Legislating at the Intersections: Race, Gender, and Representation

Beth Reingold Department of Political Science Emory University Atlanta, GA 30322 404-727-6569 (office) 678-662-2176 (mobile/text) beth.reingold@emory.edu

Vacation: 6/7/19-6/16/19 Available via mobile phone and email

Kirsten Widner Department of Political Science Emory University Atlanta, GA 30322 619-337-5565 (mobile/text) kwidner@emory.edu

No vacations scheduled

Rachel Harmon Department of Political Science Emory University Atlanta, GA 30322 <u>r.a.harmon@emory.edu</u>

Abstract

Record numbers of women, and in particular women of color, are gaining elective office across the country. This article explores how their presence in legislative bodies might make a difference in policy agendas and legislative advocacy, especially at the intersections of race and gender. Leveraging original datasets of Democratic lawmakers and the bills they sponsor in 15 U.S. state houses in 1997 and 2005, we examine multiple forms of *race-gender policy leadership* and how it is tied to legislators' race-gender identity. Testing theories of intersectional representation, we find that women of color often are the most likely race-gender policy leaders. Indeed, our measures of race-gender policy leadership reveal the distinctive representational work of women of color, which traditional, single-axis measures of legislative activity on behalf of women *or* racial/ethnic minorities cannot.

Keywords: race, gender, intersectionality, women of color, representation, race-gender policy leadership

Replication: Materials for replication are available at

https://dataverse.harvard.edu/dataverse/breingold.

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In what has been dubbed the second Year of the Woman, record numbers of women ran for and won office in the 2018 midterm elections.¹ As with the first Year of the Woman in 1992, a substantial portion of these candidates and winners are women of color.² Indeed, women of color have been a driving force behind the electoral gains of women and racial/ethnic minorities in the U.S. for decades (Hardy-Fanta et al. 2016). If improved descriptive representation is a key step toward enhancing the substantive representation of marginalized groups (Mansbridge 1999), what, then, is the likely impact of these growing numbers of women of color in elected office?

Existing research examining the relationship between descriptive and substantive representation has clearly established that policymaking is raced and gendered. Black legislators are more likely than their white counterparts to champion the interests of Black constituents (e.g., Canon 1999; Grose 2011; Haynie 2001; Minta 2011); Latinx legislators are more likely to do the same for their Latinx constituents (e.g., Bratton 2006; Rouse 2013; Wallace 2014; Wilson 2017); female legislators are more likely to advocate for women (e.g., Osborn 2012; Reingold 2000; Swers 2002, 2013).

The vast majority of representation research has taken a "single-axis" or one-at-a-time approach to studying race, ethnicity, *or* gender (Crenshaw 1989). As a consequence, much less is known about the confluence and intersections of race *and* gender in the politics of representation and processes of policymaking. To understand the role of women of color – and men of color, white men, and white women – we must engage more intersectional concepts of descriptive and substantive representation and ask a different set of questions. Rather than simply pondering whether women and racial/ethnic minorities in office are more likely to advocate on behalf of other women and minorities, respectively, this article examines the following: to what extent and how do representatives address both race and gender in their policymaking initiatives? Are policy agendas and legislative advocacy raced-gendered (Hawkesworth 2003)?

A growing body of research focused on the representational behavior of women of color in office has begun shedding light on these questions. Bratton, Haynie, and Reingold (2006), for example, find that across 10 state houses, Black women are more likely than their Black male or white colleagues to sponsor at least one Black interest bill and one women's interest bill. In their analysis of congressional websites, Brown and Gershon (2016, 101) report that, while "all the legislators examined implicitly connected their identity to an advocacy issue, ...minority congresswomen are most likely to include more than one marginalized identity (such as their race, class, and/or gender) to illustrate their concern for a disadvantaged subpopulation." Similarly, Brown, Minta, and Banks examine how lawmakers' race-gender identities affect their and their institutions' attention to "joint issues" that directly or indirectly affect both women and racial minorities in the Maryland state legislature and in Congress (Brown and Banks 2014; Minta and Brown 2014; see also Barrett 1995). Taking a more in-depth case study approach, Brown (2014) and others have explored the intersectional complexities of how the identities and experiences of legislative women of color shape their representational activities on behalf of women, minorities, and minority women in particular (García et al. 2008; Takash 1997; Williams 2016).

In this article, we build on these and other studies of race, gender, and representation to further operationalize and test theories of intersectionality and legislative behavior (Brown 2014; Hancock 2007, 2014; Reingold and Smith 2012; Smooth 2011; Strolovitch 2007). We aim primarily for a deeper and more generalizable understanding of raced *and* gendered, or "race-

gender" policymaking through a unique combination of conceptual innovations and datagathering advances.

The concept of *race-gender policy leadership*, defined here as sponsoring bills that address the interests of both women and racial/ethnic minorities – or disadvantaged subgroups thereof, offers a more inclusive and complex understanding of representational policymaking in one of its most powerful forms: agenda-setting leadership. Focusing on patterns of bill sponsorship, our analysis recognizes that legislators can approach various group interests (Black, Latinx, women's) as distinct, overlapping, or intersecting. Thus, we examine not only the likelihood that legislators advocate for women *and* minorities at all, but also *how* they choose to do so: sequentially (one group's interest at a time), simultaneously, or with greater attention to intersectional disadvantages.

To maximize generalizability, we distinguish and measure multiple approaches to racegender policy leadership across a wide variety of institutional spaces and multiple race-gender groups. Leveraging a large original dataset of bills introduced in 15 U.S. state houses in 1997 and 2005, our sample captures a wider range of institutional- and individual-level race-gender diversity than that of previous studies. By including many of the most racially and/or gender diverse institutions as well as some of the most homogeneous, we maximize the number of female, African American, and Latinx legislators – as well as women of color – without restricting our analysis to only the most diverse institutions.

Together, these innovations allow for a more thorough examination of theories of intersectional representation across multiple conceptions of race-gender policy leadership. Specifically, we test hypotheses that Black female and Latina legislators are more likely than all other legislators to sponsor (a) both women's interest bills and minority interest bills; (b) bills

that address multiple group interests simultaneously, such as standard antidiscrimination measures; and (c) bills that address the interests of multiply disadvantaged subgroups of women or minorities, such as poor women of color (Strolovitch 2007). In contrast, we expect that women of color will not be distinguished from their peers on single-axis measures of womenonly or minority-only policy leadership.

