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Do Americans Prefer Coethnic Representation? The Impact of Race on House Incumbent Evaluations

Stephen Ansolabehere* & Bernard L. Fraga**

Abstract. Theories of representation often assert that citizens prefer representatives who are of the same racial or ethnic background as themselves. Examining surveys of over 80,000 individuals, this Article quantifies the preference for coethnic representation among whites, blacks, and Hispanics. The large sample size provides sufficient statistical power to study constituents in districts with minority representatives, as well as those with white representatives. We find that individuals strongly prefer representatives who share their ethnic background, yet partisanship explains most of the preference for coethnic representation. Controlling for party, whites express a slight preference for white representation, but blacks and Hispanics express equal support for minority and white incumbents. The differential preference for white representation among white Democrats is explained by a bias associated with attitudes about race-related policy. These findings suggest that legal and political theories of race, especially regarding the Voting Rights Act, must be tied to voters' policy and party preferences, not merely their racial identity.

* Professor of Government, Harvard University.

** Assistant Professor of Political Science, Indiana University.

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Introduction

Social groups, such as races and religions, are undeniably important in the election of representatives in a democracy. Group identities can help solve collective action problems, such as voting,¹ and group politics shape the distribution of and responses to public goods provision and other public policies.² Furthermore, group identities are wrapped in symbols that can have particularly powerful appeal to individuals of that group or can alienate individuals from a competing or hostile group.³ In U.S. politics, racial and ethnic identity creates one of the most enduring political and social groupings.⁴ An extensive and multifaceted literature examines how race influences our understanding of political choices and voting, with scholars repeatedly finding substantial racial and ethnic differences in voters' political beliefs and preferences.⁵ More controversial, however, is whether those differences translate into a preference for *coethnic* representation—that is, whether people prefer representatives who are the same ethnic background as they are, and whether that preference is inherently racial or reflects some other factor, such as party, that is correlated with race or ethnicity.

The conjecture that people prefer coethnic representation has driven legislation and litigation concerning voting rights for over half a century in

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1. See Stephen Coate & Michael Conlin, *A Group Rule-Utilitarian Approach to Voter Turnout: Theory and Evidence*, 94 AM. ECON. REV. 1476, 1476-77, 1495-96 (2004); Carole J. Uhlaner, *Rational Turnout: The Neglected Role of Groups*, 33 AM. J. POL. SCI. 390, 395-96 (1989).
 2. Alberto Alesina et al., *Public Goods and Ethnic Divisions*, 114 Q.J. ECON. 1243, 1243-44 (1999); cf. Jeffrey Weinstein, *The Impact of School Racial Compositions on Neighborhood Racial Compositions: Evidence from School Redistricting*, 54 ECON. INQUIRY 1365, 1367 (2016) (stating results are “consistent with non-black residents’ moving from neighborhoods with increases in the percent black of the assigned elementary school to neighborhoods with decreases in the percent black of the assigned elementary school, while black residents did not move in response to the reassignments”).
 3. David O. Sears et al., *Self-Interest vs. Symbolic Politics in Policy Attitudes and Presidential Voting*, 74 AM. POL. SCI. REV. 670, 671, 679, 681 (1980).
 4. See, e.g., RUFUS P. BROWNING ET AL., *PROTEST IS NOT ENOUGH: THE STRUGGLE OF BLACKS AND HISPANICS FOR EQUALITY IN URBAN POLITICS* 2-3, 240 (1984); EDWARD G. CARMINES & JAMES A. STIMSON, *ISSUE EVOLUTION: RACE AND THE TRANSFORMATION OF AMERICAN POLITICS* 14 (1989); PAUL FRYMER, *UNEASY ALLIANCES: RACE AND PARTY COMPETITION IN AMERICA* 6 (1999); V.O. KEY, JR., *SOUTHERN POLITICS IN STATE AND NATION* 664-66 (1949); MICHAEL TESLER & DAVID O. SEARS, *OBAMA’S RACE: THE 2008 ELECTION AND THE DREAM OF A POST-RACIAL AMERICA* 11-12 (2010).
 5. See, e.g., MATT A. BARRETO, *ETHNIC CUES: THE ROLE OF SHARED ETHNICITY IN LATINO POLITICAL PARTICIPATION* 79, 155 (2010); DONALD GREEN ET AL., *PARTISAN HEARTS AND MINDS: POLITICAL PARTIES AND THE SOCIAL IDENTITIES OF VOTERS* 108, 141 (2002); Stephen Ansolabehere et al., *Race, Region, and Vote Choice in the 2008 Election: Implications for the Future of the Voting Rights Act*, 123 HARV. L. REV. 1385, 1435 (2010).

the United States. The theory behind the Voting Rights Act (VRA)⁶ and litigation on behalf of minority voters posits that black voters and Hispanic voters want representation by people of the same race or ethnicity as themselves.⁷ Under such a conjecture, minorities' preferences for their "own" candidates mean that they have distinctive preferences or interests, and when combined with whites' preference for whites under a plurality system, minority voters would be unable to elect their preferred candidates without intentionally constructing districts around minority interests.⁸ As a result, one of the most striking effects of the VRA has been the creation of a substantial number of congressional districts in which African Americans and Hispanics win seats in the U.S. House of Representatives and in state legislatures.⁹ Such districts have been required in areas where (1) there is highly polarized voting along racial lines and (2) there are sufficient numbers of blacks and Hispanics to create districts where these groups can elect candidates they prefer.¹⁰ Advocates and scholars argue that it is necessary to create majority or near majority-minority districts in order to ensure minorities have an equal opportunity to elect their preferred candidates or candidates of their own race, regardless of minority support for white candidates or the intentions of districtors.¹¹

These majority-minority districts offer an important research opportunity. The significant number of minority representatives in Congress makes it possible to measure the degree of satisfaction that whites, blacks, and Hispanics express with representatives of their own race and of other races. After the 2010 elections, there were 68 black or Hispanic members of Congress and 359 white members of Congress.¹² How do blacks or Hispanics living in districts represented by whites feel about their members of Congress? How do

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6. Voting Rights Act of 1965, Pub. L. No. 89-110, 79 Stat. 437 (codified as amended in scattered sections of 52 U.S.C.).
 7. Lani Guinier, *The Triumph of Tokenism: The Voting Rights Act and the Theory of Black Electoral Success*, 89 MICH. L. REV. 1077, 1078, 1089 (1991).
 8. LANI GUINIER, *THE TYRANNY OF THE MAJORITY: FUNDAMENTAL FAIRNESS IN REPRESENTATIVE DEMOCRACY* 2, 10, 139 (1994).
 9. David T. Canon, *Electoral Systems and the Representation of Minority Interests in Legislatures*, 24 LEGIS. STUD. Q. 331, 342 (1999) (noting that the 1982 VRA amendments "produced 15 new black-majority and 10 Hispanic-majority districts").
 10. *Thornburg v. Gingles*, 478 U.S. 30, 50-51 (1986).
 11. See, e.g., Bernard Grofman et al., *Drawing Effective Minority Districts: A Conceptual Framework and Some Empirical Evidence*, 79 N.C. L. REV. 1383, 1387, 92-93 (2001); see also Richard H. Pildes, *Principled Limitations on Racial and Partisan Redistricting*, 106 YALE L.J. 2505, 2506 (1997) (noting that intent is not a useful standard for determining whether minority groups are unfairly advantaged or disadvantaged when determining district boundaries).
 12. JENNIFER E. MANNING, CONG. RESEARCH SERV., R41647, *MEMBERSHIP OF THE 112TH CONGRESS: A PROFILE* 6-7 (2012).

whites living in districts represented by blacks or Hispanics feel about their members of Congress?

This Article examines two distinct, but often conflated, questions. First, to what extent does a representative's race or ethnicity affect how citizens evaluate that representative and whether citizens support that representative? Specifically, do coethnics support their representative more than individuals from other ethnic or racial groups do? Second, is a citizen's support for a representative *more* reflective of the racial identity of the representative *per se* (apart from any policy or ideology), or is it *more* reflective of ideological or policy preferences that the candidates present?

A substantial literature examines the effects of race on voter choice, but there has been less attention to preferences about representation. The main reason for the neglect of this question is methodological.¹³ The primary surveys for studying political representation have been the American National Election Studies (ANES)¹⁴ and the National Black Election Study Series.¹⁵ These surveys typically have up to 2000 respondents, with very small numbers in districts represented by minority politicians.¹⁶ In a national sample survey of 2000 people, one would expect only 300 respondents in districts represented by blacks or Hispanics. Of those 300 people, approximately 100 are black, 100 are Hispanic, and 100 are white. So in a national sample survey, any inferences about minority voting preferences are based on only 100 people within a given group, and any inferences about white attitudes toward minority representatives are based on only 100 respondents as well. To address this issue, we leverage the large-sample Cooperative Congressional Election Study (CCES) surveys conducted in 2008 and 2010, in which respondents were asked to evaluate their incumbent House members via approval ratings along with

13. *But see* DAVID T. CANON, RACE, REDISTRICTING, AND REPRESENTATION: THE UNINTENDED CONSEQUENCES OF BLACK MAJORITY DISTRICTS 130, 189-91 (1999); CHRISTIAN R. GROSE, CONGRESS IN BLACK AND WHITE: RACE AND REPRESENTATION IN WASHINGTON AND AT HOME 48-49, 150-53 (2011); KATHERINE TATE, BLACK FACES IN THE MIRROR: AFRICAN AMERICANS AND THEIR REPRESENTATIVES IN THE U.S. CONGRESS 20-21 (2003); Claudine Gay, *Spirals of Trust?: The Effect of Descriptive Representation on the Relationship Between Citizens and Their Government*, 46 AM. J. POL. SCI. 717, 718 (2002). Each of these studies examines race and preferences about representation, though not through addressing the fundamental methodological issues we discuss below.

14. AM. NAT'L ELECTION STUD., <http://www.electionstudies.org> (last visited June 6, 2016).

15. *National Black Election Study Series*, INTER-U. CONSORTIUM FOR POL. & SOC. RES., <https://www.icpsr.umich.edu/icpsrweb/ICPSR/series/163> (last visited June 6, 2016).

16. *See* Matthew DeBell, *How to Analyze ANES Survey Data 4-5* (ANES Tech. Report Series No. NES012492, 2010), <http://www.electionstudies.org/resources/papers/nes012492.pdf>. The Authors calculated the sample size from the *ANES Time Series Cumulative Data File*, ELECTION STUD., <http://www.electionstudies.org/studypages/cdf/cdf.htm> (last visited June 6, 2016).

their willingness to reelect their representative.¹⁷ These surveys combined have more than 80,000 respondents. Beyond the larger sample size offered by the CCES, the surveys also asked a battery of questions asking constituents to *describe* the racial and ethnic background, party, and ideology of their elected officials, allowing for a clear measure of the *respondent's* perceptions of these key variables and how they align with the respondent's own identity. Therefore, we can be sure that the results we report are not due to misperceptions about a legislator's background or political positions on the part of the constituent. As a result, we are able to accurately gauge the extent to which racial groups favor coethnic representation and whether race or some other factor drives those preferences.

To summarize our main findings, we show that race alone serves as a predictor of whether a citizen approves of the job a representative is doing and whether the citizen voted for the representative in the most recent election or intends to vote for that representative in the next election. White, black, and Latino constituents express much higher levels of approval and electoral support for politicians who are the same race as them. However, turning to the second hypothesis, we also find that the effect of race on support is much smaller after controlling for party and ideology, and that the effect of party controlling for race (i.e., within *racial* groups) is much larger than the effect of race controlling for party (i.e., within *partisan* groups). Party and ideology do not completely explain racial preferences in representation, but they do account for much of the observed support for coethnic representation. As shown in other work, a modest racial difference persists after controlling for party.¹⁸ Interestingly, the effect seems to be concentrated among whites. Blacks and Hispanics express approximately the same level of approval for white representatives of a given party as they do for black and Hispanic representatives of that same party. However, white citizens express higher levels of approval of white representatives than they do of black or Hispanic representatives of a given party. Owing to the small number of minority Republican representatives, we focus on Democratic voters with Democratic representatives. Investigating further the opinions of white Democrats, we see that the only factor that appears to account for whites' tendency to rate coethnic copartisans more highly is the respondents' racial attitudes. Since we account for other types of political beliefs throughout the study, this points to race as a *small but significant* factor in evaluating elected officials.

