

2008

Latino representation in U.S. legislatures: interests, behavior, and influence

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**LATINO REPRESENTATION IN U.S. LEGISLATURES:
INTERESTS, BEHAVIOR, AND INFLUENCE**

A Dissertation

Submitted to the Graduate Faculty of the
Louisiana State University and
Agricultural and Mechanical College
in partial fulfillment of the
requirements for the degree of
Doctor of Philosophy

in

The Department of Political Science

by

Stella M. Rouse

B.A., Louisiana State University, 1996

M.A., Louisiana State University, 2008

August 2008

This manuscript is dedicated to:

my husband, Rodney, a perfect partner in crime, whose understanding and support is matched only by his incredible patience;

my children, Carson and Riley, may you garner from my experience that your goals are well within your reach;

my parents, who sacrificed a great deal by leaving their homeland to give their only child the opportunity to do something exactly like this.

ACKNOWLEDGMENTS

This project is a culmination of efforts beyond my own. I am indebted to my family, friends, and to many faculty members, past and present, of the LSU Political Science Department who not only supported me in the writing of this dissertation, but nurtured my development as a scholar.

First and foremost, I owe a tremendous amount of gratitude to Kathleen Bratton, who I am proud to call my adviser and friend. My journey through graduate school would have certainly been much less enjoyable and rewarding without her guidance. I am especially appreciative of her constant support and enthusiasm for my work and her generosity with time and resources. Her ability to lead by example rather than by words, consistently demonstrated to me the type of researcher, teacher, and colleague I strive to be. I certainly hope that this project is the beginning rather than the end of our collaborative efforts.

My committee members, Professor James Garand, Professor William Clark, and Professor Leonard Ray, receive many thanks for the important roles they played even before the inception of this project. Dr. James Garand is as responsible as anyone for my opportunity to pursue this degree. His enthusiasm for my research and his faith in my abilities were always unwavering. I am truly grateful for all of his support and for his willingness to introduce me to the very important informal aspects of the profession. Dr. William Clark has been a consistent presence in the evolution of my academic career. As an undergraduate student, Dr. Clark encouraged me to pursue my interests even if at first I did not realize they involved academia. He has been a source of wisdom, reason, and humor in an often too serious business. A special thanks to Dr. Leonard Ray who was always willing to show me a different and usually better way to approach a problem. His constant pragmatism and enthusiasm makes it easy to consider him a great teacher and friend.

I would also like to thank Professor Craig Freeman for serving as my outside reader. Dr. Freeman was very willing to ask insightful questions and to approach my work from a different, but much needed perspective. Also, I owe a debt of gratitude to Professor Robert Hogan and Professor Cameron Thies. Both are excellent scholars who expect the best from their students. I am a better Political Scientist because of them.

Tara Montelaro, my friend and facilitator of all things. Thank you for providing me an ear outside of academia. Special thanks to my two officemates, colleagues, and close friends, Ashley Ross and Kim Nguyen. You were both there when you didn't have to be and I know your support is far from limited to a common dwelling.

Thanks to the National Science Foundation for their generous financial support of this project, and to the Dissertation Enhancement Grant Review Committee who provided very helpful comments and suggestions. I would also like to thank the numerous state legislators who were so willing to give up time from their busy schedules to grant me personal interviews. This project would be incomplete and much less interesting without their contributions.

Finally, special gratitude to my family who without their constant love and support this journey would have been impossible. I am forever grateful to my wonderful husband, Rodney Rouse, who afforded me every opportunity I ever asked for to work on this project. To my mother-in-law, Anna Rouse, who always understood and supported everything I tried to balance. And to my two wonderful boys, Carson and Riley, who didn't always comprehend why mom sat in front of the computer or went away to do research, but were there with smiles and open arms when I was done.

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ABSTRACT

Despite the growth of Latinos in the general population and in legislatures, their impact on the political process has received little scholarly attention. In this project, I present a theoretical framework of Latino legislative behavior that draws upon two important concepts of representation- descriptive and substantive- to better understand how ethnicity influences legislative activity and whether it is dependent on such factors as institutional context, legislative composition, and constituency characteristics.

The project is unique in its comprehensive analysis of the legislative process and in its mixed methodological approach which includes both quantitative and qualitative elements. The analysis involves five parts: agenda setting, committee participation, roll call voting, legislator interviews, and a discussion about defining Latino interests. Previous literature has examined the effects of ethnicity at some stages of representation, but it is difficult to place the strength and significance of those findings in relative terms.