We find that intersectionality matters – both as an analytic approach and as a political phenomenon. Women of color appear to behave very much like other women when considering single-axis women's issues and very much like co-ethnic men when considering single-axis Black or Latinx issues; but they stand out when we take a more intersectional approach to policy leadership. While few legislators engage in race-gender policy leadership, either Black women or Latinas are more likely to do so than their minority male or white female counterparts, depending on the measure. Thus, women of color play distinctive, leading roles in addressing the policy needs of multiple and multiply disadvantaged constituencies. This suggests that the increasing numbers of women of color in legislative bodies has particular significance for the most marginalized constituencies.

Theories of Intersectional Representation

Theoretically, social identity links descriptive and substantive representation (Brown 2014; Reingold 2000; Swers 2002). Above and beyond partisanship, ideology, and even constituency, it is the legislators' own identities and lived experiences as women, minorities, and minority women that is the primary driver of "acting for" others like them (Pitkin 1967). While all legislators can identify themselves in terms of both gender and race/ethnicity and draw on that dual identity in their representational decision making, research suggests that women of color are

most likely to do so (Brown and Gershon 2016). The particular intersections of race, gender, and class and experiences with racism, sexism, and economic deprivation that shape the identities and perspectives of legislative women of color enable and empower them to advocate on behalf of multiple constituencies, especially those that are "intersectionally marginalized" (Brown and Banks 2014; King 1998; Strolovitch 2007) or subject to "secondary marginalization" within marginalized communities (Cohen 1999).

As Brown and Banks (2014, 166) argue, Black women legislators have a "race/gender identity advantage;" their race/gender identities "better position...[them] to recognize the needs of multiple communities than White men and women and Black men... [Thus,] Black women are uniquely positioned to use their intersecting raced and gendered identities to advocate for the needs of racial/ethnic minorities, women, and specifically minority women..." (see also Orey et al. 2006). Similarly, Fraga and colleagues (2008, 163) coin the term "strategic intersectionality" to theorize "the unique position that Latina legislators may occupy, relative to Latino males." Their intersectional identity provides a distinct "set of interests, resources, and strategies" by which they "are positioned to be the most effective advocates on behalf of working-class communities of color" (p. 157; see also Bejarano 2013; Garcia et al. 2008, 30; Rocha and Wrinkle 2011).³

Brown (2014) goes one step further. Black women legislators, she argues, often "use an intersectional approach to formulating public policy" (p. 73). Drawing upon their first-hand knowledge of multiple intersecting systems of oppression, they reject policy proposals that treat race and gender "as mutually exclusive categories" and thus further obscure and marginalize women of color (p. 73). Rather than seeing issues as simply gendered *or* raced, Black women

legislators are more likely to frame them as "race-gender" issues in order to "advocate for African-American women who are marginalized and disempowered" (p. 91).

Other studies provide evidence that Black women and Latina leaders are particularly attuned to the interests of those who are "multiply burdened" (Crenshaw 1989), especially poor women of color. Brown and Gershon (2014, 94-95), for example, find that minority congresswomen are unusual in drawing attention to their "humble backgrounds" and "communicating their empathy for minorities, women, and the economically disadvantaged." At the state level, Reingold and Smith (2012) reveal how the presence and power of legislative women of color had a stronger, more consistent effect on mitigating some of the more punitive and miserly aspects of welfare reform in the 1990s than did that of their white female and minority male colleagues. Similarly, Strolovitch (2007, 9) suggests that without the shared experiences of intersecting marginalization and discrimination that women of color bring to the table, advocacy organizations fighting on behalf of women or minorities are likely to discount "disadvantaged-subgroup" issues like welfare reform as too "narrow and particularistic" to warrant their full attention. Instead, they will focus much more attention and resources to "consensus," "majority," or even "advantaged-subgroup" issues framed only in terms of gender or race/ethnicity and thought to be of more central and widespread concern to their constituencies (Cohen 1999).

For these reasons, we hypothesize that legislative women of color will be more likely than all other lawmakers to engage in race-gender policy leadership – more likely to introduce both women's interest bills and minority interest bills; more likely to introduce bills that address the interests of women and minorities simultaneously; and more likely to introduce bills that address the interests of disadvantaged subgroups of women or minorities. Congruent with

theories that expect women of color to take more intersectional approaches to issue framing and advocacy, we also expect that their leadership will be most distinct when it comes to sponsoring bills that address the interests of disadvantaged subgroups. To the extent that bills addressing multiple group interests simultaneously are standard antidiscrimination measures, we expect the behavior of women of color to be least distinctive. White women and men of color might sponsor such bills as a matter of course, even when their focus is only on one particular group or protected category. Moreover, such measures are more likely to be framed as benefiting the entire group, even when the opportunities they address (e.g., government contracting or higher education) are most available to relatively advantaged subgroups (Strolovitch 2007).

Minta and Brown (2014) provide an alternative theory worth noting, however. They argue that minority *men* are just as attentive to women's issues as are white women and minority women for two reasons. First is the similarity and overlap in group interests, or more precisely "the intersection that many women's interests have with racial and ethnic minority interests" (Minta and Brown 2014, 254). Second, interactions between minority men and women in various minority caucuses raise awareness of such intersecting interests and "facilitate agenda coordination" and coalition building not only amongst each other, but also with the women's issue caucus (p. 257). Minta and Brown's analysis reveals that "the presence of minority men is just as important as the presence of women, specifically minority women, in increasing attention to women's issues in the House" (2014, 261). But they also find that the presence of minority affect both women and minorities. Their results are supported by Lavariega Monforti et al.'s (2009) findings that Black male Democrats in Texas sponsor more progressive bills, including women's issue bills, than all other legislators, and Latino legislators sponsor more women's and children's

interests bills than do Latinas. Thus, we might find men and women of color to be equally likely to engage in race-gender policy leadership.

