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# *Does Redistricting Aimed to Help Blacks Necessarily Help Republicans?*

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We review the racial and partisan consequences of eleven plans for redistricting the South Carolina Senate proposed after 1980 Census data became available. The plans were offered by a variety of groups including blacks, white Democrats, Republicans, and redistricting experts retained by the U.S. Department of Justice. We use correlations and other summary statistics derived from a data base including both census and electoral data in which census-to-precinct equivalences have been established to test the hypothesis that plans which advantage blacks also can be expected to advantage Republicans. Having found evidence which strongly supports the hypothesis, we evaluate three competing explanations for its predictive power.

**I**n the South the great success story of the last decade is black electoral gains, while nationally the great electoral success story is the growth of the Republican party. Are the electoral successes of these two groups linked? Is it true that, at the state level, helping to elect more blacks will also help to elect more Republicans, as Bullock (1983) has suggested may

\*This research is based largely on data generated under contract from the U.S. Department of Justice, Voting Rights Division, in conjunction with *South Carolina v. U.S.*, a 1984 Section 5 Voting Rights Act case. This case was to have been heard in the District Court of the District of Columbia but was settled out of court when a new plan was implemented by the South Carolina Senate which was given preclearance by the Department of Justice. We are indebted to helpful conversations with Ellen Weber, Sheila Delaney and Paul Hancock concerning Justice Department enforcement of Section 5 of the Voting Rights Act. This research was also supported in part by NSF Grant # SES 85-15468, Political Science Program, to Bernard Grofman. Listing of authors is alphabetical. We are indebted to the staff of the Word Processing Center, School of Social Sciences, UCI, for typing and preparation of tables. An earlier draft of this manuscript was completed while Bernard Grofman was a Guest Scholar of the Governmental Studies Program, Brookings Institution, fall quarter 1984,

be true in Southern state legislatures in the 1980s? If so, why? After all, the blacks who have been elected are all Democrats, and Republican gains in the South at the state (or local) level have been modest (Welch and Brown, 1979). Answers to these questions are of practical importance because if it were true that redistricting plans which create more black seats also necessarily create more Republican seats, then black insistence on additional minority seats would come at the expense of the total Democratic seat share and would cost seats for white Democrats, thus putting the interests of white Democrats and black Democrats at loggerheads and jeopardizing the basis for a biracial liberal coalition.

Our research is based primarily on an illustrative case, that of the South Carolina Senate, but the results we offer have quite general applicability. We shall provide a statement of conditions which are necessary and sufficient for there to be a link between black and Republican electoral success which will show that such a link is not invariably to be expected. Our model also can be applied to understand the link between Republican and minority electoral success for other minority groups, such as Hispanics in the Southwest.

South Carolina is a state which is covered by Section 5 of the Voting Rights Act.<sup>1</sup> As of 1982 there were no black state senators in South Carolina and had not been any since Reconstruction, even though the state is well over 30% black in population. With the support of white Democrats one elderly black was elected in Richland County in a special election to fill a vacancy in 1983—at a time when multimember districts were still being used and a voting rights lawsuit of some kind was a virtual certainty.

Our data base is eleven different plans for redistricting the South Carolina State Senate after the 1980 census. These plans were drawn or sponsored by a variety of groups, including Democrats in the State Senate, Democrats in the state's lower chamber, Republicans, blacks, and redistricting experts hired by the U.S. Department of Justice. Nine of the eleven plans (the exceptions being two of the three "demonstration" plans drawn in mid-1984 by the outside experts hired by the Justice Department) were proposed in 1983/1984 to the South Carolina legislature or one of its reapportionment committees or by parties to redistricting litigation in Federal District Court. For each of these plans we have available census

and he is indebted to Brookings for an extremely hospitable environment in which to carry on research. The views expressed are solely those of the authors and do not represent the views of the U.S. Department of Justice, the National Science Foundation, or the Brookings Institution.

<sup>1</sup> Section 5 of the Voting Rights Act requires that a plan neither be intended nor have the effect of canceling or minimizing the voting strength of any protected minority. Seventeen states are covered in whole or in part by Section 5 (as amended in 1972). Most southern states fall under its provisions.

data on racial demography and electoral data on partisan voting strength in a representative sample of recent statewide and local elections. Both these data bases were matched (on a precinct level) to the configuration of districts in each of the eleven plans. The establishment of census-precinct equivalences (an extremely time-consuming task for an entire state) makes it possible for us to pool electoral and census data to create an unusual and informative data base.