17. For a description of the CCES methodology, see Stephen Ansolabehere & Douglas Rivers, *Cooperative Survey Research*, 16 ANN. REV. POL. SCI. 307, 312-15 (2013).

18. Ansolabehere et al., *supra* note 5, at 1417, 1419-27.

I. Race and Representation

A. Conceptual Foundations

At its core, our research analyzes race and representation within Hanna Pitkin's theoretical framework of *descriptive*, *symbolic*, and *substantive* representation.¹⁹ According to Pitkin's classification, descriptive representation occurs when a voter is represented by someone of the same social identity as the voter, such as gender, occupation, or race: men represented by men, farmers represented by farmers, blacks represented by blacks.²⁰ Symbolic representation occurs when the representative stands for or carries a particularly important meaning for those being represented.²¹ For example, a war hero might symbolically represent the struggles the society endured during the war. Substantive representation occurs when a representative takes action on behalf of the people represented, such as sponsoring legislation that benefits the district or voting for a law that the people in the district support.²²

Debates about the meaning and application of the Voting Rights Act concern what mode or style of representation voters seek. Do blacks, Hispanics, and whites want representatives who are of the same race as they are as a matter of descriptive representation? Are whites opposed to the preferences of blacks and Hispanics because of the race of the representative? Or do people seek representatives who reflect their policy or partisan preferences? These questions can be understood by examining the opinions, attitudes, and vote preferences of people when facing a choice between race and policy or race and party. Might white Republicans represent Hispanic voters in South Florida as well as Hispanic Republicans? Might white Democrats represent Hispanic voters in central Texas as well as Hispanic Democrats? Importantly, these questions concern not only what form of representation blacks, Hispanics, and other racial and ethnic minorities want but also what sort of representation whites seek.

The answers to these questions guide the implementation of the Voting Rights Act as matters of general principle and as applied to specific circumstances and districts. Between Reconstruction and the Voting Rights Act of 1965,²³ representation of African-American and Latino interests via *any*

19. HANNA FENICHEL PITKIN, *THE CONCEPT OF REPRESENTATION* (1967). *Formalistic* representation, understood as the institutional arrangement providing authorization and accountability, is left assumed in this study.

20. *Id.* at 60.

21. *Id.* at 92.

22. *Id.* at 115.

23. Pub. L. No. 89-110, 79 Stat. 437 (codified as amended in scattered sections of 52 U.S.C.).

of Pitkin's three forms of representation was exceedingly rare, as effective exclusion from the electoral process in the South meant that minority constituents' views and preferences were not heeded by their elected officials.²⁴ Implementation of the Voting Rights Act and its subsequent amendments removed formal barriers to participation²⁵ and thus, at the very least, *allowed* for representation of minority interests. Yet the U.S. election system, which often operates based on plurality rule with single-member districts, poses a substantial challenge for minority representation aside from these barriers. In the United States, representatives are elected from single-member districts, and the candidate who wins the most votes (a plurality) wins the seat. In such a plurality rule system with single-member districts, the representation of any (numerical) minority group will likely be far less than proportional.²⁶ To identify areas where this phenomenon may dilute minority voting strength, the application of section 2 of the VRA turns on the presence of racially polarized voting, in which a minority group (blacks or Hispanics) vote cohesively as a group and whites vote cohesively as a group for candidates opposed by blacks and Hispanics.²⁷ In such a circumstance, the law may require the creation of majority-minority districts in order to protect the voting rights of the minority group, and continued maintenance of a districting system that does not diminish a minority's ability to elect a preferred candidate of choice.²⁸

The Supreme Court made clear the factual evidence and conditions that may require the creation of majority-minority districts. In *Thornburg v. Gingles*, the Court pointed to three specific factors: (i) sufficient minority population in a geographically compact area "to constitute a majority in a single-member district," (ii) the presence of cohesive voting by a minority group, and (iii) the presence of racially polarized voting, in which a majority of whites oppose the candidates preferred by majorities of blacks or Hispanics, of sufficient strength so as to usually defeat the candidates preferred by minority voters.²⁹ In the presence of cohesive group voting and racial polarization, it would be exceedingly difficult for minorities to elect their preferred candidates, as the candidate preferred by blacks or Hispanics would almost surely not receive a majority of votes in an area in which whites are the majority. *Gingles* may require the creation of majority-minority districts in such circumstances in

24. BERNARD GROFMAN ET AL., MINORITY REPRESENTATION AND THE QUEST FOR VOTING EQUALITY 8 (1992). See generally KEY, *supra* note 4.

25. CHARLES S. BULLOCK III & RONALD KEITH GADDIE, THE TRIUMPH OF VOTING RIGHTS IN THE SOUTH 10-11 (2009).

26. GUINIER, *supra* note 8, at 2, 10, 139.

27. Racial cohesion and polarization are two of the *Gingles* factors. *Thornburg v. Gingles*, 478 U.S. 30, 51-52 (1986).

28. *Ala. Legislative Black Caucus v. Alabama*, 135 S. Ct. 1257, 1272 (2015).

29. *Gingles*, 478 U.S. at 51-52.

order to remove the barriers that minorities face in gaining representation.³⁰ But what sorts of representation do minorities want in such circumstances? In exploring the interconnected notions of representation, we see distinctions that must be outlined before quantifying constituents' views of coethnic versus non-coethnic representation.

Descriptive representation occurs when a representative “resemb[les] or reflect[s]” constituents.³¹ In the context of racial and ethnic groups, race or ethnicity is the salient characteristic such that a preference for descriptive representation demands coethnic representatives.³² Citizens from different racial and ethnic groups will have distinct representational preferences, with for instance, African Americans preferring representation by other African Americans and non-Hispanic whites holding a preference for non-Hispanic white representatives. If such a preference exists, representation of minority preferences will almost certainly be hampered. Despite no (or few) formal barriers to participation, bloc voting by ethnic groups would be enough to ensure limited minority representation.³³ It matters not whether party, ideology, or other factors come into play; a deep-seated preference for descriptive representation would fulfill the behavioral *Gingles* test.

Is a *preference* for descriptive representation the only explanation for a desire to *have* coethnic representation? While a common race between two people is an obvious marker of shared identity, an elected official's racial and ethnic background may also signal various other traits that constituents prefer in their representative. As opposed to descriptive representation, symbolic representation occurs through the “feelings or attitudes” an elected official invokes that lead to individuals' acceptance of their representative.³⁴ Aside from bloc voting, coethnic representation may indeed engender a sense of trust and acceptance between citizens and their representatives.³⁵ Preference for

30. Note, *The Future of Majority-Minority Districts in Light of Declining Racially Polarized Voting*, 116 HARV. L. REV. 2208, 2208-29, 2211-12 (2003).

31. PITKIN, *supra* note 19, at 86.

32. Usually, descriptive representation is conceptualized as traits that can be reflected in “outward appearance.” However, descriptive representation may be better understood as a shared sense of group membership. See Suzanne Dovi, *Preferable Descriptive Representatives: Will Just Any Woman, Black, or Latino Do?*, 96 AM. POL. SCI. REV. 729, 738 (2002) (summarizing the literature on descriptive representation and the criteria that may go into selecting a descriptive representative of a group). See generally Jane Mansbridge, *Should Blacks Represent Blacks and Women Represent Women?: A Contingent “Yes,”* 61 J. POL. 628 (1999) (documenting the reasons why descriptive representation may be especially helpful in advancing the interests of historically disadvantaged groups). For the purposes of this study, descriptive representation is understood as shared membership in a racial and ethnic group.

33. GUINIER, *supra* note 8, at 139.

34. PITKIN, *supra* note 19, at 97, 102.

35. See Gay, *supra* note 13, at 731; Mansbridge, *supra* note 32, at 641.

coethnic representatives may thus be the result of a preference for symbolic representation. Consider, for example, an individual who was a leader of civil rights protests and a symbol of heroism in a community who decides to run for Congress. That person might be chosen as a representative not because of her race but because she is an important symbol in the community. In such a situation, blacks might vote overwhelmingly for the civil rights leader who is also black, but they choose that representative not because they share the same race but because she is an important symbol.³⁶ A candidate who shares a constituent's ethnic background, but does not align on other salient factors such as religion or gender, may not gain widespread support from coethnics. A lack of copartisanship, with shared party understood as a heuristic for political alignment,³⁷ may disrupt the connection between coethnicity and outcomes related to symbolic representation.³⁸ Perhaps a preference for coethnic representation is simply a preference for someone of the same party (a copartisan), of the same ideology (a co-ideologue), or any other commonality that makes the constituents have positive affect toward those who happen to also be coethnics.

A further possibility is that people of a given racial or ethnic group may prefer a representative of their group because they receive superior substantive representation. Specifically, minority legislators may be more likely to focus on policies favored by minority constituents.³⁹ David Canon finds that advocacy for minority-preferred policy need not be in conflict with support for the interests of white constituents, such that a preference for substantive

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36. Indeed, even empowerment theory uses race of the representative to *operationalize* a more complex phenomenon involving trust and acceptance of public officials. For more information about the operationalization of empowerment theory and implications for political participation, see BARRETO, *supra* note 5, which examines why Hispanic candidates mobilize Hispanics; Lawrence Bobo & Franklin D. Gilliam, Jr., *Race, Sociopolitical Participation, and Black Empowerment*, 84 AM. POL. SCI. REV. 377 (1990), which examines why African-American incumbents mobilize African Americans; Bernard L. Fraga, *Candidates or Districts?: Reevaluating the Role of Race in Voter Turnout*, 60 AM. J. POL. SCI. 97 (2016), which distinguishes empowerment through coethnic candidates from empowerment through district composition; and Claudine Gay, *The Effect of Black Congressional Representation on Political Participation*, 95 AM. POL. SCI. REV. 589 (2001), which demonstrates that African-American representation rarely increases political engagement for African-American constituents.
37. Wendy M. Rahn, *The Role of Partisan Stereotypes in Information Processing About Political Candidates*, 37 AM. J. POL. SCI. 472, 484 (1993); Brian F. Schaffner & Matthew J. Streb, *The Partisan Heuristic in Low-Information Elections*, 66 PUB. OPINION Q. 559, 559-61 (2002).
38. Amir Shawn Fairdosi & Jon C. Rogowski, *Candidate Race, Partisanship, and Political Participation: When Do Black Candidates Increase Black Turnout?*, 68 POL. RES. Q. 337, 337-38 (2015).
39. DAVID LUBLIN, *THE PARADOX OF REPRESENTATION: RACIAL GERRYMANDERING AND MINORITY INTERESTS IN CONGRESS* 98 (1997); KENNY J. WHITBY, *THE COLOR OF REPRESENTATION: CONGRESSIONAL BEHAVIOR AND BLACK INTERESTS* 87, 99, 129-30 (1997).

representation could lead to both minority *and* white support for representation by minority legislators.⁴⁰ Such a “politics of commonality”⁴¹ is borne of electoral necessity: many African-American legislators depend on support from their white constituents.⁴² Representatives who do not depend on cross-racial support may instead practice a “politics of difference,” emphasizing racial identity and relying on their coethnic voting base.⁴³ Individuals who are dissatisfied with the legislative behavior of their representatives do appear to hold said representatives accountable,⁴⁴ but shared ethnic background may play a special role in less visible forms of substantive representation as well. Even after accounting for partisanship, black representatives have been found to be more responsive to requests for constituent service by African-American constituents than white legislators are.⁴⁵ Preference for coethnic elected officials could, therefore, emerge from a preference for substantive representation. Coethnic representation, then, may be preferred by constituents due to a desire for descriptive, symbolic, or substantive representation.

The distinction between descriptive, symbolic, and substantive representation has become increasingly important in the application of the Voting Rights Act. The effectiveness of the VRA from the 1960s to the 1980s was gauged quite simply by the number of black officials elected.⁴⁶ The questions that the courts have confronted over the past three redistricting cycles (1990s, 2000s, and 2010s) are increasingly complex and subtle. These subtleties arise out of three important changes in society.

