

Alabama: Commandments, Amendments, and Defendants

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Alabama's 2004 election was a quiet affair. Signs that a presidential campaign was occurring—candidate visits, partisan rallies, hard-hitting television commercials, or get-out-the-vote efforts—were largely missing from the state. The outcome of Alabama's U.S. Senate race was a forgone conclusion from the beginning of the year. All of the state's congressmen were easily reelected. Contests for the few state offices up for election in 2004 were generally both invisible and uncompetitive. The only part of the ballot that generated any interest—and even here it was limited—involved a proposed amendment to Alabama's already long state constitution.

Alabama's 2004 election was also a clear Republican victory. Republicans George W. Bush and Richard Shelby easily carried the state in the presidential and U.S. Senate elections. The GOP kept it 5-to-2 advantage in Congressional seats. Republicans swept all the contested positions on the state Supreme Court.

Alabama's 2004 election campaign was not the first time the state had experienced a quiet presidential campaign. Nor was it the first in which Republicans did quite well. Both the 1988 and 2000 campaigns were also low-key affairs. Both were also campaigns that the GOP clearly won.

These earlier low-key, Republican-winning, presidential campaigns did not significantly alter the state's partisan politics. Rather, the close partisan balance that has characterized the state since the 1980s continued beyond these elections. (For descriptions of these earlier campaigns and analyses of recent Alabama politics see Cotter 1991; Cotter 2002; Ellington 1999; Cotter and Gordon 1999 and Stanley 2003). Throughout this twenty-plus year time period, the state has had a rough parity in the number of Democratic and Republican party identifiers.¹ Both parties have also claimed important state-wide victories during this period. The GOP has carried the state in each presidential election since 1976, though Bill Clinton ran competitive races in both 1992 and 1996. Richard Shelby, as a Democrat, was narrowly elected to the U.S. Senate in 1986. He was reelected to that position in 1992 and then, following the 1994 election, switched to the GOP. Republican Jeff Sessions was elected to the Senate in 1996 following the retirement of

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veteran Democrat Howell Heflin. Sessions was reelected in 2002, defeating his serious, but under-funded, Democratic opponent by a 60 to 40 percent margin. Gubernatorial elections have been especially competitive since the mid-1980s. Republican Fob James defeated Jim Folsom, Jr., by less than one percent of the vote (50.4 to 49.6) in 1992. Four years later, Democrat Don Siegelman defeated James by a wider 58 to 42 percent margin. In turn, Siegelman narrowly lost to Republican Bob Riley in 2002 (50.1 to 49.9 percent). Republicans have controlled five of the state's U.S. Representatives seats since 1992. While the GOP has made gains, Democrats continue to hold large majorities in both chambers of the state legislature.

Alabama's 2004 elections also did not seriously disrupt the state's existing electoral alignment. Indeed, voting patterns in 2004, at both the individual and county level, are quite similar to those found in other recent Alabama elections.

However, some aspects of Alabama's 2004 election suggest that the state's partisan politics may soon change. In particular, the conduct and outcome of the election raises questions about the continued competitiveness of the state's Democratic party. The events of the election also point to growing divisions within the state's GOP. The development of either or both of these possibilities could significantly alter the state's future partisan politics. Thus, Alabama's 2004 election, despite its surface quietness and continuity, may yet—it is obviously too early to tell for certain—prove to have been a particularly important moment in the state's political history.

The 2004 Campaign

Alabama played virtually no role in the Democratic Party's presidential nomination contest. John Kerry's victory was clinched well before Alabama held its June primary. Still, the state's Democratic leaders were not unhappy with Kerry's nomination. Rather, most Democrats in the state, at least initially, expressed support for the party's nominee (Gordon 2004a). This enthusiasm increased with John Edward's selection as the party's vice-presidential candidate (Radelet 2004a; Gordon 2004b). Notably, however, some of Alabama's leading Democrats, while not publicly opposing Kerry, kept some distance between themselves and the national ticket. Congressman "Bud" Cramer, for example, refused to endorse quickly the presidential ticket, while Lieutenant Governor Lucy Baxley made it known that she would not attend the national convention (Orndorff 2004a; Barrow 2004b).

Democratic Party activists did not believe that Kerry would actually win in Alabama. Instead, they calculated that, by devoting some campaign resources to Alabama, Kerry would be competitive in the state. If this occurred, state's party leaders believed, "down-ballot" Democrats would not

be swamped by any Republican presidential coattails (Beyerle 2004a; Gordon 2004b). “With effort and work, it’s a state that can be competitive,” argued Rep. Marcel Black, D-Tuscumbia, one of the state’s delegates to the Democratic national convention. “I’m not saying you could win, but don’t surrender. Make it be a fight” (Gordon 2004c).

Alabama Democrats’ hope that Kerry would contest the state went unfulfilled. Rather, with polls conducted throughout the year consistently showing a commanding GOP advantage, both John Kerry and George W. Bush ignored Alabama throughout the general election campaign (Barrow 2004a; Barrow 2004c; J. Davis 2004). As a result, other than brief fundraising visits to the state by Laura and Jenna Bush in July, and John Edwards in August, little direct presidential campaigning took place in Alabama (Dean 2004; Spencer 2004; Reeves 2004b). Indeed, at the end of the campaign both Alabama parties sent volunteers to campaign in Florida, a more closely contested state (Roundtree 2004). Similarly, about the only presidential campaign advertisements to appear on the state’s television were locally funded by a handful of Alabama Democrats in an effort to help local party candidates withstand the expected Bush landslide (Beyerle 2004d).