We can use comparisons of the eleven proposed South Carolina plans to test for the presence of a link between the electoral success of blacks and Republicans, and to examine possible explanations for the link if in fact it is found to exist. If plans to help blacks almost invariably help Republicans (and vice versa), then, regardless of which subset of plans we examine, we should see a positive correlation between the number of seats in each plan that could be expected to be won by Republicans and the number of seats in the plan that could be expected to be won by black (or black-endorsed) candidates. On the other hand, if a link between black electoral success and Republican electoral success occurs only because of an explicit deal between these two groups which leads each to draw plans which favor the other, then the correlation between expected black seat gains and Republican seat gains should be nonexistent (or at least muted) in plans drawn solely with the aim of advantaging one group, say, blacks, and excluding from their aim any consideration of partisan impact, e.g., plans based solely on the racial composition of districts which were drawn in ignorance of the partisan affiliations of the white voters.

We have such "nonpartisan but race-motivated" plans available to us in this case. The three plans by outside experts for the U.S. Department of Justice were plans aimed at either maximizing or more fairly representing black political strength and were drawn with no concern for (and, at the time they were drawn, no data on) their probable partisan impact.<sup>2</sup> Thus, we can use a comparison of the racial and partisan impact of these three plans with that of the plans prepared by partisan or racial groups to try to account for the link between black and Republican electoral success. Is this link largely a matter of electoral geography (and the virtual certainty that blacks will vote Democratic)<sup>3</sup>—Hypothesis I—or can it best be accounted for in terms of explicit or implicit political deals between Republicans and blacks (a possibility suggested by Bullock, 1983)—Hypothesis II.

<sup>2</sup> We can attest to the truth of this claim since we were the outside experts who drew these plans for the Justice Department.

<sup>3</sup> Blacks vote overwhelmingly Democrat in South Carolina, as elsewhere in the country. Based on homogeneous black precincts we estimated that, in 1982, roughly 95% of black voters voted for Democratic candidates for the state legislature. Our calculations suggest that in South Carolina, 97% of the Republican voters are white.

After reviewing the results of our correlational analyses and other simple summary statistics, we shall also briefly consider another hypothesis offered by Bullock, to wit, that the Reagan Justice Department's preclearance decisions, unlike those of earlier years, were affected by political considerations and sought to advance the electoral chances of Republican candidates. This hypothesis we shall refer to as Hypothesis III.

#### DATA ANALYSIS

In the 1970s South Carolina used county-based multi-member districts (mmds) as the basis for representation in its State Senate. While some thought was given to continuing use of mmds, anticipation of a Justice Department Section 5 preclearance denial led to a shift to exclusive consideration of single-member district plans.<sup>4</sup>

TABLE 1  
CHRONOLOGY OF 1980'S PLAN DEVELOPMENT  
FOR THE SOUTH CAROLINA SENATE

MULTIMEMBER DISTRICT	SOURCE	PROPOSED
1. 1972 Plan	Democrats (Senate)	1972
2. First NAACP Plan	Blacks	1982
3. Original Senate Plan	Democrats (Senate)	Feb. 9, 1983
4. Coalition Plan	Blacks	Feb/March 1983
5. House Judiciary Plan	Democrats (House)	March 29, 1983
6. House Passed Senate Plan	Democrats (House)	April 13, 1983
7. Second Senate Plan	Democrats (Senate)	May 11, 1983
8. Act S.257	Democrats (Senate)	Nov. 9, 1983
9. JC Plan	Blacks	February 1984
10. Plan B—a sample plan aimed at showing the possibilities for representing black voting strength fairly, without regard to county boundaries.	Dept. of Justice	May 1984
11. Plan C—a sample plan aimed at showing possibilities for maximizing black voting strength.	Dept. of Justice	May 1984
12. "Republican" Plan proposed to Federal District Court in South Carolina (Identical to Plan A of the Justice Department—a sample plan [May 1984] aimed at showing the possibilities for representing black voting strength fairly within county boundaries)	State Republican Party	June 1984

<sup>4</sup> In implementing Section 5 of the Voting Rights Act, the Justice Department has almost invariably refused to preclear redistricting plans which used multimember districts (Grofman, 1985c).