Conceptualizing Race-Gender Policy Leadership

In the existing literature, the links between descriptive and substantive representation are strongest and most consistent in patterns of bill sponsorship. It is at this important agenda-setting stage, rather than at the final roll-call votes, that legislators seem most willing to express their commitments to certain groups and group interests (Bratton and Haynie 1999; Canon 1999; Lavariega Monforti et al. 2009; Reingold 2000; Wallace 2014; Wilson 2017). Bill sponsorship signals both the direction and the intensity of a legislator's preferences; it is a costly investment and a consequential form of position taking (Mayhew 1974; Rocca and Gordon 2010; Schiller 1995). For "institutionally disadvantaged" legislators in minority caucuses who have relatively few opportunities to claim credit for favorable roll-call votes, bill sponsorship is particularly important (Rocca and Sanchez 2008, 133). Bill sponsors, moreover, are the policy leaders who not only shape the agenda but also assume primary responsibility for whatever policy outcomes ensue (Schiller 1995). Thus, we gauge race-gender policy leadership in terms of the bills legislators sponsor.⁴

Adopting standard definitions of women's interest bills, Black interest bills, Latinx interest bills, as well as emerging conceptions of intersectional policy issues (Brown and Banks 2014; Cohen 1999; Hancock 2007; Minta and Brown 2014; Strolovitch 2007), we identify three mutually exclusive ways legislators could engage in race-gender policy leadership.⁵ First, they could take an additive, *one-of-each* approach, sponsoring at least one women's interest only bill and one minority interest only bill.⁶ Second, they could sponsor one or more bills that address the

interests of women and at least one racial or ethnic minority *simultaneously*. Many civil rights or affirmative action measures embody this approach by addressing discrimination, hate crimes, or other inequalities related to sex/gender and race, color, ethnicity, national origin, etc. The third approach to race-gender policymaking focuses more specifically on the interests of *disadvantaged subgroups* of women and of racial/ethnic minorities – including poor women of color. Given that both the incidence of poverty and the history of welfare policy in the U.S. are deeply gendered and raced (Abramovitz 1996; Hancock 2004; Hawkesworth 2003; Mink 1995; Reingold and Smith 2012; Roberts 1997), sponsoring one or more bills that address the interests of poor, low-income, or economically disadvantaged individuals and communities constitutes an inherently intersectional approach to race-gender policy advocacy, even though such measures rarely reference women, racial/ethnic minority groups, or women of color explicitly. Importantly, it is the interests of such intersectionally marginalized subgroups that are so often framed as too risky, controversial, or narrow to be fully embraced by most single-axis-oriented advocates for women and minorities (Cohen 1999; Strolovitch 2007).

These three approaches are by no means the only ways lawmakers might engage in racegender policymaking. As Brown's in-depth analysis illustrates, Black women can and do frame what is often considered a women's issue only (e.g., domestic violence) as a race-gender issue and work diligently to "advocate for African-American women who are marginalized and disempowered" (2014, 91; see also Williams 2016). Similarly, bills that address the interests of women and racial/ethnic minorities simultaneously may do so in ways that are more or less intersectional. For example, affirmative action measures could propose separate quotas or application procedures for women and minorities, or they could include remedies that recognize the intersecting and mutually constitutive nature of race-gender discrimination (Brown 2014).

Each of these possibilities is worth investigating. However, doing so would require a more qualitative approach to legislative analysis that is beyond the scope of this article. Our approach here is a starting point, one that provides a relatively broad and inclusive overview of various ways in which legislative leadership on behalf of women and minorities can occur: from a predominantly additive, one-at-a-time approach, to a more traditional simultaneous approach, to a fully intersectional approach that places the interests of disadvantaged subgroups front and center.⁷

Data and Measures

We test our hypotheses about race-gender policy leadership using two original datasets of legislators and the bills they introduced in 15 state houses in 1997 and 2005. Our 15 states (AZ, CA, FL, MD, MN, MS, ND, NJ, NM, NV, OH, SC, TN, TX, and UT) were chosen purposively to provide maximum variation not only in legislator identity, but also in party control, ideology, and region.⁸ To increase the number of individual legislators (especially legislators of color) in our sample, further maximize variation in key variables (including constituency characteristics), and increase the generalizability of our study, we look at two years bracketing the decennial redistricting process.⁹ Coming in the aftermath of the first Year of the Woman but before the Great Recession, our 1997-2005 time frame is particularly well suited to understanding and predicting the impact of the second Year of the Woman. We are able to examine the relationship between intersectional identity and legislative leadership on pressing issues of race, gender, and economic inequality following an unprecedented increase in race-gender diversity among elected officials and during a period of relatively stable economic growth – conditions similar to those immediately following the 2018 elections. Despite our efforts, however, there were too few

Asian American or Native American legislators serving in our state house-years to accommodate quantitative analysis as distinct groups.¹⁰ We therefore exclude them from our analysis.

Operationalizing Bill Types. Operationalizing race-gender policymaking begins with defining and identifying different types of bills: women's interest, Black interest, Latinx interest, and welfare/poverty bills.¹¹ Political scientists studying the representation of women and racial/ethnic minorities have employed a variety of conceptual and operational definitions of group interests or issues. Nonetheless, almost all are careful to distinguish issues and bills thought to be more or less salient or central to the social, economic, or political status of the group in question.

Studies of African American representation build on Kinder and Sanders' (1996, 29) distinction between "matters of policy that bear unambiguously and uniquely on race" and "implicit' or 'covert' racial issues... [that] do not explicitly mention race but may be widely understood to have a racial implication." Canon (1999, 166), for example, distinguishes "racial" issues or bills "dealing with civil rights, discrimination, minority businesses and historically black colleges" from "part-racial" ones "concerning public housing, food stamps, welfare, innercity revitalization, and gun control." (See also: Bratton and Haynie 1999; Griffin and Newman 2008; Minta 2011.) Latinx politics scholars do the same. Rouse (2013), for example, identifies four issue areas "of concern to Latinos" (p. 49): "specific Latino interests, education, health, and welfare policy" (p. 53). In this conception, "specific" Latino interest bills include "such measures as prohibiting ethnic discrimination, protecting migrant workers, issues relating to new legal and illegal immigrants, and addressing the specific health and welfare needs of Latinos" as well as "education programs to help limited English proficiency (LEP) students" (p. 54; see also, Bratton 2006). Likewise, women and politics scholars (e.g., Osborn 2012; Reingold 2000; Saint-Germain

1989; Swers 2002; Thomas 1994) often distinguish "women's" or "women-specific" issues like abortion, domestic violence, sex discrimination, sexual harassment, and child care (thought to affect women primarily or directly as women) from more general social welfare issues, such as education, health care, and poverty assistance (thought to reflect more "traditional" concerns women, as primary caretakers, have for others).

