

# ENDANGERED SPECIES

*Their Habitats Destroyed, White Southern Democrats Are a Vanishing Breed*

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LEXINGTON, MASS.

The warning lights have been flashing for years, particularly in the increasingly Republican South: The Democratic Party's commitment to racially gerrymandered voting districts would eventually hurt Democrats, both black and white.

Of course, protecting black candidates from white competition has helped black candidates win office. But what's good for black candidates is not necessarily good for their constituents. Increased black officeholding has come at a price: a sharp decline, accelerated by November's election, in the total number of elected Democrats and thus in the number of officeholders committed (by the conventional definition) to serving black interests. If that trend continues, white, centrist, Southern Democrats may become extinct in Congress.

Race-conscious districting, packing black voters into majority-black constituencies, has been going on for more than a decade. By 1981, the Reagan Justice Department was busily rewriting the Voting Rights Act—insisting on the creation of the highest possible number of majority-black districts before it would "preclear" a plan drawn up in a "covered" jurisdiction (the law also protects Hispanic, Asian, and Native American voters).

As staff explained to the assistant attorney general for civil rights in a 1981 memo on county council districts for Barbour County, Ala., districting had to be racially fair, and what was "fair" was simple to calculate. Blacks were 40.5 percent of the voting age population, and were thus entitled to 40 percent of the legislative seats. Such calculations were becoming a routine part of the preclearance process, and in fact, the voting section of the Justice Department's civil rights division often made its point by actually drawing up the racially proper plan.

The picture became clearer, and more dramatic, with the redistricting that followed the 1990 Census. After Congress amended the Voting Rights Act in 1982, district lines nationwide became vulnerable to suits that could be won simply by proving that the lines had a discriminatory effect. This circumvented the tougher 14th Amendment standard, which required proof of discrimi-

natory intent. States, of course, sought to protect themselves from potential litigation and gave the Justice Department, black politicians, and civil rights advocates what they demanded: safe black districts wherever they could be drawn. That is, proportionate racial and ethnic officeholding—legislative set-asides. It was a demand that could now be met with extraordinary precision: New computer software allowed those who drew the lines to pinpoint, block by block, precisely where the black voters were.

And that's what state legislators, among others, did. To ensure black electoral success, they identified black voters and drew often contorted lines around them. It was a collaborative effort: Those charged with redistricting worked closely not only with the civil rights groups and government attorneys, but with the Republican Party. What was good for black politicians was good for the GOP. Packing black voters into majority-black districts "whitened" adjacent areas. And especially in the increasingly conservative South, those new, whiter districts were fertile ground for Republican candidacies.

## The Unsolid South

The shrewd, politically cynical strategy of the anti-quota party paid off in November. Again, the effects were most pronounced in the South. Consider the congressional picture. White districts were so drained of blacks—the only truly reliable Democratic voters—that even centrist Democrats were left very vulnerable to a Republican challenge. If the majority of whites had not been receptive to the GOP message, race-based districting would have had little impact. But, as it was, where the lines were drawn turned out to matter.

Consider, for example, what has happened in Georgia. In 1990, the state sent eight white Democrats, one black Democrat, and one Republican—Newt Gingrich—to Congress (Democrats 9, GOP 1). Due to population growth, the state gained a House seat in 1992, for a total of 11. The reapportionment scheme adopted that year increased the number of black Democratic winners to

three. But it also led to the election of three new Republicans and the defeat of three white Democratic incumbents (Democrats 7, GOP 4). In 1994, the Democrats held their three gerrymandered seats. But another three white Democrats bit the dust (final tally: GOP 7, Democrats 4). Between 1990 and 1994, black Democrats gained two seats, while white Republicans gained three times as many. The white Democrats who dominated the delegation in 1990 had all but vanished—only one remained after the November earthquake.

The picture is nearly as dramatic in North Carolina. In 1990, voters there elected seven Democrats (all white) and four Republicans to Congress (Democrats 7, GOP 4). Reapportionment added a 12th seat to the delegation and created two safe black seats with bizarre lines that the U.S. Supreme Court questioned (but has not yet struck down) in *Shaw v. Reno*. Black Democrats gained those two seats in 1992 and held them in November. But the number of white Democrats plunged from seven in 1990 to two in 1994. Republican strength, meanwhile, doubled in the same period (final tally: GOP 8, Democrats 4).

The formula was the same in both states: Modest black Democratic gains + much larger Republican gains = huge white, centrist Democratic losses.

### Self-Inflicted Wounds

Many circumstances contributed to the dramatic losses suffered by southern white Democrats in 1994. But surely the redrawing of district lines to create safe seats for blacks was a major factor. Consider the distribution across congressional districts of those who voted for Michael Dukakis in the 1988 Presidential election—"ardent Democrats" in the Southern context. In Georgia in 1990, some 600,000 Dukakis supporters lived outside of the boundaries of the single congressional district whose incumbent was black. To create more safe black seats, many of these Dukakis voters were herded together in 1992 into two redrawn districts, enough to reduce their number in the state's nine remaining districts by almost 30 percent. These districts became both whiter and much more hospitable environments for aspiring Republicans.

Performing the same calculations for other Southern states yields similar results. In Alabama, the number of Dukakis voters living outside of safe black districts fell by 25 percent as a result of reapportionment. In Louisiana, where 60 percent of the state's black population was crammed into the 2nd and 4th Congressional Districts, the number of ardent Democrats in the state's other five districts fell by 38 percent. In North Carolina,

the comparable figure was 22 percent; in South Carolina, 26 percent.

Democrats have become experts at self-inflicted wounds, and this remains one of them. Deval Patrick, the Clinton Administration's assistant attorney general for civil rights, has pledged total commitment to race-driven districting. And yet that commitment, on the part of Democrats and Republicans alike, has been politically

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short-sighted, unprincipled, unnecessary, and a gross distortion of the law. Equal electoral access, not proportionate racial and ethnic representation, was the aim of the Voting Rights Act and its amendments. Congress unequivocally rejected the notion of guaranteed legislative seats for members of certain protected minority groups, as well it should have: Jim Crow arrangements—separate districts for whites and blacks—have no place in American law.

Would Congress have remained almost entirely white without such districts? There is no reason to believe so. Black candidates can and do win in majority-white jurisdictions; for nearly 30 years in cities with 50,000 or more people, 83 percent of black mayors won office without the benefit of a majority-black electorate.

These black mayors tend to be centrist Democrats, their politics shaped by the interracial coalitions on which they depend. But members of the Congressional Black Caucus, most of whom owe their office to blacks alone, are a different story; they're free to run as big-spending, hard-line liberals. The November elections have further marginalized a politically marginal group—to the detriment of Democrats, both black and white. ♦

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