TABLE 2  
SOUTH CAROLINA SENATE ELEVEN PLAN SUMMARY CHART

	# OF DISTRICTS WITH MAJORITY BLACK POPULATION	# OF DISTRICTS WITH MAJORITY BLACK VAP	# OF DISTRICTS WITH MAJORITY BLACK GENERAL ELECTION REGISTRATION	# OF DISTRICTS WITH MAJORITY BLACK GENERAL ELECTION TURNOUT	# OF DISTRICTS WITH MAJORITY REPUBLICAN VOTE
First NAACP	9	7	8	7	9
Original	7	4	4	4	6
Senate					
Coalition	9	9	8	7	8
House	8	6	6	5	6
Judiciary					
House-Passed	8	7	6	5	7
Senate					
Second	8	5	5	5	7
Senate					
Act S. 257	9	6	6	4	6
JC	9	8	8	8	7
Republican	9	6	7	7	7
(Plan A)					
Plan B	11	8	11	7	10
Plan C	11	6	9	6	10
Correlation with	.844	.448	.856	.557	
Number of Black					
Majority Seats with					
Number of Republican					
Vote Majority Seats					

Districts in eighteen counties are excluded because of missing data, but this exclusion does not affect any of the correlations, since the eleven plans are identical in their racial and partisan effects in these eighteen counties. The excluded eighteen-county area does not include a concentrated majority black population sufficient to create a district which is majority black in population and contains only one Republican majority district—this district has essentially the same configuration in all the plans.

In table 1 we identify the eleven single-member district plans for the 1980s South Carolina Senate at which we shall look. Five of those eleven plans were proposed for adoption by Democrats, three by black groups, one by the Republicans and three plans (including the one subsequently proposed by the Republicans, Plan A) were offered as sample plans by the U.S. Department of Justice in the course of its preclearance negotiations with the South Carolina Senate. The latter plans were intended to indicate ways in which South Carolina could address what the Justice Department saw as violations of the Voting Rights Act. The Justice Department did not propose any of these plans for adoption; they were used to indicate possible configurations which would more fairly reflect black voting strength (within county boundaries, Plan A; without regard to county boundaries, Plan B), and to convince the State of South Carolina that the plans previously proposed by black groups were not plans which maximized black voting strength by preparing, for comparison purposes, a demonstration plan for the State Senate which really did *maximize* black vote strength (Plan C).

We show in table 2, for the set consisting of the entire eleven plans, the correlations between number of districts with black population/VAP/registration/turnout majorities and the number of districts with expected Republican voting majorities (the last row of the table), and the raw numbers on which these correlations are based. These correlations range from .45 for VAP to .86 for majority black general election registration—the single variable we regard as often of most predictive power for long-run black electoral success.<sup>5</sup>

The correlation between the expected number of seats with a black registration majority and the expected number of seats with a Republican voting majority is near perfect (.86). Later in the paper we shall present results separately for the two major urban areas in the state.

#### EXAMINATION OF HYPOTHESIS I

*Hypothesis I* is the assertion that the basic explanation for the correlation between expected black electoral success and expected Republican electoral success is South Carolina electoral geography. We believe that the factor which accounts for nearly all of the relationship between black electoral success and Republican electoral success in South Carolina is electoral geography—the spatial distribution of white Democrats, blacks (who are Democrats) and Republicans (who are white).

<sup>5</sup> Black population and even VAP may not translate well into an estimate of strength at the polls because black registration and turnout are generally different and (usually but not necessarily) lower than that of whites. Black turnout, on the other hand, may vary greatly from election to election, depending upon election specific stimulus factors. Black registration is a good indicia of potential strength at the polls.

FIGURE 1

HYPOTHETICAL ELECTORAL GEOGRAPHY OF OVERWHELMING BLACK DEMOCRATIC AREA (BD), WHITE DEMOCRATIC AREA (MAJORITY D, MAJORITY W), AND REPUBLICAN AREA (WR)

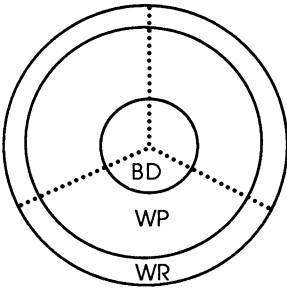


Figure 1(a)  
Plan which Elects  
Three White Democrats

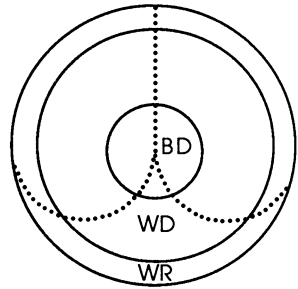


Figure 1(b)  
Plan which Elects  
Two White Democrats  
and One (White)  
Republican

