states. With so much press attention on his whereabouts during the Selma ceremonies, Lewis was quite publicly torn about where to fit in. In an extended radio interview on the topic, Lewis described his deep ambivalence about which candidate would ultimately receive his support.⁴

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¹ See Patrick Healy & Jeff Zeleny, *Clinton and Obama Unite in Pleas to Blacks*, N.Y. TIMES, Mar. 5, 2007, available at http://www.nytimes.com/2007/03/05/us/politics/05selma.html?pagewanted=1&_r=1.

² See STEVEN R. LAWSON, *RUNNING FOR FREEDOM: CIVIL RIGHTS AND BLACK POLITICS IN AMERICA SINCE 1941* 114 (1991); JOHN R. LEWIS, *WALKING WITH THE WIND: A MEMOIR OF THE MOVEMENT* (Harvest Books 1999) (1998).

³ See MICHAEL BARONE & RICHARD E. COHEN, *ALMANAC OF AMERICAN POLITICS 2006* (Nat'l Journal Group 2005); LEWIS, *supra* note 2. Congressman Lewis has represented Georgia's Fifth Congressional District since 1987.

⁴ In a March 2007 interview on NPR, John Lewis described his decision as an extremely tough choice that was quite unexpected. Though vexing, the situation was a happy one for Lewis:

[I]f someone had told me back in 1965—42 years ago when we were walking across that bridge in Selma, Alabama—that one day a white woman and a black man would be vying for the African American vote, I would say, you're crazy, you're out of your mind, you don't know what you're talking about. [Laughter.] It's a different world, but it says something about the distance we've come. It's a good position to be in.

On one hand, marching with the frontrunner, New York Senator Hillary Clinton, made a lot of sense. Her record showed a commitment to the substantive issues that were important to Lewis and many of his constituents.⁵ Clinton's major policy initiative while the First Lady was reforming the health care system, a leading issue for the working poor in major American cities. Like his senior colleagues in the Congressional Black Caucus ("CBC" or "the Caucus"),⁶ Congressman Lewis was an ally in promoting health care reform during Bill Clinton's presidency. The good will toward the Senator's presidential bid was also connected to the black community's then-unparalleled support for her husband. No other modern president had enjoyed such popularity among black voters, in large part due to the social and economic improvements directed to the districts of CBC members.⁷

However, there were also some compelling reasons for Lewis to have stood with Clinton's principal rival—Illinois Senator Barack Obama. In some ways, Obama embodied the same brand of civic activism that first drew Lewis to the civil rights movement.⁸ Obama's unexpectedly strong campaign offered perhaps the best chance for a black candidate to win the nation's highest office. Quite different from Jesse Jackson's Democratic primary campaigns in the 1980s, Obama enjoyed at least as much support outside the black electorate as within it.⁹ Obama's theme of bridging traditional divides of race, partisanship and class appealed to Lewis along with many of the newer CBC members who had already lined up behind

NPR News Morning Edition: Congressman John Lewis (NPR radio broadcast Mar. 30, 2000) (transcript available at <http://www.npr.org/about/press/2007/033007.lewis.html>).

⁵ While her husband was governor of Arkansas, for instance, Clinton had worked throughout the South advocating for increased public funding for child education and welfare.

⁶ The members who have declared their support for Senator Clinton are Corinne Brown, Donna Christensen, Yvette Clark, Emanuel Cleaver, Alcee Hastings, Sheila Jackson-Lee, John Lewis, Kendrick Meek, Gregory Meeks, Charlie Rangel, Laura Richardson, Edolphus Towns, Stephanie Tubbs-Jones, and Diane Watson.

⁷ Even in the doldrums of the Clinton administration, the President maintained an exceedingly high level of support among African-American voters. While a great deal of this support can be explained by his support of substantive policies favored by African Americans, there are those who would ascribe the connection to common cultural roots. See Toni Morrison, *Clinton as the First Black President*, NEW YORKER, Oct. 1998, available at <http://ontology.buffalo.edu/smith/clinton/morrison.html>. In the aforementioned NPR interview, Lewis offered his own analysis of the special affection former President Clinton enjoyed within the black community:

Bill Clinton is one of the few presidents that can stand up and sing every verse of 'Lift Every Voice and Sing.' I can remember a few short years ago, candidate Bill Clinton came to Capitol Hill, two young black men said to me, Congressman Bill Clinton act more like a brother than a lot of brothers.

NPR News Morning Edition, supra note 4.

⁸ Before entering politics, Obama was a community organizer in an underserved, largely black community in Chicago's South Side. Indeed, Lewis compared Obama's appeal to a large audience of American voters to another political icon: "Obama may be the first candidate for president since Robert Kennedy to energize such an unbelievable make-up of the American quilt." *NPR News Morning Edition, supra* note 4.

⁹ See Kareem Crayton, *You May Not Get There With Me: Barack Obama and the Black Political Establishment*, in BARACK OBAMA AND AFRICAN AMERICAN EMPOWERMENT: THE RISE OF BLACK AMERICA'S NEW LEADERSHIP (Manning Marable and Kristen Clarke eds., Palgrave Press 2009); KATHERINE TATE, FROM PROTEST TO POLITICS: THE NEW BLACK VOTERS IN AMERICAN ELECTIONS 8–9 (Harvard Univ. Press 1994) (discussing Jackson's failure to gain the Democratic party nomination despite massive black support); Valeria Sinclair-Chapman & Melanye Price, *Black Politics, the 2008 Election, and the (Im)Possibility of Race Transcendence*, 41 PS: POL. SCI. & POL. 739, 740 (2009) (noting that Obama's campaign was not as reliant upon black support as Jackson's Rainbow Coalition).

his candidacy.¹⁰ Although a senior member of the CBC, Lewis had inclinations more aligned with the younger caucus members.¹¹

The Clinton-Obama divide within the Caucus is just one very public illustration of an increasingly common reality for one of the oldest and most significant identity interest groups within the U.S. House of Representatives. On a variety of key substantive policy matters, Congressman Lewis and his CBC colleagues now find themselves agreeing less often than in earlier times. This article explores some of the reasons why this is so.

Part of the explanation has to do with the changing mode of politics that is represented within the Caucus. While its members have almost uniformly understood the Caucus's role as a close network dedicated to representing black political interests, the CBC has more recently become a looser confederation of members who hold divergent and sometimes conflicting political and economic viewpoints. I argue that the more traditional "identity based" politics that once dominated the membership now competes with a newer brand of politics in which members identify and develop strategic alliances between segments of the black community and other parts of the general electorate. This more recent style of politics has emerged with the arrival of newer members of the Caucus who bring distinct experiences to their jobs.

At the same time, this change reflects the expanded set of opportunities that are available for newer Caucus members to advance their careers. Whereas many of the original CBC members fully committed themselves to providing services to their House districts for their entire careers, the newer members of the Caucus have aspirations that often go beyond maintaining a rank-and-file seat within the House of Representatives. Today, the newer members of the Caucus may realistically seek leadership positions in the House and may run for higher offices with statewide or national constituencies. To appeal to these larger (and often more conservative) constituencies, new members of the Caucus sometimes work with different incentives than their predecessors.

These internal transformations within the Caucus are most evident in the votes that members cast on the floor of the House of Representatives. Building on existing empirical analyses of voting patterns within the CBC, this paper demonstrates that substantive uniformity within the Caucus has largely dissipated, in part due to the shifting career and substantive interests of the group's newer members. As a result, the Caucus's orientation as an interest group representing black voters has become more complicated.

¹⁰ The CBC members who endorsed Obama were Representatives Bishop, William Clay, John Conyers, Elijah Cummings, Artur Davis, Danny Davis, Kevin Ellison, Al Green, Jesse Jackson Jr., Eddie Bernice Johnson, Gwenn Moore, and Bobby Rush.

¹¹ Representative Lewis ultimately decided to split the difference that day. He spent part of the day with Senator Obama and spent much of the reenactment of the march walking beside Senator Clinton. Later, however, Representative Lewis decided to cast his lot with Senator Clinton in a highly publicized press conference, but he ultimately switched his endorsement to Senator Obama following the Georgia Democratic primary.

Part II discusses the origins, structure, and development of the CBC. This group began as a small, informal network for black Congressmen that pursued an outsider's agenda based largely on identity politics. The key to the CBC's success over time was its ability to leverage its bloc of votes within the Democratic House Caucus to further the shared policy concerns of its members. Due partly to increases in its size and its greater share of influence within the House leadership structure, the group has enhanced its role in the party's decision-making processes.