Even with these Democratic efforts, Bush easily carried Alabama, defeating John Kerry 63 to 37 percent. This outcome marked about a 7 percent improvement over Bush’s 56 to 42 percent victory against Al Gore in 2000. Moreover, Bush’s victory margin was larger than that won by either his father against Michael Dukakis in 1988 (60 to 40 percent) or Ronald Reagan over Walter Mondale in 1984 (61 to 39 percent). Indeed, the percentage of the vote received by Kerry is the smallest of any Democratic presidential candidate since George McGovern in 1972 (26 percent).

Alabama’s U.S. Senate election was also largely a non-event. Incumbent Republican Senator Richard Shelby entered the campaign with no apparent electoral liabilities, the backing of a coalition of business and social conservatives, trial lawyers and aerospace and defense contractors, and a campaign bank account at the beginning of the year of about \$11 million. Not surprisingly, then, Shelby faced no serious challenger in either the GOP primary or the general election (Orndorff 2004b; Orndorff 2004d). Democrats did recruit Wayne Sowell, an unsuccessful candidate in several previous elections, to run against Shelby. With this choice, Sowell became the state’s first African American to receive a major party’s nomination for the U.S. Senate. Sowell’s campaign, however, raised little money and attracted almost no attention (McGrew and Radelet 2004). As a result, after doing little more than placing a few billboards around the state, Shelby easily won reelection by a 68 to 32 percent margin (Orndorff 2004d).

Each of the state’s five Republican and two Democratic incumbent U.S. Representatives also won reelection. In the end, only one of the state’s

congressional representatives, the Third District's Mike Rogers, faced a serious challenger in the general election. The Democratic candidate in this contest was Bill Fuller, a former member of the state legislature and the former director of the Alabama Department of Human Services. With campaign help from Vice-President Cheney and Speaker of the House Dennis Hastert, Rogers raised almost \$2 million for his campaign. In contrast, Fuller received essentially no help from the national Democratic congressional campaign committee. He had a campaign budget of about \$300,000 (Radelet 2004b; Orndorff 2004c). On Election Day, Rogers kept his seat and defeated Fuller by a 61 to 39 percent margin.

The other major statewide races on the general election ballot involved positions on Alabama's Supreme Court. These campaigns were also generally low key affairs, at least by the standards set by contests held a decade or so earlier when the state's trial lawyers and business interests were battling over the issue of tort reform. Republicans, receiving between 56 and 60 percent of the vote, won each of the three state Supreme Court positions up for election in 2004. With these victories, the GOP now holds all the seats on the state's highest court.

The most contested part of the campaign for the Supreme Court positions occurred in the Republican primary. In 2000, Etowah County Circuit Court Judge Roy Moore, who had become well known in the state as a result of a controversy concerning his courtroom display of the Ten Commandments, was elected Chief Justice of the Alabama Supreme Court. After taking office, Moore had a 5,280-pound granite block inscribed with the Ten Commandments placed in the rotunda of the state judicial building. A court case challenging Moore's actions on First Amendment grounds soon followed. Eventually, Moore was ordered by a federal judge to remove the Ten Commandments monument. When he refused to obey the court order, the other justices on the Court had the monument taken from the building. Eventually, Moore himself was removed from office. (For more information about Moore, see Fisher 2004; Johnson 2004b.)

In the 2004 Republican primary, the three positions on the Supreme Court up for election each attracted a self-identified Moore supporter (Tom Parker, Pam Baschab, and Jerry Stokes). Of the three, only Parker (who had been one of Moore's assistants on the Supreme Court) won the party's nomination, defeating (51 to 49 percent) incumbent Judge Jean Brown. Parker said he entered the primary because Brown was one of the justices who had voted to remove the Ten Commandment monument from the state judicial building rotunda (Bailey 2004b).

In the primary campaign, Parker received financial support from some usually Democratic trial lawyer groups. Brown's campaign, meanwhile, received financial support from several traditionally Republican business

groups (Bailey 2004a). Being connected to Democratic trial lawyers did not hurt Parker in the GOP primary. However, in the general election campaign several groups that normally backed GOP candidates, such as the Business Council of Alabama, the Alabama Civil Justice Reform Committee, the Alabama Farmers Federation, and the National Federation of Independent Business, refused to endorse Parker, citing his link to trial lawyers. The impact of this action, however, was probably small, since the same groups also refused to endorse Parker's Democratic opponent (Rawls 2004a).

Possibly more problematic to Parker was the release by the Southern Poverty Law Center (SPLC) of photographs showing him distributing Confederate Flags at the funeral of a confederate widow. The Center also claimed that Parker was linked to various white extremist groups (Associated Press 2004b; Bailey 2004c). Parker responded by saying that, "The SPLC (Southern Poverty Law Center) is the worst hate group in the country. They hate people of faith and those who opposed judicial activism, abortion, pornography and homosexual marriage" (McGrew 2004a).