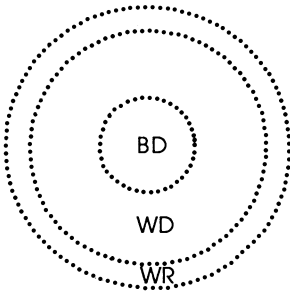
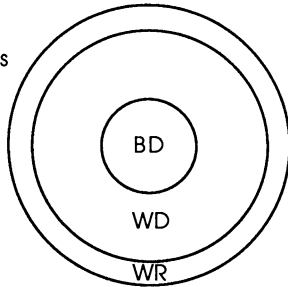


Figure 1(c)  
Plan which Elects  
One White Democrat,  
One Black Democrat,  
and One White  
Republican

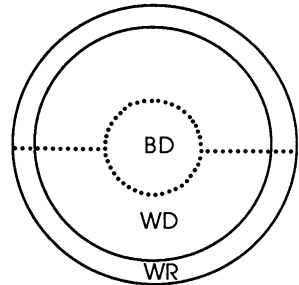


Figure 1(d)  
Plan which Elects  
One Black Democrat,  
and Has Two  
Competitive Districts

Figure 1

Hypothetical Electoral Geography of Overwhelming Black Democratic Area (BD), White Democratic Area (majority D, majority W,, and Republican Area (WR)



Consider the electoral geography shown in figure 1, inspired by that in many urban areas (cf. Gudgin and Taylor, 1979; Johnston, 1981). Here, blacks are concentrated in the heart of the geography (the core ghetto), with white Democrats located near the inner city and Republicans further out (e.g., in the suburbs).

For initial simplicity, let each of these groups comprise one-third of the voting strength, and let there be three seats to be filled via the mechanism of equal population single-member districts. Several outcomes are possible depending upon who is in control of the districting process and what are their primary and secondary priorities. If white Democrats could determine the redistricting plan, they could cut three pie-shaped wedges, each with a two-thirds Democratic majority and a two-thirds white majority. Such a plan would, almost certainly, elect three white Democrats. See figure 1(a).

Alternatively, whites could ally against blacks, with party secondary. Here we could probably get exactly the same result as in the first alliance—three white Democrats. It is difficult with the geography shown to get two white Democrat districts and one white Republican district, but it can be done if, say, we draw a district which includes slightly more than half the Republican voting strength, as shown in figure 1(b).

If blacks were to draw the plan they most preferred, they would create a black district. But once a black seat was created, the remaining voting strength would give rise to at most one further (white) Democratic seat. For example, each of the three groupings could be given its own district, as shown in figure 1(c). The other possibility is to create a black district with the other two districts being competitive districts, as in figure 1(d). It is essentially impossible to draw a reasonably compact plan with two white Democratic seats and one black Democratic seat in it, given the group voting strengths and spatial distribution specified, even though we can draw three Democratic seats.

If Republicans were in charge, they would first create a Republican seat, but then the remaining voting strength in the other two districts could very well guarantee that at least one seat had a majority of black Democrats in it. Again, one possible configuration is that in figure 1(c). Another possible tactic that Republicans could resort to is to draw a black district and then create two competitive districts around it, such as those shown in figure 1(d). This method may in fact be preferred in some instances because, given superior Republican resources, these districts could be won by Republicans.

Note that the only plans which could create a black majority district are ones which also hold Democrats to two seats. The reason for this is obvious: to create a majority black district, we must create a district which is overwhelmingly Democrat—thus “wasting” Democratic voting strength

which could have been used (as in Figure 1[a]) to create three Democratic-controlled seats. Analogously, to create a majority Republican district, we must create a district which is overwhelmingly white, thus wasting the voting strength of white Democrats as compared to black Democrats.

The assumption of an exactly equal number of black Democrats, white Democrats, and Republicans was simply for purposes of illustration. We do not require such an extreme distribution for our previous conclusions to hold. In particular, if we have a core area of black voting strength which is overwhelmingly Democratic and then a "ring" around it of districts which are disproportionately Democratic (i.e., more than the average for the jurisdiction) and also majority white, and a further "ring" which is disproportionately Republican, then the same argument follows. We need to cut up the black (lopsidedly Democratic) core to get enough Democratic voters to outvote the Republicans in all three districts (see figure 1[a]). If we leave the black core area intact (as in figure 1[c]), then there won't be enough Democrats left to create an additional two white-Democrat-controllable districts.