First, the partisan alignment in the United States changed, and now the parties divide more starkly along racial lines. For the first three decades of the Voting Rights Act, from 1965 to 1995, the struggle to create or maintain minority representation in areas covered by section 5 of the Voting Rights Act was a struggle mainly within the Democratic Party. During this period, the Democratic Party maintained dominance in most of the congressional districts

40. CANON, *supra* note 13, at 4.

41. *Id.*

42. *Id.* at 9-13.

43. CANON, *supra* note 13, at 145; *see also* Ronald Walters, *Two Political Traditions: Black Politics in the 1990s*, 3 NAT'L POL. SCI. REV. 198, 198-99 (1992).

44. Stephen Ansolabehere & Philip Edward Jones, *Constituents' Responses to Congressional Roll-Call Voting*, 54 AM. J. POL. SCI. 583, 584 (2010).

45. GROSE, *supra* note 13, at 151; Daniel M. Butler & David E. Broockman, *Do Politicians Racially Discriminate Against Constituents?: A Field Experiment on State Legislators*, 55 AM. J. POL. SCI. 463, 472 (2011); *see also* David E. Broockman, *Black Politicians Are More Intrinsically Motivated to Advance Blacks' Interests: A Field Experiment Manipulating Political Incentives*, 57 AM. J. POL. SCI. 521, 522 (2013).

46. ZOLTAN L. HAJNAL, *CHANGING WHITE ATTITUDES TOWARD BLACK POLITICAL LEADERSHIP* 1 (2007).

and state legislative districts affected or covered by the Voting Rights Act, and African-American partisanship also remained solidly in the Democratic camp.⁴⁷ Extant racial disparities in perceived representation could thus be easily attributed to racial—rather than ideological or partisan—distinctions, at least in the one-party South.⁴⁸ By the 1990s, however, much of the southern white base of the Democratic Party had shifted its allegiance to the Republican Party,⁴⁹ and politics of VRA-mandated districting and representation came increasingly to reflect internecine battles between Democrats and Republicans. As racial disparities in representation became increasingly correlated with *partisan* disparities, skepticism emerged regarding the need for VRA-associated minority districting among academics and in the courts.⁵⁰

A second important change is the rise of Hispanics. The 1970 census, the first conducted after the passage of the Voting Rights Act, showed that 9.1 million Hispanics and Latinos lived in the United States. By 2012, the U.S. Bureau of the Census reported more than 53 million Hispanics and Latinos living in the United States.⁵¹ The VRA was written in the wake of the civil rights movement and very much with the needs and interests of black Americans in mind.⁵² Hispanics and Latinos have long been covered under the Voting Rights Act, but they raise somewhat different practical issues as many are relatively new immigrants and their voting behavior is not nearly as cohesive as that of blacks.⁵³ Might Hispanics prefer different modes or styles of representation than blacks seek?

A third important change is the increasing racial heterogeneity of many communities. Many cities, and even some states, no longer have a single majority racial group. Rather, blacks, Hispanics, Asians, and whites constitute important segments of the electorate, none of which is a majority. How might the Voting Rights Act apply when, say, a combination of blacks *and* Hispanics

47. See M.V. HOOD III ET AL., *THE RATIONAL SOUTHERNER: BLACK MOBILIZATION, REPUBLICAN GROWTH, AND THE PARTISAN TRANSFORMATION OF THE AMERICAN SOUTH* 17-19, 60-61 (2012).

48. Cf. Chandler Davidson, *The Voting Rights Act: A Brief History*, in *CONTROVERSIES IN MINORITY VOTING: THE VOTING RIGHTS ACT IN PERSPECTIVE* 7, 32-33 (Bernard Grofman & Chandler Davidson eds., 1992) (reviewing cases where the absence of one-party rule made the determination of racial disparities challenging).

49. HOOD ET AL., *supra* note 47, at 38.

50. David Epstein & Sharyn O'Halloran, *Measuring the Electoral and Policy Impact of Majority-Minority Voting Districts*, 43 AM. J. POL. SCI. 367, 368 (1999); see also STEPHAN THERNSTROM & ABIGAIL THERNSTROM, *AMERICA IN BLACK AND WHITE: ONE NATION, INDIVISIBLE* 479, 483 (1997).

51. Anna Brown, *The U.S. Hispanic Population Has Increased Sixfold Since 1970*, PEW RES. CTR. (Feb. 26, 2014), <http://pewrsr.ch/1dz0gu5>.

52. Guinier, *supra* note 7, at 1092-93.

53. Ansolabehere et al., *supra* note 5, at 1396, 1401-02, 1406.

constitutes a majority? It may be possible to protect the rights of both groups simultaneously. Suppose, for example, that an area has sufficient population for two districts, that 60% of the population is white, 20% is Hispanic, and 20% is black. Suppose further that whites vote cohesively for one sort of candidate and blacks and Hispanics vote for another sort of candidate. Then it may be possible to create one all-white district and one district that contains all blacks, all Hispanics, and some whites. The latter district would elect candidates preferred by blacks and Hispanics. If no effort was made to protect minority rights in that circumstance, then the whites would likely be the majority of both districts and elect candidates not preferred by the minorities. What sort of districting ought to apply in such heterogeneous communities is a pressing issue in voting rights litigation today.

These changes in American society and politics have forced the law to change. Most often, these matters must be clarified by the courts.⁵⁴ Voting rights litigation since 2010 reveals a shifting legal landscape pertaining to redistricting and minority voting rights. Courts have held against state legislative redistricting plans in Alabama,⁵⁵ Florida,⁵⁶ North Carolina,⁵⁷ Texas,⁵⁸ and Virginia⁵⁹ as discriminatory against minorities.⁶⁰ These cases

54. Pildes, *supra* note 11, at 2508-09 (noting the difficulties in crafting a coherent set of standards for districting and that state legislatures have, at times, shifted responsibility for determining district boundaries to federal courts).

55. Ala. Legislative Black Caucus v. Alabama, 135 S. Ct. 1257, 1273-74 (2015).

56. League of Women Voters v. Detzner, 179 So. 3d 258, 271, 273, 279 (Fla. 2015); Romo v. Detzner, No. 2012-CA-00412, 2014 WL 3797315, at *5, *20 (Fla. Cir. Ct. July 10, 2014) (recommending adoption of remedial map), *aff'd sub nom.* League of Women Voters v. Detzner, 179 So. 3d 258.

57. Harris v. McCrory, No. 1:13-cv-949, 2016 WL 482052, at *3-4 (M.D.N.C. Feb. 5, 2016).

58. Texas v. United States, 887 F. Supp. 2d 133, 138 (D.D.C. 2012). In light of *Shelby County*, this case was vacated and remanded by the U.S. Supreme Court. *See* Texas v. United States, 133 S. Ct. 2885 (2013). However, by that time, the State of Texas had adopted a new map making changes in at least two districts to create a new minority district (CD 33) and to shore up another (CD 23). Perez v. Texas, 891 F. Supp. 2d 808, 813-14, 829-30 (W.D. Tex. 2012). A related section 2 case, *Perez v. Perry*, also supports this proposition and is currently before a three-judge panel of the District Court for the Western District of Texas. *See* Perry v. Perez, 132 S. Ct. 934, 944 (2012) (per curiam) (remanding case to the three-judge district panel, where it remains today).

59. Page v. Va. State Bd. of Elections, 58 F. Supp. 3d 533, 555 (E.D. Va. 2014).

60. The dispute continues and has involved two subsequent U.S. Supreme Court cases, including *Cantor v. Personhuballah*, 135 S. Ct. 1699 (2015), which was vacated and remanded in light of *Alabama Legislative Black Caucus v. Alabama*. Subsequent to that decision, a federal district judge ordered the redrawing of the districts in compliance with *Alabama Legislative Black Caucus v. Alabama*. Andrew Cain, *Judge Imposes New Va. Congressional Map, Redrawing 3rd, 4th Districts*, RICHMOND TIMES-DISPATCH (Jan. 7, 2016, 8:30 PM), www.richmond.com/news/virginia/government-politics/article_0ad5053b-6818-5d7e-b96e-c9ce02ad45cb.html. The Supreme Court of

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relied on different legal bases. The Texas cases involved section 2 and section 5 of the Voting Rights Act.⁶¹ The Alabama,⁶² North Carolina,⁶³ and Virginia⁶⁴ cases involved the Fourteenth Amendment. The Florida case involved that state's constitutional provisions governing redistricting.⁶⁵ In each case, the trial courts determined that the districting plan discriminated against minorities.

In each of these cases, the matters of law come back to what sort of representation voters want. The goal of the law is to protect the voting rights of minorities, but that depends on what sort of representative minorities seek and express a desire for when they vote. Do people want descriptive or substantive representation? The *application* of voting rights law also depends on the sort of representation that *all* voters seek. For example, majority-minority districts may be required when whites vote heavily against candidates preferred by blacks and Hispanics. However, different sorts of districts might be sufficient to protect minority voting rights if sufficient numbers of whites cross over and vote for candidates preferred by minorities, as discussed by Justice Kennedy in *Bartlett v. Strickland*.⁶⁶ A substantial crossover vote among whites would suggest that those voters do not seek descriptive representation. Similarly, there may arise circumstances where the candidate preferred by blacks or Hispanics in a district is white but represents minority interests well and is routinely elected by majorities of blacks and Hispanics. What sorts of districts might best serve minority voting rights, then, depends on the mode of representation that minorities and whites seek.

B. Prior Empirical Research

It is an empirical question whether people prefer coethnic representation and whether those preferences can be understood as purely racial or as a reflection of policy and ideology. This question has received extensive attention in prior studies, but past work yields mixed findings owing, we conjecture, to limitations in the available data regarding individuals' attitudes and preferences toward their representatives.⁶⁷

the United States let the lower court decisions stand. *See* Wittman v. Personhuballah, 136 S. Ct. 1732, 1734 (2016).

61. *Perez*, 891 F. Supp. 2d at 812; *Texas*, 887 F. Supp. 2d at 149.

62. *Ala. Legislative Black Caucus v. Alabama*, 135 S. Ct. 1257, 1262 (2015).

63. *Harris v. McCrory*, No. 1:13-cv-00949, 2016 WL 482052, at *1 (M.D.N.C. Feb. 5, 2016).

64. *Page*, 58 F. Supp. 3d at 537.

65. *League of Women Voters v. Detzner*, 179 So. 3d 258, 263 (Fla. 2015).

66. 556 U.S. 1, 24 (2009) (plurality opinion).

67. *See, e.g.*, CANON, *supra* note 13, at 130 (noting the difficulty in acquiring data on the race of congressional candidates); TATE, *supra* note 13, at 20 (noting the departure from past work in comparing the legislative behavior to actual public opinion data); Charles

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Much research has, reasonably enough, focused on the likelihood of *electing* minority candidates.⁶⁸ However, a deeper question is whether citizens *prefer* coethnic representation. Are they equally satisfied with representation from legislators who do not share their racial and ethnic identity but align on other relevant traits? An early experimental study by Carol and Lee Sigelman suggested that voters prefer candidates whose identity is most proximate to their own.⁶⁹ Yet many factors other than race may impact the willingness to support a candidate. To isolate the effect of race, Terkildsen constructed an experiment in which people were presented with three fictitious candidates running for governor and shown either the photo of a white man or a black man.⁷⁰ The race of the candidate, then, was independent from issue positions and political experience. She found that white participants held more negative evaluations of black candidates than *similarly positioned* white candidates.⁷¹ Yet another study again manipulating issue positions could not confirm Terkildsen's findings, instead suggesting that candidate race mattered only as a signal of ideological proximity for voters.⁷² Outside of the experimental setting, analyses of vote choice using actual candidates also produce few firm conclusions. Citrin et al. demonstrate that *actual* candidates for office induce a more complicated system of evaluation, with respondents taking into account factors not easily manipulable and therefore casting some doubt on the generalizability of experimental findings that only manipulate coethnicity.⁷³ Early work using actual elected officials focused on either a single candidate or a small set of mayoral contests, again highlighting the issue of generalizability

Cameron et al., *Do Majority-Minority Districts Maximize Substantive Black Representation in Congress?*, 90 AM. POL. SCI. REV. 794, 798-99 (1996) (using new data and a new methodology to surmount issues found in past work studying minority constituents' preferences about their representatives).