Part III reviews the existing academic literature that has assessed the effectiveness of the CBC. Most of these studies confirm the persistence of voting cohesion within the Caucus over time. Compared to other more ideologically-mixed racial caucuses, the CBC has maintained a level of ideological unity that has been crucial to promoting its agenda. This work recognizes that even while the caucus is not entirely monolithic, its membership has found ways to vote together on important political issues.

Part IV updates these scholarly insights about the CBC in two significant ways. First, this piece extends the examination of group cohesion within the CBC past the mid-1990s. Doing so permits a more current assessment of how well caucus members have stuck together in a political era that has included significant changes within the membership and a takeover of government by the Republican Party. Second, this study adopts a more detailed examination of the CBC's voting behavior by appraising variations in the group's level of cohesion across substantive issue areas. This approach reveals a more subtle, though significant, distinction in the positions of CBC members on economic and social questions. Newer, junior members of Congress tend to have a more moderate record on economic legislation than more senior members.

II. HISTORY & DEVELOPMENT OF THE CONGRESSIONAL BLACK CAUCUS

The CBC is an example of what some institutional scholars call an informal network—"a voluntary association founded on common identity or interest that promotes a shared substantive agenda."¹² Within larger formal organizational structures, informal networks can serve as important counterweights when the prevailing norms and practices of the institution as a whole tend to be inaccessible or unworkable for a particular subset of members.

Where access to the more traditional power centers within a legislature is unavailable, informal networks like caucuses can provide benefits including information about bills, floor voting cues, and psychological support. Participants in an informal network can create an independent

¹² See, e.g., Susan Webb Hammond, *Congressional Caucuses and Party Leaders in the House of Representatives*, 106 POL. SCI. Q. 277, 278 (1991); Arthur G. Stevens, Jr., Daniel P. Mulhollan, & Paul S. Rundquist, *U. S. Congressional Structure and Representation: The Role of Informal Groups*, 6 LEGIS. STUD. Q. 415, 415 (1981). See also Roxanne L. Gile & Charles E. Jones, *Congressional Racial Solidarity Exploring Congressional Black Caucus Voting Cohesion, 1971-1990*, 25 J. BLACK STUD. 5:622-41 (1995).

platform for publicizing their concerns and can provide a parallel track for its members to develop institutional expertise. As a result, the informal network helps members to operate within the larger organization more effectively. Further, since a congressman's efficacy in office is closely monitored and assessed by constituents and would-be election opponents, informal networks can be a crucial factor in securing a politician's tenure in office.

A. THE CBC AS AN INFORMAL NETWORK

The CBC is among the oldest of the informal networks within the House of Representatives.¹³ The CBC was established in 1971 with thirteen black House members who wanted to advance the civil rights agenda primarily through legislation and committee work in the House.¹⁴ At its inception, all of the CBC members represented heavily urban, majority-black constituencies outside the American South.¹⁵ Their immediate goal in organizing was to channel the electoral success of black candidates for office following the passage of the 1965 Voting Rights Act.¹⁶ With the increased presence of black officials throughout government, voters expected ever more improvements in policy outputs. These members understood that satisfying constituent expectations required tangible, substantive evidence of their effectiveness in Congress.

Members also recognized that the most salient national issues concerning black voters, like education and employment discrimination, transcended the concerns of any single House district. In its first press statement, the CBC announced that these matters “do not stop at the boundaries of our districts; our concerns are national and international in scope.”¹⁷ Accordingly, their work in Congress needed to “promote the public welfare through legislation designed to meet the needs of millions of neglected citizens.”¹⁸ No individual member working alone could succeed with this agenda in the House of Representatives. Passing a bill that would address any of these massive social policy issues required the endorsement

¹³ Arguably the oldest identity network in the House (indeed, in Congress) is the association of white Democratic members from Southern states, who marshaled their seniority and mastery of the legislative process to wield an unparalleled level of control over the U.S. House of Representatives for most of the twentieth century. This group was largely responsible for maintaining the system of racial segregation in the American South—arguably the most significant flashpoint of domestic politics during the twentieth century. The group was instrumental in blocking anti-discrimination measures like the anti-lynching bill of the 1920s and 1930s as well as the equal education funding measures submitted by early civil rights advocates in Congress. Although ultimately ineffective, the group was a serious impediment to the passage of the Civil Rights Acts and the Voting Rights Act. The Southern Democratic Caucus's largely unchecked control of legislation in the House partly necessitated the establishment of the CBC.

¹⁴ A precursor to the CBC, started two years before, was organized by Congressman Charles Diggs of Michigan, who managed an informal working group of the black members of Congress that worked with leaders in Congress on civil rights and social welfare issues.

¹⁵ The original members included: Charles C. Diggs Jr. (Mich.), Robert N. C. Nix (Pa.), Augustus F. Hawkins (Cal.), John Conyers Jr. (Mich.), Shirley Chisholm (N.Y.), William “Bill” Clay (Mo.), Louis Stokes (Ohio), George W. Collins (Ill.), Ronald V. Dellums (Cal.), Ralph H. Metcalfe (Ill.), Parren J. Mitchell (Md.), Charles B. Rangel (N.Y.), and Walter E. Fauntroy (D.C.).

¹⁶ See 42 U.S.C. § 1973 (2006).

¹⁷ ROBERT SINGH, *THE CONGRESSIONAL BLACK CAUCUS: RACIAL POLITICS IN THE U.S. CONGRESS* 75 (Peter Labella ed., 1998).

¹⁸ The Congressional Black Caucus Homepage, <http://www.thecongressionalblackcaucus.com> (follow “History and Agenda” hyperlink; then follow “Learn more” hyperlink).

of multiple committees. A committee that authorized a bill would also need the support of the Rules Committee (to schedule a floor vote) and the Ways and Means Committee (to fund the program). With so many decision points in the legislative process, members needed to band together to accomplish their goals.

Most historical accounts of the CBC's early years of existence attribute the group's success to a pair of precipitating events. The first was a partisan flashpoint between the CBC and the Nixon Administration—specifically, the President's decidedly hostile relationship with the black political leadership throughout the country. On repeated occasions, Nixon had abruptly denied individual requests from blacks in Congress to discuss a White House agenda described by its critics as “benign neglect”—an indifference to racial discrimination and economic blight within the black community. After the membership staged a much publicized boycott of one of the President's State of the Union addresses, the Caucus soon received an invitation to visit the White House for an informal policy discussion.

The second moment that contributed to the development of the CBC as a force on Capitol Hill was a barrier that members faced inside their own party. Although the original CBC members were all Democrats, none of them held significant leadership positions.¹⁹ As other scholars have noted about this period, the House leadership was limited to those with tenure and multiple alliances within the party.²⁰ In fact, almost half the original CBC members were still serving their first terms in office. Due to the heavily-enforced seniority norm, the House speaker also overlooked CBC members for assignments to the most powerful House committees. At the inception of the CBC, no black member held a chairmanship of a full committee.²¹ This practice only changed after CBC members wielded their bloc of votes in party discussions and demanded that the Speaker promote greater racial diversity in appointing members to agenda-setting bodies in the House.²²

¹⁹ See SINGH, *supra* note 17. At the time the CBC was created, Republican Senator Edward Brooke of Massachusetts was the lone African-American member of the U.S. Senate. Brooke did not join the CBC, in part, because of his party affiliation. Scholars differ about whether Senator Brooke was an informal ally of the CBC or whether his decision not to join was due to his disagreement with its policy positions. In any event, Brooke announced that his concerns were broader than just those of the black community (about 3% of his constituency): “I can't serve the Negro cause. I've got to serve all the people of Massachusetts.” See LAWSON, *supra* note 2, at 141.

²⁰ Robert Peabody, *Leadership in the U.S. House of Representatives*, 61 AM. POL. SCI. REV. 675-93 (1967).

²¹ Power in the House of Representatives is concentrated in: the Speaker of the House; the Majority Leader; the Whips and Deputy Whips; the Steering and Policy Committee, which makes committee assignments and has the authority to remove committee chairs; the Democratic Caucus system; the Democratic Study Group; the Democratic Campaign Committee; officers of the freshman class; heads of the various Legislative Services Organizations (LSOs); and the committee and sub-committee chairs. Clarence Lusane, *Unity and Struggle: The Political Behavior of African American Members of Congress*, 24 THE BLACK SCHOLAR 16 (1994). Adam Clayton Powell of New York had served as the chair of the Education and Labor Committee during the mid-1960s. Powell's service as chair was marked with significant dissent from Southern Democrats, who vehemently opposed Powell's effort to adopt civil rights provisions in funding bills. Of course, their relationship was only complicated by the claims that Powell had engaged in improprieties while in office.

²² By 1975, the Speaker appointed a CBC member who was on a committee that administered the local government for the District of Columbia.