Indeed, we can even drop our conditions on geographic propinquity and still obtain a link between creating black majority districts and increases in the number of Republican districts if, on a precinct by precinct basis, black strength is found in lopsidedly Democratic precincts and Republican strength is found in precincts which are lopsidedly white. In particular, a necessary condition for a plan which helps blacks to also help Republicans is that the black majority districts that are created are ones which are overwhelmingly Democratic in composition. In other words, these black-majority districts "soak up" Democrats to reduce the number of Democrats which can be used to control the remaining non-black-majority districts.

Black districts will inevitably be overwhelmingly Democrat if (a) the areas contiguous to the black core areas are majority Democratic in composition (as in figure 1), and/or (b) the black core areas themselves (and, in particular, the black majority precincts) are even more overwhelmingly Democrat than they are overwhelmingly black, and the black districts we create are more than a bare majority black in population.<sup>6</sup> In other words, helping blacks will help Republicans when creating majority black districts almost inevitably creates "packed" Democratic districts.

A numerical example will be helpful. Consider four seats to be created from a population that is one-third black Democrat, one-third Republican and one-third white Democrat. Clearly we could, albeit perhaps only with complete disregard of compactness, create four districts which each are

<sup>6</sup> This requirement of more than a simple majority black in population has often been imposed on those doing the districting so as to avoid violating the Voting Rights Act. (See, e.g., *Ketchum v. Byrne* U.S. CA. 11th Circuit 1984).

roughly two-thirds Democratic and two-thirds white—four districts which would be expected to elect white Democrats. It might seem that we could also distribute white Republicans uniformly across all four districts and create two districts which are two-thirds black and one-third white Republican and two districts which are two-thirds white Democratic and one-third white Republican—in other words, create two districts likely to elect white Democrats and two likely to elect black Democrats. However, this will not be possible if condition (b) holds. In particular, to create a two-thirds black district, we must have a district which is considerably more than two-thirds Democratic. In the two districts which are two-thirds black, imagine the whites in those districts divided evenly between Democrats and Republican sympathizers. If so, the district will be five-sixths Democratic. But then, there are not enough Democrats remaining to form a real majority in both the third and fourth districts.<sup>7</sup>

The same argument can be reformulated to give us a necessary condition for the circumstance under which drawing plans to create additional Republican districts could be expected also to help blacks, namely that Republican strength be distributed such that to create Republican districts requires creating districts which are even more lopsidedly white in composition than they are Republican in composition. However, it is easy to see that this requirement is in fact identical to our previous requirement that black areas be lopsidedly Democratic. For Republican districts to be even more lopsidedly white in composition than they are Republican in composition, we require either (a) that the areas contiguous to the Republican areas be majority white and/or (b) that *precincts* which are lopsidedly Republican be even more lopsidedly white. Condition (a) is of course equivalent to requiring that the areas next to the black areas be Democrat and not Republican, since if Republicans are next to whites then blacks must be next to Democrats. In like manner, if Republican precincts are lopsidedly white then the predominantly black precincts will be lopsidedly Democrat, given that black voters vote Democrat and that the jurisdiction is one where a pattern of racial segregation is characteristic, since then the conjunction of blacks being Democrats and most blacks being located in majority black precincts will guarantee that most Republican voters will be found in white precincts. (Even if most white voters are Democrats, the precincts which are majority Republican will be lopsidedly Republican.)

To the extent that electoral geography in the real world matches that of our basic model, that is, to the extent that the districts which border

<sup>7</sup>  $1/2 (4 \times 2/3 - 2 \times 5/6) = 1/2$ . Of course, in general we would expect the whites who live in overwhelmingly black areas to be more Democratic than the overall white average. Even if this were not true, the above example shows we can still have sufficient packing of Democratic voters in the black majority areas to have Republican chances elsewhere enhanced.

on black areas are disproportionately Democratic in composition (and black voters are overwhelmingly Democratic), then additional seats gained for blacks will almost invariably have a price in terms of seats lost for Democrats, and plans which are designed to create additional seats gained for Republicans may also benefit blacks. However, such benefits will occur only if the level of black (Republican) strength is high enough to benefit from the "soaking up" of white Democrats by the new Republican (black) districts, and only if compensatory sophisticated gerrymandering does not occur.