For our purposes, we restrict "women's interest," "Black interest," and "Latinx interest" bills to those that are commonly thought to be more group-salient because they directly, specifically, or explicitly target women and/or minorities. These bills are the building blocks from which we operationalize our "one-at-a-time" and "simultaneous" approaches to race-gender policy leadership. To capture our third approach, which addresses the interests of intersectionally marginalized subgroups of women, African Americans, and/or Latinxs, we focus on bills addressing welfare policy, poverty, and the needs of low-income individuals and communities. We follow Strolovitch (2007, 34-35) in choosing welfare/poverty issues in particular because they were high on the agendas of relevant policymaking institutions during the years covered by our study. Notably, these are also among the issues so often framed and discounted – by scholars and advocacy organizations alike – as less salient or central to group interests (Strolovitch 2007).

While studies of descriptive and substantive representation are fairly uniform in drawing distinctions on the basis of group salience, they differ in whether and how they draw ideological lines. Those examining women's representation often distinguish leadership on feminist initiatives promoting women's rights or equality from leadership on more general, liberal *or* conservative, social welfare issues (e.g., Saint-Germain 1989; Swers 2002). Others restrict women's issues to only those that are feminist (and women-centered), or at the very least not anti-feminist (e.g., Bratton 2002; Bratton and Haynie 1999; Dodson and Carroll 1991; Wolbrecht

2002). Still others impose no ideological restrictions (e.g., Thomas 1994; Osborn 2012; Reingold 2000). Studies of minority representation, on the other hand, usually adopt Bratton and Haynie's (1999, 665) approach and define group interests "in an explicitly liberal fashion" (e.g., Bratton 2006; Bratton, Haynie, and Reingold 2006; Haynie 2001; Orey et al. 2006; Rouse 2013; Wallace 2014).

We do not attempt to distinguish more liberal "pro"-group measures from more conservative "anti"-group measures, at least, not directly. Instead, we analyze the policy agendas of Democratic legislators only. Because the vast majority of Black and Latinx legislators in our sample are Democrats, excluding Republicans (and a few Independents) not only alleviates concerns about whether conservative measures qualify as substantive representation, but also allows for a more valid comparison of white and minority legislators.¹²

To identify all three types of group interest bills as well as welfare/poverty measures, we began by hand-coding the issue content of all bills introduced in state houses. Online Appendix A2 outlines the bill content codes used to identify potential group interest and welfare/poverty legislation.¹³ In many cases, bills that received these content codes were further screened or filtered to determine whether they fit the group or group salience criteria outlined in our general conceptualization. This method of hand-coding bills was used in 22 of the 30 state-years examined here.

To expand our database and increase the validity and reliability of our initial coding protocol, we used these bill content codes and the group interest and welfare-poverty bills they identified to develop a series of keyword search terms with which to identify legislation archived in the Lexis-Nexis State Capital online database. In an iterative process, we created keyword dictionaries that would efficiently capture the same set of bills the hand-coding procedures did

(see Online Appendix A3). We used these Lexis-Nexis keyword searches, with further screening, to compile a comparable database of women's interest, Black interest, Latinx interest, and welfare-poverty bills introduced in another eight state-years.¹⁴ We also used the keyword dictionaries and Lexis-Nexis searches to identify a small number of relevant bills that our hand-coding method missed.

Each bill in our database was coded as a women's interest, Black interest, Latinx interest, *and/or* welfare/poverty bill independently. Thus, any single bill could receive any combination of group interest or welfare/poverty codes, from a single group interest or welfare/poverty code to all four codes. In our analysis, we are particularly interested in both the single group-only bills (e.g., bills coded as women's interest but not Black interest, Latinx interest, or welfare/poverty) and the bills that were coded as both women's interest and minority interest (Black and/or Latinx). To examine policy leadership on behalf of disadvantaged subgroups of women and minorities, we consider all welfare/poverty bills regardless of whether they also received a group interest (women's, Black, and/or Latinx) code.

Operationalizing bill sponsorship. Using online state legislative bill tracking databases, we identified the primary sponsor(s) of every bill introduced in our sample of state-years. Most of these state legislatures allowed for only one primary sponsor or lead author for any given bill. However, in the few state-years (FL97, FL05, NV05) that allowed for multiple primary sponsors and offered no systematic way of distinguishing their roles, we coded multiple legislators as primary sponsors of the bill in question.

Initial counts of bills sponsored by individual legislators reveal just how infrequent racegender policymaking is in our sample of Democratic state representatives. Given the paucity of legislators who sponsored more than one bill or combination of bills that meets the definitions

for each of our four dependent variables, we use dichotomous indicators that distinguish whether the legislator did or did not engage in the given type of race-gender bill sponsorship. One-of-*Each* is coded as 1 for those legislators who sponsored (at least one women's interest only bill) AND (at least one Black interest only, Latinx interest only, OR Black and Latinx interest bill), and 0 otherwise. Fewer than one in ten (8.6%) legislators in our sample sponsored at least Oneof-Each women's interest only and minority interest only bill. Simultaneous is coded as 1 for those legislators who sponsored bills that were coded as (women's AND Black interest) OR (women's AND Latinx interest) OR (women's AND Black AND Latinx interest) bills, and 0 otherwise.¹⁵ Only 4% of the sample sponsored at least one Simultaneous bill, and no one sponsored more than two. Disadvantaged, our broadly defined measure of policy leadership on behalf of disadvantaged subgroups of women and/or minorities, is coded as 1 if the legislator sponsored any welfare or poverty focused bills, and 0 otherwise. This was the most frequent area of activity; quite a few legislators (31%) sponsored at least one welfare/poverty or *Disadvantaged* bill, but only 6% sponsored more than two. Our final dependent variable, Any, is coded as 1 if the legislator engaged in any type of race-gender policy activity defined above, and 0 otherwise. Overall, a little more than a third (35.6%) engaged in Any of these forms of racegender policy leadership.