68. See, e.g., DAVID LUBLIN, *THE PARADOX OF REPRESENTATION: RACIAL GERRYMANDERING AND MINORITY INTERESTS IN CONGRESS* 10 (1997); CAROL M. SWAIN, *BLACK FACES, BLACK INTERESTS: THE REPRESENTATION OF AFRICAN AMERICANS IN CONGRESS* 3-4 (1993) (noting that the focus has been on drawing districts to elect black representatives instead of the actual need for descriptive representation to advance a group's interests).
69. Lee Sigelman & Carol K. Sigelman, *Sexism, Racism, and Ageism in Voting Behavior: An Experimental Analysis*, 45 SOC. PSYCHOL. Q. 263, 267-68 (1982).
70. Nayda Terkildsen, *When White Voters Evaluate Black Candidates: The Processing Implications of Candidate Skin Color, Prejudice, and Self-Monitoring*, 37 AM. J. POL. SCI. 1032, 1039 (1993).
71. *Id.* at 1041.
72. Carol K. Sigelman et al., *Black Candidates, White Voters: Understanding Racial Bias in Political Perceptions*, 39 AM. J. POL. SCI. 243, 260, 262 (1995).
73. See Jack Citrin et al., *White Reactions to Black Candidates: When Does Race Matter?*, 54 PUB. OPINION Q. 74, 91-92 (1990).

but generally finding no effect of candidate race on overall vote choice.⁷⁴ Evidence does emerge for racial bloc voting in the polarized South, even accounting for partisan differences.⁷⁵ But in a much larger study of exit poll data from the 1996 and 1998 congressional elections, Highton finds little evidence of white voter discrimination after accounting for party, ideology, and candidate background.⁷⁶

While white support for black politicians is generally compared against white support for other whites, a handful of studies have checked whether racial bloc voting holds for minority groups. In one study, black female candidates found greater support from blacks than from white men or white women.⁷⁷ This finding too is inconclusive, as it may be due to especially high support among African Americans or particularly low support from whites. Evidence regarding Latinos suggests that, in hypothetical matchups or experimental settings, Latinos generally prefer Latino candidates more than they do similarly positioned and qualified whites.⁷⁸

The combination of party, issues, and ideology often appears to overpower the effect of race on vote choice in much of the country. Measures such as feeling thermometers or approval ratings have also demonstrated persistent coethnic preference, at least for some groups. For instance, Tate demonstrates that black constituents view coethnic representatives more favorably than

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74. See THOMAS F. PETTIGREW & DENISE A. ALSTON, *TOM BRADLEY'S CAMPAIGNS FOR GOVERNOR: THE DILEMMA OF RACE AND POLITICAL STRATEGIES* (1988) (discussing the different ways in which race may have influenced white voters to oppose a black gubernatorial candidate); John F. Becker & Eugene E. Heaton, Jr., *The Election of Senator Edward W. Brooke*, 31 PUB. OPINION Q. 346, 355-56 (1967) (suggesting that although prejudice was correlated with opposition to a black senatorial candidate, opposition may have been more clearly related to partisanship and issue positions); Harlan Hahn et al., *Cleavages, Coalitions, and the Black Candidate: The Los Angeles Mayoralty Elections of 1969 and 1973*, 29 W. POL. Q. 507, 511, 519 (1976) (noting that a black mayoral candidate was able to garner substantial white support and that it is difficult to distinguish the effect of candidate race from issue positions and the campaign climate); Thomas F. Pettigrew, *Black Mayoral Campaigns*, in *URBAN GOVERNANCE AND MINORITIES*, 14, 27-28 (Herrington J. Bryce ed., 1976) (discussing the impact of mayoral candidate race in Los Angeles).
75. See David O. Sears et al., *Jesse Jackson and the Southern White Electorate in 1984*, in *BLACKS IN SOUTHERN POLITICS* 223-25 (Lawrence W. Moreland et al. eds., 1987); Ansolabehere et al., *supra* note 5, at 1409-10.
76. Benjamin Highton, *White Voters and African American Candidates for Congress*, 26 POL. BEHAV. 1, 16 (2004).
77. See Tasha S. Philpot & Hanes Walton, Jr., *One of Our Own: Black Female Candidates and the Voters Who Support Them*, 51 AM. J. POL. SCI. 49, 55-57 (2007).
78. See Sylvia Manzano & Gabriel R. Sanchez, *Take One for the Team?: Limits of Shared Ethnicity and Candidate Preferences*, 63 POL. RES. Q. 568, 573 (2010). *But see* Corrine M. McConnaughy et al., *A Latino on the Ballot: Explaining Coethnic Voting Among Latinos and the Response of White Americans*, 72 J. POL. 1199, 1204 (2010).

copartisan white incumbents.⁷⁹ Yet even with evaluations the picture remains mixed, as Branton et al. find no coracial preference by black constituents: instead, the same black incumbents were given lower ratings in ANES surveys by their white and Latino constituents.⁸⁰ Coracial preference may thus manifest as “less disapproval” for representatives of a particular background, rather than greater approval.

Past work, then, has failed to reach a consensus. Some studies find clear evidence that minorities prefer coethnic representation; other studies find no evidence. Yet we can glean some insights when examining the design and implementation of these analyses. First, we see that partisanship matters. When we analyze vote choice or attitudes toward a candidate as a function of party and race, it becomes clear that much of the observed racial polarization in voting can be accounted for by party identification. Ansolabehere et al., for instance, demonstrate that there might be racial differences above and beyond party and ideology, but only in VRA-covered areas.⁸¹ That finding would be consistent with preference for coethnic representation for substantive or symbolic reasons. Second, as Citrin et al. make clear in their conclusion, there is a difference between preference for coethnic representation due to factors *signaled* by candidate race (for which there is more evidence) and coethnic preference resulting from the *specific* impact of a candidate’s race above and beyond ethnicity as a partisan/ideological/issue signal (for which there is far less evidence).⁸² Finally, if we assume some candidate traits to be more important than others—in this case, party to be more important than race—then the two-party system will make it very difficult to find significant effects through the analysis of vote choice. Finer measurements of citizen preferences, such as candidate evaluations, may produce a clearer picture of what we desire in terms of representation.

In sum, the empirical literature that attempts to distinguish substantive and descriptive representation has yet to converge on a conclusive claim regarding what voters want. Part of the problem owes to the relatively small sample sizes of many studies. A typical experiment involves at most a couple of hundred participants. A typical survey has as many as 2000 persons, but minorities are only a small subset. These studies, then, may lack the statistical power to measure differential treatment of the racial groups. Part of the problem lies also in the lack of the right set of survey questions. Available data often cannot distinguish whether observed differences lie with attitudes of minorities, attitudes of whites, or both. And the surveys often do not ask for

79. TATE, *supra* note 13, at 119.

80. Regina P. Branton et al., *Race, Ethnicity, and U.S. House Incumbent Evaluations*, 37 LEGIS. STUD. Q. 465, 481 (2012).

81. Ansolabehere et al., *supra* note 5, at 1409-10.

82. Citrin et al., *supra* note 73, at 91-92.

evaluations of the individual candidates, understanding of key policy matters facing the legislature, or perceptions of the race of the candidates.

This Article's study will test whether we find an impact of a representative's race on constituents' approval and whether accounting for the partisan, issue, and ideological orientations of elected officials *and their constituents* leaves a persistent "racial" effect. To do so, we leverage two very large sample national surveys, conducted in 2008 and 2010, that asked respondents to evaluate their incumbent House members via approval ratings and their willingness to reelect their representative. The study thus combines the in-depth, election-specific analysis of black incumbent evaluations provided by Tate with the multiple-group-comparison strategy advanced by Branton et al. Yet the following study also provides an innovative look into perceptions of both representation *and representatives themselves*. In 2008 and 2010, the CCES asked a battery of questions requiring constituents to *describe* the racial and ethnic background, party, and ideology of their elected officials, allowing for a clear measure of the *respondent's* understanding of these key variables and how they align with the respondent's own identity. Therefore, we can be sure that the results we report are not due to misperceptions about a legislator's background or political positions and instead reflect constituents' views of the representation they receive.

II. Methodology and Data

Two surveys make up the bulk of the data used in our analysis, both of which are part of the CCES. The 2008 CCES was conducted in October and November 2008 and had 32,800 respondents,⁸³ while the 2010 CCES was fielded in October and November 2010 and had 55,400 respondents.⁸⁴ Both surveys consisted of nationally representative samples constructed by YouGov/Polimetrix.⁸⁵ The CCES surveys were designed to measure a variety of public opinions and political behaviors, including issue positions, party affiliation, ideology, and evaluations of elected officials. In addition, the

83. STEPHEN ANSOLABEHRE, GUIDE TO THE 2008 COOPERATIVE CONGRESSIONAL ELECTION SURVEY 9 (2011), <https://dataverse.harvard.edu/dataset.xhtml?persistentId=hdl:1902.1/14003>.

84. STEPHEN ANSOLABEHRE, GUIDE TO THE 2010 COOPERATIVE CONGRESSIONAL ELECTION SURVEY 9 (2012), <https://dataverse.harvard.edu/dataset.xhtml?persistentId=hdl:1902.1/17705>.

85. For more details about the design and implementation of the matched-random sample technique that produced the samples we use in the study, see Stephen Ansolabehere & Douglas Rivers, *Cooperative Survey Research*, 16 ANN. REV. POL. SCI. 307, 312-15 (2013). For a description of the specific methodology and quality of the 2008 sample, see ANSOLABEHRE, *supra* note 83, at 9-17. For a description of the specific methodology and quality of the 2010 sample, see ANSOLABEHRE, *supra* note 84, at 9-18. Data and codebooks are available at <http://cces.gov.harvard.edu>.

surveys asked respondents to identify the racial background, party, and ideology of their elected officials, allowing us to view the respondents' perceptions of their House member and how this aligns with their own identity.

Other work that has examined the connection between candidate race and political evaluations relies on the actual race of the candidate, assuming that this is well known by constituents.⁸⁶ However, to account for the possibility that respondents may misjudge the race of their House member, each survey solicited this information from constituents directly. In 2008, we asked, "What is the race or ethnicity of your member of the U.S. House of Representatives, [Member Name]?" In 2010, the question wording was modified slightly to ask about both Democratic and Republican candidates for the House in the respondent's district, along with the retiring member if he or she was not seeking reelection. Response options were "White," "Black," "Hispanic," "Other," "Not Sure," and in 2010, "Asian" was inserted as an option after "Hispanic." Individuals were asked about their own racial and ethnic identity as well, and we also coded the actual race of each incumbent House member in both years. The small number of individuals who did not identify the race of their representative correctly were excluded from the study.⁸⁷ To ensure consistency across the surveys, we restrict the sample to self-identified white, black, and Hispanic respondents and those who were represented by white, black, or Hispanic representatives.⁸⁸

To gauge respondents' evaluations of their House members, the surveys used standard questions regarding job approval and vote choice in the 2008 and 2010 elections. Approval was discerned by asking constituents whether or not they approved of the job their House member was doing, mentioning their member by name in the context of other elected officials representing the individual. Possible responses were "Strongly Approve," "Approve,"

86. See Charles S. Bullock III & Michael J. Scicchitano, *Symbolic Black Representation: An Empirical Test*, 82 SOC. SCI. Q. 453, 457 (2001) (noting that a substantial portion of respondents were unable to identify the race of their incumbent black senator). See generally TATE, *supra* note 13 (assuming candidate race is known by constituents).

87. Pooling 2008 and 2010 data, 97.13% of respondents represented by white, black, or Hispanic incumbents identified the race of their representative correctly ($N = 66,632$). This contrasts sharply with the findings in Bullock & Scicchitano, *supra* note 86, at 457, where a large number of Floridians were unable to correctly identify the race of their incumbent state legislator. We attribute the difference to the increased salience of congressional elections over state legislative contests. Inclusion of individuals who misidentified the race of their representative does not induce a significant change in the results presented here.