In South Carolina the theoretical requirements for increases in black seats to benefit Republicans, and for increases in Republican seats to help blacks, were met. In particular, in two major urban areas, including the Charleston SMSA and the Columbia SMSA, black districts were overwhelmingly Democratic and Republican districts overwhelmingly white in all of the plans. We shall look at the racial and partisan consequences of the eleven plans for the Charleston County and Richland County areas in detail. Charleston County includes the City of Charleston, and Richland County includes the City of Columbia. These are two of the three largest urban concentrations in South Carolina and have very substantial black populations.<sup>8</sup>

In both Charleston County and Richland County, black precincts are overwhelmingly Democratic in voting strength, while white voters are nearly evenly split between the two parties (at least for statewide offices). Thus, if white Democrats were doing districting, we might expect them to cut up black voting strength to bolster the election chances of white Democrats by creating districts which are both majority Democrat and majority white. This is exactly what is done in S.257, the plan passed by the Democratic leadership of the South Carolina Senate. Indeed, in South Carolina, one Democratic legislator (in the Charleston area) was honest enough to state in his deposition in *South Carolina v. U.S.* that he sought at least 30% black population in his district, but did not want more than 40% black population. (With more than 40% black population a black candidate might be able to win the Democratic primary.)

In the Charleston area, if we look at black registration (or black turnout) and Republican votes in a representative sample of statewide elections, S.257 creates only one black majority seat and only one Republican majority seat; while in the Richland area S.257 creates only one black registration or turnout majority seat and no Republican majority seats. In S.257 the one black majority district in Charleston was 62.8% black in turnout but 73.7% Democratic in average 1982 statewide vote. Similarly the most Republican Charleston district, which is 63.4% in its Republican

<sup>8</sup> We have not provided detailed analysis of plans for the Greenville area because all the plans were virtually identical in their treatment of this area.

statewide vote average, is 88.8% white. For the Richland area the one black majority district was 65.4% black in turnout but 76.3% Democratic in average statewide vote, while the most Republican district was 49.1% Republican and 70.0% white.

In plans drawn by blacks we would expect them to put black districts as their first priority, and we would expect that the incidental consequences would be an enhanced Republican position. This is exactly what occurs. Black-sponsored plans have two black majority-registration or majority-turnout seats in Charleston and create three Republican seats in the Charleston area; while the three black-sponsored plans have an average of one and one-third black majority-turnout seats and two Republican majority seats in the Richland area. Thus, Republicans do far better under the black plans than under S.257—as, of course, is also true for blacks. Again, as expected, the black majority seats are 12 to 18 percentage points more Democratic than they are black, and the Republican majority seats are roughly 20 percentage points more white than they are Republican. Republican seats soak up white Democrats (and thus benefit blacks), and black seats also soak up white Democrats (and thus benefit Republicans).

If Republicans were doing redistricting, we would expect them to create as many districts with a minimal Republican majority as they could, thus leaving the remaining seats overwhelmingly Democratic. The Republican plan has two black majority registration or turnout seats in the Charleston area and two Republican seats;<sup>9</sup> for the Richland area it also has two black majority seats and two Republican majority seats. As expected, the Republican plan helps Republicans. The Republican plan also creates more black seats in Charleston and Richland than does S.257. Why? Because in creating two Republican seats, more white Democratic voters were incorporated into Republican districts than were blacks, thus reducing white Democratic voting strength relative to black voting strength.<sup>10</sup> In other words, after the two Republican seats were created

<sup>9</sup> The Republican plan fails to create a third Republican seat in the Charleston County area, a seat that could have been created, only because to do so would have required using a plan which crossed county lines, and this was seen by the state Republicans as a feature which the Federal District Court in South Carolina might not welcome. (The source for this observation is a private communication with a staff member of the Republican National Committee.)