Operationalizing legislator race-gender identity. We rely primarily on data provided by Bratton, Haynie, and Reingold (2008) to code legislators' gender and racial/ethnic identity. Their determination of gender was based primarily on pictures in Blue Books or on state legislative websites, along with names and/or pronouns used. To identify the racial/ethnic identity of legislators, they used a variety of information from multiple sources, including: pictures and organizational affiliations found in Blue Books or webpages of individual legislators; lists of

African American or Latinx representatives published on state webpages or other documents; and explicit references to the racial/ethnic identity of legislators found in news media and online searches. We verified these data with directories provided by the Center for Women in American Politics (CAWP), the Joint Center for Political and Economic Studies (JCPES), and the National Association of Latino Elected and Appointed Officials (NALEO).¹⁶

On the basis of this information, we measure the intersecting gender and racial/ethnic identities of the state legislators in two ways. Our fully specified models classify legislators into six mutually exclusive categories: white man, white woman, Black man, Black woman, Latino, and Latina. Because our theory and hypotheses do not distinguish among minority women (or men), we also employ a set of models in which legislators are grouped into four mutually exclusive categories: white men, white women, men of color (Black and/or Latino), and women of color (Black and/or Latina).¹⁷ In all our regression analyses, the reference category is white men.¹⁸

Control Variables. To estimate the relationship between legislator identity and bill sponsorship, we control for a number of possible confounding factors that previous research suggests can influence policy leadership on women's issues/interests and racial issues/interests (see especially: Bratton 2002; Bratton and Haynie 1999; Bratton, Haynie, and Reingold 2006; Haynie 2001; Rouse 2013; Swers 2002; Wilson 2017). As mentioned, we control for partisanship by restricting our analysis to Democrats only. Data on legislators' party affiliations were obtained from the State Legislative Election Returns (SLER) database (Klarner et al. 2013). We also control for several constituency characteristics, including racial and ethnic composition (percentages of constituents who are African American and Latinx) and socioeconomic status (average household income). All district demographic data are taken from multiple editions of

Congressional Quarterly's *State Legislative Elections* almanac (Barone et al. 1998; Lilley et al. 2008) and are derived from the decennial U.S. Census. We also control for "Democratic strength" in the district, or the percentage of the two-party vote cast for the Democratic state house candidate(s) in the preceding election, using district-level SLER data (Klarner 2018; Preuhs and Juenke 2011).¹⁹

In addition, we take into account various dimensions of legislators' professional status that are likely to influence the opportunities for race-gender policy leadership. First, we control for whether the legislator chaired a relevant committee. A "relevant committee" is a house standing committee to which the race-gender bills under consideration were referred on a regular basis. More precisely, a committee is defined as "relevant" when at least 10 percent of the bills in the designated policy area are referred to it.²⁰ Committee referrals of bills were obtained from online state legislative bill tracking databases, and information regarding who chaired which state house standing committees was obtained from annual editions of the *State Yellow Book*.

We also control for the legislator's seniority. To gauge seniority, or tenure in office, we used the SLER database to identify the most recent year each legislator was elected to the state house as a non-incumbent, and then subtracted that from the year their legislative activity was observed. Thus, our seniority variable indicates the number of years each representative had served consecutively, prior to the observed session. Finally, we control for the legislator's overall level of policymaking activity by tallying the total number of regular house bills she/he introduced as primary sponsor during the entire legislative session. Congressional studies of bill sponsorship reveal significant but mixed patterns across race and gender: in anticipation of their lack of institutional influence, Latinx and African American members sponsor fewer bills; women sponsor more (Rocca and Sanchez 2008; Volden, Wiseman, and Witmer 2013). To

account for differences between states and changes over time, we include state and year fixed effects in all models. Descriptive statistics for our independent and control variables can be found in Online Appendix A10.

Results

To highlight the unique intersectional insight our examination of race-gender policy leadership provides, we begin our analysis with a replication of existing single-axis approaches to gender, race/ethnicity, and representation. Table 1 presents the results of regressions of racegender identity and controls on three dichotomous dependent variables that indicate whether a legislator sponsored at least one bill addressing only women's interests (first model), only Black interests (second model), or only Latinx interests (third model). In each model, our results are consistent with previous findings that women legislators are more likely to introduce bills advancing women's interests, Black legislators are more likely to introduce bills advancing Black interests, and Latinx legislators are more likely to introduce bills advancing Latinx interests. For these single-interest bills, intersectionality does not play a visible role. There are no statistically significant differences between the predicted activity-levels of white women, Black women, and Latinas in the introduction of women's interest bills. Similarly, there are no statistically significant differences between Black men and Black women in the introduction of Black interest bills or between Latinas and Latinos in the introduction of Latinx interest bills.²¹ Thus, if our inquiry were to end here, we might conclude that intersectionality is unimportant.

[Table 1]

Our analysis of race-gender policy leadership provides a very different picture. To test our hypothesis that women of color are the most likely to sponsor legislation addressing the

interests of multiple and intersectionally disadvantaged groups, we use logit regression to estimate the relationship between legislator identity and our four dichotomous measures of racegender policy making.

[Table 2]

Taking the most inclusive view, Table 2 presents results for a regression of whether legislators introduced at least one bill or set of bills that fell into *Any* category of race-gender policy making. These results confirm our general proposition that women of color are more active than any other group of Democratic lawmakers in sponsoring all kinds of race-gender legislation. Notably, white women and men of color are no more likely than white men to engage in race-gender policy leadership broadly defined. Rather, the disaggregated model suggests that Black women are the most engaged. This is seen more clearly in the predicted probabilities for each race-gender group of legislators illustrated in Figure 1. The differences between Black women's predicted activity level and those of white men, white women, and Latinos are statistically significant at $p \le .05$.²² The predicted activities of Black women, while higher, are statistically indistinguishable from those of Black men (p=.101) and Latinas (p=.272).

[Figure 1]

Control variables in this first model behave as expected, and this is generally true throughout our analyses. The percentage of people of color living in a legislative district increases the likelihood of their representative engaging in race-gender policy leadership, usually at traditional levels of statistical significance. Chairs of relevant committees often sponsor bills that are germane to their committees, and the committee chair variables are positive in most models. Also as expected, legislators who sponsor more bills overall are more likely to sponsor at least one race-gender bill or set of bills in all models. While these broad results confirm our basic expectations, the more specific definitions of race-gender legislative activity provide a more nuanced understanding. Table 3 and Figure 2 provide the results for models in which the dependent variable is whether a legislator introduced *One-of-Each*, or at least one woman's interest only bill, and at least one Black and/or Latinx interest bill. As seen in the coefficients in Table 3, all historically disadvantaged groups in the model are significantly more likely than white men to introduce separate legislation in each category. The predicted probabilities illustrated by Figure 2 suggest Latinas are providing particularly strong leadership in this regard; their likelihood of sponsoring *One-of-Each* is significantly higher than that of every other identity category except Black women (at $p \le .10$).²³ This provides partial support for our expectation that women of color will be on the forefront of race-gender policymaking but signals the possibility that Latinas and Black women may not always choose the same approach.

