

*Race and Partisanship:
Congressional Redistricting in the South after the 2000 Census*

Donald W. Beachler

Much of the literature on the effort to increase minority representation in Congress has focused on the extent to which creating majority-minority districts decreased the prospects for the election of Democrats. Little attention is paid to the partisanship of those drawing the district lines. An examination of redistricting in the South after the 2000 census indicates that Republican controlled state legislatures will distribute minority voters in a dramatically different fashion than will Democrat majority legislatures. When Democrats draw district lines, it is possible to draw district lines that benefit minority candidates and enhance overall Democratic electoral prospects.

After the 1990 census a major change in redistricting practices took place in the United States. States were required to draw legislative lines that concentrated minority voters and virtually guaranteed the election of minority candidates in the new majority-minority districts. In many jurisdictions, the U.S. Justice Department, supported by civil rights organizations, demanded that some districts include a minority population of at least 65 percent to compensate for lower minority turnout and voter registration rates and a more youthful minority population. This strategy was sometimes labeled the "Max Black" approach when applied to majority African-American districts. In the South, the new racial gerrymandering had an enormous impact as the number of southern Black members of the U.S. House of Representatives increased from 5 to 17. Over the course of the 1990s a series of U.S. Supreme Court decisions struck down some of the most geographically contorted districts, and some of the districts with very high concentrations of African-Americans had their Black populations reduced. Significantly, all the Black southern Representatives whose districts had their Black populations reduced were reelected (Grofman, Handley, and Lublin 2001).¹

A great deal of research on the redistricting policies pursued in 1991 and 1992 indicates that Democrats lost congressional seats as a result of the policy of drawing House district lines that maximized the number of majority-minority districts. Some analysts estimated that Democrats lost 4 or 5 seats in the South in 1992 as a result of the new district lines (Hill 1995; Beachler 1995). Others argued that Democrats lost an additional five to twelve seats nationally in 1994 as a result of the affirmative action racial gerrymandering that had been enacted (Swain 1995; Lublin 1997). Scholars

DONALD W. BEACHLER is an assistant professor of political science at Ithaca College.

also argued that there was a trade-off between increasing the number of Black and Latino representatives in Congress and other legislative bodies (symbolic representation) and a concomitant decrease in the number of representatives (generally Democrats) who cast votes and took policy positions favored by minority voters (substantive representation) (Cameron, Epstein, and O'Halloryn 1996; Overby and Cosgrove 1996; Lublin 1997). Although a recent study of the 1994 election casts some doubt on claims that the Democratic debacle that year can be attributed to the creation of majority-minority districts for the 1992 elections (Overby and Brown 2002), the bulk of scholarly literature indicates that Democrats were harmed by the racial gerrymandering that occurred after the 1990 census.

Some research indicated that when they controlled the drawing of district lines, Democrats were able to gain partisan advantage or, at least minimize the political damage from the creation of Black majority districts. Democrats attempted to take as many of the minority voters placed in the new majority-minority districts from existing Republican districts and move minority voters not placed in Black or Latino majority districts into white Democratic districts. If possible, Democrats moved Republican voters from white Democratic districts into heavily Republican districts and relocated white Democratic voters from Republican to Democratic districts. It was also important for Democrats, where possible, to avoid the creation of super-majority Black or Latino districts. The trade-off between Black and Latino majority districts and Democratic seats was not straightforward. When Democrats controlled the redistricting process they could, at times, mitigate, the negative partisan consequences of the racial gerrymandering of the 1990s (Beachler 1998).

Because Democrats could alter the impact of Black majority districts, partisan control of the redistricting process must be included in any assessment of the degree to which creating districts designed to elect Black representatives or to give Black voters an opportunity to back candidates of their choice, results in the election of more Republicans. This article will examine the interplay of race and partisanship in the redrawing of congressional district lines after the 2000 census in the South. Redistricting results will be compared in states where Republicans had complete control of the process (Virginia and Florida) with states where Democrats had total control of the process (Alabama, Georgia, North Carolina, and Tennessee).

While the complex and ongoing litigation over race and election district lines cannot be examined in this article, it is important to note that court decisions in the 1990s struck down district lines where race appeared to be the sole or primary factor in the construction of districts. Federal courts also countenanced the drawing of districts that did not have the super-majorities of 65 percent or higher Black populations that were sometimes required in

the early 1990s. States were also freer to consider drawing coalitional districts, in which Blacks were less than a majority, but could, in alliance with whites and/or Latinos, have an opportunity to elect candidates of their choice. The impact of these court decisions has been to grant greater flexibility to those drawing election district lines (Pildes 2002).

Hypotheses

State legislatures are bound by the Voting Rights Act and cannot dismember obvious concentrations of minority voters. Despite the constraints imposed by the Voting Rights Act, partisanship should produce different patterns of districting Black voters.

When Republicans control the redistricting process they will pursue, the following tactics:

1. Black majority districts may have their Black percentages increased. The Republican interest is to place as many Black voters, who are of course the Democrats' most reliable voters, in districts that are conceded to the Democrats. If these Black voters are not placed in Black majority districts they may be placed in other districts that are being conceded to the Democrats.