<sup>10</sup> We have calculated the correlations between expected black-controlled seats and expected Republican-controlled seats in these counties. As expected, the correlations for registration and turnout are all positive and all significant, ranging from .161 to .707. (The correlation between black population and expected Republican seats had an incorrect sign in the Charleston area because Charleston has an extensive navy population which is largely non-voting. In various of the plans, districts which were less than 50% black in population were above 50% black in registration and turnout because this non-voting (largely white) population was used to create a black majority in registration/turnout district whose "blackness" was poorly reflected in the population data.)

the remaining territory was overwhelmingly Democratic (i.e., Democrats were packed), but it was also predominantly black.<sup>11</sup>

It was in the interest of white Democrats in the Charleston area to break up black concentrations and use them to bolster the seats of white Democrats, and they did this in S.257. Republicans, on the other hand, in drawing plans to foster the Republican cause, would also almost inevitably create additional black majority seats by concentrating black voters in lopsidedly Democratic seats. Richland County can be used to illustrate this point as well. In S.257 in the Richland area, black voting strength is dispersed over four districts. In the JC (black) plan,<sup>12</sup> as in Plan A (the Republican plan), black voting strength in the Richland area is concentrated into two districts.<sup>13</sup>

### EXAMINATION OF HYPOTHESES II AND III

*Hypothesis II:* This is the hypothesis that the link between expected black electoral success and expected Republican electoral success requires explicit *intent* on the part of blacks to help Republicans, or vice versa. If we just look at the three Justice Department Plans (A, B, and C), we obtain a correlation of .86 between expected majority black in registration seats and expected majority Republican seats; but with three data points this correlation is not especially enlightening. However, this correlation is identical to that for all eleven plans and higher than the correlation (.70) for the nine plans actually proposed (i.e., excluding plans B and C). More importantly, these three plans have an average of 9.00 majority black-in-registration seats and 9.00 majority-Republican-in-vote seats, compared to average values of 6.37 and 7.00, respectively, for the other eight plans. Thus, for the South Carolina Senate we may reject Hypothesis II,<sup>14</sup> since the plans drawn with no intent to help Republicans but only an intent to

<sup>11</sup> Actually, of course, the Republican plan had no partisan intent in its original drafting—but it is partisan in effect. Recall that the Republican plan was actually a Justice Department plan created to help blacks—which the Republicans seized upon to present to a federal court because it also helped them.

<sup>12</sup> The JC Plan is merely used as an example. Similar results would obtain if we used one of the other plans sponsored by black groups.

<sup>13</sup> Maps of these three plans in the Richland area, superimposed on population data by race, are available from the authors upon request.

<sup>14</sup> Based on analysis of the partisan breakdown of roll-call votes in the state legislature on South Carolina Senate redistricting plans, Republican senators were no more sympathetic to black plans than were white Democratic senators. Senators of both parties were primarily concerned with reelection chances based on the configuration of their own districts.

help blacks, do nonetheless provide additional probable Republican seats.<sup>15</sup>

*Hypothesis III:* Bullock (1983) has proposed that one reason that plans ostensibly aimed at helping blacks may also be of benefit to Republicans is that the Reagan Justice Department, to a much greater extent than its predecessors, may be playing politics with Section 5. Let us now look briefly at this competing explanation, Hypothesis III, as it might be applicable to South Carolina. Bullock (1983, p. 13) concludes his 1983 conference paper with this paragraph: "Although there is no proof that the Reagan Justice Department sought to use its preclearance responsibilities to advance Republican fortunes, the results are in line with that interpretation."

In the case of the South Carolina Senate, the claim that the Justice Department sought partisan advantage for South Carolina Republicans is at direct variance with our firsthand knowledge of the facts. The present authors have direct knowledge of the Justice Department intervention in the South Carolina Senate case, have had access to internal Justice Department documents and, of course, to court pleadings; and we have extensively interviewed the case officers in charge of this case. The concern of the case officers was exclusively with black voting rights, although we do not have firsthand knowledge of the views of their superiors in the Justice Department. The reason that helping blacks gain seats in the South Carolina Senate was likely to help Republicans is that the political and racial geography of the State of South Carolina made such a result virtually inevitable. Thus, state Republicans could pick a plan drawn by Justice Department experts with the sole aim of helping blacks and adopt it as their own—to help Republicans.<sup>16</sup>

<sup>15</sup> In a few states, explicit alliances between Republicans and minority groups did exist and Hypothesis II was supported. In Georgia and Texas, as Ehrenhalt (1983, p. 64) has documented, the congressional remapping process turned into a complicated three-cornered struggle in which Republicans formed an ad hoc alliance with segments of the black community against the local Democratic party. In Illinois, in legal challenges to 1980s legislative and congressional plans, close coordination between Republican plaintiffs and black plaintiffs was apparent. In North Carolina, Republicans filed separate suit challenging the legislative reapportionment and entered the suit brought by black plaintiffs as plaintiff-intervenors. Evidence of ties between Republicans and nonblack minorities can also be found. For instance, the Rose Institute in California, which provided (on a contract basis) assistance to Republicans redistricting in various states, made available to the Mexican American Legal Defense Fund its computerized redistricting systems for 1980 reapportionment.