88. Mixed-race representatives were coded based on the constituents' identification of the incumbent's race. In all cases, this aligned with caucus membership and media reporting regarding candidate race. Removing these observations from the data does not change our results significantly.

“Disapprove,” “Strongly Disapprove,” and either “Not Sure” (2008) or “Never Heard Of” (2010). As we cannot know for certain that “Not Sure,” “Never Heard Of,” and no response are substantively the same, or indicated holding an opinion in between “Approve” and “Disapprove,” we only focus on respondents who indicate directionality in their assessments.⁸⁹ House vote choice, drawn from the November 2008 and 2010 waves, was recorded as 1 if the respondent voted for the incumbent, and 0 otherwise. The small number of individuals from open-seat districts were not included in the vote choice analyses.

Since we know candidate evaluations to be formed on the basis of factors outside of race as well, we also incorporated measures of partisanship and ideology. Individual-level party affiliation was measured on a standard 7-point scale, but the survey also asked individuals to name the party of their sitting House member. As a result, we also restricted the analysis to respondents who correctly identified their incumbent’s party.⁹⁰ Respondent ideology was measured on a standard 5-point scale in addition to a 7-point scale in 2010 and a 100-point semantic differential scale in 2008, each with ends at “Very Conservative” and “Very Liberal.” We also asked constituents to place their representative on the 7- or 100-point scale, thus allowing for the creation of a self-perceived ideological agreement measure.

Finally, as some studies propose that a candidate’s race serves as a signal of issue positions, we leverage the roll-call vote items in the 2008 and 2010 CCES to examine the role issue agreement may play in determining vote choice and approval ratings. Previous work has established that citizens hold their elected officials accountable for their votes in Congress, leading to a noticeable impact of issue disagreement on incumbent evaluations.⁹¹ Leveraging key House roll-call votes, the 2008 CCES asked respondents how they would have voted on (1) withdrawing troops from Iraq, (2) increasing the minimum wage, (3) federal funding for stem cell research, (4) eavesdropping on overseas terrorism suspects, (5) increasing funding for the State Children’s Health Insurance Program (SCHIP), (6) a constitutional amendment banning same-sex marriage, (7) foreclosure relief, (8) expansion of North American Free Trade Agreement (NAFTA) to Central America, and (9) Troubled Asset Relief Program (TARP).

89. 17.66% of respondents gave no response or did not indicate directionality in their assessments. In line with Branton et al., *supra* note 80, at 476, 481, we find racial differences in rates of response to this item and that individuals are more likely to evaluate coethnic incumbents. We address this later in the Article, but for a fuller analysis of “selection effects” in incumbent evaluations, see the Branton et al. study.

90. 85.09% of respondents who gave evaluations of their incumbent identified the party of their representative correctly ($N = 61,794$). While a significant percentage of constituents were unable to correctly identify their incumbent representative’s party, the strong relationship between partisan alignment and incumbent evaluations (as demonstrated below) makes it impossible to provide a clear picture of what impacts evaluations when including these respondents.

91. Ansolabehere & Jones, *supra* note 44, at 584.

In 2010, the survey asked respondents about (1) the American Recovery and Reinvestment Act (ARRA), or stimulus package, (2) funding for SCHIP, (3) cap and trade, (4) a health care reform proposal, (5) the financial reform bill, (6) elimination of the Don't Ask, Don't Tell policy, (7) eavesdropping on overseas terrorism suspects, (8) federal funding for stem cell research, and (9) TARP. Four of the nine items asked in each year overlap, but the items generally cover a wide range of domestic and foreign policy issues considered by Congress that did not fall neatly along partisan lines. Contrasting these responses with the actual roll-call votes taken by incumbents, we can see how members line up with their constituents' positions on key issues.

III. Results

A. Coethnicity and Evaluations of Representatives

While most analyses have focused on average evaluations across the population or on white attitudes in isolation, we endeavor to understand approval ratings and vote choice for white, black, and Hispanic constituents *separately*. The first step in this process is to ask how respondents evaluate members from different ethnic groups overall, regardless of party affiliation of either the respondent or the incumbent. Table 1 indicates that coethnic representatives are given significantly higher approval ratings than non-coethnic representatives in general. In the first column of Table 1, we see that whites give significantly higher evaluations of white incumbents than they do for black or Hispanic incumbents. On average, whites give coethnic incumbents a 13-point advantage over black incumbents and a 10-point boost as compared with Hispanic incumbents. In line with past work,⁹² we also see that whites tend to give slightly higher approval scores to Hispanics than African Americans, though the difference is not statistically significant. Black respondents also give higher scores to coethnic representatives, with a large gap (14 points) between black and white incumbents and a 12-point difference in approval of Hispanic incumbents. Finally, Hispanic respondents also display a preference for coethnics,⁹³ as they give significantly lower approval ratings to their white representatives (7 points) and similarly (though not significantly) higher approval ratings for Hispanic than black representatives.

92. Branton et al., *supra* note 80, at 473.

93. Collapsing results into coethnic versus non-coethnic representatives for Hispanics leads to a statistically significant difference in approval ratings.

Table 1
House Member Approval by Incumbent and Respondent Race

	Whites	Blacks	Hispanics	Total
White MC	0.541 (0.369)* N= 45,758	0.562 (0.344) N= 2734	0.523 (0.357) N= 2012	0.542 (0.367) N= 50,504
Black MC	0.409 (0.376) N= 1940	0.705 (0.292)* N= 1554	0.537 (0.365) N= 157	0.556 (0.367) N= 3651
Hispanic MC	0.441 (0.383) N= 948	0.580 (0.335) N= 94	0.606 (0.346) N= 715	0.523 (0.373) N= 1757
Total	0.534 (0.370) N= 48,646	0.615 (0.332) N= 4382	0.547 (0.356) N= 1003	0.542 (0.367) N= 55,912

Source: CCES 2008 and 2010 Common Content. Cell values are means, with standard deviation in parentheses. * indicates mean is different from others (excluding Total) in column at $p < 0.05$.

Does coethnic preference manifest in vote choice differences? Ultimately, votes decide the fortunes of incumbents, so it is important to examine whether the impacts we find translate into a lower likelihood of voting for non-coethnic representatives. Again separating results for white, black, and Hispanic respondents and representatives, Table 2 shows that vote choice follows a similar pattern to approval ratings. White constituents are significantly more likely to vote for their coethnic incumbent than black (14-point difference) or Hispanic (18-point difference) incumbents. For black respondents, the difference is even more stark, as we see nearly universal support for coethnic incumbents and far less support for their white (30-point difference) and Hispanic (33-point difference) incumbents who sought reelection. The most interesting contrast between approval ratings and vote choice may be for Hispanics, as black incumbents get *more* support on average than either white or coethnic representatives. While the difference in means is only significant when contrasting support for white and Hispanic incumbents, with a difference of about 18 percentage points, it does provide initial evidence that ingroup preference may not be the only factor producing the results we see in Tables 1 and 2.

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Table 2
Vote for Incumbent by Incumbent and Respondent Race

	Whites	Blacks	Hispanics	Total
White MC	0.615 (0.487)* N= 29,842	0.657 (0.475) N= 1398	0.617 (0.486) N= 1119	0.617 (0.486) N= 32,359
Black MC	0.477 (0.500) N= 1217	0.958 (0.201)* N= 753	0.793 (0.408) N= 74	0.702 (0.457) N= 2044
Hispanic MC	0.440 (0.497) N= 672	0.627 (0.488) N= 58	0.653 (0.477) N= 320	0.525 (0.500) N= 1050
Total	0.606 (0.489) N= 31,731	0.768 (0.422) N= 2209	0.634 (0.482) N= 1513	0.620 (0.485) N= 35,453

Source: CCES 2008 and 2010 Common Content. Cell values are means, with standard deviation in parentheses. * indicates mean is different from others (excluding Total) in column at $p < 0.05$.

Could coethnicity serve as a “shortcut” for ideological and issue alignment?⁹⁴ Table 3 provides some initial evidence that coethnicity serves as a proxy for ideological alignment, at least for some groups. Here, a value of 1 would indicate complete ideological disagreement, while a score of 0 indicates that the respondent judged their representative’s ideology to be no different from their own. Thus, lower numbers indicate greater ideological commonality, such that the significantly lower ideological distance that we see for whites represented by whites means that white respondents feel their ideology is closer to that of their representatives than whites represented by blacks (11 points) or Hispanics (10 points). African Americans also show the same pattern, finding more ideological congruence with black incumbents than white (12 points) or Hispanic (8 points) representatives, though the difference is only significant when comparing white and African-American representation. Hispanic respondents, on the other hand, do not demonstrate significantly greater ideological alignment with incumbents depending on their ethnic background, though the data points to the possibility that they see less ideological distance between themselves and their *black* incumbents than Hispanic or white representatives. With this notable exception, it appears that

94. See Citrin et al., *supra* note 73, at 91-92 (noting candidate race can send signals to voters about the candidate’s likely issue positions); Monika L. McDermott, *Race and Gender Cues in Low-Information Elections*, 51 POL. RES. Q. 895, 897 (1998) (noting that demographics can be a source of information through stereotypes).

constituents tend to *perceive* coethnic representatives as providing ideological representation substantially closer to their own leanings.

Table 3
Ideological Distance by Incumbent and Respondent Race

	Whites	Blacks	Hispanics	Total
White MC	0.324 (0.284)* N= 42,533	0.289 (0.258) N= 2303	0.297 (0.276) N= 1811	0.321 (0.283) N= 46,647
Black MC	0.430 (0.318) N= 1848	0.171 (0.206) N= 1330	0.277 (0.261) N= 147	0.305 (0.298) N= 3325
Hispanic MC	0.426 (0.308) N= 891	0.250 (0.285) N= 79	0.298 (0.256) N= 656	0.359 (0.293) N= 1626
Total	0.331 (0.287) N= 45,272	0.244 (0.247) N= 3712	0.296 (0.269) N= 2614	0.321 (0.284) N= 51,598

Source: CCES 2008 and 2010 Common Content. Cell values are means, with standard deviation in parentheses. * indicates mean is different from others (excluding Total) in column at $p < 0.05$.

While ideological alignment is rooted in *perceived* congruence on political factors, the roll-call vote data allows us to see how the substantive representation (as expressed through floor votes) of constituents may contribute to a preference for coethnic representatives. Issue alignment is also a likely contributor to approval ratings, as constituents whose issue positions are similar to their representatives are more likely to approve and vote for their incumbent member.⁹⁵ Drawing on the nine issues queried in the surveys, Table 4 notes the proportion of all issues held in common between a respondent and his member of Congress, removing items where the representative did not vote and/or the respondent listed no opinion. In contrast to approval ratings, vote choice, and ideological alignment, here whites have slightly *less* alignment with their incumbent coethnic representatives than black or Hispanic representatives.⁹⁶ African Americans, on the other hand, have less issue alignment with white incumbents (23-point difference), though not holding a significant difference in issue alignment for black versus Hispanic representation.

95. Ansolabehere & Jones, *supra* note 44, at 583-84.

96. The difference here is statistically significant when comparing whites and African Americans or when pooling black and Hispanic representatives.

For Hispanic respondents, again we see greater congruence with *black* electeds than Hispanic incumbents, also demonstrating a preference hierarchy that places whites significantly lower than coethnic representatives (7-point difference).

Table 4
Issue Alignment by Race of Member and Respondent

	Whites	Blacks	Hispanics	Total
White MC	0.553 (0.302) N= 50,971	0.545 (0.303)* N= 3352	0.543 (0.301)* N= 2461	0.552 (0.302) N= 56,784
Black MC	0.595 (0.336) N= 2100	0.778 (0.199) N= 1665	0.731 (0.225)* N= 197	0.689 (0.288) N= 3962
Hispanic MC	0.575 (0.313) N= 1102	0.723 (0.262) N= 119	0.615 (0.244)* N= 853	0.604 (0.283) N= 2074
Total	0.555 (0.304) N= 54,173	0.625 (0.294) N= 5136	0.576 (0.287) N= 3511	0.564 (0.303) N= 62,820

Source: CCES 2008 and 2010 Common Content. Cell values are means, with standard deviation in parentheses. * indicates mean is different from others (excluding Total) in column at $p < 0.05$.