The key institutional feature that figures into both of these instances is the norm of consensus-building within the Caucus.²³ Unlike a typical party caucus that relies upon rewards and punishments to enforce discipline among its members, the CBC expressly rejected traditional formal command-and-control levers that were common in other caucuses. One reason for this preference for cooperation is that a hierarchical structure was inconsistent with the group's basic ideological commitments. Promoting the concerns of the marginalized and excluded sectors of American society did not easily fit with a top-down approach.²⁴ The more traditional enforcement tools of loyalty were also inapt because of the common position of the blacks who served in Congress at that time. All of these members were relatively junior Democrats who represented election districts that faced an identical set of problems. No single person could succeed without a collective effort, so there was very little advantage in an individual defecting from a caucus-endorsed position. Accordingly, the group's official positions have mostly enjoyed the full assent of its members.

The CBC does not adopt an official stand on every issue, but its formal positions typically enjoy unanimous support from its members. This solidarity is possible because of its almost entirely Democratic membership, which allows the CBC to extract significant concessions from party leaders.²⁵ Members use their caucus meetings as an opportunity to settle policy differences, which allows the chair of the CBC to bargain reliably with the Speaker on behalf of the entire group. Commitments and threats regarding the CBC's support are therefore credible. The collective benefits that the group obtains, including committee assignments, legislative earmarks, and prioritized votes on their sponsored legislation, have strengthened allegiance to the Caucus even further.²⁶

Beyond securing greater influence for its members, the CBC has been adept at promoting substantive causes that do not normally attract public attention. On foreign policy, for instance, the CBC has worked since its founding to highlight problems associated with colonialism in Africa and the Caribbean. The CBC was instrumental in framing the policy debates on South African sanctions and political asylum questions for Haitian refugees.²⁷ Because it regularly raises these issues without regard to

²³ Gile & Jones, *supra* note 12, at 624.

²⁴ This is certainly not to suggest that the norm of cooperation does not itself impose an informal duty on members. Even where members might be inclined to join other, more conservative, caucuses, they maintain membership in CBC. According to one view, caucus membership helps to avoid charges from potential primary opponents about the fidelity of the member to black-favored causes.

²⁵ Even where the leadership has a majority of the votes, securing the support of the CBC serves a purpose. Because the Democratic Party relies upon high levels of black support, leaders are quite sensitive to the chance that a bill could pass despite clear opposition from every black member in the House. Aside from this symbolic importance of obtaining black support, the CBC can play a helpful role in mobilizing black voters in non-CBC districts where blacks are a significant (though not majority) part of a winning coalition.

²⁶ An especially poignant moment that shows the power of the CBC occurred in the wake of the 2000 election dispute. The CBC led a series of unsuccessful procedural challenges to the certification of the electoral votes, calling for an investigation into claims of voter intimidation in Florida, but they received support neither from party leaders nor even from Al Gore in their efforts.

²⁷ Ronald W. Walters, *African-American Influence on U.S. Foreign Policy Toward South Africa*, in *ETHNIC GROUPS AND U.S. FOREIGN POLICY* 65, 75–78 (Mohammed Ahrari ed., 1987).

popularity or partisan support, the CBC has long been regarded as the 'conscience of Congress.' The CBC is just as significant a player on domestic issues that are not as popular. Even as public backlash emerged against job training and social welfare programs in the 1970s, the CBC led the effort to preserve these initiatives in the federal budget.²⁸

Members of the CBC regularly devote time during floor speeches to address neglected issues, even when they run counter to the party's agenda. Among the more routine efforts is presenting a yearly alternative budget, which CBC members have introduced every cycle for more than 26 years. Even though this bill has virtually no chance of being adopted on a final floor vote, the proposal typically receives unanimous support from the caucus membership. The presentation of the proposal, however, forces the House debate to consider departures from the administration's (and at times, the party leadership's) funding proposals. Beyond this, the CBC sometimes turns to forms of direct protest to raise public awareness of its issues. In 1971, for instance, Representative Charles Diggs resigned his position as a member of the U.S. delegation to the U.N. to protest U.S. policy toward southern Africa. Similarly, the members engage in more activist-oriented forms of civil disobedience, including participation in hunger strikes and protests in front of the White House.²⁹

B. EVOLUTION OF THE CBC

In a remarkably short time, the CBC has emerged as a key inside player within Washington political circles. This transformation is especially surprising in light of the institutional barriers that first led members to form the organization in the 1970s. The improved position has enhanced the CBC's means of influencing policy outcomes on the floor of Congress. Whereas its founders relied on the tools of protest and public pressure to obtain a seat at the decision-making table, the CBC now regularly finds itself among the principal actors invited to participate in the conversation. Often, the CBC is at the middle of the institutional process that frames the terms of policy questions. In some cases, the career advancement of members of the CBC has won them a key responsibility of leading and managing those discussions.

Perhaps the most meaningful reason for the CBC's evolution is that it has more than tripled in size since its founding. Newer members have added regional diversity to the group. The largest single increase occurred following the 1990 round of congressional redistricting, during which administrative interpretations of the Voting Rights Act helped create majority-minority districts in parts of the South and Southwest. In contrast

²⁸ See Jonathan Chait, *Patronage Saints*, THE NEW REPUBLIC, Sept. 10, 2007, at 5. At times, the CBC's influence has been regarded as antithetical to many of the causes they claim to support. In the 2001 debate over the repeal of the estate tax, for instance, a group of CBC members joined Republicans in favor of the repeal, arguing that the tax prevented black small-business owners and those who had amassed fortunes from maintaining their wealth.

²⁹ One example is the effort to address the disparity between U.S. political asylum policies toward refugees from Cuba compared to those from Haiti. Several protests during the 1990s encouraged the Clinton Administration to take action against human rights abuses by the governing regime. See SINGH, *supra* note 17, at 188.

to the districts that elected the original set of CBC members, the majority of House districts in the most recent period of growth were decidedly more rural in character. Currently, the group has a total of forty-two members, about half of whom represent these newly established districts.³⁰

With many more members in its ranks, the group's influence has improved dramatically. The membership now represents about a fifth of all the Democratic votes in the House, which permits the group to bargain for greater involvement in determining the direction of the party's governing agenda. Democrats have relied more heavily on this well of support as the Chamber becomes more narrowly divided. Additionally, CBC members now manage legislation in the House far more often. Whereas obtaining committee assignments for members was considered an audacious goal in the early days of the Caucus, members now serve as chairs of the most powerful House committees. As of the 110th Congress, senior CBC members chair two of the most crucial centers of power—the House Ways and Means Committee as well as the House Judiciary Committee. In fact, the Democratic Party Whip (second in line to the House Speaker) is a member of the CBC representing South Carolina.

Aside from its improved leverage within the House, the Caucus has continued to develop an independent research and fundraising apparatus to secure its position in the long term. Both of these units have enhanced the group's ability to utilize the media and public opinion to further its legislative agenda. The group maintains its own Washington policy and research arm, the CBC Foundation, a think tank that complements the membership's official Congressional staff. The CBC Foundation links the caucus to an array of coalition partners in the civil rights and scholarly communities and invites scholars and public policy experts to collaborate with legislative aides on developing initiatives for legislative action. The most significant national forum is the foundation's Annual Leadership Conference, a convention for discussing national policy issues at the beginning of the fall legislative session.

Partly because of its membership's enhanced influence over policy, the CBC has also become one of the most prodigious fundraising groups in the House. Their regular meetings often draws the attention of lobbyists from a variety of commercial industries yield the Caucus's political action committee hundreds of thousands of dollars. To a large degree, the recent development of a fundraising strategy reflects the changed views of its members toward the notion of campaign finance reform.³¹ The early CBC membership initially held a strident position in favor of regulating soft campaign money (donations made to groups rather than individual candidates), but the advent of corporate enterprises like casinos has

³⁰ In the 110th Congress, there were forty-two members of the CBC. However, only thirty-nine of these members had full voting privileges within the House of Representatives. Delegates from the District of Columbia and the Virgin Islands do not have a vote on final legislation, and there was one African American member who was serving in the United States Senate. Seth Stern, *Black Caucus Members Oppose Nomination of Alito to Supreme Court*, CQ WEEKLY ONLINE 3334, 3334 (2005) (discussing CBC's membership), available at <http://library.cqpress.com/cqweekly/weeklyreport109-000001998299>.