Of all the general election contests, the one that attracted the most attention involved a proposed amendment to Alabama's 1901 Constitution. This document is already the nation's longest state constitution—running more than 220,000 words and including more than 600 amendments (Maddex 1998). Critics of the state's Constitution have argued that much of it is either out-dated or, in the face of national laws or U.S. Supreme Court rulings, no longer enforceable. Thus, in recent years, a campaign has begun to reform the state's constitution.

The 2004 ballot's Amendment Two was part of this constitutional reform effort. Specifically, it proposed to remove several pieces of no longer enforceable segregation-era language (regarding a state poll tax and a requirement that the state maintain racially separate schools) from the Constitution. The proposal to remove this language originated from a constitutional reform commission appointed by Republican Governor Bob Riley. When the proposal was being considered by the state legislature, two Democratic members added another provision to the amendment. This additional provision proposed removing from the existing state constitution the language of a 1956 amendment (adopted in response to the U.S. Supreme Court's *Brown* school desegregation decision) stating, "Nothing in this Constitution shall be construed as creating or recognizing any right to education" (Bright 2004; Rawls 2004b).

The resolution that resulted in what became Amendment Two attracted little attention or opposition when it was debated or voted on in the state legislature. Moreover, Governor Riley and most other elected state officials supported the adoption of Amendment Two. In addition to saying they favored the removal of segregationist language from the Constitution, the

Amendment's supporters argued that failure to adopt the proposal would hurt the state's image and thus make it difficult to attract new businesses to Alabama (Rawls 2004b). Despite these arguments, several politically prominent individuals and groups opposed the Amendment. Among these opponents were former Chief Justice Roy Moore, the president of the Alabama Association for Judeo-Christian Values, and the president of the Alabama Christian Coalition (West 2004; Rawls 2004b).

The Amendment's opponents consistently said that they favored removing the segregationist language from the state Constitution. However, they opposed removing the clause dealing with the state's responsibility for education. The removal of this provision, they opponents argued, would open the door for "activist" judges to order tax increases for public education. Because of this provision, Judge Moore called Amendment Two, "the most deceptive piece of legislation I have ever seen, and it is simply a fraud on the people of Alabama" (Rawls 2004b).

In response to this argument, supporters of Amendment Two pointed to another constitutional amendment, adopted in 1996, that explicitly prohibited courts from ordering any tax increase to support additional education spending. Opponents of Amendment Two countered by saying that the 1996 amendment did not prevent "activist federal judges" from ordering higher taxes (Associated Press 2004c).

In the end, the opponents of Amendment Two narrowly carried the day. By about a 2,000-vote majority, the state's voters rejected (49.9 to 50.1 percent) the proposal. Afterwards, the opponents of the defeated Amendment said that they would quickly work to have a "clean" version of the proposal placed before the state's voters. Early indications, however, are that such an effort will provoke a protracted fight over the "state responsibility" provision (Blalock 2004).

Analysis

Several indicators suggest that voting in the 2004 election closely followed the patterns found in other recent Alabama elections. At the individual level, exit poll results (Table 1) show that voting patterns in the 2004 presidential race are generally similar to those found in earlier presidential elections. (Unless otherwise indicated, data on various demographic and other voter groups are drawn from the exit poll data from the 2004 National Election Pool, conducted by Edison Media Research and Mitofsky International.)

In particular, the 2004 exit poll shows that white Alabamians voted strongly in favor of Bush, while almost all the state's African-American voters supported Kerry. Among white Alabamians, Kerry's support was

Table 1. Alabama Exit Poll Results for the 1992, 1996, 2000, and 2004 Presidential Elections (in percent)

	2004 (N=736)		2000 (N=831)		1996 (N=1044)		1992 (N=793)	
	Kerry	Bush	Gore	Bush	Clinton	Dole	Clinton	Bush
All voters	37	62	42	56	43	50	41	48
Race								
White	19	80	26	72	29	62	31	57
African-American	91	6	91	8	87	11	93	3
Gender								
Male	30	69	36	62	37	53	37	52
Female	43	57	48	50	46	48	45	44
Gender (whites only)								
White Male	18	82	23	75	23	66	29	59
White Female	21	79	30	68	33	60	33	54
Income								
Less than \$15,000	58	42	72	27	57	35	60	27
\$15-30,000	47	52	53	45	43	49	41	50
\$30-50,000	46	52	50	50	42	51	33	54
\$50-75,000	22	78	31	66	38 ^a	56 ^a	32 ^a	56 ^a
\$75,000 or more	22	78	23	74				
White Conservative Protestant?								
Yes	5	95	^a	^a	^a	^a	^a	^a
No	49	50	^a	^a	^a	^a	^a	^a
Religious right? (whites only)								
Yes	^a	^a	18	82	18	76	^a	^a
No	^a	^a	53	45	55	37	^a	^a
Party identification								
Democrat	92	7	85	13	85	10	73	19
Independent	29	66	30	65	29	57	34	49
Republican	1	99	2	98	3	90	5	84

^aData not available.

Note: Vote percentage for third party candidates not shown.