During agenda setting, I find that Latinos are more likely than non-Latinos to sponsor legislation narrowly defined as “Latino interests,” especially when Latinos make up a small percentage of their party within a chamber. In committee deliberations, the role of ethnicity is more inconsistent; the ethnicity of a legislator and/or the Latino saliency of a bill significantly affect committee participation in specific legislative chambers. During roll call voting, ethnicity has no discernable impact. In fact, party appears to be the only consistent determinant of roll call activity. The analysis of legislator interviews (both Latino and non-Latino) provides valuable insight into the attitudes, motivations, and intentions of those actually providing representation, and not only serves to support some of the quantitative results, but adds to the overall quality of the research on representation. Finally, a discussion about defining a Latino political agenda

reveals that research on Latino issues often relies on legislative initiatives to identify “Latino interests” and that these interests are most visible when they are narrowly defined.

This comprehensive project indicates that the role of ethnicity in the legislative process is variable depending on institutional context, extent of political cohesiveness among Latino legislators, and the mechanisms and goals for a particular legislative activity.

CHAPTER 1: INTRODUCTION

The 1960s and 1970s brought about a fundamental change in contemporary American politics: the increased political presence of Latinos in elected office. This increased presence was at first most evident in states with high percentages of Latino residents – and where Latino activism in such areas as education or labor provided a springboard to public office. In California, for example, 1962 saw the election of the first Latino legislators in almost a century: Phil Soto and John Moreno. In the following decades, the growing Latino population coupled with the combined forces of redistricting, voting rights legislation, and social activism would lead to sharp increases in the number of Latinos serving in the California state legislature. Similarly, in Texas, in the first half of the 20th century, only two Hispanics served in the state legislature: Augustine Celaya and José T. Canales. By 1967, there were ten Mexican-American representatives serving in the Texas House of Representatives, and the number of Latino representatives continued to grow in the next four decades. Even in states without large Latino populations, such as Arkansas or Oregon, Latino representation increased. In general, the continued growth of Latinos in the mass public – and the subsequent increase in the number of Latinos serving in government positions – has led to widespread speculation about the political clout that Latinos may potentially wield.

In 2006, there were 26 Latino representatives in the U.S. House and 237 Latino state legislators across the country (Macias 2006). Although the number of Latino representatives is not proportional to the number of Latinos in the U.S. population (currently at 45 million), the increase in the number of Latino legislators signals a growing ethnic presence and potential

influence in the political process.¹ Figure 1.1 and Figure 1.2 show the percentage of legislators that are Latino compared to the percentage of Latinos in the U.S. population from 1985-2005, respectively.