[Table 3 and Figure 2]

Table 4 shows that white women and men of color – Black men in particular – are significantly more likely than white men to sponsor bills that we categorize as *Simultaneously* addressing multiple group interests. The predicted probabilities in Figure 3 illustrate that Black men are also more likely than Black women to introduce these measures (at p \leq .10). No other race-gender group differences are significant. This is congruent with our expectation that group differences in this type of race-gender policymaking would be less noticeable and that leadership of women of color would be least distinctive. The relative activity of Black men on these types of bills also provides additional support for Minta and Brown's (2014) argument that men of color play an important role in calling attention to joint issues of race and gender.

[Table 4 and Figure 3]

Interestingly, this model is the only one in which control variables for the average income and the Democratic vote-share in the district are significant. Increased income in a legislator's district is found to slightly *increase* the likelihood of sponsoring a *Simultaneous* bill, rather than decrease it as we might expect. This may be because many of these bills in our sample promote minority and women-owned businesses in government contracting or non-discrimination in professional settings and are more likely to impact advantaged subgroups of traditionally marginalized groups (Strolovitch 2007). The positive impact of Democratic vote-share may reflect the centrality of these traditional civil rights measures to the Party's long-standing agenda.

[Table 5 and Figure 4]

Table 5 presents the results of our final model, which looks at the sponsorship of any welfare/poverty or *Disadvantaged* bill. Here we see Black women doing the lion's share of the work. The predicted probabilities shown in Figure 4 illustrate this point. While all groups have a significant, non-zero probability of introducing at least one *Disadvantaged* bill, Black women are more likely to do so than white men ($p\leq.05$), Latinos ($p\leq.01$), white women ($p\leq.10$), and Black men ($p\leq.10$). Black women also appear more likely than Latinas to sponsor bills addressing the needs of *Disadvantaged* subgroups, but the difference is not significant (p=.16). Black men are more likely to sponsor such bills than Latinos ($p\leq.10$), but not more likely than any other group. No other group differences are significant. The relatively low sponsorship rate of Latinas in this model's results is not entirely congruent with our expectation that the leadership of women of color would be most distinct on this measure of intersectional race-gender policymaking. Instead, it is Black women, rather than women of color generally, who take the lead on bills addressing the interests of the poor. Again, our evidence suggests that while Black women and Latinas are strongly committed to race-gender policy advocacy, they may emphasize different pathways –

one showing a bit more interest in an additive approach and the other favoring a more intersectional approach.

Conclusion

This article provides an overview of multiple forms of race-gender policymaking amongst Democratic lawmakers in a wide variety of state houses across two decades. Although our conceptions of race-gender policymaking are fairly inclusive, our analysis suggests that relatively few legislators engage in this sort of leadership. Nonetheless, the results here provide additional empirical support for the claim that women of color play an important role in addressing the policy needs of multiple and multiply disadvantaged groups. While other racegender groups also sponsor such bills, the consistency with which women of color assume leading roles in the promotion of race-gender legislation is notable. On three of four measures of race-gender policy leadership, either Black women or Latinas stand out from their peers, sponsoring more legislation than their minority male, white female, or white male counterparts. In contrast, Black men stand on the forefront of only one type of race-gender advocacy, sponsoring traditional civil rights measures that address multiple group interests simultaneously. White women and Latino men, while occasionally more active than their white male colleagues, never exert more race-gender policy leadership than their Black or Latina colleagues do.

More generally, our study demonstrates the utility of intersectional theories and tools of analysis for understanding the complexities of gender, race, and representation. By introducing a multidimensional concept of race-gender policy leadership, we are able to test theories of intersectional representation more rigorously and gain new insights into the distinctive, yet varying, contributions women of color make to policy agendas. Limiting ourselves to single-axis

conceptions of women's issues or minority issues fails to distinguish the race-gender policy leadership women of color provide, making it seem as if intersectionality does not matter. Women advocate for women, regardless of race/ethnicity; Blacks advocate for Blacks and Latinxs advocate for Latinxs, regardless of gender. More nuanced, intersectional differences come to light only when we examine various approaches to race-gender policymaking. Latina lawmakers are especially active in advancing multiple proposals addressing issues of concern to women or racial/ethnic minorities, as seen in our *One-of-Each* variable analysis. Black women legislators are the most likely sponsors of welfare/poverty bills that address the needs of poor women of color and other intersectionally *Disadvantaged* subgroups. White women's race-gender policy leadership on the other hand falls by the wayside when the interests of poor people are added to the mix – even when controlling for partisanship and district demographics. Black men, meanwhile, often play particularly important roles in advancing proposals that address multiple gender and racial inequalities *Simultaneously*.

Why these different groups of lawmakers appear to favor different approaches to racegender policy leadership is an excellent question for future research and theory development. Existing theories of intersectional representation cited here may explain why women of color appear no more interested in sponsoring *Simultaneous* bills than their white female and minority male colleagues; but they cannot explain why Latina legislators may be more inclined toward additive approaches to race-gender policy or why Black women may be more partial to intersectional approaches. Further research is needed to verify and explain such divergent approaches to race-gender policy leadership. In addition to expanding the empirical reach of our own quantitative approach, we suspect a more in-depth, qualitative analysis of intersectional

variations among women of color (e.g., differences in class background or national origin) and within race-gender policy proposals would be most useful.

Overall, this study provides evidence that increasing the number of women of color in elected office can have a distinctive effect on substantive representation, increasing the attention paid to issues affecting multiple and multiply disadvantaged populations. It also demonstrates how a more intersectional approach to conceptualizing policy leadership and legislator identity reveals that gender and race interact to distinguish the representational behavior of *all* policymakers – women of color, men of color, white women, and white men alike.