2. Blacks who are not moved into Black majority districts or other safe Democratic districts will be placed in safe Republican districts. If white voters, or in the case of Florida, Cuban-Americans, are strongly Republican, a modest increase in the number of Black voters in a district will not threaten Republican prospects there.

3. Republicans will not be interested in constructing districts with substantial minorities of Black voters. These "coalition districts," are in partisan terms highly likely to be Democratic.

When Democrats control the redistricting process, they will pursue the following strategies:

1. They will, to the extent possible, resist creating Black super-majority districts and seek to reduce the Black percentage in Black majority districts and use the African Americans to create more favorable districts elsewhere. Ideally, Democrats would like to create coalition districts that allow them to spread African Americans across more districts. As was noted above, federal court rulings have made this a more viable option.

2. In each of the four states where Democrats controlled the redistricting process, there are many Republican voters as evidenced by George W. Bush's strong wins in 2000. Democrats will concede a certain number of districts to the Republicans. Democrats will whiten or bleach these concession districts as much as possible. There is no political reason for Democrats to place any Blacks in districts that they are conceding to the Republicans.

Of course, geography, demographic distribution of Blacks, and the requirement that districts have equal population prohibit the creation of all white concession districts that would maximize the Democratic advantage in House elections.

In essence we hypothesize that the degree to which creating districts with Black majorities, or large black minorities, harms Democratic chances depends to a significant degree on who is controlling the redistricting process. Also, partisan control of the process will determine how Black residents are distributed among a state's congressional districts. The significance of partisan control has been absent from most previous literature on race and redistricting.

The redistricting process in each of the six states included in this study is examined to determine the predictive value of these hypotheses.

Republican Controlled Districts

Virginia

With majorities in both houses of the legislature and a Republican governor, Republicans had complete control over the redistricting process in Virginia in 2001. The redrawing of the district lines was a successful Republican gerrymander. Although Al Gore received 42 percent of the vote in Virginia, he would have won just two districts under the 2002 lines. (Under the 2000 district lines Gore won 3 districts in Virginia and lost another, the 4th, by just 473 votes) (Barone and Cohen 2001).

In Virginia, Republicans held 8 of 11 House seats after State Senator Randy Forbes defeated African-American State Senator Louise Lucas in a 2001 special election in the Fourth district following the death of Democratic Representative Norman Sisisky. One of the three House Democrats was African-American Bobby Scott, whose district had been redrawn in the 1990s as a result of litigation, but retained a solid African-American majority. (As it was redrawn after the 1990 census, the district had a 64 percent Black population. After litigation, the legislature redrew the district with a 54 percent Black population in 1998.)

With 8 House seats already in GOP hands, Republicans had limited room to expand in a state where Clinton captured 46 percent of the vote in 1996 and Al Gore and Ralph Nader combined for 46 percent in 2000. The main focus of Republicans in Virginia was to protect newly elected Representative Forbes who had won a 52-48 percent victory in the Virginia district with the second highest percentage of African-Americans. Because it had a 39 percent Black population, the fourth district was viewed as less than secure for a Republican. The national partisanship of the district indicated

some Democratic strength as well. Bill Clinton won the district over Bob Dole in 1996 by a 50-43 margin and in 2000 Al Gore and George W. Bush each received 49 percent of the vote in the district.

Republicans enacted just one major change in district racial composition in Virginia. They reduced the Black percentage in the 4th district. Table 1 indicates that the Black percentage of voters was reduced from 39.1 percent to 33.1 percent. In the newly reconstituted district, George Bush would have received 54 percent of the vote, an increase of five percent over the district as it existed in 2000. State Senator Lucas initially launched a campaign against Forbes in 2002. She withdrew when she found it difficult to raise funds (Whitley 2002). The perception that she could not win in the redrawn district probably contributed to Lucas inability to raise money for her second campaign. Thus, Forbes did not have a Democratic challenger in the 2002 election.

Table 1 depicts the partisan and racial changes in House districts in Virginia's Tidewater region. The Tidewater area contains the largest concentration of Blacks in Virginia. The political and legal battles over redistricting have all involved tidewater based districts. Representative Scott's district does stretch into Richmond to include Black residents of the state's capital.

The Black majority district of Representative Scott had its African-American population percentage increased from 54 to 56 percent (The district was 54 percent after the court ordered redistricting of 1998.). The Black population had grown to 56 percent by the 2000 census. Republicans were aided in draining Blacks from the fourth district and placing them in Scott's

Table 1. Racial and Partisan Consequences of Congressional Redistricting in Tidewater Virginia

District	Black Population			Bush Vote	
	1998	2000	2002	2000	2002
1	18.6	19.5	19.5	58.0	57.9
2	18.5	22.7	21.4	52.8	54.5
3	53.6	56.2	56.0	31.8	31.6
4	38.6	38.8	33.1	49.2	53.9