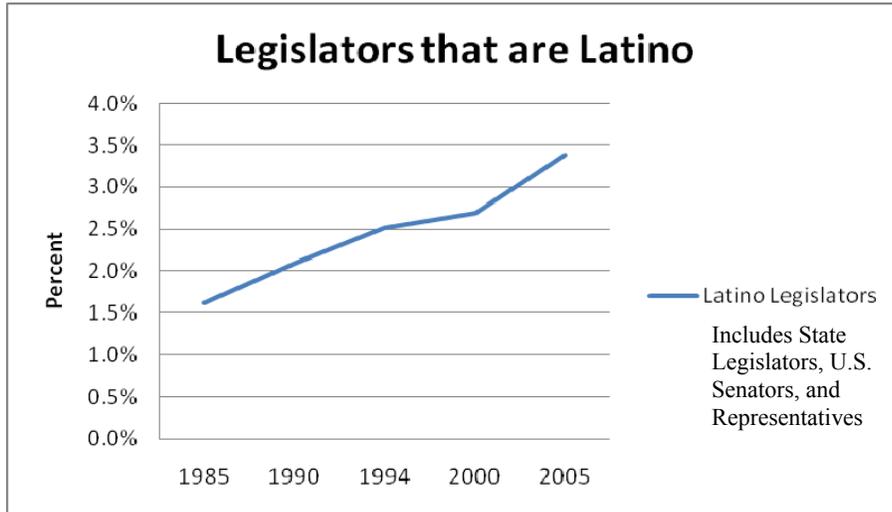


Figure 1.1: Legislators that are Latino

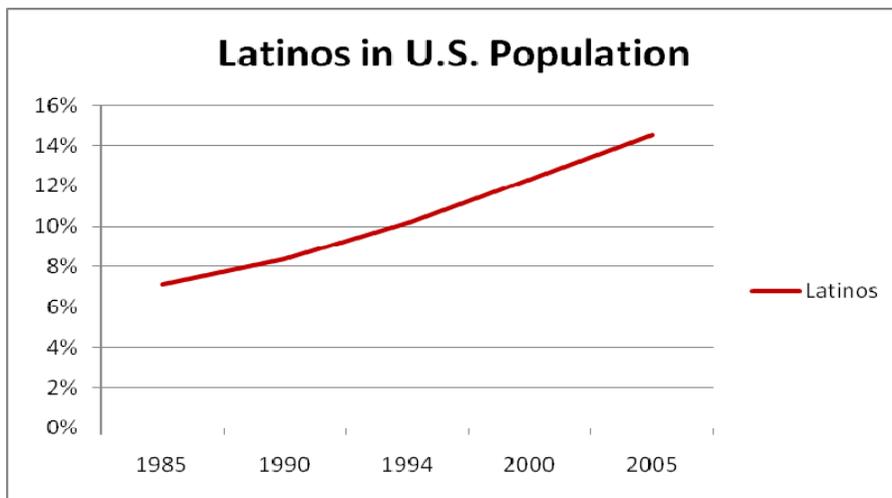


Figure 1.2: Latinos in U.S. Population

¹ Ideally, data on the population of the proportion of registered voters who are Latino would be accessible. However, this information is not easily obtainable at the state level. Further, Latino legislators have indicated that they consider all Latinos and not just citizens or voters as part of their constituency (see Fraga et al. 2003). For these reasons, I use overall Latino population (national and state-specific) throughout this project.

The increasing presence of Latinos has not escaped the attention of political parties and politicians who have spent a considerable amount of time and money in recent years targeting this important voting bloc. Indeed, the idea that Latinos represent a powerful – yet largely unrealized – force in electoral politics has become a staple of political conventional wisdom. In 1985, for example, while noting the political diversity of Latinos, as well as the relatively low turnout rate among Latinos, the *Christian Science Monitor* described the political power of Latinos as "like a 100-watt bulb that is producing about 40 watts of light" (Dillin 1985). More recently, a report on the untapped potential of the Latino vote released by the National Council of La Raza (NCLR) in 2002 notes that about 5.7 million Latinos participated in the 2000 election, with almost 79% of registered voters casting a vote. The president of the NCLR at that time, Raul Yzaguirre, suggested that "if registration and turnout gaps can be reduced between Latinos and other voters, the potential for increase in Hispanic voter turnout is staggering." However, the degree to which greater Latino presence translates into political influence is only beginning to attract substantial scholarly attention.

How can scholars assess the significance of the increased Latino presence in government—and in representative bodies in particular? The role that ethnicity plays in legislative politics depends not only on the increased presence of Latinos in the overall population and in legislative chambers, but also on the legislative behavior and political cohesiveness of Latino representatives. There is no guarantee that Latino legislators act as a unified bloc to represent some set of Latino interests – or even that there is agreement on what would be included in any set of "Latino interests." Indeed, both the diversity among Latino legislators, and the political similarities that Latino representatives share, may operate to limit the influence of ethnicity on behavior and outcomes. Latino representatives have widely different political backgrounds, and have different relevant experiences, and these backgrounds

and experiences may lead them to very different political beliefs and interests. Yet overall, they are more likely than other legislators to represent predominantly Latino districts, and within states, they tend to be affiliated with the Democratic (or, in the case of Florida, the Republican) party. These shared factors related to partisanship and constituency may compete with the influence of ethnicity on political behavior.

Writing for the *Washington Post* in 1999, Gregory Rodriguez characterized the diversity among Latinos in this manner:

Latino Americans have never fit neatly into the civil rights mold. To begin with, the wildly heterogeneous population of Mexicans, Cubans, Puerto Ricans and other Central and South Americans does not have a shared history or common American experience to draw on. For three decades, Latino advocacy groups and first-generation politicians tried in vain to squeeze this burgeoning population into the guise of a single racial-interest group. The Chicano movement of the 1960s sought to imitate the successful strategies of black leaders. And, as recently as 1996, Latino activists organized a march on Washington that was deliberately reminiscent of the civil rights era.

But their attempts have always appeared little more than derivative. Their political style wasn't forged from the Latino experience, which was never as starkly defined as that of African Americans'. But now that a growing electorate has given them greater clout, Latino politicians--foremost among them local politicians in states with large Latino populations such as California and Texas--are developing their own style and agenda. While in the past, their adherence to minority-style politics brought them into direct competition with other minorities over set asides or federal "minority dollars," more and more Latino officials are choosing to highlight broader concerns, many of which they share with mainstream America.