B. Effects of Race and Party

In the previous Subpart, we saw evidence that constituents often give substantially greater support to coethnic incumbents. However, one may surmise that at least a part of this bias is due to partisan attachments of both legislators and respondents. Given that partisan alignment between incumbents and their constituents is, on average, more likely between coethnics (especially for African Americans), it is worth exploring how candidates are assessed in light of party identification. Panels (a) and (b) in Table 5 contrast the impact of coethnicity with copartisanship, demonstrating that partisan differences in evaluations are quite large. Respondents who have the same party identification as their incumbent give approval ratings 52 points higher than representatives from the other party, and they are 83 percentage points more likely to choose to reelect their incumbent. Clearly, then, some of the impact of shared ethnicity on evaluations is due to partisan alignment. However, in examining the second column of the tables, we see that individuals represented by a copartisan representative have slightly, but significantly, higher evaluations of coethnic representatives than those with whom they share party but not race. For approval ratings, the difference is

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about 4 points, and for vote choice the difference is smaller, but detectable, at 1.2 points. Yet note that constituents from the same party as their member of Congress vote for their incumbent at a rate over 95%, even when their representative is of a different race.

Table 5
Evaluations with Partisan vs. Racial Descriptive Representation

(a) Approval Ratings				(b) Incumbent Vote			
	≠ Party	= Party	Total		≠ Party	= Party	Total
≠ Race	0.245 (0.305) N= 2683	0.731 (0.274)* N= 3332	0.515 (0.376) N= 6015	≠ Race	0.120 (0.325) N= 1581	0.952 (0.213)* N= 2004	0.582 (0.493) N= 3585
= Race	0.245 (0.305) N= 15,888	0.775 (0.250)* N= 22,770	0.561 (0.377) N= 38,658	= Race	0.134 (0.341) N= 10,532	0.964 (0.186)* N= 14,963	0.627 (0.484) N= 25,495
Total	0.245 (0.305) N= 18,571	0.769 (0.254) N= 26,102	0.554 (0.377) N= 44,673	Total	0.132 (0.339) N= 12,113	0.963 (0.190) N= 16,967	0.621 (0.485) N= 29,080

Source: CCES 2008 and 2010 Common Content. Cell values are means, with standard deviation in parentheses. * indicates mean is different from others (excluding Total) in column at $p < 0.05$. All cross-column differences significant at $p < 0.001$.

We see a similarly large partisan effect when examining differences in ideological and issue alignment. The panels in Table 6 show that constituents have significantly *greater* alignment with non-coethnic representatives of their party than they do with coethnic representatives of the opposing party. Panel (a) demonstrates that there is a 1.5-point difference in perceived ideological agreement between constituents and representatives who share the same party, but not the same race, and a 43-point difference in perceived ideological agreement between constituents and representatives who share the same race, but not the same party. For issue alignment, the same pattern emerges as in Table 4. Copartisans of different ethnic groups exhibit much greater issue agreement than coethnic representatives of the same party. Again, though, the simple partisan difference is much larger than the differences between ethnic groups.

Table 6
Ideology and Issues with Partisan vs. Racial Descriptive Representation

<i>(a) Ideological Distance</i>				<i>(b) Issue Alignment</i>			
	≠ Party	= Party	Total		≠ Party	= Party	Total
≠ Race	0.586 (0.270) N= 2573	0.168 (0.168)* N= 3096	0.356 (0.303) N= 5669	≠ Race	0.318 (0.240) N= 2863	0.783 (0.210)* N= 3488	0.574 (0.322) N= 6351
= Race	0.579 (0.255) N= 15,420	0.153 (0.156)* N= 21,849	0.327 (0.291) N= 37,269	= Race	0.320 (0.245) N= 16,706	0.750 (0.216)* N= 23,522	0.574 (0.311) N= 40,228
Total	0.580 (0.255) N= 17,993	0.155 (0.158) N= 24,945	0.331 (0.293) N= 42,938	Total	0.320 (0.244) N= 19,569	0.754 (0.215) N= 27,010	0.574 (0.313) N= 46,579

Source: CCES 2008 and 2010 Common Content. Cell values are means, with standard deviation in parentheses. * indicates mean is different from others (excluding Total) in column at $p < 0.05$. All cross-column differences significant at $p < 0.001$.

To make comparisons across racial groups, holding party constant, we must focus on Democrats alone. In 2008 and 2010, there were three Hispanic and zero African-American Republicans in Congress. As a result, Republicans who do not have the same race or ethnicity as their Republican incumbents mostly consist of the small number of black and Hispanic Republicans. Among Democratic House incumbents, there are several dozen members of Congress who are either Hispanic or black. Hence, we can examine the effects of race, comparing whites, Hispanics, and African Americans, among Democratic incumbents and their copartisans as shown in Tables 7 and 8.

Table 7
Approval for Democrats Represented by Democrats Only

	Whites	Blacks	Hispanics	Total
White MC	0.774 (0.256) N= 9012	0.769 (0.240) N= 963	0.735 (0.266) N= 487	0.772 (0.255) N= 10,462
Black MC	0.686 (0.301)* N= 898	0.746 (0.261) N= 1260	0.633 (0.319) N= 90	0.721 (0.279) N= 2248
Hispanic MC	0.761 (0.267) N= 294	0.692 (0.287) N= 60	0.760 (0.273) N= 234	0.752 (0.272) N= 588
Total	0.766 (0.262) N= 10,204	0.754 (0.254) N= 2283	0.729 (0.279) N= 811	0.761 (0.261) N= 13,298

Source: CCES 2008 and 2010 Common Content. Cell values are means, with standard deviation in parentheses. * indicates mean is different from others (excluding Total) in column at $p < 0.05$.

Starting with approval ratings, Table 7 demonstrates that the patterns described earlier generally do *not* persist when examining Democrats in isolation. White Democrats give significantly lower approval ratings to black Democratic incumbents than they do to white *and* Hispanic incumbents, giving black Democrats an approval rating about 8 points lower than non-black incumbents. Yet instead of a preference for coethnic representation, this result would seem to indicate a more specific bias against African-American Democrats. While black Democratic respondents give substantially higher approval ratings to fellow black Democrats than white respondents do, note that white incumbents also receive slightly higher ratings than their coethnic representatives. In a pattern reminiscent of that for white Democrats, Hispanic respondents also express a bias against African-American copartisans, though the difference is only significant when comparing Hispanic representation to black representation. In addition, as with black respondents, Hispanics do not give significantly lower ratings to white Democratic incumbents.

Table 8

Vote for Incumbent for Democrats Represented by Democrats Only

	Whites	Blacks	Hispanics	Total
White MC	0.951 (0.215) N= 6137	0.989 (0.106) N= 560	0.945 (0.228) N= 298	0.955 (0.208) N= 6995
Black MC	0.933 (0.250) N= 578	0.987 (0.114) N= 645	0.973 (0.165) N= 43	0.968 (0.177) N= 1266
Hispanic MC	0.924 (0.266) N= 205	0.793 (0.410) N= 39	0.960 (0.197) N= 115	0.920 (0.271) N= 359
Total	0.949 (0.220) N= 6920	0.982 (0.132) N= 1244	0.952 (0.213) N= 456	0.956 (0.206) N= 8620

Source: CCES 2008 and 2010 Common Content. Cell values are means, with standard deviation in parentheses. * indicates mean is different from others (excluding Total) in column at $p < 0.05$.

As for vote choice, respondents almost always state that they voted to reelect their copartisan incumbent, with Democrats voting for fellow Democrats 95.6% of the time. Table 8 breaks down the average vote for Democratic incumbents by race of the incumbent and race of the respondent, but this time only examining Democratic identifiers represented by Democratic members of Congress. In contrast with Table 2, which showed strong differences in rates of support by race, we see little evidence of coethnic preference in voting after accounting for partisanship. White Democrats do show a slight preference (two percentage points) for coethnic over non-coethnic representatives when pooling black and Hispanic incumbents together.⁹⁷ Black Democratic respondents are not more likely to vote for black Democratic incumbents than for white Democratic incumbents, and though we do see signs of bias against Hispanic Democratic incumbents, the difference is not statistically significant.⁹⁸ Hispanic voters are also not significantly more likely to support coethnic incumbents and do not display the same bias against black Democrats that we saw in the approval rating analysis (Table 7).

97. White Democrats = 0.951, Non-white Democrats = 0.931, with $p = 0.016$.

98. In general, the small number of African-American respondents represented by Hispanic Democrats and the high rates of affiliation with the Democratic Party by black respondents make firm conclusions difficult.

C. Accounting for Racial Preferences of White Democrats: A
Multivariate Analysis

Using the simplest of nonparametric tests, a difference in means, this Article demonstrates that there are key differences in evaluations and perceived political similarity that would indicate a preference for coethnic representation. Yet once we account for partisanship, we see that party swamps most of the “racial” effect, though a few identifiable differences remain. Recall that in Table 7, we saw white Democrats give substantially lower approval ratings to black Democratic incumbents versus their white or Hispanic representatives. As approval ratings are an aggregate of many opinions a respondent holds regarding his representative, it is important to disentangle the effects of political opinions such as the aforementioned ideological distance and issue alignment, individual demographic factors, and finally, race on evaluations. Table 9 does just that for white Democrats, drawing on the large number of white Democratic-identifying respondents to predict approval scores for Democratic incumbents via a set of ordinary least squares regressions.⁹⁹

99. While black and Hispanic Democrats also show some signs of persistent racial bias in evaluations (but only against Hispanic and black incumbents, respectively), the small number of respondents who fall into these categories does not allow for a robust multivariate regression-based inference.

Table 9
Modeled Incumbent Evaluations by White Democrats

	(1)	(2)	(3)	(4)	(5)
Black MC	-0.088*** (0.015)	-0.094*** (0.015)	-0.106*** (0.015)	-0.105*** (0.015)	-0.001 (0.035)
Hispanic MC	-0.011 (0.022)	-0.021 (0.025)	-0.018 (0.027)	-0.016 (0.027)	-0.016 (0.027)
Income		0.000 (0.001)	-0.002* (0.001)	-0.002* (0.001)	-0.002* (0.001)
Education		0.000 (0.001)	-0.002 (0.001)	-0.002 (0.001)	-0.002 (0.001)
Age		0.002*** (0.000)	0.001*** (0.000)	0.001*** (0.000)	0.001*** (0.000)
Female		0.010 (0.007)	0.002 (0.007)	0.002 (0.007)	0.002 (0.007)
Nonreligious		0.001 (0.003)	-0.002 (0.003)	-0.001 (0.003)	-0.002 (0.003)
Ideology		-0.090*** (0.008)	-0.053*** (0.007)	-0.042*** (0.007)	-0.042*** (0.007)
Ideological Distance			-0.505*** (0.027)	-0.509*** (0.027)	-0.508*** (0.027)
Issue Alignment			0.289*** (0.021)	0.264*** (0.021)	0.262*** (0.021)
Affirmative Action Opposition				-0.082*** (0.012)	-0.072*** (0.012)
Affirmative Action × Black MC					-0.169** (0.063)
Year (2010=1)	-0.036*** (0.007)	-0.041*** (0.007)	-0.056*** (0.007)	-0.046*** (0.007)	-0.046*** (0.007)
Constant	0.797*** (0.005)	0.629*** (0.027)	0.595*** (0.029)	0.671*** (0.030)	0.668*** (0.031)
Observations	10,204	9267	8665	8637	8637
Log likelihood	-729.551	-440.890	589.674	640.403	651.174
R-squared	0.013	0.066	0.238	0.248	0.249

Standard errors in parentheses. Dependent variable is respondent's approval rating of their incumbent representative, scaled from 0-1 with 1 indicating "Strongly Approve."
* $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$.