Note: In Tables 2-6, the Black population is presented as the district was configured in 1998 based on 1990 census data. The 2000 figure is the district Black population after the 2000 census. The 2002 Black population percentage reflects the district as it was reconfigured after redistricting. The 2000 Bush number is the percentage that George W. Bush won in the district in 2000. The 2002 Bush percentage reflects how George W. Bush would have done in the district as it was configured after redistricting. For all districts in each of the six tables the racial population statistics were drawn from the 2000, 2002, and 2004 editions of the *Almanac of American Politics*. Because they are calculated in more precise percentages, the presidential vote totals were taken from the website of the National Committee for an Effective Congress (NCEC.org).

district because the district had the lowest population of any district in Virginia in 2000. The 3rd district needed an additional 76,000 people to reach the 643,000 population required of Virginia districts after the 2000 election. There was, of course, no legal requirement that the legislature increase or maintain the Black percentage in Scott's district. The 3rd district was the most Democratic in the state and it was in the Republican interest to place more of the Democrats' most reliable voters in a district that a Republican could not possibly win.

The new districts were challenged in court. A suit filed by the Lawyers Committee for Civil Rights under Law argued that the reduction of Black voters in the fourth district was dilution of minority rights. The Lawyers Committee claimed that it was possible to draw a compact district with a Black population of 39.4, 42.4, or 52.8 percent. The suit alleged that the 6 percent reduction in the district's black population reduced the opportunity of Black residents to elect a candidate of their choice. This suit was withdrawn and a subsequent suit was filed in federal court. Republicans argued that they were required by the Voting Rights Act to retain a Black majority in the 3rd district. In August 2003, a federal district judge in Norfolk dismissed the lawsuit and ruled that the new 4th district did not dilute the Black vote. The chief counsel for the Lawyers Committee indicated that the organization was considering an appeal (Stallsmith 2003).

One major change from 1990s redistricting was that the most prominent black elected official in Virginia, Representative Scott from the 3rd district, argued for an increase in Black population in the 4th district and a decrease in Black population in his own district. Scott argued that he could win in a district with a reduced Black population. Scott contended that eastern Virginia should have two districts with sizeable Black populations rather than one majority district. (Whitley 2003) In the early 1990s few Black politicians were willing to argue for anything other than the "Max Black" strategy. Virginia Republicans had essentially conceded the third district to the Democrats and were not interested in reducing its Black population in order to increase the Black population, and therefore the Democratic voting strength, in the 4th district.

As was hypothesized, the Virginia Republicans had no interest in creating coalition districts. The 48 percent performance of State Senator Lucas in the 2001 special election in the 4th district indicated that the district was a white majority district in which a Black candidate could seriously contest for a House seat. Republicans diminished this possibility when they reduced the Black population in the 4th district. They preferred that Blacks be safely packed into a majority Black district that was conceded to the Democrats, or into solidly Republican districts.

Florida

Florida was the other southern state in which Republicans held majorities in both houses of the legislature and the governorship and thus had complete control of the redistricting process. As in Virginia, they began with a substantial advantage in the state's House delegation. After the 2000 election, Republicans held a 15-8 advantage in the Florida House delegation. Florida gained two seats after the 2000 census. Republicans engineered a successful partisan gerrymander in the state. In a state where George Bush and Al Gore had run nearly even in the popular vote, Gore would have carried just 9 of the 25 districts under the 2002 lines. The 2002 elections produced a House delegation of 18 Republicans and seven Democrats. Republicans won both of Florida's new districts and they were able to defeat one Democratic incumbent whose district had been made more Republican as a result of a reduction in its Black population, and commensurately, its Gore percentage.

In the redistricting that followed the 1990 census, three Black majority districts were created. The North Florida 3rd district was declared unconstitutional by a federal court and was redrawn for the 1996 election with its Black population reduced from 55 to 47 percent (Barone and Ujifusa 1999). The presence of three majority or near majority Black districts meant that Florida Republicans were relatively free to shape other districts without fear that they would be guilty of effecting a retrogression in Black representation.

Republicans essentially drew the lines to grant themselves 18 districts. The three districts with Black representatives were left largely unchanged. Black voters were not a major factor in Republican plans to enact a partisan gerrymander in Florida. In two cases in Central Florida and the Tampa Bay area, altering the Black population in certain districts facilitated Republican redistricting goals.

In central Florida, the main Republican goal was to rearrange district lines to defeat five term Democratic incumbent Karen Thurman in the 5th district. Several district lines were redrawn in Central Florida. As Table 2 indicates, the Black population in Thurman's district was reduced by four percent in a district that voted 50 percent for Al Gore and 46 percent for George W. Bush. In a district where the Bush percentage was increased from 46 to 52 percent of the vote, Thurman was defeated by a two percent margin in the 2002 election. While having Democratic Alachua County removed from her district especially hurt Thurman, the loss of 25,000 Black residents may have been decisive in an election that she lost by just over 4,000 votes (Solochek 2002).

The major Black population increase in a north central Florida district was in district 4 where the Black percentage went from 6.3 to 13.5 percent.