The diversity in the Latino population is illustrated by its status as the only minority group in the country whose Census designation is based on language and culture instead of race, a designation placed on people from different parts of the world that do not necessarily share similar physical and cultural traits, interests, or experiences. The U.S. Census definition of someone who is counted as Latino is as follows:

The terms ‘Hispanic’ or ‘Latino’ refer to persons who trace their origin or descent to Mexico, Puerto Rico, Cuba, Spanish speaking Central and South America countries, and other Spanish cultures. Origin can be considered as the heritage, nationality group, lineage, or country of the person or the person’s parents or ancestors before their arrival in the United States. People who identify their origin of Hispanic or Latino may be of any race.²

This large Latino umbrella includes not only those from Mexican and Puerto Rican descent who tend to have more liberal political leanings, but also those of Cuban ancestry who are generally more ideologically conservative. The heterogeneity of Latinos makes it difficult to identify consistent similarities that are more easily observed for other minority groups.

The diversity of Latinos in the mass public and in elected office is also reflected in the different political contexts that exist across states. In Florida, Hispanic elected officials are generally Republicans of Cuban descent; nonetheless, they, on occasion, part ways with the national Republican Party, particularly on the issue of immigration. In 2008, for example, anti-immigration bills failed in the State House when House Speaker Marco Rubio refused to lend his support to those measures (Figueroa 2008). And State Representative, Juan Zapata, a Miami Republican, has taken the lead in championing a measure which would grant in-state tuition to the children of illegal immigrants (Royse 2007). “The children have done nothing wrong,” says Zapata. “Many families are lured by the promise of the American dream: work hard and it will pay off.” At the national level, anti-immigration activists have expressed concern about Republican Senator Mel Martinez's position on immigration: when Martinez was selected as general chairman of the Republican National Committee in 2007, a prominent Arizona Republican and state party leader, Randy Pullen, said "The State of Arizona has a lot of concerns

² Source: U.S. Census Bureau, Population Division
(<http://www.census.gov/population/www/socdemo/hispanic/about.html>)

about Mel Martinez's position on illegal immigration" (National Public Radio interview, January 20, 2007).

In New Mexico, on the other hand, Latinos make up over 40% of the population, and a substantial majority of Latinos in the mass public and in elected office are Democrats. It is the only state where Latinos have been elected to public office in numbers that consistently approximate their numbers in the population. Yet in this state, the ethnicity of a candidate is often not a focus of campaigns or of the media. Former Republican Governor Gary Johnson, speculated in 1998 that ethnicity is less salient because New Mexico is truly a "tricultural" state where such distinctions are less relevant (Garcia and Sierra 2004).³ Rosalind Gold of the National Association of Latino Elected and Appointed Officials has described New Mexico as politically mature, given its long history of political participation by Latinos, observing "New Mexico is light-years ahead of the nation politically" (Glover 1998).

Clearly Latino office holders must strike a balance, recognizing the importance of ethnicity in American politics, while at the same time eschewing an overly narrow vision of "Latino interests." In 1998, Martin Chavez (Democratic candidate for New Mexico governor) remarked: "I don't play ethnic politics. . . I don't engage in it and I don't approve of it. I think it divides people. I'm immensely proud of my heritage, but I'm an American" (Glover 1998). Assemblyman Joe Coto's welcome message on the website of the California Latino Legislative Caucus echoes that same principle: "We strongly believe that the Latino Caucus agenda is, in reality, the American agenda." And at the national level, the importance of not casting a narrow net to define "Latino interests" was acknowledged by Lucille Roybal-Allard in 1998 as she took

³ "Tricultural" refers to the strong presence of whites, Latinos, and Indians in New Mexico.

the helm of the Hispanic Congressional Caucus, when she observed “Latino issues and American issues are one and the same” (Rodriguez 1999).

This dissertation addresses the question of the role of ethnicity in the political process. How does ethnicity influence legislative behavior? Does the influence of ethnicity depend on institutional context? How does the influence of partisanship and constituency complement or compete with the influence of ethnicity? Do Latino legislators believe that there is an identifiable set of “Latino interests,” and what are their views on how their ethnicity influences them as “representatives”? How does a legislator's ethnicity – and the ethnic diversity within an institution – influence representation?