¹ Center for American Women and Politics, Eagleton Institute of Politics, Rutgers University, <u>http://cawp.rutgers.edu/sites/default/files/resources/results_release_5bletterhead5d_1.pdf</u> (federal and statewide office) <u>http://cawp.rutgers.edu/sites/default/files/resources/press-release-state-</u> legislatures-results-2018.pdf (state legislative office).

² Center for American Women and Politics, Eagleton Institute of Politics, Rutgers University, <u>http://www.cawp.rutgers.edu/sites/default/files/resources/press-release-woc-statewide.pdf</u>. See also: <u>https://www.thedailybeast.com/from-ayanna-pressley-to-ilhan-omar-2018-was-the-year-of-women-of-color</u>.

³ Legislative women of color, unlike their white and/or male counterparts, may also face additional, external pressure from constituents, interest groups, colleagues, etc. to represent both women and minorities (Brown and Gershon 2014, 87).

⁴ Bill sponsorship also provides an accessible and comparable measure of substantive representation across large numbers of individuals and institutions.

⁵ To be clear, the three types of race-gender policy leadership are operationalized to be mutually exclusive. However, an individual legislator could engage in more than one type of race-gender policy leadership activity.

⁶ A women's interest *only* bill is one coded as a women's interest bill, but not as a Black and/or Latinx interest bill, or a welfare/poverty bill. A minority interest *only* bill is one coded as a Black and/or Latinx interest bill, but not as a women's interest bill or a welfare/poverty bill.

⁷ Other measures of race-gender policy and policymaking, such as Minta and Brown's (2014) and Brown and Banks's (2014) direct and indirect "joint issues," cannot distinguish between these different approaches.

⁸ See Online Appendix A1 for detailed state-year information on legislative race and gender diversity, party control, and ideology.

⁹ For the New Jersey Assembly, which has odd-year elections, we examine bills introduced in 1998 and 2006 to maintain comparability across states. Thus, in all 13 states with two-year election cycles, we examine bills introduced during the first and often more productive year following each election. In the two states with four-year election cycles (MD and MS), 1997 and 2005 fall midway within a span of four discrete annual sessions.

¹⁰ Of the 1,482 Democratic legislators in our sample, there are 15 Asian Americans (1.01%) and 12 Native Americans (0.81%). One Asian American and four Native American legislators were identified as also having Latinx backgrounds; they are included in our sample as Latinx.
¹¹ We include only regular session bills in our analysis; resolutions, memorials, and special session bills are not included. "Local" bills in Florida are excluded for they do not have any designated sponsors. The New Mexico, Tennessee, and Utah legislatures permit "placeholder" or "caption" bills – empty vessels waiting to be amended with substantive proposals when needed. Such bills, when left un-amended, are also excluded from the analysis.

¹² All but four (99%) of African American legislators and 87% of Latinx legislators in our sample of state houses are Democrats. In contrast, Republicans outnumber Democrats in our sample of white legislators: 50% of white women and 63% of white men are Republican.

¹³ A full list of the 122 content codes is available from the authors. Coders were instructed to select as many content codes as necessary to capture the substance of the bill accurately. Periodic intercoder reliability exercises on random samples of 25 bills revealed agreement rates ranging from 51% to 84%, with an average of 65%.

¹⁴ Our keywords captured an average of 90% of the hand-coded bills. For more details on keyword capture rates, see Online Appendices A4 and A5; for information regarding bill screening procedures and intercoder reliability, see Online Appendices A6 and A7.

¹⁵ None of these *Simultaneous* bills received a welfare/poverty code.

¹⁶ We also used various editions of the *National Asian Pacific American Political Almanac* (published by the UCLA Asian American Studies Center) to identify Asian American legislators. Data on the number of Native American state legislators were provided by the National Council of State Legislatures' (NCSL's) State-Tribal Institute.

¹⁷ In analyses employing these aggregated models, we are able to include three multiracial legislators identified as both Black and Latinx who are excluded from the disaggregated analyses.

¹⁸ By classifying legislators into these mutually exclusive race-gender categories, we do not mean to suggest or assume that these intersecting identities are static, essential ones (Hancock 2007, 2014). Rather, we aim to capture legislators' contemporaneous, publicly acknowledged identities – the sort of socially constructed and recognized identities that give meaning to the concept of descriptive representation, but also highlight its potential limitations as an indicator of substantive representation.

¹⁹ This measure of Democratic strength serves as a proxy for both district liberalism and Democratic legislators' electoral security. See Online Appendix A9 for analysis of an alternative measure of district ideology, which is unavailable for our full sample.

²⁰ See Online Appendix A8 for a complete list of relevant committees for each type of group interest or welfare/poverty bill, by state-year.

²¹ Throughout our analysis, comparisons of race-gender group differences are made from predicted probabilities calculated using average marginal effects, following Long and Freese (2014). Tests of statistical significance were executed with the 'mchange' sPost command in Stata (Long and Freese 2014). These single-axis results are presented in Online Appendix A11.
²² Results of tests of statistical significance of race-gender group differences in predicted probabilities for all intersectional analyses are presented in Online Appendix A12. Note that while the confidence intervals for some of the statistically significant differences appear to overlap in the figures presented with our findings, "[v]isual examination of whether 95% confidence intervals overlap will result in Type II errors and is not a reliable way of testing differences in point estimates" (Karpowitz, Monson, and Preece 2017, 932; see also Bolsen and Thornton 2014).

²³ Because the number of legislators in each of the minority race-gender categories in the sample is relatively small and the rates of race-gender bill sponsorship are low, detecting significant differences can be challenging. For this reason, we set a significance level of p \leq .10 for this study, rather than the more common p \leq .05. However, we report the specific values for all comparisons in Online Appendix A12 so that readers may make their own assessments of the results.