**Table 2. Racial and Partisan Consequences
of Congressional Redistricting in Florida**

District	Black Population			Bush Vote	
	1998	2000	2002	2000	2002
3	47.0	49.2	49.3	38.9	36.1
4	6.3	8.8	13.5	64.1	65.0
5	8.4	8.8	4.5	48.0	52.8
10	9.3	11.1	4.4	45.2	47.7
11	17.1	19.7	27.4	45.2	39.9

Bush would have carried the newly reconstituted district 4 with 65 percent of the vote. The whites in district 4 are so Republican that Black voters could be safely placed there without jeopardizing Republican electoral prospects in the district. The Blacks who were placed in district 4 might have been added to 49 percent Black district 3, but a federal court had struck down a geographically contorted Black majority district 3 in the 1990s. Republicans could achieve the same partisan outcome by placing more Blacks in district 4 and avoiding litigation.

In the Tampa Bay area, the Republican legislature sought to protect one Republican district by draining Blacks from the 10th district into the Democratic leaning 11th district. Republican Bill Young has held the St. Petersburg based 10th district since 1970. In 1996, Bill Clinton carried the district by a 52-38 percent margin over Republican Bob Dole. In 2000, Gore won the district by a 53-44 percent margin over George W. Bush. As Chair of the Appropriations Committee, Young had little trouble winning reelection in the district. Because Young was 72 years old in 2002, Republicans wanted to ensure that their party would control the district throughout the decade (Gilmer 2002; Bousquet 2002). To protect Young and, especially future Republican candidates in the 10th district, Republicans reduced the district's Black population to just 3.6 percent. About 41,000 Blacks were simply removed from the 10th district. As drawn for the 1990s, the district had a Black population of about 9.3 percent. By the 2000 census the 10th district had a Black population of 11.6 percent. By removing so many Blacks from the district Republicans were able to decrease Gore's margin over Bush from nine percent to just two percent (Barone and Cohen 2003).

The Black voters who were removed from the 10th district were placed in the Democratic leaning neighboring 11th district. The Black percentage in the 11th district was increased from 17.1 to 27.4. The vast majority of these new Black voters were from the St. Petersburg precincts of the neighboring 10th district. Republicans were essentially conceding the 10th district to

Democrats as they increased the Gore percentage by five points to 58 percent.

In Florida, Republicans shifted Black voters from two districts where they might make a substantial difference in a House election, to two districts where they were largely irrelevant to the partisan composition of the districts. The Blacks who were removed from these districts were, in one instance, placed in a district that was so heavily Republican that they will not make any difference in the outcome. In the other case the Blacks were placed in a district that the Republicans had constructed as a Democratic concession district.

Democratic Controlled Redistricting

Georgia

Although Democrats controlled the redistricting process in Georgia after the 2000 census, as they had after the 1990 census, they faced dramatically different circumstances in 2000. In 1990 Georgia had elected a delegation of eight white Democrats, one Black Democrat (Atlanta's John Lewis) and one Republican (Newt Gingrich). The Justice Department required that the Georgia legislature create three black majority districts. These districts had very large Black majority populations of 57, 65, and 64 percent (Barone and Ujifusa 1995). Georgia Democrats tried unsuccessfully to accommodate the demands for Black majority districts while maintaining a majority of Georgia's U.S. House seats. (Beachler 1998) By 1995, the Georgia Congressional delegation consisted of three black Democrats and eight white Republicans.

A successful lawsuit forced a significant reduction in the Black population in two of the three Black majority districts. In the 2nd district, the Black population was reduced from 57 to 39 percent, while in the 4th district (previously the 11th district) the Black population was officially reduced from 64 to 37 percent. It is very likely that as a result of population changes, the redrawn 4th district actually had a Black population well above 37 percent (Bullock and Dunn 1999). In the 5th district the Black population was reduced slightly from 65 to 62 percent (Barone and Ujifusa 1999). As Table 3 indicates, population shifts made the 4th district a near Black majority district in 2000.

In 2002 Georgia gained two seats as a result of population growth in the 1990s. The Democratic legislature was confronted with eight Republican incumbents and the fact that Georgia had voted for George Bush by a 55-43 percent margin in the 2000 presidential election. The legislature attempted to create seven Democratic districts while conceding 6 districts to the Republi-

cans (Pendered and Cook 2001). To illustrate the strategy pursued by the Democrats in Georgia it is necessary to show the racial and partisan changes made in all of the Georgia districts. Table 3 demonstrates these changes.

Table 3 indicates that Democrats tried to remove as many Blacks as possible from the six districts they were conceding to the Republicans. Unlike Republican legislators who may wish to place some Blacks in safe Republican districts where they will be politically isolated, Democrats wish to whiten the concession districts as much as possible. The four Republican concession districts that were more than 10 percent Black had their Black populations significantly reduced. In the case of Republican Charlie Norwood (whose district number changed from 10 to 9) the Black population was reduced by 23.9 percent.

Democrats attempted to turn two Republican districts (3 and 11 under the new numbering system) into Democratic districts. In both districts they increased the black population and thereby reduced the Bush percentage of the vote. In both districts the Republican incumbents opted not to run for reelection in the new districts.² Democrats won the 3rd district by a very close margin, while Republicans won the new district (now numbered district 11) (Barone 2002).