Sources: 2004: National Election Pool exit polling; previous years: Voter News Service.

about 7 percent less than that received by Al Gore. Thus, by 2004, in a state that not that long ago was near the political center of the Solid South, only about one-in-five white voters supported the Democratic candidate.

Bush, like his Republican counterparts in previous years, also did better among male than female voters. Unlike the case in 1996 and 2000, however, this gender gap in voting preferences largely disappeared when white voters only are examined.

Income was also related to voting preferences. As expected, Bush did better among higher income voters, while Kerry's support was strongest among lower income citizens. Overall, the level of class polarization appears somewhat lower in 2004 than in previous years. Indeed, the exit poll results show that Bush won a majority of the vote in all but the lower income category.

Additionally, religion was strongly related to voting preferences in Alabama's 2004 presidential election. About 95 percent of those describing themselves as a "white, conservative, Protestant" voted for Bush. Those not describing themselves this way split their votes evenly between Kerry (50 percent) and Bush (49 percent).²

Finally, consistent with much voting behavior research, party identification has had a strong impact on voting in each of the state's recent presidential elections. In 2004, Democratic and Republican party identifiers in Alabama became even more polarized in their voting preferences. Kerry won 92 percent of the vote from Democrats, while Bush received the support of 99 percent of Republicans. Less than one in ten (7 percent) Democrats crossed party lines to vote Republican. Conversely, only about 1 percent of Alabama Republicans supported Kerry. Among the state's independents, Bush also beat Kerry by a 66 to 29 percent margin.

County-level voting results in 2004 also generally followed the same patterns as found in previous years (Cotter, 2002). Table 2 shows that Kerry, like other recent Democratic presidential candidates, did best in more heavily black, lower income, and slower growing counties. Conversely, Bush, as was also the case with previous Republican candidates, was strongest in the state's predominately white, higher income, and growing counties. Whether a county is predominately urban or rural is, as was the case in previous elections, generally not related to voting results.

Table 2 also shows that the county level voting patterns found in the presidential election were quite similar to those that occurred in the 2004 U.S. Senate and state Supreme Court races. Further, the same general patterns are found, though at a weaker level, when voting for Amendment Two is examined.

Overall, the exit poll results and the analysis of county-level voting patterns indicate a relatively high degree of continuity between voting in 2004 election and the results of other recent Alabama general elections. Thus, the 2004 election did not, from the perspective of voting results, alter the basic character of Alabama's electoral politics. Rather, the 2004 election represents a continuation of the voting alignment that has existed in Alabama since the 1980s.

Table 2. Correlations (r's) between County Population Characteristics and Percent of Two-party Vote Received by 2004 Democratic Candidates and "Yes" Vote for Amendment Two

	—County Population Characteristic, 2000 Census—			
	Percent African-American	Median Family Income	Population Change	Percent Urban
Democratic Candidates				
President	.90*	-.58*	-.56*	-.06
U.S. Senate	.90*	-.60*	-.57*	-.08
Supreme Court – Position 1	.87*	-.61*	-.59*	-.11
Supreme Court – Position 2	.83*	-.61*	-.59*	-.11
Supreme Court – Position 3	.80*	-.61*	-.56*	-.19
Amendment Two				
% Yes	.75*	-.25*	-.33*	.23

*p<.05
Source: Calculated by author from data supplied by the Alabama Secretary of State and U.S. Census Bureau.

Future Party Politics

Democratic Competitiveness

Despite the continuity in individual and county-level voting patterns, the 2004 election contained several suggestions that Alabama's electoral politics may be changing. In particular, on the Democratic side, election day was soon followed by analyses of what had gone wrong and by suggestions about what steps were needed to avoid future defeats. Such comments are not unusual from party leaders on the losing side of an election. What was different after the 2004 election, however, was that at least some of this commentary seemed to raise the question of whether the Democratic Party could stay competitive in Alabama.

Not surprisingly, John Kerry caught much of the blame for the Democrats' poor showing in Alabama in 2004. Democratic (and African American) Congressman Artur Davis expressed the view of many when he said that, "Nominating northern liberal Democrats is not a prescription for victory in the South" (Reilley, 2004). Similarly, Colbert County Democratic Party chair, Billy Underwood, said that in the future he hoped that the Democratic presidential nominee would be a "conservative, moderate male." Marengo County Democratic Party executive committee chair, Bill Coplin added that the election results would have been better with John Edwards as

the presidential candidate. “Unless they put a southerner on the ticket it’s going to be difficult . . . and they’re not going to win” (Beyerle 2004b).

Still others explained the party’s 2004 defeat by pointing, not to Kerry personally, but instead to the national campaign more generally. Former state party chair John Baker complained that, “The Democratic national ticket abandoned Alabama. There were no ads, no education, and that’s what local Democrats had to do.” He further said that, “It’s a baby step, but Democrats cannot continue to default and still be a viable party. Alabama Democrats have to raise money and run a national campaign in Alabama even when polls show it will be tough to win, even when national nominees abandon the state and state Democrats have to fill the void” (Beyerle 2004d).