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	Dependent variable		
	Women Only	Bill Sponsorship Black Only	Latinx Only
White Woman	1.080***	.385	.829**
	(.170)	(.607)	(.354)
Black Woman	.806**	1.983***	681
	(.344)	(.662)	(.824)
Latina	1.288***	163	1.851***
	(.391)	(1.176)	(.520)
Black Man	.005	2.397***	-1.047
	(.298)	(.605)	(.699)
Latino	.108	588	1.162**
	(.312)	(.957)	(.473)
Blacks in District	.007	.027**	.021
	(.006)	(.013)	(.014)
Latinx in District	.015**	.017	.024**
	(.006)	(.015)	(.010)
Ave. Income in District	.0005	0.002	. 0006
	(.0006)	(.001)	(.001)
Democratic Vote-share in District	003	.012	.008
	(.004)	(.012)	(.008)
Legislator Seniority	007	003	.003
	(.010)	(.020)	(.018)
Chair of Relevant Committee	.892***	049	145
	(.343)	(.640)	(.531)
Total Bills Introduced	.042***	.015***	.013***
	(.005)	(.004)	(.004)
Constant	-2.919***	-6.552***	-7.053***
	(.574)	(1.605)	(1.352)
Observations	1,451	1,359	1,280
Log Likelihood	-797.34266	-210.86585	-266.71834
Pseudo R ²	.1671	0.2733	0.1875
Logit with state and year fixed effects		*p<0.1; **p<0.0	5; ***p<0.01

Table 1: Sponsorship of Bills Addressing Single-Axis Women's Interest, Black Interests, and Latinx Interests

	Dependent variable Bill Sponsorship	
	(1)	(2)
White Woman	.181	.179
	(.186)	(.188)
Woman of Color	.729***	
	(.264)	
Black Woman		.967***
		(.350)
Latina		.441
		(.391)
Man of Color	.260	
	(.229)	
Black Man		.531*
		(.303)
Latino		084
		(.317)
POC in District	.011**	
	(.005)	
Blacks in District		.009
		(.006)
Latinx in District		.011*
		(.006)
Ave. Income in District	.000007	00004
	(.0006)	$(0.\ 0006)$
Democratic Vote-share in District	.005	.005
	(.004)	(.004)
Legislator Seniority	008	008
	(.010)	(.010)
Chair of Relevant Committee	.613**	.593**
	(.254)	(.255)
Total Bills Introduced	.044***	.044***
	(.005)	(.005)
Constant	-2.666***	-2.532***
	(.523)	(.545)
Observations	1,454	1,451
Log Likelihood	-747.57653	-743.45662
Pseudo R ²	0.2115	0.2142
Logit with state and year fixed effects		*p<0.05; ***p<0.01

Table 2: Sponsorship of Any Type of Race-Gender Bill(s)

	Dependent variable Bill Sponsorship	
	(1)	(2)
White Woman	1.253***	1.261***
	(.360)	(.361)
Woman of Color	1.766***	
	(.434)	
Black Woman		1.215**
		(.584)
Latina		2.250***
		(.523)
Man of Color	1.126***	
	(.398)	
Black Man		.935*
		(.522)
Latino		1.171**
		(.480)
POC in District	.020***	
	(.008)	
Blacks in District		.027**
		(.011)
Latinx in District		.016*
		(.009)
Ave. Income in District	.001	. 001
	(.001)	(.001)
Democratic Vote-share in District	.009	.010
	(.008)	(.008)
Legislator Seniority	004	004
c ,	(.017)	(.017)
Chair of Relevant Committee	.080	.034
	(.367)	(.374)
Total Bills Introduced	.036***	.036***
	(.005)	(.005)
Constant	-6.027***	-5.994***
	(.904)	(.946)
Observations	1,322	1,319
Log Likelihood	-318.24269	-316.44883
Pseudo R ²	0.2308	0.2346
Logit with state and year fixed effects		*p<0.05; ***p<0

Table 3: Sponsorship of One of Each Type of Group Interest Bill

¥¥¥	Dependent variable Bill Sponsorship	
	(1)	(2)
White Woman	1.132***	1.080**
	(.420)	(.418)
Woman of Color	.819	
	(.624)	
Black Woman		.576
		(.792)
Latina		.678
		(.883)
Man of Color	1.414***	
	(.517)	
Black Man		1.528**
		(.633)
Latino		.562
		(.714)
POC in District	.009	
	(.010)	
Blacks in District		.018
		(.014)
Latinx in District		003
		(.013)
Ave. Income in District	.003**	.002*
	(.001)	(.001)
Democratic Vote-share in District	.029***	.024**
	(.011)	(.011)
Legislator Seniority	.019	.016
Chain of Polement Committee	(.021)	(.021)
Chair of Relevant Committee	148	322
Total Dilla Introduced	(.496) .011***	(.506) .011***
Total Bills Introduced		
Constant	(.004) 7.203***	(.004) -6.582***
	(1.396)	(1.421)
Observations	1,361	1,358
Log Likelihood	-214.0786	-208.75579
Pseudo R ²	0.1508	0.1714
Logit with state and year fixed effects		
Logii wiin sidie dha year fixed effects	*p<0.1; **p<0.05; ***p<0.01	

 Table 4: Sponsorship of Bills Simultaneously Addressing Multiple Group Interests

	Dependent variable Bill Sponsorship	
** 71 *. ** 7	(1)	(2)
White Woman	.015	.016
	(.192)	(.193)
Woman of Color	.393	
	(.267)	
Black Woman		.770**
		(.361)
Latina		.095
		(.391)
Man of Color	076	
	(.233)	
Black Man		.300
		(.316)
Latino		417
		(.317)
POC in District	.010**	· · · ·
	(.005)	
Blacks in District		.002
		(.007)
Latinx in District		.014**
		(.006)
Ave. Income in District	-0.0007	-0.0008
	(0.0006)	(0.0006)
Democratic Vote-share in District	.004	.005
	(.004)	(.004)
Legislator Seniority	008	007
Degistator Semonty	(.010)	(.010)
Chair of Relevant Committee	1.244***	1.229***
	(.320)	(.321)
Total Bills Introduced	.033***	.033***
Total Bills infoduced	(.004)	(.004)
Constant	-1.985***	-2.048***
Constant		
Ohannationa	(.522)	(.547)
Observations	1,454	1,451
Log Likelihood Pseudo R ²	-726.96445	-722.92684
PSPUAA K"	0.1904	0.1932

Table 5: Sponsorship of Disadvantaged Subgroup (Welfare/Poverty) Bills

Figure 1: Predicted Probability of Sponsoring Any Race-Gender Bill





Figure 2: Predicted Probability of Sponsoring One of Each Type of Group Interest Bill

Figure 3: Predicted Probability of Sponsoring a Bill Simultaneously Addressing Multiple Interests





Figure 4: Predicted Probability of Sponsoring a Disadvantaged Subgroup (Welfare/Poverty) Bill