Table 3. Racial and Partisan Impact of Congressional Redistricting in Georgia

	District No.	Black Population			Bush Vote	
		1998	2000	2002	2000	2002
Black Incumbent Districts	2	39.2	40.2	44.5	54.3	50.4
	4	36.6	49.1	53.1	29.8	29.2
	5	61.9	62.4	55.7	23.0	26.7
Republican Concession Districts	1	30.5	30.9	22.5	57.3	64.9
	6	6.3	10.7	6.9	66.6	69.3
	7	13.2	18.0	7.9	60.6	71.8
	8	24.6	30.4	12.5	56.6	70.8
	9	37.5	38.2	13.6	57.4	67.8
	10	3.6	3.1	3.3	71.1	71.4
Democratic Target Districts	3	31.1	32.1	39.4	57.4	52.3
	11	13.2	18.0	28.2	60.6	51.0
New Districts	12	NA	NA	42.3	NA	44.6
	13	NA	NA	40.7	NA	40.8

Note: Some Georgia districts were renumbered after 2000. The numbers of districts 9 and 10 were exchanged, as were districts 3 and 8 and 7 and 11. For purposes of comparison, district data reflects the district numbering system used in 2002.

The Black percentage was increased in two of the Black incumbent districts, while in district 5, held by civil rights movement legend John Lewis the Black percentage was reduced by about six percent. The large increase in the Black population in the 4th district is not consistent with our hypotheses about Democratic redistricting. While the district had about a 37 percent Black population when it was redrawn in 1996, population changes left it at 49.5 percent after the 2000 census. It would have been illegal under Section 5 of the Voting Rights Act for Democrats to break up an existing community of Black voters who had elected a Black representative for a decade. In fact, the Black population was increased by an additional five percent in the 4th district.

In the two new districts, Democrats set Black populations just above forty percent. The Georgia plan created only two Black majority districts and reduced the Black percentage in one of those districts. Prominent Black politicians in the state, including Representative John Lewis and State Senate majority leader Charles Walker, supported this redistricting plan. Black Democrats supported the redistricting that was designed to aid Democrats rather than solely focusing on the election of Black representatives. In court papers defending the plan, Lewis, a hero of the Civil Rights Movement, argued that Georgia whites were more willing to vote for Black candidates than they had been in the past. According to Lewis, “The state is not the same state that it was. It’s not the same state that it was in 1965 or in 1975, or even in 1980 or 1990. We’ve come a great distance. It’s not just in Georgia, but in the American South. People are preparing to lay down the burden of race” (Eversley 2002).

Republicans, who helped finance litigation that argued that more blacks should be concentrated in fewer districts, harshly criticized the Georgia plan. In particular, the GOP objected to the reduction of Black voters in Lewis’ district (Cohen 2002). Republicans argued that the failure to create more Black majority districts violated the Voting Rights Act (Finn 2001). Richard Pildes notes the strange rhetoric of race and partisanship, when he quotes Republican State Senator Eric Johnson, minority leader in the Georgia Senate, as saying that the Voting Rights Act was passed to stop plans such as that enacted by the Democrats that he claimed used, “. . . Minority voters to maintain the power of the majority race” (Finn 2001, quoted in Pildes 2002).

The Democrats had in fact created several coalition districts and this strategy prevailed in litigation as an option states may pursue. The United States Supreme Court gave apparent backing to this redistricting option when it ruled in a June 2003 case concerning the redistricting of the Georgia State Senate that states may consider factors other than the total number of blacks likely to be elected to office (*Georgia v. Ashcroft, Attorney General, et al.*).

In Georgia, Democrats made Republican concession districts as white as possible. Black voters were the basis of the Democratic plan to win seven of the state's 13 districts. In the election of 2002, Republicans scored major victories in Georgia defeating both an incumbent Democratic governor and an incumbent Democratic U.S. Senator. The Speaker of the State House of Representatives and the Majority leader of the State Senate were defeated in the general election. Democrats won a total of five U.S. House seats and in the 13th district; the state's fourth Black Democrat was elected to the House. In heavily Democratic district 12, Democratic aspirations were frustrated due to the nomination of a scandal plagued candidate, African-American Charles Walker, who in the words of the Executive Director of the Democratic Congressional Campaign Committee was, "just not electable" (Whittington 2002).

Despite the disappointing outcome for Democrats in Georgia House races, the redistricting process there indicates that partisan control of the redistricting process can mean very different opportunities for Black voters and candidates, especially as the courts no longer require the "Max Black" strategy of racial gerrymandering. This observation also holds true for other states where Democrats controlled the redistricting process.

North Carolina

North Carolina was the state with the most litigated congressional districts in the 1990s. The United States Supreme Court case which initially overturned the "Max Black" strategy of drawing district lines without regard for the physical configuration or geographical compactness of the districts, *Shaw v. Reno*, involved the famous I-85 district (the 12th district) that stretched across the state to include the Black residents of Durham, Greensboro, Winston-Salem, and Charlotte. In its final ruling on race and congressional redistricting in North Carolina, the Court in 2001, permitted race to be used as one of many factors in the drawing of a district as it upheld yet another configuration of North Carolina's 12th district (*Cromartie v. Hunt*).