CONCEPTS OF REPRESENTATION

What is the meaning of representation? At its most basic political definition, representation refers to having a voice in government. For minority groups, achieving a significant voice in legislative bodies has historically been a challenge. Minorities usually lack proportional representation, particularly in states with relatively diverse populations; that is, their presence in legislatures is less than their number in the general population. Further, minorities often have a difficult time electing members of their own group. Latinos, in particular, are generally less likely to register or to turn out to vote because they are less likely to be citizens and are more likely to exhibit greater socioeconomic differences. (Citrin and Highton 2002). While many political observers have noted the potential for Latinos to have increased political power, the same observers point out that the political diversity of Latinos and their relatively low voting rates complicates the realization of this potential power. Given these and other obstacles to increasing the number of minority officeholders, there is an ongoing debate about how

minority groups- both minorities in the general population, and legislative minorities- can maximize the substantive benefits of representation.⁴

Descriptive Representation

Hannah Pitkin's groundbreaking work, *The Concept of Representation* (1967), articulates multiple meanings of the concept of representation. One type of representation introduced by Pitkin and advanced by legislative scholars is *descriptive representation*. Descriptive representation is the degree to which a legislature mirrors the demographic characteristics of the population that it represents. That is, descriptive representation is most likely to occur if groups elect people to represent them that share similar traits as themselves. Pitkin (1967, 61) says of descriptive representation that it "...depends on the representative's characteristics, on what he is or is like, on being something rather than doing something." There is a significant body of literature that outlines the normative benefits of descriptive representation for minority groups (see Canon 1999; Mansbridge 1999; Haynie 2000; Swers 2002; Tate 2003). These scholars argue that in most circumstances, members of a minority group are best qualified to represent that group. Further, they point to the fact that minority groups have been historically underrepresented or misrepresented by non-minorities within the legislative process; that non-minorities cannot or will not advocate for the policy interests of minorities.

Substantive Representation

Many of the arguments for increased descriptive representation are based on the expectation that increased descriptive representation will lead to increased *substantive representation*. A constituency is substantively represented if a legislator or legislative body advances the interests of that constituency, even if the demographic characteristics of the

⁴ Although women make up about 51% of the general population, they are considered a legislative minority because they comprise significantly less than half of the composition of chambers at both the national and state level (i.e. the gender gap).

constituency are not reflected.⁵ The concept of substantive representation has played a major role in the study of minority politics simply because minorities have historically not been "descriptively" represented—raising the question of whether and how their interests have been substantively represented. As minority groups have increased their own representative numbers, both at the national and sub-national level, the political and scholarly debate over substantive representation has intensified. Substantive representation is presented as both a complement to and a substitute for descriptive representation. For example, Haynie (2001) argues that the best way for African Americans to receive substantive representation is by achieving descriptive representation. Other scholars, however, believe that substantive representation can be achieved without descriptive representation, and that it is substantive representation that matters (e.g. Swain 1993). Swain (1993, 212) notes that in her analysis of African American representation “it is evident that partisanship and region are far more important than race in predicting whether representatives will pursue black interests...” Therefore, the essential question is whether there is a link between descriptive representation and substantive representation—and whether substantive representation is enhanced in diverse legislatures.

TOWARD AN UNDERSTANDING OF THE REPRESENTATION OF LATINOS

The potential link between descriptive and substantive representation has been extensively analyzed within the literature on African Americans and women, but much less work has been done with respect to Latinos. A review of this literature on race and gender, however, can guide us in thinking about the link between the descriptive and substantive representation of Latinos. Table 1.1 provides an illustrative sample of the literature on minority representation.

⁵ An example of substantive representation without descriptive representation would be white legislators who represent majority black districts (e.g. Lindy Boggs, U.S. Representative from Louisiana’s second district from 1973 to 1991, and Peter Rodino, U.S. Representative from New Jersey’s tenth district from 1949 to 1989) (Swain 1993).

Table 1.1: Sample of Literature on Minority Representation

Scholar(s)	Concept(s)	Applies to:
Susan Welch and John Hibbing (1984)	Differences in voting patterns between those that are minorities and/or represent minorities than their counterparts.	Latinos
Carol Swain (1993)	Advocates the importance of substantive representation over descriptive representation.	African Americans
Rodney Hero and Caroline Tolbert (1995)	Claim that direct substantive representation of Latinos does not exist.	Latinos
Brinick Kerr and Will Miller (1997)	Differentiate between the behavior of Latino and non-Latino representatives and find evidence of direct substantive representation of Latinos.	Latinos
David Lublin (1997)	Comparative approach to the study of minority representation. How does the presence or absence of one minority group impact the representation of another?	African Americans and Latinos
Kathleen Bratton and Kerry Haynie (1999)	Descriptive representation model- agenda setting through bill sponsorship in state legislatures.	African Americans and Women
David Cannon (1999)	Argues for the continued existence of majority-minority districts and points out the “unintended consequences” of such an electoral mechanism.	African Americans
Jane Mansbridge (1999)	Argues that descriptive representation might be most important for issues that are relatively new to the legislative agenda (“uncrystallized issues”).	African Americans and Women
Michelle Swers (2002)	Comprehensive approach to analyzing how gender affects legislative behavior.	Women
Katherine Tate (2003)	Argues that descriptive representation advances substantive representation of minorities.	African Americans
Robert Preuhs (2005)	Influence of political incorporation on minority policy preferences.	Latinos
Kathleen Bratton (2006)	Descriptive representation model- agenda setting through bill sponsorship and committee membership	Latinos