³¹ See generally, Terry Smith, *White Dollars, Black Candidates: Inequality and Agency in Campaign Finance Law*, 57 S.C.L. REV. 735 (2006).

provided important sources of financial support in some of the country's most impoverished districts. As one former member put it, banning the CBC from tapping such a lucrative source of campaign support is "a threat to my continued service in the House of Representatives."³²

The CBC has utilized its external and internal influence quite effectively. Among the best illustrations of its transformation was its close working relationship with the Clinton White House during the 1990s. The President relied heavily on the CBC for support on his earliest and most controversial policy proposals. However, that working relationship faltered early when the President abruptly withdrew his nomination of Lani Guinier for a position in the Justice Department. CBC members expressed outrage for the White House concession to a seemingly partisan campaign against Guinier, especially in light of the President's support for embattled white political nominees. In contrast to the skirmishes during the Nixon Administration, no dramatic form of protest from the CBC was necessary. Clinton repeatedly asked the CBC to discuss matters at the White House, but the members maintained that they would not accept the visit without an apology.

Additionally, the CBC's influence also bore fruit on more substantive policy matters like the racial genocide in Rwanda.³³ This effort was especially notable given the White House's highly-publicized setbacks in managing a military operation aimed at quelling unrest in Somalia. Despite the political blowback associated with that effort, the CBC engaged in a combination of lobbying and protests to spur the government to take action that would put an end to one of that continent's most heinous programs of violence in the twentieth century. Despite the cautious stand of the Administration, the CBC convinced the State Department to make statements that spurred international involvement to demand a cease-fire. Despite its initial reservations, the administration recognized that ignoring that situation was untenable given the CBC's control over other significant domestic policy matters that it wished to pursue.

C. REPRESENTATIVES OF BLACKS OR BLACK REPRESENTATIVES?

Throughout its history, the CBC has managed two competing theoretical conceptions of its role in the House. Some have characterized this conflict, for the organization and its members alike, as an "identity crisis."³⁴ Members find themselves divided between pressures of minding their position as delegates for their constituencies and their role as advocates for the black community at large. On one hand, each member has a responsibility to serve the interest of the voters who elected him. Many CBC members acknowledge that they also possess a de facto obligation to

³² Philip Shenon, *The Black Caucus, Once a Foe, Enjoys Soft-Money Games*, N.Y. TIMES, Aug. 27, 2001, at A1.

³³ See Shelly Leanne, *The Clinton Administration and Africa: Perspective of the Congressional Black Caucus and TransAfrica*, 26 ISSUE: J. OPINION 17-20 (1998).

³⁴ Richard Champagne & Leroy N. Rieselbach, *The Evolving Congressional Black Caucus: The Reagan-Bush Years*, in BLACKS AND THE AMERICAN POLITICAL SYSTEM 130 (Huey L. Perry & Wayne Parent eds., 1995).

work on behalf of black voters living beyond their districts—elsewhere in the state and throughout the nation.

Resolving the dilemma was relatively simple for the CBC founders because the national agenda for blacks was their chief interest. Obtaining committee assignments in the House was important, but only because it was instrumental to achieving these substantive policy goals. This strategy was less a choice than a practical necessity. The black House members of the 1970s all came from largely black and heavily Democratic districts. On the heels of the Civil Rights Movement, they campaigned on the claim that serving black voters was a paramount concern. This position was especially popular in districts like Detroit, New York, and Chicago, where the black protest movement remained vibrant during the 1970s.

But this identity politics carried limitations for the CBC members, many who were the very first non-white candidates elected from their districts. The strategy for winning office there was not as appealing for attracting a voice throughout the rest of the state. Suburban and rural communities surrounding major cities were practically mirror images of these districts both racially and ideologically. As other scholars have observed, this period was part of the surge of white flight away from urban areas in America.³⁵ By campaigning primarily to give a long deserved voice in Congress to black political concerns, a black candidate could not attract much support in larger and majority-white electorates. Aware of the implications of this shifting electoral landscape, the original CBC members understood and accepted that their entire political careers would involve representing their House districts. Faced with this institutional ‘career ceiling,’ many of these CBC members willingly embraced their role as de facto spokespersons for blacks who lived in their districts and beyond them.³⁶

While identity politics were dominant within the CBC’s orientation during this period, they did not always prevail. One particularly divisive moment that strained relations within the CBC occurred during the 1972 presidential campaign, when the liberal firebrand Representative Shirley Chisholm ran for the Democratic nomination.³⁷ Chisholm was an original CBC member who was especially popular among black voters in large urban centers. However, Chisholm was not the preferred candidate of the Democratic Party’s governing power structure in the House of Representatives.

Although Chisholm won endorsements from some non-black liberals in the House including feminist Bella Abzug, the CBC membership remained closely divided about announcing a formal endorsement of her candidacy.

³⁵ See, e.g., KENNETH T. JACKSON, *CRABGRASS FRONTIER: THE SUBURBANIZATION OF THE UNITED STATES* (1985); KEVIN M. KRUSE, *WHITE FLIGHT, ATLANTA AND THE MAKING OF MODERN CONSERVATISM* (2007).

³⁶ See JOHN R. HIBBING, *CONGRESSIONAL CAREERS: CONTOURS OF LIFE IN THE U.S. HOUSE OF REPRESENTATIVES* (1991); Sean M Theriault, *Moving Up or Moving Out: Career Ceilings and Congressional Retirement*, 23 *LEGIS. STUD. Q.* 3 (Aug. 1998).

³⁷ See Julie Gallagher, *Waging "The Good Fight": The Political Career of Shirley Chisholm, 1953-1982*, 92 *J. AFR. AM. HIST.* 3 (2007).

Members who favored making the endorsement argued that Chisholm's agenda was essentially identical to that of the CBC. Further, many thought it was important to show solidarity with a colleague who was in the campaign. A majority of the group, however, expressed concerns about the long-term consequences of bucking the will of the Democratic House leadership in a losing effort. While solidarity remained a key goal on legislative questions, these members emphasized the need to gain policy influence within the eventual presidential nominee's campaign team by showing strong support early.

Over time, the balance between these dual roles also transformed. Growth in the CBC brought in newer members of the House who often employed a different style of politics than their predecessors. Rather than focus on advancing the causes of black communities nationally, these members often win and govern by promoting coalitions that deemphasize both race and party. This newer style of politics includes working in concert with non-CBC members from districts that face similar problems. At times, the approach involves crossing party lines to accomplish policy goals. While this orientation does not mean totally abandoning identity politics, these members tend to place more energy in developing their roles within the House of Representatives as an end.

CBC members often share some of the same professional backgrounds and educational experiences of their white colleagues. Many were educated at elite, largely white institutions and led careers that were much more similar to their white political candidates. These members also arrived in the House with greater institutional expertise than their predecessors. Several had served multiple terms as legislators at the state and local level. For instance, upon arriving in 1993, U.S. Representative Eva Clayton relied on her resume as a leader in North Carolina's legislature in successfully campaigning for the freshman class in the House. In short, the newer CBC members were bringing relatively more political experience to the table than the original members of the CBC.

Importantly, these members also arrived with greater opportunities to advance within the party leadership. Partly because the CBC had succeeded in making the governing team within the House more responsive to minorities and women, newer CBC members can achieve far more than their predecessors. Minority and female leadership in the House have become less the exception than the rule. For newer CBC members, the 'insider' norms of persuasion and negotiation are now tools of the trade. Working within the norms of the House and party leadership are a primary approach in the current version of politics.³⁸ More involvement permits CBC members to employ the kind of work that every other member uses to advance substantive goals through legislation.³⁹

³⁸ See SINGH, *supra* note 17, at 134.

³⁹ *Id.*

III. EXAMINING COHESION OF THE CONGRESSIONAL BLACK CAUCUS

As one of the more established organizations within Congress, the CBC has been the subject of a considerable amount of academic writing. As with most other informal groups within legislatures, the caucus offers an appealing case study to test various theories of legislative politics and institutional development. Typical studies of this type include anecdotal explorations of the individual leaders within the CBC as well as analysis of the Caucus's statements on various policy areas.

The empirical examinations of the role that the CBC plays within Congress mostly focus on measuring the scope of the Caucus's influence on its members' decisions on floor votes. Longitudinal studies of this kind permit a more dynamic view of the caucus' effectiveness over time. While the techniques used to capture this relationship differ, the overall view of this literature confirms that the CBC maintains a relatively strong level of cohesion among its membership.

The simplest empirical method used to show this relationship is a score of caucus unity—a measure of how often a majority of caucus members casts votes the same way. The classic studies of this kind develop an index that compares the degree of departure in votes cast by a specific group from a neutral fifty-fifty split. In one study that adopted this approach with vote scores from Congressional Quarterly, for example, the authors found consistently high levels of group agreement compared to several other ideological party blocs within Congress.⁴⁰ This pattern held true even in periods when the CBC underwent major operational shifts due to leadership and structural reorganization.