In the redistricting that followed the 1990 census, the Democratic legislators were forced to create two Black majority districts (Districts 1 and 12), each of which had a 57 percent black population. In 2001, Democrats again controlled the redistricting process. In 1991, Democrats had a 7 to 4 advantage in House seats as they began drawing twelve new house district lines. In 2001 Republicans had a 7 to 5 majority as the legislature began to reconfigure the 12 existing districts and to design the 13th district that North Carolina received as a result of its population growth in the 1990s. Democrats were faced with a strong Republican trend in presidential politics in

North Carolina where George W. Bush defeated Al Gore by a 13 percent margin.

Because they were no longer required to create Black majorities in the districts of the two Black incumbents in districts 1 and 12, the Black percentages in these districts were virtually unchanged. Most of the Republican districts had their Black percentages reduced slightly, while the three white Democratic incumbents saw their Black percentages remain essentially the same. The largest change in Black population in a white incumbent's district was the over 50 percent reduction in Black population in district 5. District 5, where the black population was reduced from 13.7 percent to 6.6 percent, was clearly conceded to the Republicans. As in Georgia, but unlike in Florida, there was no transfer of Blacks into safe Republican districts.

Democrats drew a 13th district with a 26.9 percent Black population that had a slight majority of Gore voters. By combining Black voters in Raleigh with rural Democratic voters, Democrats created a seat that was won easily by a Democratic state senator. Because they were able to leave the 12th district with a 44 percent Black population, the Democrats put some Black neighborhoods in Greensboro in the 13th district (Barone and Ujifusa 2003).

Table 4. Racial and Partisan Impact of Congressional Redistricting in North Carolina

	District No.	Black Population			Bush Vote	
		1998	2000	2002	2000	2002
Republican Incumbent Districts	3	19.8	19.3	16.2	61.5	64.8
	5	13.9	14.2	6.7	62.3	67.0
	6	20.5	14.2	8.6	64.4	67.5
	8	27.7	26.1	26.6	55.6	53.3
	9	10.6	14.7	9.2	61.0	64.2
	10	6.8	6.0	9.2	67.0	65.3
	11	5.3	9.8	4.6	58.7	58.3
Black Incumbent Districts	1	50.3	50.2	50.5	42.5	41.1
	12	35.6	44.2	44.6	38.7	38.9
White Democratic Incumbent Districts	2	27.9	30.1	26.7	55.2	52.7
	4	21.0	19.8	20.6	47.2	48.1
	7	24.3	23.1	22.9	52.4	51.3
New District	13	N/A	N/A	26.9	NA	48.9

Alabama

In Alabama, Democrats followed a pattern similar to the strategy employed in North Carolina and Georgia, although they narrowly failed to pick up an additional House seat. Democrats held only two of the seven House seats in a state that George W. Bush had carried by 56-42 margin in 2000. One of the districts was the Black majority 7th which had been drawn in 1992 with a 67.4 percent Black population. The seventh district was adopted by a federal judge who accepted a plan constructed by the Republicans (Barone and Ujifusa 1993.) The large Black majority district likely cost Democrats two House seats in the 1992 elections (districts 2 and 6) and both of these districts have remained in Republican hands since that election (Beachler 1995).

In 2002, Democrats controlled both houses of the state legislature and the governorship in Alabama. The Democrats wished to pick up an additional seat in the state's congressional delegation. Because Representative Bob Riley, a Republican from the 3rd district was vacating his seat to run for governor, Democrats focused on strengthening the Democratic vote in that district. Democrats were divided over how many Black residents should be added to the 3rd district. Some argued for a plan that would increase the Black population from 25 to 36.9 percent. Such a district would have favored Al Gore by a narrow majority. Other Democrats objected that placing so many Blacks in the 3rd district would reduce Democratic chances of winning in the 2nd and 4th districts when incumbent representative stepped down in those districts. A 29.2 percent district that would have remained a Bush majority district was proposed (White 2001).

The Alabama legislature produced a third district with a 32 percent black population that remained a 52 percent Bush majority district. Democrats were hopeful that the new district would elect a Democratic representative (White 2002). In the end their hopes were dashed as Republican Mike Rogers won the district by a 50-48 percent margin over Democrat Joe Turnham. By enacting a plan that left a 29.4 percent Black population in the 2nd district, Democrats fell just short of their goal in the 3rd district.

Table 5 demonstrates that the major changes that Democrats made to district lines in Alabama were to increase the Black percentage in the 3rd district in their failed attempt to win a another House seat in the state. They reduced the Black population in the black majority 7th district by almost six percent. Unlike Virginia Republicans, Alabama Democrats had no interest in packing a district with a greater percentage of Black voters. While the heavily Republican 6th district was drawn with just a nine percent black population in 1992, by 2000 Blacks constituted 16.1 percent of the district population. The 6th district's Black population was reduced to 7.7 percent

Table 5. Racial and Partisan Impact of Congressional Redistricting in Alabama

	District No.	Black Percentage			Bush Percentage	
		1990s	2000	2002	2000	2002
Black Incumbent District	7	67.4	64.7	61.7	26.6	33.5
White Democratic Incumbent District	5	14.8	16.1	16.9	56.4	54.5
Democratic Target District	3	26.0	25.2	32.2	57.9	52.0
Republican Incumbent Districts	1	28.5	28.5	28.0	61.4	60.9
	2	24.1	27.8	29.4	63.9	61.1
	4	6.6	6.6	5.1	60.0	61.2
	6	9.1	14.8	7.7	70.7	73.6

under the district plan adopted by Alabama Democrats. Unlike Republicans, Democrats had no interest in placing very many Blacks in an overwhelmingly Republican district.