Models 1 and 2 in both tables use a standard set of sociodemographic controls, including measures of income, education, age, gender, religiosity, and ideology of the respondent. In addition, these models include indicators for the presence of a black or Hispanic representative. We see here that black Democrats are given significantly lower scores than their white counterparts, with the magnitude increasing slightly with the inclusion of demographic factors. While black representatives have reduced approval ratings, there is no

effect for having a Hispanic incumbent in these instances. It is also worth noting that ideology, here scaled with conservatism producing higher values, is a consistent predictor of representative approval, with more conservative whites (again, restricted to Democrats only) giving lower ratings to their incumbents regardless of their race. Adding in ideological distance and issue alignment, as in Model 3, demonstrates that individuals who are more proximate to their representatives ideologically and with regard to issue positions give significantly higher approval scores.

Up to this point, we have attempted to address various political factors that could account for the observed tendency of white Democrats to give lower approval ratings to black incumbents aside from the race of the representative. However, as the first three models indicate, the effect of race persists despite the addition of multiple political aspects. In Model 4, we introduce a measure of *race-based* policy attitudes; in this case, opinions regarding affirmative action.¹⁰⁰ In both years, respondents were asked whether they supported or opposed affirmative action via a four-point scale,¹⁰¹ ranging from “Strongly Support” to “Strongly Oppose.”¹⁰² We find that, above and beyond opinions on other policy areas, affirmative action opinion gets at another dimension of preferences related to candidate approval, with opposition to the policy producing lower overall evaluations.¹⁰³

100. Opposition to affirmative action can be a product of various forces, including adherence to race-neutral individualistic values. For details of this debate, see PAUL M. SNIDERMAN & THOMAS PIAZZA, *THE SCAR OF RACE* (1995), which argues that holding values, such as libertarianism, partly explains opposition to affirmative action; and Stanley Feldman & Leonie Huddy, *Racial Resentment and White Opposition to Race-Conscious Programs: Principles or Prejudice?*, 49 AM. J. POL. SCI. 168 (2005), explaining that because racial resentment means different things to white liberals and white conservatives, it is not a clear-cut measure of racial prejudice. We do not explore the origins of opinions on race-based policies, but as demonstrated below, we do see that opinions on affirmative action are associated with approval of non-coethnic representatives by Democrats.

101. For modeling purposes, the variable was coded from 0-1, with 1 representing “Strongly Oppose.”

102. In 2008, the description of the program was: “Affirmative action programs give preference to racial minorities and to women in employment and college admissions in order to correct for discrimination.” In 2010, the wording was changed slightly to “Affirmative action programs give preference to racial minorities in employment and college admissions in order to correct for past discrimination.” While the 2008 wording included language related to gender and did not reference *past* discrimination, we see similar effects across years.

103. In 2010, the CCES included two additional questions measuring respondents’ agreement with statements designed to measure racial resentment: “The Irish, Italians, Jews and many other minorities overcame prejudice and worked their way up. Blacks should do the same without any special favors and “[g]enerations of slavery and discrimination have created conditions that make it difficult for blacks to work their way out of the lower class.” The correlation between these items is 0.623, while the

footnote continued on next page

The final model includes an interaction that indicates a respondent's opinion regarding affirmative action policy, but only for those who have a black representative. The intuition here is that those who are confronted with a black or Hispanic member of Congress may especially penalize minority incumbents if they harbor more conservative views regarding affirmative action. The coefficient on the interaction term is negative and statistically significant, indicating that there is an additional, negative impact of affirmative action opinion for those who are evaluating black Democrats *above and beyond* the effect of affirmative action alone. Whites who "Strongly Approve" of affirmative action—about twelve percent of white Democrats in the sample—display no significant change in incumbent evaluations between those with white representatives and nonwhite representatives. However, those whose opinion of affirmative action is "Somewhat Approve" or worse register lower approval of black incumbents than white incumbents, above and beyond the negative overall impact of affirmative action on candidate evaluations.

Respondents living in southern states, including states that historically used discriminatory practices to prevent minorities from voting or holding office, may be less likely to support candidates from other ethnic groups than nonsouthern states.¹⁰⁴ Does this extend to incumbent evaluations? Indeed, could the effect we find be dependent on attitudes unique to the South? Splitting the results found in Table 9 between southern and nonsouthern states demonstrates that the magnitude, though not the direction, of the white racial bias effect changes depending on respondent region. Figure 1 presents the expected approval ratings ($E(Y)$) derived from the results in Table 9, holding all variables at their mean level while shifting the average respondent's position on affirmative action, the race of their incumbent, and their region in a fully interactive setup.¹⁰⁵

correlation between the average of these questions and respondents' opinion on affirmative action is even higher, at 0.692. These associations indicate our affirmative-action-based measure taps into a common disposition regarding race-based policy.

104. Ansolabehere et al., *supra* note 5, at 1409-10.

105. The results presented in Figure 1 include additional interaction terms to account for the possibility of differential southern state effects. These are not shown in Table 9.

Figure 1
White Racial Attitudes and Evaluations, by Incumbent Race and Region

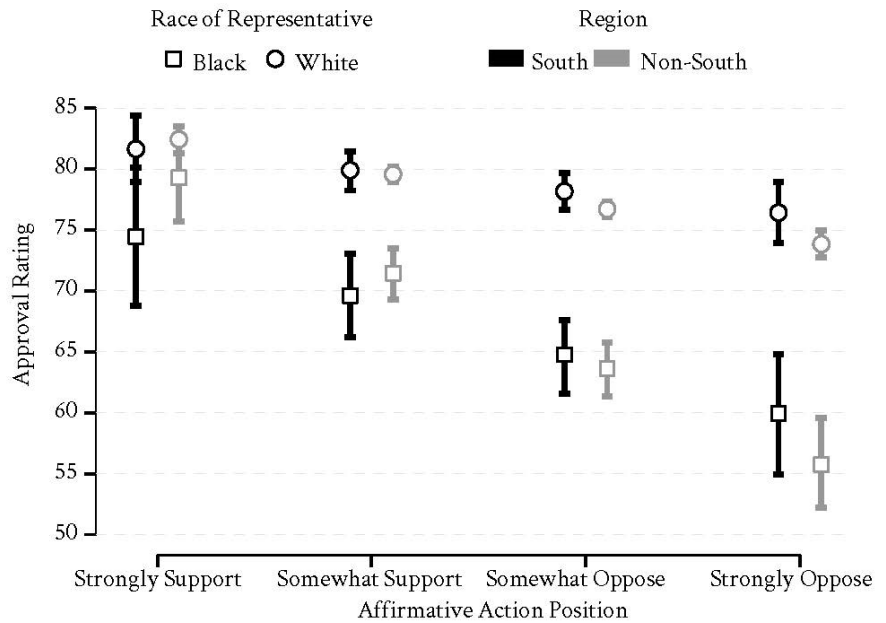


Figure includes only self-identified white Democrats represented by white or black Democrats. Quantities derived from Column (5) in Table 9, plus an additional set of interactions for region. *MC* (*member of Congress*) *Race* indicates the race of incumbent representative. Approval rating scaled from 0-100, with 100 indicating “Strongly Approve.” Ninety-five percent confidence intervals extend outward from point estimates.

Both within and outside of the South, we see that the average white Democrat, when “Strongly Support[ing]” affirmative action, does *not* give significantly lower ratings to black Democrats versus coethnic representatives. If we shift the respondent’s affirmative action position away from “Strongly Support,” however, the gap between evaluations of black and white incumbents both sharpens and grows substantially, *regardless of region*. As we move down the scale to “Strongly Oppose,” we see that black incumbents are given a greater and greater penalty in evaluations versus white Democrats. While white incumbents *also* appear to be impacted by the respondent’s position on affirmative action, holding constant all other political/ideological factors that contribute to approval ratings, the far more shallow slope for white Democrats shows that the interaction between racial policy preferences and having a minority, *but copartisan*, incumbent has a substantially greater impact than affirmative action position alone. In the non-South, shifting from the most supportive to least supportive position on affirmative action drops

evaluations of white Democratic incumbents an average of 9 points, while evaluations of black Democratic incumbents are reduced by 23 points. Southern white Democrats, while not holding significantly different evaluations from nonsoutherners in this instance, show a less pronounced impact of racial policy preference at 5 points for white incumbents and 14 points for black incumbents. To emphasize again, all of the simulated outcomes shown in Figure 1 are results for white Democrats evaluating copartisans only. The fact that partisan, demographic, ideological, issue, and even regional characteristics do not explain the bias against black incumbents, while opinion on a racial policy does, points to the persistence of race as a small but significant factor in incumbent evaluations.

In a similar vein to our analysis of incumbent approval ratings, Table 10 separates the determinants of incumbent vote preference, again restricting the analysis to Democrats but in this instance contrasting results for whites and African Americans, the two groups that demonstrated significantly different vote likelihoods depending on the race of their incumbent (Table 8).¹⁰⁶ In the first model for each ethnic group (Columns (1) and (5)), we include the same set of control variables found in Model 3 of Table 9, except that here our primary independent variable of interest is a binary variable for whether the incumbent is of the same ethnicity as his or her constituent.¹⁰⁷ We find that the political variables—in particular, respondent ideology, ideological distance, and issue alignment—are significant predictors of incumbent vote likelihood across both years. The second set of models for each group (Columns (2) and (6)) add in our approval rating measure, where we see that respondents who hold more favorable views of their incumbent, even after accounting for other factors, are more likely to vote for their representative.

106. As with Table 9, the analysis only makes use of *validated* voters. An analysis including voters we could not validate (or those we validated as *not* having participated) yields the same substantive result.

107. Table 10 was estimated via logit instead of least squares, though the results are substantively similar under the assumptions of OLS.

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Table 10
Modeled Incumbent Vote Choice, White and Black Democrats

	<i>White Voters</i>				<i>Black Voters</i>	
	(1)	(2)	(3)	(4)	(5)	(6)
Coethnic MC	1.294*** (0.291)	0.914** (0.334)	1.840* (0.825)	1.729 (0.893)	0.814 (0.715)	0.987 (0.748)
Ideological Distance	-3.146*** (0.575)	0.278 (0.697)	-3.584*** (0.562)	-0.250 (0.684)	-1.506 (1.630)	-0.226 (1.851)
Issue Alignment	3.559*** (0.455)	1.761*** (0.496)	3.094*** (0.441)	1.535** (0.488)	2.082 (1.573)	3.314 (1.703)
Income	0.012 (0.026)	0.044 (0.033)	0.014 (0.027)	0.041 (0.034)	-0.007 (0.115)	0.083 (0.119)
Education	0.031 (0.073)	0.017 (0.080)	-0.011 (0.078)	-0.006 (0.086)	0.042 (0.270)	0.097 (0.228)
Age	-0.003 (0.008)	-0.011 (0.010)	-0.004 (0.008)	-0.012 (0.010)	0.030 (0.020)	0.012 (0.018)
Female	0.075 (0.201)	0.003 (0.232)	0.035 (0.203)	-0.041 (0.235)	2.353* (0.954)	3.228 (1.746)
Nonreligious	0.128 (0.092)	0.164 (0.102)	0.154 (0.088)	0.191 (0.100)	-0.912* (0.436)	-1.390* (0.547)
Ideology	-1.438*** (0.172)	-1.529*** (0.216)	-1.223*** (0.186)	-1.355*** (0.227)	-1.718*** (0.520)	-2.272* (1.000)
South	0.441 (0.280)	0.365 (0.320)	0.407 (0.276)	0.280 (0.330)	-1.181 (0.675)	-0.227 (0.607)
Year (2010=1)	-0.224 (0.213)	0.150 (0.258)	-0.021 (0.212)	0.319 (0.254)	-0.818 (0.743)	-1.908 (1.125)
Approval Rating		5.451*** (0.419)		5.182*** (0.415)		7.270*** (2.059)
Affirmative Action Opposition			-2.251*** (0.358)	-1.781*** (0.398)		
Affirmative Action × Non-Coethnic MC			0.801 (1.038)	1.112 (1.179)		
Constant	-0.664 (0.849)	-2.975** (1.045)	0.785 (1.142)	-2.116 (1.325)	0.377 (2.506)	-4.297 (3.302)
Observations	5905	5817	5885	5797	1012	988
Log likelihood	-636.799	-450.553	-601.003	-435.163	-77.321	-50.583

Standard errors in parentheses. Dependent variable is respondent vote for incumbent representative, with 0 indicating vote against incumbent and 1 indicating vote for incumbent. Only includes individuals who were validated as having voted. * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$.