In examining votes on separate policy areas, the same authors noted that the membership tended to agree less often on foreign policy than on economics.⁴¹ Nevertheless, CBC members always displayed greater levels of unity on these issues relative to the other comparison subgroups included in the study.⁴² Further, the authors discounted the possibility that a significant relationship existed between the patterns of unity that they found and seniority in Congress, because they found no significant changes following the point when black Congressmen assumed the leadership of several standing committees in the 101st Congress.⁴³

Among the most recent treatments of CBC cohesion is a study by Pinney and Serra, who adopt a more nuanced understanding of cohesion.⁴⁴ Since many factors influence roll call-votes, they argue, evidence of like voting patterns among CBC members cannot alone establish that the caucus is a relevant cue for its members. Such a pattern, on its own, cannot establish the concerted action that is the mark of a truly disciplined caucus.

⁴⁰ Neil Pinney & George Serra, *The Congressional Black Caucus and Vote Cohesion: Placing the Caucus within House Voting Patterns*, 52 POL. RES. Q. 583, 601-02 (1999).

⁴¹ *Id.*

⁴² *Id.*

⁴³ *Id.*

⁴⁴ *Id.*

To help isolate relative cohesion within the caucus, the authors adopt an ideological ratings index to gauge “the extent to which members cluster around [the CBC’s] ideological center of gravity.”⁴⁵ The authors track the level of cohesion in the CBC and compare those findings with other groups from the 1970s through 1996. Here, as well, the findings revealed a sustained level of ideological cohesion in the CBC that outpaces similar measures that capture the effects of political party, state delegation, and region. Notably, the authors point out that the most likely influences on the cohesion within the caucus are linked to the member’s constituency and length of service in the House.⁴⁶

The central finding that is common to all of the studies in this area is that a high level of cohesion within the CBC exists and appears robust through several Congresses. The CBC membership, while not monolithic, tends to align pretty closely on votes more often than other groups within the House. Additionally, this pattern of cohesion within the CBC appears to hold across issue areas. Whether the basis for the analysis is a member’s roll-call votes or an index of his ideological leaning, the findings tend to confirm the same general point.

IV. DATA AND ANALYSIS

The goal of the present study is to uncover what (if any) changes have emerged in the CBC with respect to cohesion since 1996, the last year that the issue was closely examined. There are significant changes in the political landscape that justify a return to this question. For one thing, effects that are traceable to the 1994 partisan turnover in the House may not have emerged in the first two years of Republican control. The period since 1996 also included a shift in control of the presidency, an event which almost certainly affected the influence of the CBC in pursuing its policy goals. Perhaps the most salient reason for revisiting this question is that the personnel within the CBC has changed rather drastically. Since 1996, about a third of the caucus was replaced through retirements or unexpected electoral defeats. Taken together, these changes suggest the strong chance that the caucus might behave differently.

The data set for this paper builds on the existing dataset first constructed by Pinney and Serra, who used adjusted Americans for Democratic Action (“ADA”) ideological scores as a basis for measuring cohesion. The resulting measure from zero (very conservative) to 100 (very liberal) is a reliable indicator of ideology that scholars commonly use in legislative research. It is worth noting that the group also categorizes these votes into three issue areas. The Pinney and Serra study takes adjusted ADA scores (which correct for latent effects of scale changes) and measure the level of dispersion (or deviation) of caucus members from the

⁴⁵ Specifically, the authors use ADA ratings. Americans for Democratic Action is an ideologically liberal interest group that catalogues every congressman’s roll-call votes on a set of “salient votes” each year. The group then assigns a rating based on the share of votes that were the “correct” position (according to the ADA’s view) among all reviewed votes. This study adopts the same rating.

⁴⁶ Pinney & Serra, *supra* note 40, at 601.

subgroup's mean ideological score. Low dispersion scores indicate more ideological alignment, while higher scores indicate greater departures from the group.

This study adopts the same general approach, employing ADA scores for each House member along with information about that member's congressional district (percentage of black voters, percentage of urbanization), Congressional profile (number of terms, membership in the CBC, party, presidential support scores, and size of last election victory), and age.

However, this study is distinct from its predecessors in two significant ways. First, the data set is focused on the more recent vote scores for the CBC's membership, including the dispersion measures from 1992 until 2004 (the last year currently available). Second, the dataset includes, in addition to the general ADA scores, the issue-specific ratings that are also collected by the ADA on economic, social, and foreign policy issues. Complementing the data in this way can help to confirm whether the general findings of cohesion observed in the earlier studies also continue to hold when one looks at separate issue areas.

What does an initial examination of the extended data reveal? Table 1 displays the mean ADA scores for the CBC for votes cast between 1992 and 2004, along with information about deviation from the mean among the membership. The first noticeable trend is that the mean ideological score for the entire CBC hovers in the high eighties throughout this period, indicating that the average member of this group has remained quite liberal (a score of 100 would indicate a perfectly liberal firebrand). In three of the years, 1994, 2000, and 2004, the CBC mean moved just above ninety.

Table 1: Group Cohesion of CBC

Year	Mean Score	Standard Deviation	Maximum Score	Minimum Score
1992	83.6	11	90.6	39
1993	89.9	7.7	97	72.7
1994	91	10.2	101.6	56.5
1995	89.4	7.9	96.9	62.6
1996	88.7	10	100.9	61
1997	89.3	12	97.5	66
1998	88.5	12.8	99.6	67
1999	87.6	11.2	100.2	63
2000	90.1	10.4	100.6	59.5
2001	88.9	12	100.8	54.8
2002	88.4	11.6	101.4	54.6
2003	89.7	12.1	99.8	52.1
2004	90	10.7	100	60.9

More instructive for the purposes of this study, though, is the size of the standard deviation of the CBC in each year. This is the basic measure of statistical “spread” of the vote scores in the CBC, which is one way to assess the level of ideological uniformity within the group’s membership. The standard deviation during this period averaged about 10.7, and the scores for individual years have not fluctuated significantly in the years following 1996. Further, the maximum and minimum scores in this dataset also follow the same general trend during the more recent years, which indicates that the CBC continues to have a few very liberal as well as moderate-to-conservative members.

This level of diversity is yet another confirmation about the presence of different interests that have always informed black political opinion. To be sure, the central tendency of the CBC largely reflects its many ideologically liberal members. This finding is entirely consistent with existing studies on the allegiance of black voters to many politically liberal principles. But the CBC also includes at least a few more moderate colleagues, since the minimum ideological score in more recent years has fallen into the fifties even though the maximum score during this period has topped out at 100, or slightly above. The downward shift in the minimum score over time is one indication of the arrival of solidly moderate to conservative members of the Caucus, suggesting that there is now a greater diversity of ideological viewpoints within the group.

Interestingly, the two Caucus members with the minimum ADA scores during the 2004 session were relatively new arrivals to Congress.⁴⁷ Representatives Sanford Bishop of Georgia and Alcee Hastings of Florida were both elected from majority-black constituencies that were created after the 1990s redistricting in their respective states. In each case, litigation over the interpretation of the Voting Rights Act led to significant modifications of the districts. Both of these members were elected overwhelmingly by their voters, but their ideological positions on policies are significantly more conservative than many of their colleagues in the CBC.

A second set of members deserve mention as well. While their scores were not as low as the first pair of CBC members, the younger members of the CBC also scored significantly lower than average CBC members. These members are defined largely by age. They include Representative Harold Ford of Tennessee, who represented a district centered in Memphis and Representative Artur Davis of Alabama, whose district is anchored in Birmingham. These scores are not quite liberal, and the ratings have continually declined since each member entered office. Perhaps this shift toward more moderate to conservative ideology reflects an ambition to compete outside of their congressional districts. In Ford’s unsuccessful 2006 Senate campaign, for instance, directly appealing to Tennessee voters

⁴⁷ The scores included in this analysis are for those members who voted on the complete array of “important votes” identified by the ADA that year. For instance, Representative G.K. Butterfield (NC), whose predecessor died while in office, had a score that was abnormally close to those of Republicans because he had only been eligible to cast votes on fewer than five of the important issues identified by ADA.

that preferred a more moderate-to-conservative candidate, than the mostly black voters in Memphis desired, proved insufficient.