Tennessee

Race and redistricting were not as complex in Tennessee in 2001 as they were in several other southern states. Tennessee had elected a Black representative from a Memphis based district since 1974. Republicans held a five to four majority in the Tennessee House delegation from 1994 through 2002. In 2001, 4th District Representative Republican Van Hilleary announced that he would run for governor. Democrats planned to alter the 4th district lines to enhance the party's prospects in the district (Humphrey and Powelson 2002). The 4th district was changed from a district that George Bush carried by 6.5 percent to a district that Gore would have won by .6 percent. The plan was successful as Democrat Lincoln Davis won the new 4th district. As Table 6 illustrates, changes in district racial percentage were not significant in changing the partisan nature of the 4th district in largely white rural central Tennessee.

The major change in the racial composition of a Tennessee district was the 6 percent reduction in the Black majority district of Representative Harold Ford, Jr. The Bush percentage in the district increased by about four percent. Ford, who presents himself as a centrist Democrat, and clearly has ambitions for higher office in Tennessee, raised no objections to the

**Table 6. Racial and Partisan Impact
of Congressional Redistricting in Tennessee**

	District No.	Black Population			Bush Vote	
		1990	2000	2002	2000	2002
Republican	1	1.8	1.9	2.1	61.2	61.1
Incumbent	2	6.5	6.2	6.2	52.8	50.1
Districts	3	11.6	11.9	11.1	54.3	57.2
	7	12.3	15.4	11.4	55.8	62.0
Black Incumbent District	9	59.4	65.9	59.5	21.8	27.1
White Democratic	5	22.8	24.8	23.4	38.8	39.7
Districts	6	5.7	5.7	6.3	52.7	49.2
	8	19.6	23.4	22.3	49.9	48.3
Open Seat	4	3.6	3.3	4.4	52.8	49.2

reduction in the Black percentage in his district (Barone and Ujifusa 2003). By holding the Black percentage at 59.5 percent in district 9, Democrats were able to avoid weakening their party strength in district 8. While Democratic incumbent John Tanner appeared invulnerable in the district, Democrats were able to maintain a 22.3 percent Black population that would be useful to their nominee if Tanner should decide to retire or seek another office. (The small decrease in the Bush percentage in district 8 was achieved by shifting some white Republican areas out of the district and including some white counties that lean Democratic).

Conclusion

Gary Jacobson noted that, nationally, the redistricting that followed the 2000 census was a great boon to the Republican Party, and he considers it a major source of Republican success in the 2002 House elections. Even before the redrawing of district lines, there was a Republican skew to the distribution of voters in the United States. While losing the popular vote to Al Gore in 2000, George W. Bush carried 228 House districts. Bush would have carried to 237 of the 435 House district as the lines were constructed in 2002 (Jacobson 2003).

In the two southern states where they controlled the drawing of district lines, Republicans gained 3 seats and Democrat lost one seat. Despite the unfavorable national political climate and the political meltdown suffered by their party in Georgia, Democrats did quite well in the four southern states where Democrats drew the House district lines. Democrats picked up four

seats in these four states (they had hoped to gain seven seats). Republicans lost a total of one seat in these states that gained a total of three additional seats after the 2000 census. The six districts in these four states that had been represented by African-Americans all returned African-Americans to the House. Three of the returning African-Americans were incumbents, one replaced an incumbent who retired and two defeated other black incumbents in primary elections. An additional Black representative was elected in Georgia.

When Democrats controlled the redistricting powers, they were able to protect Black districts and enhance Democratic Party interests despite a strong Republican vote in the 2000 presidential election in each of the four states. When Republicans controlled the process, existing Black districts were not harmed, and in Virginia, more Blacks were added to the Black majority 3rd district. Under Republican district lines, no Black coalition districts were formed and Black populations were moved in a manner designed to limit the election of Democrats, who receive the vast majority of Black votes in most elections.

The flexibility enjoyed by Democrats was enhanced by judicial decisions that apparently no longer require the drawing of Black super-majority districts. Democrats' power to balance racial and partisan interests was increased by the support of Black politicians such as Representatives John Lewis in Georgia and Harold Ford, Jr. in Tennessee, who were willing to support plans that aimed at increasing Democratic victories as well as electing Blacks to Congress.

This article demonstrates that party control of the redistricting process determines to a significant degree the extent to which constructing districts with Black majorities or substantial minorities of Black voters has an adverse impact on Democratic fortunes. Richard Pildes has argued that the logic of recent Voting Rights cases calls into question the permissibility of packing Blacks or other minorities into super-majority districts (Pildes 2002). Should super-majority-minority districts be banned, Republicans will lose one of the options they exercise to enhance their partisan advantage in congressional redistricting.