There is ongoing scholarly debate about institutional reforms that can provide minority groups with opportunities for better representation. One such reform is the creation of majority-minority districts. Some scholars argue that majority-minority districts contribute to increased representation for minority groups (Canon 1999; Haynie 2001). The enactment of majority-minority districts occurred under the provisions of the Voting Rights Act (VRA) of 1965, as well as subsequent amendments to the act. Much scholarly and popular political debate focuses on the creation of such districts, especially during periods when portions of the VRA are up for renewal. The argument for the creation, and continued existence, of majority-minority districts is that these districts give minority groups the best opportunity for both descriptive and substantive representation. One major criticism of majority-minority districts, however, is that their creation dilutes the influence of minority groups by concentrating them into one area, while diminishing their presence elsewhere (Swain 1993; Cameron, Epstein, and O'Halloran 1996). Critics of majority-minority districts argue that, in fact, their existence allows majority groups to gain even more power in legislative bodies because minority interests are aggregated into small areas. Given that the creation of majority-minority districts is controversial, has political limitations, and can only be accomplished when there is a large enough concentration of a particular minority group, advocates of diverse legislatures often conclude that there are other ways in which minorities, and particularly Latinos, can maximize representation must be explored.⁶ The most promising avenues may be embedded within the legislative process itself.

Previous scholarship on minority representation has consistently concluded that there is a link between descriptive and substantive representation- that the race, gender, or ethnicity of a legislator influences legislative behavior apart from the influence of his or her constituency

⁶ Another institutional reform that is prevalent in the minority representation literature is changing the electoral system from majoritarian to proportional representation (see Tate 2003).

(Bratton and Haynie 1999). This link is explored within a broader theoretical debate- do minority groups need descriptive representation in order to achieve substantive representation? A number of studies on minority representation have examined the descriptive-substantive representation link. These studies have focused primarily on the impact of African Americans and women in national and state legislatures. A significant number of studies advocate the need for minority groups to obtain descriptive representation in order to achieve substantive representation. For example, in *Race, Redistricting and Representation: The Unintended Consequences of Black Majority Districts*, Canon (1999) argues that blacks need descriptive representation (i.e. black legislators) in order for black interests to be represented. Canon conceptualizes black descriptive representation as a “politics of commonality” rather than a “politics of difference.” By this, Canon suggests that electing black representatives not only benefits black constituents, but that it also has the “unintended consequence” of promoting broader multiracial politics that break down race barriers. Black representatives, Canon argues, have no choice but to embrace a wide variety of policy interests because they operate in a system that is still controlled by a white male majority, regardless of descriptive inroads into representation.

Like Canon, Haynie (2001) argues that it is crucial for African Americans to obtain descriptive representation in order to achieve substantive representation. After analyzing how the policy interests that are particularly salient to African Americans are advanced in five state legislatures (Arkansas, Illinois, Maryland, New Jersey, and North Carolina), Haynie finds that these interests are more likely to be introduced and deliberated when there are African American representatives present. Haynie (2001, 36) concludes that “In other words, black faces in legislatures do matter for black interest representation.”

Scholars of gender and politics have also noted the importance of descriptive representation by suggesting that the presence of female legislators makes a difference to the advancement of women's interests. Swers (2002), for example, examines whether congresswomen in the 103rd and 104th Congresses were more likely to support legislation important to women than their male colleagues. Although Swers finds distinctions between Republican women and Democratic women in their support for women's interests, overall, she concludes that women are stronger advocates of women's policies than male legislators, thus supporting the claim of a link between descriptive and substantive representation.