Table 2: Age and Ideology in the CBC

	Liberal Life Rating		Conservative Life Rating	
	<1946	>1946	<1946	>1946
Born				
Mean	85.64	74.20	4.89	11.62
Median	87.67	74.00	3.94	8.59

	Economic		Social	
	<1946	>1946	<1946	>1946
Born				
Mean	82	71	86	76
Median	83	67	86	83

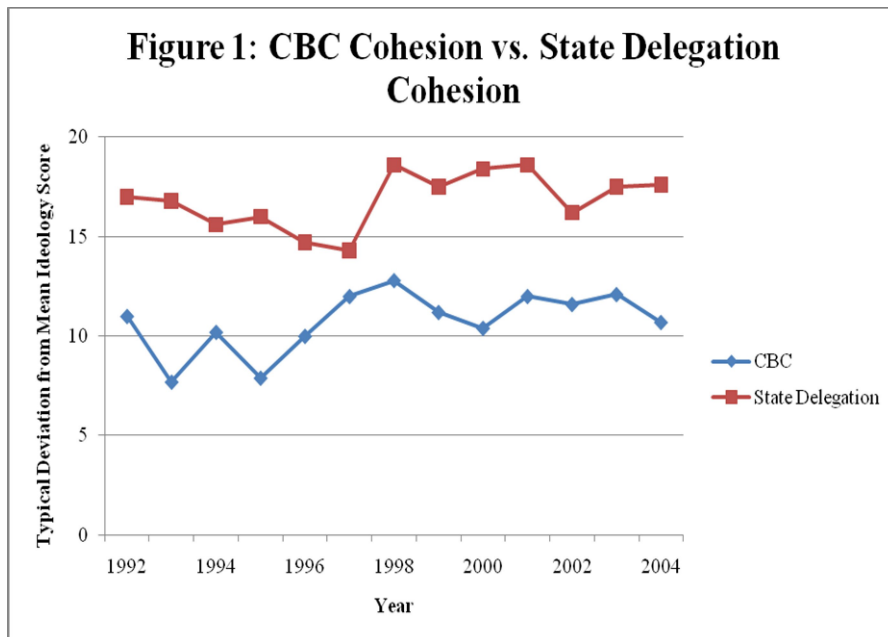
Foreign	
<1946	>1946
86	76
86	83

The effects of age seem especially evident in a comparison of lifetime liberal and conservative scores among the most current CBC members. While these measures track a different set of substantive votes than the ADA scores used in the rest of this study, these scores do provide a reliable indicator of a given member's tendency toward a liberal or conservative position. These measures are used regularly in concert with ADA scores in the array of metrics by commentators and politicians alike. Here, a significant dividing line exists for members born after 1946 (about ten years before racial segregation was declared unconstitutional).

The next figures help provide a more complete picture of the level of cohesion within the CBC relative to other salient subgroups in the House. In order to fully understand the story about the changing alignment of the group, one needs a reference point against which to measure the CBC's cohesion over time. Has the CBC remained more cohesive relative to the other significant subgroups within the House over the years? Several other factors could play a more influential role in shaping the ideological views and positions of the average black member of the House. Accordingly, one needs to assess whether the observed cohesion within the caucus is significantly different from (and indeed, greater than) the level of cohesion that exists with respect to other relevant interest groups.

A reasonable place to begin is to compare the CBC dispersion scores taken during this same period (1992-2004) with the dispersion scores for another potentially important subgroup within the House—each member's

state delegation. While a wealth of scholarship has found that a member's ideological positions are often markedly shaped by the governing philosophy of his party, there are also specific substantive issues carrying enough regional significance that can invoke overriding solidarity within a state's delegation. An easy example is the rather concerted behavior that Michigan's congressional delegation often displays in blocking vehicle emissions regulations. On other questions including budget allocations (e.g., pork barrel spending) and military base closures, the influence of national party discipline may sometimes take a back seat to the member's more parochial regard for the interests of the state.



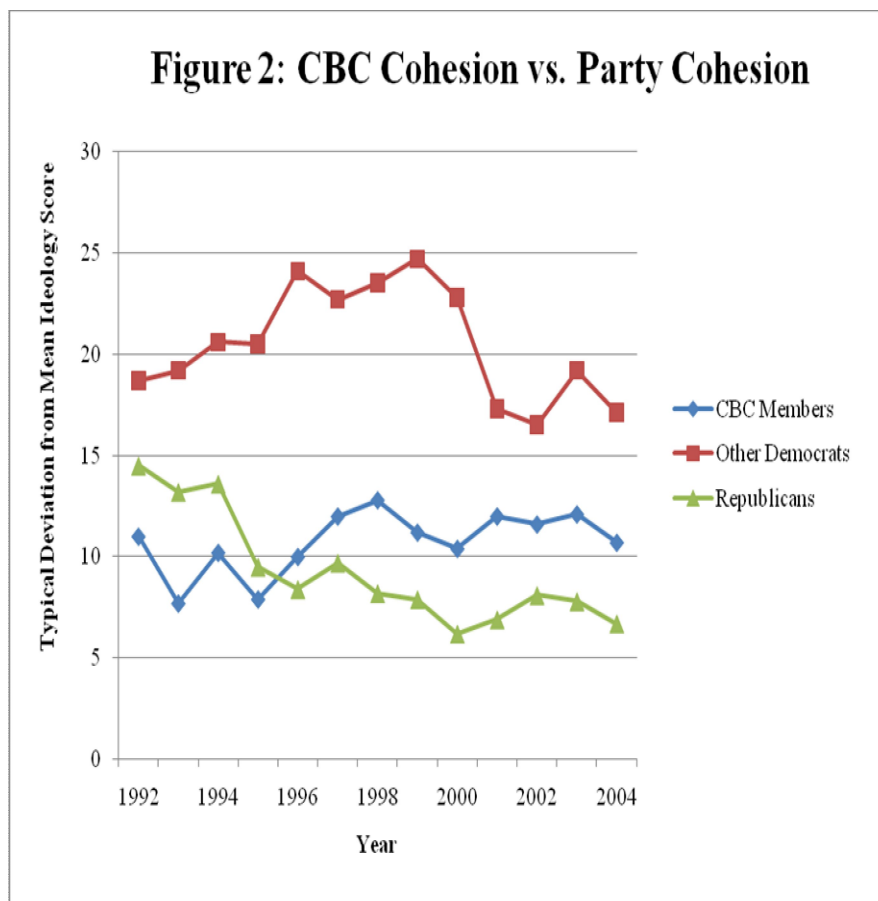
The line graph in Figure 1 reports the dispersion scores for the CBC along with the scores for the applicable state party delegation. Each point on the lines represents the level of deviation between the relevant group's average ideological score (the mean adjusted ADA score described earlier) and the score for the typical black representative during that year. Lower levels of dispersion over time indicate greater cohesion within the group, while higher levels suggest relatively less ideological cohesion. Thus, the graph provides some comparative information about whether the ideological scores of black legislators more closely track those of the CBC or with his fellow Democrats from his state.⁴⁸

⁴⁸ A similar comparison that takes into account the CBC member's relationship with his entire state delegation (Democrats and Republicans) would have yielded an even more dramatic difference in the level of dispersion.

The rate of dispersion for state party delegation starts out slightly higher than the dispersion for the Caucus. In 1992, for instance, the CBC dispersion score was eleven points—about six points lower than the state party delegation's dispersion score. In other words, the typical black representative's ideological rating was closer to that of the caucus than to his in-state colleagues. The closeness between the two lines is not especially surprising, given that the CBC represented a significant bloc of the Democratic majority. The two lines came close to a point of convergence by the year 1997, mostly because the dispersion line for state party delegation fell sharply. The change perhaps reflects the rise of party discipline among Democrats following the 1994 midterm elections that wiped out Democrats in many moderate to conservative districts. By the 2000 session, though, the old pattern emerges once again; the CBC's ideological bent seemed more closely aligned with the ideology of black legislators.

Another way of trying to capture the effects of ideological cohesion within the CBC over time is to compare the Caucus's dispersion scores with those for other ideologically relevant groups in the House. Whereas the previous analysis examined the relative influence of two competing subgroups over a CBC member's ideology, looking at the dispersion scores for ideological groups that are unrelated to the CBC can help assess the overall magnitude of cohesion within the CBC. The most logical reference point for this analysis is the political party, since so many studies of the House find that this institution serves as a focal point in shaping ideology.

Figure 2 charts the CBC dispersion voting scores described above along with the scores for two different groups, non-CBC Democrats and Republicans. The lower the group's dispersion score, the more ideologically cohesive its members are. At the start of this period, the CBC line appears to show the greatest level of ideological alignment or cohesion, followed by Republicans and non-CBC Democrats.