NOTES

¹In Louisiana, Black representative Cleo Fields decided not to seek reelection when his district's Black population was reduced from 67 to 33 percent after the 1994 election.

²In district 3, Republican incumbent Saxby Chambliss successfully sought a U.S. Senate seat. In district 11, Linder defeated Barr in the primary election.

REFERENCES

- Barone, Michael, and Richard Cohen. 2003. *The Almanac of American Politics, 2004*. Washington, DC: The National Journal.
- Barone, Michael, and Richard Cohen. 2001. *The Almanac of American Politics, 2002*. Washington, DC: The National Journal.
- Barone, Michael, and Grant Ujifusa. 1999. *The Almanac of American Politics, 2000*. Washington, DC: The National Journal.
- Barone, Michael, and Grant Ujifusa. 1995. *The Almanac of American Politics, 1996*. Washington, DC: The National Journal.
- Beachler, Donald W. 1998. Racial and Partisan Gerrymandering: Three States in the 1990s. *The American Review of Politics* 19:1-16.
- Beachler, Donald W. 1995. Racial Gerrymandering and Republican Gains in Southern House Elections. *Journal of Political Science* 23:65-86.
- Bousquet, Steve. 2002. Tailored Congressional Districts Approved. *St. Petersburg Times*. March 23, 1A.
- Bullock, Charles S. III, and Richard E. Dunn. 1999. The Demise of Racial Redistricting and the Future of Black Representation. *Emory Law Journal* 48:1209-1252.
- Cameron, Charles, David Epstein, and Sharon O'Halloryn. 1996. Did Majority-Minority Districts Maximize Substantive Representation in Congress? *American Political Science Review* 90:794-812.
- Cohen, Adam. 2002. Why Republicans are Shamelessly in Love with the Voting Rights Act. *The New York Times* March 24, Section 4, 14.
- Eversley, Melanie. 2002. Redistricting Map for Georgia goes to Court in D.C. *Atlanta Journal Constitution* February 4, C1.
- Finn, Michael. 2001. Remap Discussions Focus on Black Voters. *Chattanooga Times* September 8.
- Gilmer, Bryan. 2002. Young's District May See Change. *St. Petersburg Times* February 16, 1A.
- Grofman, Bernard, Lisa Handley, and David Lublin. 2001. What Minority Populations are Sufficient to Afford Minorities a Realistic Chance to Elect Candidates of Choice? Drawing Effective Minority Districts: A Conceptual Framework and Some Empirical Evidence. *North Carolina Law Review* 79 (June): 1383-1430.
- Hill, Kevin. 1995. Does the Creation of Black Majority Districts Aid Republicans? *Journal of Politics* 57:384-401.
- Humphrey, Tom, and Richard Powelson. 2002. The Democratic Designed State Redistricting Plan on Hold. *Knoxville News Sentinel* January 7, A1.
- Jacobson, Gary. 2003. Terror, Terrain, and Turnout: Explaining the 2002 Midterm Elections. *Political Science Quarterly* 118(1):1-22.
- Lublin, David. 1997. *The Paradox of Representation: Racial Gerrymandering and Minority Interests in Congress*. Princeton, NJ: Princeton University Press.
- Overby, L. Marvin, and Robert D. Brown. 2002. Race, Redistricting and Re-election: The Fate of White Incumbent Democrats in the 1994 Congressional Elections. *American Review of Politics* 23: 337-354.
- Overby, L. Marvin, and Kenneth Cosgrove. 1996. Unintended Consequences: Racial Redistricting and the Representation of Minority Interests. *Journal of Politics* 58:540-555.
- Pendered, David, and Rhonda Cook. 2001. Creative Legislators Draw New Congressional Map. *The Atlanta Journal and Constitution* September 29, 1A.

- Pildes, Richard. 2002. Is Voting Rights Law at Odds with Itself? *North Carolina Law Review* 80:1517-1573.
- Solochek, Jeffrey S. 2002. How Brown-Waite Ousted Thurman. *St. Petersburg Times* November 7, 1.
- Stallsmith, Pamela. 2003. Judge: Black Vote Undiluted in 4th; Group's Challenge to Plan Dismissed. *Richmond Times Dispatch* August 9.
- Swain, Carol M. 1995. *Black Faces, Black Interests; The Representation of African Americans in Congress*. Cambridge: Harvard University Press.
- White, David. 2002. New District Lines Map Help Demos. *Birmingham News*. January 23.
- White, David. 2001. Redistricting Keeps House Deadlocked. *Birmingham News* September 12.
- Whitley, Tyler. 2003. Redistricting Ruling Cheers Group, Lawyers Want 4th District Changed. *Richmond Times Dispatch* June 28, B-4.
- Whitley, Tyler. 2002. Panel Refiles Redistricting Challenge. *Richmond Times Dispatch* April 4, B-2.
- Whittington, Lauren W. 2002. Democrats Seek Answers after Disaster in Georgia. *Roll Call*. November 7.