Kerry and his campaign, however, did not receive all the blame for the party’s defeat. Criticism was also directed at the party’s policy positions. While noting the need for a strong candidate, Congressman Davis also explained that “The reason we’re losing elections nationally and in the state of Alabama is really very simple—our ideas have not been good enough” (Beyerle 2004c). Later he added, “Voters expect the Democratic party to put forth an agenda, and we are a party that has not had an agenda in the last several years” (Gordon 2005b).

Finally, others said Democrats lost in 2004 because some state party leaders failed to support and work fully for the ticket (DeMonia 2004). For example, in the weeks after the election, several prominent Democrats called for the replacement of the state party chair, Redding Pitts. Joe Reed, the chair of the American Democratic Conference, an influential African-American organization aligned with the Democratic Party, responded to these calls by placing the blame elsewhere “A lot of folks,” Reed argued, “who want to blame Redding should have been out on the stump themselves encouraging people to vote for the Democratic ticket” (Rawl 2004e). In a related remark, Reed also pointed to the problem of racial divisions within the party. In particular, he argued that it was time for the party’s white leaders to “step up.” He also said that, “White people have to get out and convince people to be Democrats” (Beyerle 2004c). Other party leaders downplayed the racial issue. State Representative Jack Venerable observed that, “Some of the Democrats happen to be white and some of them happen to be black, but the truth is, they are all Democrat.” (Gordon 2005b).

Expressing disgruntlement with the national ticket, pointing to organizational shortcomings, urging the adoption of new positions, or even moving to replace leaders are not novel reactions after a party suffers a serious defeat such as experienced by Alabama Democrats in 2004. What was different about the aftermath of the 2004 election was the public pessimism of the state’s Democrats. The size of Bush’s victory, the fact that he won in areas of the state where Republicans have not previously enjoyed much success,

the sweep of the judicial races by GOP candidates, and post-election news stories about how Republican party identifiers outnumbered Democratic identifiers, all contributed to this sense of unease (Beyerle 2004b). After looking at this evidence, one prominent Democrat declared that the party was on “life support” and that Alabama now looked like “a one-party, Republican state” (N. Davis 2004).

It is sometimes useful to view officeholders, or potential candidates, as entrepreneurs whose actions are based upon calculations about what is the best approach to pursue in order to achieve the individual’s electoral and/or policy goals. (See, for example, Jacobson and Kernell 1983; Jacobs and Shapiro 2000.) With this perspective, negative assessments of a party’s competitiveness are important because they affect politicians’ calculations concerning the likelihood of electoral success when competing as a member of one party rather than another. Thus, negative assessments of a party’s future competitiveness may encourage some current officeholders to defect to the opposition. Similarly, if a party is not seen as competitive, then some qualified potential candidates may decide not to compete as a member of that party. The occurrence of either of these possibilities would insure that the party in question is in fact not competitive.

The outcome of the 2004 election, and the pessimistic assessments which followed, undoubtedly affected the calculations of current party officeholders and potential candidates. Whether these calculations have positioned the Alabama Democratic Party near the tipping point of becoming the state’s minority party is obviously unknown at this point. (For information about the views of current Alabama Democratic officeholders regarding this possibility of defecting to the GOP, see Johnson 2004a.) However, even being near this position makes the party’s performance in the next statewide election critical. A serious loss in this contest would make the task of remaining competitive difficult. Conversely a victory, or near victory, in 2006 would likely insure the continuation of Alabama’s competitive electoral alignment.

Unfortunately, the Alabama Democratic Party enters the 2006 contest with a potentially serious handicap. Specifically, the headline race in the 2006 election will be the contest for governor. Controversy, however, surrounds one the Democratic candidates, former governor Don Siegelman, expected to enter this race. The other major Democratic candidate in the gubernatorial election is expected to be Lieutenant Governor Lucy Baxley (McGrew 2004b; Gordon 2005a). Throughout his term in office, Siegelman was hounded by corruption charges (Blackledge 2004). In 2004 these allegations finally turned into a federal indictment charging the former governor and several associates with conspiracy, fraud and theft (Walton and Archibald 2004). Siegelman claimed that the charges were politically motivated.

“This is nothing more than Republican politics at its worse. Nothing more than character assassination” (Walton and Archibald 2004). Republican U.S. Attorney, Alice Martin denied this charge. “We don’t ever look to see if there is an ‘R’ or a ‘D’ behind anyone’s name” (Walton and Archibald 2004).

The pre-trial maneuvering by the parties involved, and speculations about the dirty secrets of the Siegelman administration, generated considerable news coverage throughout the state. However, Alabama’s biggest political story of the year quickly evaporated once the criminal trial actually began. This swift development occurred when, on the first day of the trial, the federal judge dismissed most of the charges against Siegelman, citing a lack of evidence. This ruling in turn led federal prosecutors to drop the remaining charges (Davis and McGrew 2004). Siegelman’s problems concerning charges of corruption in his administration, however, did not cease with the end of the federal trial. Instead news stories about the topic continue to appear and other allegations concerning Siegelman’s administration are still under investigation (Gordon 2005a).

It is not clear if Siegelman can overcome his indictment and related allegations. Nor is it clear how this story will affect other Democratic candidates. Still, news stories highlighting corruption allegations against the party’s last administration are likely to adversely affect the election chances of all Democrats. Thus, in what could be a very critical election for the party’s competitive future, Alabama Democrats find themselves in a difficult situation.