Scholars have also noted the conditional nature of the relationship between the two forms of representation. For example, Mansbridge (1999, 652) argues that descriptive representation is necessary only under certain circumstances—and that "the benefits of descriptive representation vary greatly by context." Therefore, these benefits are most desirable when they exceed the costs of such representation. Her discussion of costs and benefits directly reflects that balance between the representation of important political interests that may be linked to ethnicity—and the recognition that if representatives are seen as speaking primarily for "narrow" interests, political power may actually be diluted. In Mansbridge's view, the greatest cost of descriptive representation is that it reinforces tendencies toward "essentialism." This is the idea that members of a group have an "essential identity" shared by all members of that group, and are not able to be shared by members outside the group (i.e. only women can represent women and men cannot represent women). "Essentialism," according to Mansbridge, can lead to assumptions that a certain group is monolithic and that only certain interests matter to the entire group. Mansbridge also mentions other costs to descriptive representation such as the dilution of group political strength by succumbing to electoral boundaries and the possible decline of political accountability by those who represent descriptively. When might the benefits of descriptive

representation outweigh the costs? Mansbridge claims that the two most prominent conditions under which descriptive representation is desirable are in the contexts of group mistrust and what she calls “uncrystallized interests.” Group mistrust occurs when historical circumstances, such as discriminatory voting laws or lack of access to the legislative process, do not allow members of one group to communicate well with or trust members of another group. “Uncrystallized interests” refers to relatively new issues that have not been placed on political agendas—issues that have not been addressed by either political party platforms or by candidates for elected office. In circumstances when “uncrystallized issues” are important to a particular group, it is desirable to have a representative from that group who can relate directly to those issues. Mansbridge’s “contextual” approach to the descriptive-substantive representation link is quite applicable to Latinos. Latinos as a political group have dealt with both direct and indirect obstacles to the legislative process, and they often support issues that are not prominent parts of legislative and/or party agendas. For example, Hero (1992) notes that Latinos have been subjected to a “two tiered pluralism,” whereby once formal and legal constraints to participation are removed (first tier), the legacy of those constraints (political, social, and economical) limits their influence (second tier). Further, Latinos have favored policies that are not or have not been part of established mainstream political agendas, thereby making it more difficult to exert influence.⁷

Dovi (2002) also takes a conditional approach to her view of representation. Unlike Mansbridge, Dovi puts conditions on who should be selected to represent a group descriptively rather than conditions on the context in which descriptive representation may be beneficial.

Dovi argues that some descriptive representatives are preferable to others and introduces two

⁷ Immigration is a good example of an issue that, until recently, could be referred to as “uncrystallized.” The issue of immigration has been important to the Latino population for a long time, but only in the last few years has it become part of the platform of both political parties.

criteria for selecting these representatives, who in turn should then provide substantive representation. First, a descriptive representative needs to have a “mutual” relationship with the people he or she represents- the relationship between the representative and the represented is horizontal rather than vertical. Second, a descriptive representative must be willing to actively speak for “dispossessed” subgroups- groups that continue to lack a voice in the political process. In other words, for Dovi, the descriptive-substantive representation link must lead to a fairly specific and dynamic form of group representation.

When applied to Latinos, this argument raises several questions. What type of relationship do Latino legislators have with their constituencies? Given the political diversity of Latinos, are some Latinos more dispossessed than others? How should we regard the political status of Latinos in New Mexico, for example, where Latinos are not markedly underrepresented? How should we regard Florida, where Latinos in the legislatures are overwhelmingly Republican and of Cuban descent, and where Latinos in the population are much more diverse in terms of partisanship and immigration experience? If some Latinos are more “dispossessed” than others, how does this impact the descriptive/substantive link?

An important point raised by many minority group scholars is that descriptive representation does not automatically lead to substantive representation—and that substantive representation may occur without descriptive representation. The mere presence of minorities in legislative bodies is often referred to as “symbolic representation.” The difference between descriptive representation and symbolic representation is that the former can lead to substantive representation while the latter will not. Some scholars argue that symbolic representation is significant onto itself. Phillips (1995) argues that the “politics of ideas” have been replaced by a “politics of presence” where groups favor their own members as the ones who should provide representation. In this sense, the “symbolism” of representation has some value, according to

Phillips, because it is a powerful reminder of past exclusions that only served to impede the progress of certain groups and by extension, the overall democratic process.

PREVIOUS WORK ON LATINO REPRESENTATION

Little work has been done on the descriptive-substantive representation link with regard to Latinos. Research on Latino representation has occurred mainly at the national level and has produced mixed results. In one of the earliest studies on Latino representation, Welch and Hibbing (1984) examined the impact of Latino constituencies and Latino representatives on roll call voting. They found that both Latino representatives and non-Latino representatives with a large Latino constituency have a more liberal voting record than their counterparts. Conversely, Hero and Tolbert (1995) find that despite an increase in Latino population during the 1980's, there was little direct substantive representation of Latinos. Using the same data as Hero and Tolbert, Kerr and Miller (1997) conclude that not only do Latino House members behave distinctly from non-Latino members, but also that Latinos receive direct substantive representation- representation by Latino advocating Latino issues, rather than collective substantive representation- representation of Latino interests by the Democratic Party.