<sup>16</sup> While Hypothesis III, about the political role of the Justice Department, is not supported for South Carolina, it may be helpful in accounting for outcomes in other states, although clear-cut examples are few. Moreover, the one indisputable example of a politically influenced Justice Department preclearance decision, that concerning Louisiana's congressional plan in 1982, is also one where the politically motivated decision to preclear helped a particular Republican incumbent, whose reelection chances were strongly favored by a Republican governor, at the expense of a possible majority black district.

## DISCUSSION

We are not claiming that plans to aid blacks will always aid Republicans even when black precincts are overwhelmingly Democratic and Republican precincts overwhelmingly white. There are two preconditions that must be met. First, there must be proximate Republican strength of sufficient numbers and sufficiently concentrated to benefit from the creation of “packed” Democratic black majority districts. Second, even where white Democratic voters are proximate to black Democrats, it is sometimes possible by creative cartography to create new black Democratic districts while holding constant (or even increasing) the total number of districts held by Democrats of either race. Thus, either because of skillful gerrymandering or because of overwhelming one-party dominance, the concentration of black voting strength in black majority seats may not affect the number of Republican majority seats.

Also, the creation of new black majority seats may not help Republicans if the new seats are not more lopsidedly Democratic than the white Democratic seats which they replace. In this case, black Democratic gains come at the expense of white Democrats, but the partisan balance is left untouched.

Finally, sometimes groups long out of power may not be able to capitalize immediately on the political opportunities presented to them by a new district plan. This was true, for example, for the Republicans in Hawaii<sup>17</sup> and in Florida—states where federal courts in the 1980s struck down multimember district plans, creating new possibilities for Republican and (in the case of Florida) black gains.<sup>18</sup> Indeed, blacks in South Carolina did not gain much in 1984 from the new Senate districting plan. In the 1984 elections under the plan finally adopted, a compromise plan precleared by the Justice Department in 1984, similar in structure to S.257, due to the strength of white Democratic incumbents in the primaries and Republican gains on Reagan coattails, blacks gained four seats, rather than the six to eight seats they had hoped for. Republican gains were in the urban areas proximate to where new (supposedly black) seats had been created.

One reason that black gains were minimal in the newly approved South Carolina plan in the short run is that the plan did not always create seats with sufficiently large black majorities to be able to elect black candidates

<sup>17</sup> For a discussion of Hawaii’s 1982 Democratic legislative gerrymander, which was overturned by a federal court on equal population grounds, see Grofman (1982).

<sup>18</sup> Daur, McEachon, and Norman (1983, p. 273) assert that a decline in Republican legislative seats in Florida after the 1982 shift from multimember districts to single-member districts can be accounted for by the poor Republican grass-roots organization in Florida, difficulties in obtaining adequate campaign funding, and a pro-ERA pro-environment backlash.



of choice. In general, the strength of incumbency is hard to overcome, and it may take several elections, or an incumbent retirement, before a district assumes the political/racial coloration that numbers might seem to imply.

We believe the analysis of South Carolina given above may be generalized to explain situations in the South and elsewhere in which white Democrats and black Democrats have been at loggerheads over redistricting because Republicans have been expected to benefit when new blacks seats were created. It can also be extended to help us understand similar conflicts between Anglo and Hispanic Democrats in the Southwest.<sup>19</sup>

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<sup>19</sup> The usual consequence of reducing the total number of Democratic-controlled seats while increasing the number of black-controlled seats is to reduce the overall strength of liberal forces in the legislature. A Democratic loss means a Republican gain, and in a seat with even fewer blacks (because some have been transferred to create a strong black district), this means (at least in the South) the almost certain election of a more conservative candidate. Moreover, because Republican and Democratic support coalitions are distinct in the South (and elsewhere), the Republican candidate is almost inevitably more conservative than the Democrat he replaces. However, because of pro-incumbency bias, the consequences of redistricting for both blacks and Republicans will often not be apparent in the election (or even elections) immediately after the reapportionment. Furthermore, in the South, as whites leave the Democratic party and the party becomes ever more closely identified with the interest of blacks (and other minorities) and black legislators become more visible as party spokesmen, we believe that Republican gains in the South, modest to date at the state and local level, will accelerate.

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