Republican Factionalism

On the Republican side, the 2004 election, particularly the Supreme Court nomination contests and the campaign against Amendment Two, suggests that there are deep divisions within the Alabama Republican Party. Differences in views or priorities are of course not uncommon within a political party. Further, such differences often do not lead to serious party schisms. However, because of Governor Riley’s current political health, it is quite possible that the divisions now found within the Alabama Republican party will soon develop into open intraparty battles. If this does occur, the most likely setting for the conflict will be the 2006 gubernatorial primary election.

Again, when politicians are considered as calculating entrepreneurs, it is understandable why, in seeking reelection, most incumbents face little or no intraparty competition. Specifically the electoral advantages of holding office are usually so high that the likelihood of defeating an incumbent is generally quite low. Thus, while there may be many ambitious potential

candidates within a party, the electoral invulnerability of most incumbents discourages most, if not all, of them from attempting to unseat a current officeholder. (These same calculations, of course, can also inhibit inter-party challenges to an incumbent.) Only if an incumbent is electorally vulnerable is an intraparty challenge likely to occur. Unfortunately for Governor Riley, he is politically vulnerable. Thus if Riley seeks reelection, he is likely to face a serious challenge from within his party in 2006.

Riley's vulnerability stems from actions he took during the early part of his political career. Specifically, as a member of Congress from 1994 to 2002, Riley closely hewed to the GOP's anti-tax orthodoxy. However, shortly after becoming governor, Riley proposed a 1.2 billion dollar tax and government reform plan for Alabama. While drawing support from a wide range of groups and leaders (including many Democrats), Riley's reform plan, especially its tax component, was strongly opposed by many within the state's Republican Party (Rawls 2005). Despite his spending much time, effort, and political capital on the campaign, Riley's plan suffered a lopsided (32 to 68 percent) defeat in a special 2003 referendum.

Following the 2003 referendum, GOP leaders were quick to claim that the intraparty division was healed (Owen 2004). Yet, not all Republicans have been willing to forget or forgive Riley's actions. For example, in speaking of Governor Riley, Michael Mastro (chair of the conservative Alabamians for Real Reform) said, "He's turned his back on the principles he stood for" (Rawls 2005).

Divisions within the Republican Party reappeared in the 2004 Amendment Two campaign. Indeed, some of the same interests and individuals who opposed Riley in 2003 took up the same positions regarding Amendment Two (Rawls 2004d). Moreover, the outcome of the 2004 referendum (following the defeat of the 2003 reform plan) reinforced Riley's image of being politically vulnerable. Or, as Carl Grafton (an Auburn University at Montgomery political scientist) observed, "If they [Riley's team] can't get this [Amendment Two] through a general election, it means there is significant Republican opposition. It's menacing for the governor as far as getting renominated in a Republican primary" (Rawls 2004d).

Riley's most likely opponent in a 2006 Republican primary is former Chief Justice Roy Moore. As of early 2005, it is not certain if Moore will enter the 2006 Republican gubernatorial primary. It is unlikely, however, that Moore's decision regarding the gubernatorial election will be affected by concerns about party loyalty. Such feelings did not stop Tom Parker, a Moore follower, from entering the 2004 Supreme Court primary against incumbent Republican Justice Jean Brown. Nor, as we have also seen, did they stop Parker from accepting campaign support from Democratic-leaning trial lawyers.

The outcome of a Moore-Riley primary is difficult to predict. An early poll shows that Moore has the early lead in such a contest (Barrow 2005d). However, the actual electoral strength of Judge Moore is unknown. His 2000 election to Chief Justice did not reveal any special source of support (Cotter 2002). Similarly, among the several Moore supporters on the ballot, only Tom Parker was victorious in the 2004 GOP primary. Still, a Moore campaign that emphasized conservative social values, opposition to higher taxes, and the links forged between Riley and different Democratic groups and leaders (such as Don Siegelman and the Alabama Education Association) in the 2003 and 2004 referendum elections, is potentially quite appealing to Republican primary voters.

In response to this potential intraparty challenge, Riley has recently sought to shore up his support among social conservatives. In Washington to attend the Bush inauguration, Riley gave a speech at a campaign sponsored prayer breakfast in which he said, "The Founding Fathers built this country on a rock, and that rock is almighty God." He went on to say, "We are at a time in history where we will either continue that legacy or turn away from it. When we swear in George Bush, I want you to bow your head and thank God we made the right decision." At this same meeting, Riley was introduced by his wife, Patsy, who told the audience that her husband had been "hand-picked by God to be your governor at this time, at this moment in time" (Orndorff 2005). Riley has also taken steps to remind voters of his administration's accomplishments in areas such as economic development, government finances, and government operations (Rawls 2005).

Democrats may be the real winner of a Moore-Riley primary. In particular, it is possible that the losing side of such a primary may either become demobilized or even, at least temporarily, tempted to abandon the party. Again, by both by linking himself to a variety of political organizations and publicly opposing Riley regarding Amendment Two, Moore has not demonstrated an overly strong commitment to the GOP. Conversely, the coalitions formed in support of the 2003 and 2004 referendums suggest the existence of some common ground between business Republicans and elements of the Democratic Party. Further, the links reported between Moore and his supporters and a variety of extra-party "extremist" groups may encourage some Republicans to abandon the party at least temporarily if Riley fails to gain the gubernatorial nomination (Reeves 2004c; Orndorff 2004e).