For African Americans, we see that accounting for a suite of control variables removes any detectable racial bias in incumbent support. However, non-Hispanic white Democrats display a slight, though statistically significant,

increase in the likelihood of voting for their Democratic incumbent when their incumbent is a coethnic. In Column (3) of Table 10, we add two racial-policy-related measures to the model, finding that white Democrats who disfavor affirmative action are less likely to vote to reelect their incumbent Democrat than constituents who are more sanguine on affirmative action. However, unlike with approval ratings, we do not see a differential impact of affirmative action opinion for those who are represented by minority Democrats. In Column (4), approval ratings are added as a control variable in a model with the racial-policy-related measures, where again approval rating has an impact above and beyond opinion on nonracial and race-related political items. Yet, once adding approval ratings to the model, the impact of having a coethnic member of Congress attenuates enough to fall out of statistical significance, suggesting that we cannot detect persistent white bias against non-coethnic representatives in vote choice once accounting for both differential approval ratings and opinion on racial policy.¹⁰⁸

IV. Discussion

This Article has addressed two questions central to understanding race and representation: First, do voters evaluate representatives who are of the same race as the citizen (coethnics) more favorably than non-coethnic representatives? Second, are preferences for coethnic representation grounded in descriptive or symbolic representation (and therefore necessarily linked to shared racial identity), or might such preferences result from substantive policy agreement with the representative or party and group alignments with political parties? The answer to the first question is clearly “Yes.” Persons from all three racial and ethnic groups express a preference for representatives who are the same race as themselves. This preference appears to be especially strong for African Americans and Hispanics. The answer to the second question reveals that the basis for coethnic preference is largely rooted in policy and the political appeal of the parties, at least more so than the pure symbolism of race or the desire for descriptive representation. Simply put, much of the support for coethnic representation can be explained by partisanship, ideology, and policy alignment, and when isolating copartisans we see that almost all of the preference for coethnics works through party. This finding is strongly

108. Yet as white Democrats’ approval ratings of black incumbents appear to be subject to racial bias, *see* Figure 1, and approval ratings are a significant predictor of willingness to reelect one’s representative, *see* Table 10, white bias against non-coethnic representatives still influences a respondent’s stated vote choice.

consistent with the observation that race offers a heuristic for voters in search of similarly positioned candidates.¹⁰⁹

But party does not provide a complete accounting of preferences for coethnic representation. African-American Democrats get significantly lower approval ratings by about three percentage points from their white copartisan constituents than those given to white Democrats, even after controlling for relevant political and demographic traits. The only factor that appears to account for whites' lower ratings of blacks is a bias associated with the respondents' positions on affirmative action policy. On vote choice, we also see signs of a slight bias by white Democrats against non-coethnic representatives, though almost all respondents (more than ninety percent) will vote for a copartisan regardless of race.

The findings here help clarify a methodological problem that has dogged research on race and representation. It has been exceedingly difficult to distinguish race and party in the study of representation owing to limitations on available data. Past studies have lacked sufficient statistical power to draw inferences about electorates' preferences about the race or ethnicity of representatives. In answering these questions, we have made two essential methodological contributions: first, the introduction of very large sample survey data with adequate samples to study white, black, and Hispanic constituents in districts with black or Hispanic representatives, and second, a questionnaire designed expressly to capture respondents' beliefs about the race, party, and ideological orientations of their representatives. Specifically, the CCES asks for respondents' *perceptions* of the race and party of their representatives, party preferences, ideology, and policy preferences, allowing us to take into account a bundle of traits in trying to ascertain whether the preference for coethnic representatives reflects such considerations. With a sufficiently powerful survey design we are able to show that (1) constituents indeed prefer coethnic representation and (2) race and party, although highly related, have distinctive effects on preferences for representation.

Thus our results have two distinct interpretations overall. First, we can affirm an argument in line with the basic assumptions of the VRA: on average, individuals prefer coethnic representation to non-coethnic representation, and that pattern is not attributable to misperception regarding the race of their representative. Second, and perhaps of greater concern to social scientists and the ongoing debate about the application of the Voting Rights Act, party, ideology, and policy preferences account for nearly all of the expressed preference for coethnic representation. This does not trump or render irrelevant the fact that people express greater support for or approval of

109. See Citrin et al., *supra* note 73, at 91-92 (noting candidate race can send signals to voters about the candidate's likely issue positions); McDermott, *supra* note 94, at 897 (noting that demographics can be a source of information through stereotypes).

coethnic representatives. Rather, it suggests that the basis of support for coethnic representation is rooted in the sorting of groups into political parties and the parties' differential appeal to those groups through policies, historical support, and other political factors worthy of continued analysis. The remaining, though far more limited, effect of incumbent race on evaluations is limited to non-Hispanic white constituents.

There is a definite tension between the two pictures of constituents' preference for coethnic representation that we have presented. Taking the electorate as a whole, blacks and Hispanics express stronger preferences or support for coethnic representation than whites, as reflected in Tables 1 to 4. However, within the Democratic Party, whites express a slightly stronger preference for coethnic representation, while African Americans and Hispanics appear to express little or no preference for a coethnic. The reason that the picture of the entire electorate differs from the picture within parties is that there is a high degree of sorting into parties across racial lines in the United States.¹¹⁰ Many Hispanics and nearly all African Americans align themselves with the Democratic Party, and while whites are more evenly divided, a plurality prefer the Republican Party.

These twin results also have important practical implications for the administration of laws pertaining to voting rights in the United States. But again the overall and intraparty pictures should not be taken as contradictory. Indeed, they are data points that respond to different political and legal questions. Since the *Gingles* decision, a central tenet of election law has been that strong preferences for coethnic representation in the electorate as a whole may require the creation of majority-minority, or at least nearly majority-minority, districts.¹¹¹ The patterns in Tables 1 to 4 certainly show evidence to that effect. The question at stake is whether there is a basis in the behavior of the electorate as a whole for requiring districts in which minorities have the ability to elect their preferred candidates and, if so, how we should define the preferred candidate (e.g., coethnicity or partisan alignment). The configurations of districts that might be required or protected remains subject to considerable controversy. Recently, Richard Pildes introduced the concept of "coalitional" or "crossover" districts in which African Americans and Hispanics are not a majority of a district and vote against most whites, yet sufficient white crossover voting, presumably due to copartisanship, allows

110. See GREEN ET AL., *supra* note 5, at 108, 141; Ansolabehere et al., *supra* note 5, at 1424-27. Their analysis shows that differences between minorities and whites are explained partly by ideology and race but that substantial racial differences remain in the areas that were covered by section 5 of the VRA, even after controlling for party, ideology, and demographic characteristics.

111. See SAMUEL ISSACHAROFF ET AL., *THE LAW OF DEMOCRACY: LEGAL STRUCTURE OF THE POLITICAL PROCESS* 712 (3d ed. 2007).

black and Hispanic constituents to elect their preferred candidates.¹¹² Such a concept was recognized in the majority opinion in *Bartlett v. Strickland*,¹¹³ but it remains an open question what criteria distinguish such districts from others. Within-party nominations appear to be critical (and controversial) in defining effective crossover districts,¹¹⁴ as minorities may still be frustrated in electing their preferred candidates if they are a small part of the primary electorate and if whites prefer coethnic nominees.

Conclusion

Our examination of race and representation carries lessons for the broader theories of representation. Hannah Pitkin's classification of descriptive, symbolic, and substantive representation has guided nearly fifty years of political thinking about democratic and legislative politics. Minority representation in the United States is often treated as the exemplar of all three sorts of representation. The evidence here strongly suggests that the reigning theory of representation is really based on the substance of politics. Race correlates strongly with how people vote and how they view their members of Congress, but the mode or style of representation that Americans want is not primarily a descriptive one. Blacks, Hispanics, and whites do not choose their members of Congress directly on the basis of skin color alone. Issues, policy, and the political appeals of the parties and candidates dominate the views of voters. Americans mainly seek *substantive* representation. In the present context, that often translates into choosing one political party over another. Blacks and Hispanics, on the whole, strongly prefer Democrats because that party's policies more closely align with those voters' preferences.

Our inquiry has stressed the importance of whites' preferences as well as minorities' preferences in understanding minority voting rights and representation. Whites, like blacks and Hispanics, primarily seek substantive representation rather than descriptive representation. However, the story for whites is far more complicated, as whites, on the whole, exhibit less cohesiveness in their voting and much more variation in their policy preferences. This is not surprising, as whites are a much larger group. Also, there is no clear alignment of whites with one party or the other, though a majority of white voters in the United States state that they vote Republican.

112. Richard H. Pildes, *Is Voting-Rights Law Now at War with Itself?: Social Science and Voting Rights in the 2000s*, 80 N.C. L. REV. 1517, 1522, 1530, 1539-40, 1567 (2002).

113. 556 U.S. 1, 13, 17-18 (2009) (plurality opinion). *Bartlett* recognizes the existence of crossover districts but holds that the VRA cannot legally create them: "Only when a geographically compact group of minority voters could form a majority in a single-member district has the first *Gingles* requirement been met." *Id.* at 26.

114. Grofman et al., *supra* note 11, at 1393, 1415.

To the extent that we find evidence of a preference for descriptive racial representation, it is among whites. Looking within the Democratic Party, we find that some whites (and it is not a large share) prefer white representatives over black or Hispanic representatives. This bias is associated with attitudes toward affirmative action, a racial policy. This suggests that the important variation in preferences for racial representation as descriptive representation may reside among whites rather than among minorities. That said, most whites, given their party, express preferences for a representative on the basis of substance.

Our findings do not mean that there is no actual preference for racial representation among minorities and little among whites. Without taking party or policy preferences into account, blacks and Hispanics express significantly different preferences than whites. Rather, we interpret our results to mean that the preferences for racial representation work through substantive representation. Racial representation occurs indirectly through the substance of policy and the choices that parties offer to voters.

Political parties are not central to the framework laid out in Pitkin's seminal treatment of the theory of representation. Our findings show that this is a substantial weakness in the theory of representation that has informed political and legal thought over the past fifty years. In recent years, however, political theorists have begun to grapple with the function of parties in the representative process. Parties build coalitions among disparate groups and interests and across constituencies.¹¹⁵ These functions are essential to plural politics, and they go beyond the simplified version of representation as a relationship between a constituent and her member of Congress. The opportunity to build coalitions among groups appears to be especially significant for minority voters. Blacks' and Hispanics' support for non-coethnic representatives may be crucial to ensuring representation in a plurality voting system.

Recognizing the important place of parties in minority representation and voting rights suggests an important turn for voting rights law. Since *Thornburgh v. Gingles*, much of the emphasis on voting rights litigation and the related social science has been on general elections. This emphasis is appropriate, as those are the final, determinative elections. But it is incomplete. The findings here indicate that it is important for minorities to have representation within their party as well as within Congress. Such an expression of representation requires attention to the likely success of candidates who are preferred by minorities in the primary elections in which they vote, as well as in general elections. Primary elections are quite different from general elections. Only a fraction of the electorate participates in the

115. NANCY ROSENBLUM, ON THE SIDE OF THE ANGELS: AN APPRECIATION OF PARTIES AND PARTISANSHIP 356-57 (2008).

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primaries, and in many states only those who are registered with a given party may vote in the primary. It does not necessarily follow that the same rules for protecting minority voting rights in general elections (such as the creation of majority-minority districts) extend to primary elections. Our findings underscore the importance of understanding the protection of minority voting rights both in the general elections and in the party primary. Further, our results show that minorities can embrace representation by people of different races. African Americans, Hispanics, and whites all seek representation of their basic interests and policy preferences, and that important fact ought to be the light guiding the laws designed to protect voting rights.