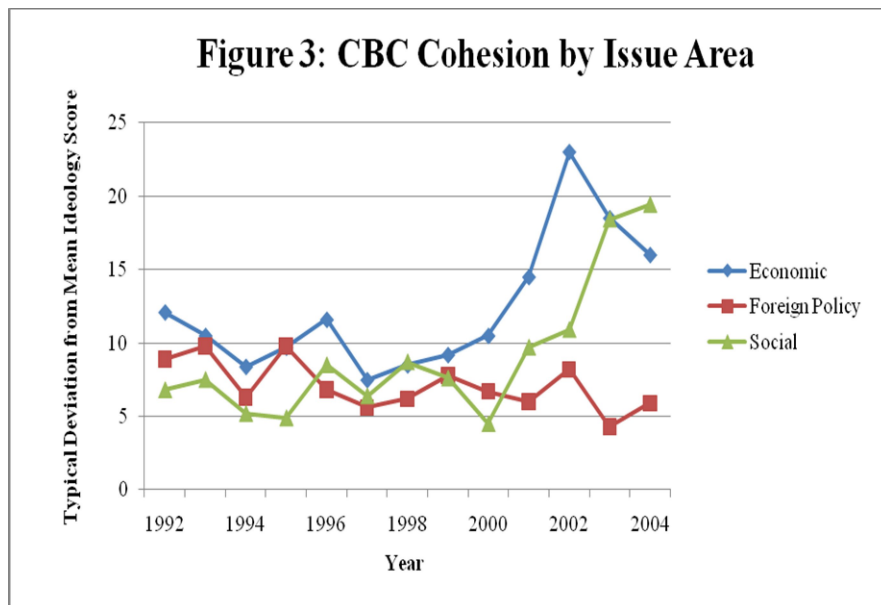


The dispersion score for non-CBC Democrats starts at almost twenty points, and that score rises through the year 1996. By contrast, the dispersion scores for Republicans drop precipitously after 1994. The change marks the point of the House turnover, which likely reduced that party's ideological spread. Most of the Grand Old Party's ("GOP") new districts were picked up in the South, with rural and socially conservative constituencies that might well have elected representatives with pretty conservative ideologies.

The most notable feature of this chart is that the GOP dispersion line intersects the line for the CBC in the year 1996. And from that point onward, the GOP line remains the lowest of the three through the year 2004. The switch of positions between the CBC and GOP indicates a significant change in the relative cohesion of the two groups. Compared to non-CBC Democrats, the CBC has demonstrated greater agreement on ideology during most of this period. But neither of these two Democratic

groups has matched the level of ideological cohesion shown by Republicans since they won a working majority in the House.

So far, this analysis has described general trends using the overall ideology scores as measured by the ADA. In addition to these summary scores, the group also keeps track of the ratings of congressmen based on their votes in issue area. The more general scores, of course, supply the most complete and reliable picture of ideological dispersion within a group, but these can sometimes conceal more subtle (though still salient) differences on certain issues. With respect to black political attitudes, an examination of cohesion by issue area is especially warranted. While this group's overall viewpoints on public issues skews toward the liberal end of the spectrum, scholars have pointed out some issues on which black political attitudes (e.g., charter schools and same sex marriage) reflect sharply conservative viewpoints.⁴⁹



To uncover any of these latent effects specific to policy areas, the next step of the analysis focuses on the amount of dispersion within the CBC according to the three categories that the ADA records: social policy, foreign policy (or external affairs), and economic policy. Figure 3 shows the scores broken out by policy area for the same time period of time as in the previous charts. There are several important trends that enhance the picture seen thus far. First, the dispersion scores for the CBC on foreign

⁴⁹ See, e.g., MICHAEL DAWSON, *BEHIND THE MULE* (1995); FREDRICK C. HARRIS, *SOMETHING WITHIN: RELIGION IN AFRICAN-AMERICAN POLITICAL ACTIVISM* (1999). See also, C. ERIC LINCOLN & LAWRENCE H. MAMIYA, *THE BLACK CHURCH IN THE AFRICAN-AMERICAN EXPERIENCE* (1990); CAROL SWAIN, *BLACK FACES, BLACK INTERESTS* (1994).

policy issues deserve attention. Although it also starts at a level that is very close to the lines for the other areas in 1992, the line representing group dispersion on foreign policy takes a slight shift downward after 2000. In light of the Caucus's opposition to some of the administration's decisions in the war against terrorism, the evidence of group solidarity on foreign issues is not at all surprising. What is somewhat unexpected about this finding is that foreign policy represents the most unified policy area of CBC voting patterns in most recent years.

What is most remarkable is that the rate of dispersion evident on the economic questions is almost always greater than those for the other categories. The line for this dispersion measure starts out around eleven points in 1992 and then remains close to that level until 1999, when the rate of dispersion rises dramatically to a maximum of about twenty-three points in 2002. In fact, economic policy represents the greatest dispersion score in this chart, especially in more recent years. Why would this finding make sense after an era when near unanimous agreement on economic issues was part of the CBC's orthodoxy?

One answer has to do with the changing nature of black politics and black politicians in the CBC. The traditional style of politics focused on developing support within the black community and working outward. The ideologies of successful candidates in that mold, therefore, were highly responsive to a relatively liberal and largely black constituency. During the 1970s and 1980s, there was no other reliable strategy for a black candidate for Congress to win elections. But, responsiveness to black political demands had a price for CBC members in the form of institutional advancement. The ideology and viewpoints that often worked for winning a congressional district rarely helped to become party chairman or running for statewide office. For the most part, politicians who assumed this style of politics accepted their roles as an at-large spokesman for blacks both in their congressional district and throughout the state.

The CBC's increased size and improved influence in the House have brought in newer members, including some who have a different approach to politics. Declining racial polarization and greater racial diversity in district constituencies have increased the chances that members can run successfully for statewide office. At the same time, CBC members who make careers in the House have the chance to become party leaders and committee chairmen. These possibilities encourage a different style of politics that does not tie ideology as closely to the black community's interests. Rather, politicians of this type have ideologies that tend to drift toward more moderate positions than their counterparts. The more conservative ideologies of these members may reflect efforts to appeal to groups, including party leaders and statewide voters, outside of the black constituencies.

To test this theory, a final chart displays the results of a regression analysis aimed at explaining the variance in the economic dispersion scores for CBC members. In this treatment, the dispersion scores for CBC members serving between 1992 until 2004 are pooled into a single dataset

and they are used as the dependent variable. As independent variables, the equation considers the following factors:

- Seniority (dummy variable, where 1 represents service over five terms)
- Correspondence with president's party (a dummy variable, where 1 represents a Democratic president)
- Percent district urbanization (continuous variable)
- Percent district black population (continuous variable)
- Presidential support scores (two separate continuous variables, one for Democrats and Republicans)
- Margin of Election Victory (continuous variable)

Following the approach of Pinney and Serra's 1999 study that tests the effects of variance on cohesion, this OLS regression treats the entire dataset as a time series. As a final check, the appropriate analysis of error was run to set aside the possibility of auto-correlation problems. One of the specific questions relevant to this analysis is whether being a newer member of the CBC significantly influences the level of variance from the norm on economic issues. Unlike the Pinney and Serra study, this regression uses disparities on economic issues, and it codes senior members as those having served at least five terms in Congress.

The results, found in Table 3, are quite interesting. They appear to confirm the suggested relationship between length of service in Congress and the level of a member's cohesion with the CBC on economics. As with the earlier charts, a negative coefficient for a variable here indicates greater cohesion. In other words, a variable with a large negative coefficient for dispersion (the variable under observation) has an affect that makes a group more cohesive. According to these results, seniority does appear to present a markedly strong (and significant) influence on the level of cohesion on economic questions. Long term members, most of whom represent the traditional style of politics from the early days of the CBC, tend to hold more to the norm of CBC ideology on economics than the newer members do. Economic issues include roll-call votes on budget proposals and tax cuts, two issues that would be quite volatile for any candidate seeking to shake off the liberal stereotype in a statewide contest.

Table 3: Factors Affecting CBC Cohesion on the Economy

Variable	Coefficient	Standard Error
Seniority	-0.613**	0.177
Correspondence	11.278*	6.886
Presidential Support (D)	-0.054	0.712
Presidential Support (R)	0.275**	0.060
Percent Urban	-0.451*	0.251
Percent Black	-0.516**	0.024
Margin of Victory	-0.068*	0.053
Constant	1.795	0.72

R-squared = 0.214

* = p < 0.5

** = p < 0.01

Another important variable in this analysis is the effect of party correspondence between CBC members and the President. All of the House members in this the dataset are Democrats, so it is somewhat surprising to find that the coefficient representing party correspondence is both significant and positive. The CBC membership appears more divided during Democratic administrations. While one might expect Democrats to agree with members of their own party, the finding is quite consistent with the CBC's role in encouraging other Democrats to respond to issues of concern to the black community. One good example is the CBC's economic agenda, which includes federal spending programs whose budgets often exceed what the party caucus as a whole might endorse. Because policy decisions can be enacted by a President who may be more sympathetic to these causes in principle, Democratic administrations might present more opportunities for members to register their dissent from the President's economic proposals.