Ironically, then, a division within the GOP primary may be the salvation of Alabama's Democratic Party. A strong showing by the Democratic candidate in 2006, even if partially the result of internal GOP squabbles, will keep the party competitive within the state and thus continue the political patterns found in Alabama for the last several decades. Further adding to the irony of such a situation is that an equivalent internal Democratic split in the

1986 gubernatorial primary was major impetus to the rise of the GOP within state (Cotter and Gordon 1999).

In conclusion, Alabama's 2004 election was a quiet, Republican-winning event. While its partisan outcome is uncertain, the next round of the state's political development is likely to be far from quiet.

NOTES

¹For example, a 2003 Southern Opinion Research statewide survey of 500 registered voters found an almost equal number of Democratic (39 percent) and Republican (38 percent) identifiers. For other information about party identification in Alabama (and the methodology used in Southern Opinion Research surveys) see Cotter and Stovall 1999 and Cotter 2002.

²Unfortunately, no comparable measure of religion is available for the different exit polls. Generally, however, results from earlier years show that, as in 2004, individuals describing themselves as "born again" or as evangelical Christians were more likely than others to support the Republican presidential candidate.

³Some saw another sign of Riley's vulnerability in his decision not to be a delegate at the Republican nominating convention. It was speculated that Riley took this step in order avoid a possible embarrassing defeat in the GOP primary (Associated Press 2004a).

REFERENCES

- Associated Press. 2004a. Riley Opts Out of Convention. *Montgomery Advertiser*, April 7.
- Associated Press. 2004b. Candidate Defends his Confederate Association. *Mobile Register*, October 19.
- Associated Press. 2004c. Segregation-era Lines Needed, Lawmakers Say. *Montgomery Advertiser*, October 27.
- Bailey, Stan Bailey. 2004a. Brown Spends Over \$1 Million on Race. *Birmingham News*, May 28.
- Bailey, Stan. 2004b. Parker Calls for Republican Unity. *Birmingham News*, August 10.
- Bailey, Stan. 2004c. Parker Shown with Hate Group Leaders. *Birmingham News*, October 17.
- Barrow, Bill. 2004a. Poll: Support for Bush Looks Unshakable. *Mobile Register*, May 16.
- Barrow, Bill Barrow. 2004b. Lucy Baxley Noticeably Absent from Convention. *Mobile Register*, August 3.
- Barrow, Bill Barrow. 2004c. Bush Widens his Lead in State. *Mobile Register*, October 3.
- Barrow, Bill. 2005. Poll: Roy Moore Choice of GOP Voters. *Mobile Register*, January 16.
- Beyerle, Dana Beyerle. 2004a. Democratic Candidates Begin Filing Petitions. *Tuscaloosa News*, March 7.
- Beyerle, Dana. 2004b. After Tuesday's Election, More Alabama Voters are Seeing Red. *Tuscaloosa News*, November 5.
- Beyerle, Dana. 2004c. Democrats Reassess Their Status After Loss. *Tuscaloosa News*, November 14.

- Beyerle, Dana. 2004d. Private Efforts Helped Democrats. *Tuscaloosa News*, November 27.
- Blackledge, Brett J. 2004. Federal Indictments Stem from Earlier Allegations. *Birmingham News*, May 28.
- Blalock, Bob. 2004. Passing “Clean” Amendment May Be Messy. *Birmingham News*, November 24.
- Bright, Taylor. 2004. Constitutional Controversy: Language Stems from 1956 Session. *Birmingham Post-Herald*, November 27.
- Cotter, Patrick R. 1991. Alabama: Further Steps toward a Competitive Party System. In *The 1988 Presidential Election in the South*, eds. Laurence W. Moreland, Robert P. Steed, and Tod A. Baker. New York: Praeger.
- Cotter, Patrick R. 2002. Alabama: A “Small Time” Election. In *The 2000 Presidential Election in the South*, eds. Robert P. Steed and Laurence W. Moreland. Westport, CT: Praeger.
- Cotter, Patrick R., and Tom Gordon. 1999. Alabama: The GOP Rises in the Heart of Dixie. In *Southern Politics in the 1990s*, ed. Alexander P. Lamis. Baton Rouge: Louisiana State University Press.
- Cotter, Patrick R., and James G. Stovall. 1996. Party Identification and Political Change in Alabama: A Mid-1990s Update. *American Review of Politics* 17:193-211.
- Davis, John. 2004. Alabama Poll Shows Strong Bush Support. *Montgomery Advertiser*, September 2.
- Davis, John, and Jannell McGrew. 2004. Judge Guts Evidence; Siegelman Case Over. *Montgomery Advertiser*, October 6.
- Davis, Natalie. 2004. After the Sall: Alabama’s Democratic Party on Life Support; Change Needed for Comeback. *Birmingham News*, November 21.
- Dean, Charles J. 2004. Laura, Jenna Bush’s Visit is One for Books. *Birmingham News*, July 15.
- DeMonia, Robin. 2004. Alabama Democrats Need to Make Some Repairs. *Birmingham News*, November 17.
- Ellington, Thomas C. 1996. The Hidden Realignment: The 1986 Gubernatorial Race and Party Loyalty in Alabama. *American Review of Politics* 20: 25-47.
- Fisher, Samuel H. III. 2004. Judge Roy Moore: Moore May Be Less. Paper presented at the 2004 Southern Political Science Association Meeting, New Orleans.
- Gordon, Tom. 2004a. Kerry Campaign Headquarters Opens in City. *Birmingham News*, June 18.
- Gordon, Tom. 2004b. Choice of Edwards Cheers Locals. *Birmingham News*, July 7.
- Gordon, Tom. 2004c. State Delegates Face Tough Test. *Birmingham News*, July 25.
- Gordon, Tom. 2005a. Siegelman Works to Raise Political Profile. *Birmingham News*, January 12.
- Gordon, Tom. 2005b. Alabama Democrats Struggle to Regain Ground. *Birmingham News*, February 13.
- Jacobs, Lawrence R., and Robert Y. Shapiro. 2000. *Politicians Don’t Pander: Political Manipulation and the Loss of Democratic Responsiveness*. Chicago: University of Chicago Press.
- Jacobson, Gary C., and Samuel Kernell. 1983. *Strategy and Choice in Congressional Elections*, 2nd ed. New Haven, CT: Yale University Press.
- Johnson, Bob. 2004a. Democrats Consider GOP Move. *Montgomery Advertiser*, November 21.
- Johnson, Bob. 2004b. Judge Details Display Fight in New Book *Ten Commandments*. *Mobile Register*, December 30.

- McGrew, Jannell. 2004a. High Court Races Heated. *Montgomery Advertiser*, October 21.
- McGrew, Jannell. 2004b. Baxley May be Formidable 2006 Hopeful. *Montgomery Advertiser*, November 22.
- McGrew, Jannell, and Ana Radelat. 2004. "Goliath"-size Win Expected for Shelby. *Montgomery Advertiser*, October 19.
- Maddex, Robert L. 1998. *State Constitutions in the United States*. Washington, DC: Congressional Quarterly.
- Orndorff, Mary. 2004a. Cramer Undecided on Kerry Endorsement. *Birmingham News*, April 6.
- Orndorff, Mary. 2004b. Sen. Shelby's Campaign Funds Highest in State. *Birmingham News*, April 17.
- Orndorff, Mary. 2004c. Rogers Holds Fundraising Edge. *Birmingham News*, October 17.
- Orndorff, Mary. 2004d. Shelby Cruises to Fourth Term. *Birmingham News*, November 3.
- Orndorff, Mary. 2004e. Roy Moore Speaks to Controversial Church Group. *Birmingham News*, November 5.
- Orndorff, Mary. 2005. Riley Insists Prayer Breakfast not Political. *Birmingham News*, January 20.
- Owen, Sallie. 2004. Alabama Republicans: We Are Family. *Mobile Register*, August 31.
- Radelat, Ana. 2004a. Edwards OK, State Dems Say. *Montgomery Advertiser*, July 7.
- Radelat, Ana. 2004b. Rogers, Fuller Set for Push. *Montgomery Advertiser*, October 2.
- Rawls, Phillip. 2004a. Business Groups Skip GOP Nominee. *Montgomery Advertiser*, September 5.
- Rawls, Phillip. 2004b. Riley Slams Segregation Law. *Montgomery Advertiser*, October 10.
- Rawls, Phillip. 2004c. Coattails a Concern on Nov. 2. *Montgomery Advertiser*, October 17.
- Rawls, Phillip. 2004d. Battle over Amendment Two Resembles Tax Plan fight. *Mobile Register*, October 28.
- Rawls, Phillip. 2004e. Democratic Senators Call for Change. *Montgomery Advertiser*, November 18.
- Rawls, Phillip. 2005. Riley Reflects on First Two Years. *Tuscaloosa News*, January 16.
- Reilley, Sean. 2004. A Southern Shock for Democratic Party. *Mobile Register*, November 4.
- Reeves, Jay. 2004a. Moore Appearances with Third-party Candidate Could Hurt GOP Ties. *Tuscaloosa News*, July 7.
- Reeves, Jay. 2004b. Yard Signs Remain Key Strategy. *Montgomery Advertiser*, August 10.
- Reeves, Jay. 2004c. Parker's Election Troubling for Some. *Tuscaloosa News*, November 6.
- Roundtree, David. 2004. Dems, GOP Key on Turnout. *Montgomery Advertiser*, October 19.
- Spencer, Thomas Spencer. 2004. Edwards Offers "Politics of Hope." *Birmingham News*, August 18.
- Stanley, Harold W. 2003. Alabama: Republicans Winning the Heart of Dixie." In *The New Politics of the Old South*, 2nd ed., eds. Charles S. Bullock III and Mark J. Rozell. Lanham, MD: Rowman & Littlefield.
- Walton, Val, and John Archibald. 2004. Siegelman Indicted. *Birmingham News*, May 28.
- West, William F. 2004. Conservative Groups Fight Amendment. *Montgomery Advertiser*, October 17.