This account seems even more likely when one takes account of the coefficient for a member's Presidential support score during the times when the White House is run by Republican administrations. That coefficient for this variable is both significant and positive, indicating that greater support tends to place a drag on the CBC member's tendency to vote cohesively. The more supportive a member's voting record for a Republican president's agenda, the higher his ADA dispersion score. The variable may reflect the success of Republicans during the George W. Bush years to frame

economic proposals that appeal to some African Americans. Republican sponsored plans like school vouchers, enterprise zones, and the estate tax repeal have produced mixed viewpoint within the CBC membership.⁵⁰

Finally, and most to the point, are the pair of variables in this model connected to the makeup of a member's congressional district. The results show that as the average member's constituency becomes more urban and more populated with black voters as a percentage, the closer the elected member's ideology adheres to the CBC norm. Both variables produce significant coefficients (though the percentage black variable is significant at the 0.01 level), and they strongly suggest that the old and new styles of politics tends to define a cleavage within the CBC—at least on economic issues.

V. CONCLUSION

The pattern of CBC voting revealed in this study provides insights about the potential and pitfalls associated with the development of the Caucus. To summarize, the data reveal two important trends. First, the level of group cohesion within the CBC remains overall among the most patterns of unified voting in the House. Even compared to other key group orientations such as state and political party, which often help to define voting ideologies of members, membership in the CBC maintains a distinct pattern of cohesion among its members. While this point about racial solidarity within the group remains true as a general matter, though, this cohesion becomes a bit more complicated when one examines CBC voting patterns according to issue area. Thus, the second major observation of this study is that the pattern of cohesion fluctuates depending on the context of the vote. Generally, foreign policy tends to bind CBC members together more of than substantive questions involving the economy.

The reasons why are not straightforward, but the data reveal that a few important factors are at play. With the group's increased role in the Democratic Caucus, members are more involved in shaping the contours of national policy. CBC Members represent a substantial share of the Democratic Caucus today, which has produced more leadership roles for them within the party. However, these improved opportunities also impose an important cost when it comes to showing a unified front on substantive votes. As they have transitioned from political outsiders to insiders, CBC members now face the conflicting loyalties of being advocates for blacks and effective operatives within a party structure. Seniority may be the key policymaking in the House, but these vantage points at times demand strict adherence to the party line. As a result, the likelihood of maintaining cohesion within the CBC on policies has at least partly diminished.

A similar story is evident in the shifting profiles of the districts that CBC members commonly represent. The complexity of these district

⁵⁰ See e.g., KWEISI MFUME & RON STODGHILL II, NO FREE RIDE: FROM THE MEAN STREETS TO THE MAINSTREAM 187 (1996); KWEISI MFUME, 6 CONTEMP. BLACK BIOGRAPHY 385 (1994); David J. Hoff, *Black Congressman Backs Private School Voucher Measure*, EDUC. WKLY., Mar. 19, 1997, available at <http://www.edweek.org/ew/articles/1997/03/19/25flake.h16.html>.

profiles has strained the ability of the CBC to remain cohesive across issue areas. Urban and heavily black districts were the ones almost exclusively produced the first generation of black politicians. Many of them faithfully served the relatively liberal and racially uniform political interests of their voters. However, the newer House districts that have elected blacks are located in more rural parts of the country (like Alabama's 7th District) and include a sizable community of non-blacks (such as California's 37th District). These distinctions tend to constrain the ideologies and votes of the candidates who run and win in these districts, and the analysis of their behavior in Congress tends to confirm that on important economic questions, it poses a challenge for the CBC. In an otherwise cohesive caucus, these issues raise the possibility of a growing division separating old and new style black politics.

Perhaps the tradeoff is that gaining a greater say in the formulation of public policy obviates the need for having a clear voice within an informal network like the CBC. This claim largely relies upon the success of individual CBC members who have moved into the formal leadership networks of the House. As insiders, these members can wield influence long before a substantive issue reaches the House floor for a vote. However, the tradeoff is only as effective as a well-positioned CBC member's ability to advance a winning argument in the initial discussion about the policy. Further, that tradeoff is dependent upon that member's willingness to represent the concerns of the CBC notwithstanding pressures to compromise or ignore these interests in favor of others like that of the larger party caucus.

Although it falls outside of the time period covered by this study, the recent debate about health care reform in Congress helps illustrate just how vexing policy choices may be for the newer CBC members and their style of politics. The CBC adopted an early position in favor of robust health care reform, including the provisions commonly described as the "public option."⁵¹ The bill that reached final approval in the House significantly pared down this proposal, but it still won the support of all but one of the CBC membership. Representative Artur Davis of Alabama, one of the younger and more conservative members of the CBC, justified his vote against the House bill because of his objections to certain spending provisions.⁵² According to Davis, the House proposal should have included a comprehensive explanation of where officials would locate revenue to fund its programs. Absent more budgetary safeguards, Davis claimed the

⁵¹ Press Release, Congressional Black Caucus, *CBC Releases Health Reform Letter to President Obama*, Sep. 3, 2009, available at http://www.house.gov/apps/list/speech/mi13_kilpatrick/morenews/09_03_09_Health_Letter.html. See also Posting of Kate Phillips to The Caucus: The Politics and Government Blog of The N.Y. Times, *On Health Care, a Public Insurance Option Pile-On Campaign*, <http://thecaucus.blogs.nytimes.com/2009/06/24/on-health-care-a-public-insurance-option-pile-on-campaign/> (June 24, 2009, 11:53 EST).

⁵² Indeed for similar reasons, Rep. Davis also later announced his decision to oppose the final vote on health care reform, based upon the Senate's version of the bill that did not contain the public option. Press Release, Office of Congressman Artur Davis, *Congressman Artur Davis to Vote Against Final Health Care Legislation*, Mar. 11, 2010, available at http://arturdavis.house.gov/index.cfm?p=PressReleases&ContentRecord_id=de37a9f1-07db-4d4a-8656-0dd03b383dfb.

bill would offend conservative and independent voters who feared the reformed program would result in higher taxes. “Leadership is about building broad support for results. By that definition, it is increasingly obvious that the political process in Washington has failed to lead on health care reform, and that Americans in every corner of the country want a different approach.”⁵³

Not coincidentally, Representative Davis was also pursuing the Democratic nomination for governor of Alabama at the time he cast this vote.⁵⁴ In his primary campaign against a more moderate white opponent (and perhaps anticipating his general election strategy), Davis’s stand in Congress was viewed at least partly as an effort to appeal to more conservative interests in Alabama’s electorate. By bucking the CBC, Davis enhanced his credentials as a politician who appealed to constituents outside his heavily black congressional district. However, Davis’s views on the health care bill were also clearly at odds with both the overwhelming majority of voters in his congressional district but and also with his colleagues in the CBC. The criticism by his colleagues in Congress was carefully muted, but his vote was very publicly lambasted by Rev. Jesse Jackson in a fiery speech to the CBC: “You can’t vote against healthcare and call yourself a black man,” Jackson warned.⁵⁵ Jackson suggested that Davis had betrayed the trust of his constituents and he also doomed his effort to win a primary, since black voters and officials would distance themselves from his campaign.

As Representatives Artur Davis and John Lewis both experienced, facing these cross-pressures that threaten solidarity may well become more commonplace as the CBC continues to evolve. A growing number of CBC members arrive in Washington having been elected by a non-black majority constituency. Added to this complexity, other members who represent majority-black constituencies in Congress are neither black nor Democrat. Both of these new developments are clear departures from the traditional model that made the CBC a location for demonstrating racial solidarity in its early days. As more of these members find their way into major positions of leadership, they will confront similar demands challenging their commitments to their constituency and to external interests. The numbers of solidly black constituencies is dwindling, and the credentials of most of the younger CBC officials tend to mirror those of their white counterparts. To the extent that the trajectory of these trends is increasing, the CBC may at some point have to face a different kind of existential question. If group cohesion becomes so difficult to establish as to be ineffective, is there any relevance for this group in the modern Congress? There are plenty of reasons why the CBC remains relevant, but the membership will likely need to revisit its goals and strategies to reaffirm its

⁵³ Charles Mahtesian, *Artur Davis Doubles Down on Health Care*, POLITICO, Jan. 20, 2010, available at <http://dyn.politico.com/printstory.cfm?uuid=4D846D3F-18FE-70B2-A80F87E753902E26>.

⁵⁴ Nia-Malika Henderson & Jonathan Martin, *Race Barriers Remain in Post-Obama South*, POLITICO, Dec. 10, 2009, available at <http://www.politico.com/news/stories/1209/30427.html>.

⁵⁵ Mike Soraghan, *Jesse Jackson: ‘You Can’t Vote Against Healthcare and Call Yourself a Black Man,’* THE HILL, Nov. 18, 2009, available at <http://thehill.com/homenews/house/68451-jackson-you-cant-vote-against-healthcare-and-call-yourself-a-black-man>.

position as a platform for black political interests to be heard in policymaking.