Welch (1990) finds that there is a difference between generalizations made about black representation and electoral systems and those made about Latinos. Specifically, single member district elections seem to lead to more equitable representation of blacks but not of Latinos. Welch concludes that Latinos benefit from single member district elections only when the population of the district is small and dependent on the degree of residential segregation, their population proportion, and the state in which elections take place. One important conclusion of this representation-electoral structure linkage is that Latinos lag behind blacks in the time they have had to influence the electoral structure. This may be changing given the growth of the Latino population over the last decade.

Incorporation- the ability of Latino legislators to obtain leadership positions in legislative chambers- is also significant to the descriptive/substantive representation link. Preuhs (2005) examines how Latinos serving in legislative leadership positions impacts their ability to influence policy. Preuhs finds that Latinos are able to offset their numeric minority in legislative bodies by obtaining positions of power. Specifically, Latino legislative leaders are able to block legislation that may negatively impact Latinos. This influence implies that for Latinos, it matters more the type of representation they receive rather than the size of their legislative presence. This presence may be felt at different stages of the legislative process.

Finally, it is worth noting that not all research on minority groups finds a link between descriptive and substantive representation. One of the most notable and controversial pieces on this subject is Swain's (1993) *Black Faces, Black Interests: The Representation of African Americans in Congress*. Swain argues that increasing the number of black representatives will not necessarily lead to more representation of black interests. Swain's analysis looks at a multitude of variables to determine what influences legislative support for black interests. She finds that party has the strongest effect on support for black interest legislation. Therefore, Swain argues that the best way for blacks to maximize substantive representation is to increase the number of elected democrats, regardless of race. Unlike the other minority scholars mentioned above who argue for a strong link between descriptive and substantive representation, Swain promotes a much weaker and indirect link; one that can be broadly made by being part of the "correct" (sympathetic) political party.

This dissertation builds upon the idea that Latino descriptive representation may be necessary but not sufficient to guarantee legislative influence and success. In order to better understand the descriptive-substantive representation link for Latinos, it is important to embark upon a comprehensive analysis of the legislative process. This analysis involves five parts:

agenda setting, committee participation, roll call voting, legislator interviews, and a concluding discussion about Latino interests.

LEGISLATIVE BEHAVIOR AND INFLUENCE

Much of the literature on minority representation has focused on the link between descriptive and substantive representation, with most analysis occurring at the roll call stage of the legislative process (e.g. Lublin 1997; Swers 1998; Canon 1999; Sharpe and Garand 2001). A broader, more thorough understanding of how Latinos are substantively represented must include a more encompassing examination of legislative activity. Such an approach recognizes that substantive representation can take place (and can vary) at different points of the legislative process, and that the bulk of legislative work occurs prior to roll call votes. I hypothesize that Latino representation will be more readily observed at stages of the legislative process where individuals have more influence over legislation (i.e. stages of the legislative process where a “critical mass” is not necessary to affect legislation). Scholars have posited that representatives of minority groups must rely on “critical mass” in order to gain wide spread support for issues important to a particular group (Mansbridge 1999). However, research on gender and representation has shown that this may not necessarily be the case (Bratton 2005). Preuhs’ (2005) research on the success of Latinos in legislative leadership positions is a good example of how a few Latino legislators who are uniquely positioned to exercise influence can produce substantive representation. Given the under-representation of Latinos and the limits of majority-minority districts as a tool to increase representation, I am particularly interested in exploring the question of whether Latinos can achieve substantive representation without reaching a particular numerical threshold.

One stage of the legislative process in which Latino substantive representation may be more likely is during agenda setting. Scholars have found that women are more likely to sponsor

legislation that focuses on women's interests (Bratton 2002; Swers 2002) and African Americans are more inclined to sponsor bills that are of importance to the black community (Cannon 1999; Tate 2003). Moreover, the influence of race and gender appear more pronounced at the agenda-setting (sponsorship) stage of the legislative process than at later stages. Are Latino legislators more likely than other legislators to sponsor measures that are particularly relevant to Latinos?

Committee work is another part of the legislative process in which the Latino descriptive-substantive representation link may be more evident. Committees are overlooked in much of the extant research on minority representation, despite being regarded by legislative scholars as critical to representation (Fenno 1973; Hall 1987). The majority of the literature on committees tends to focus on structure and organization- selection, composition, and size (Ray and Smith 1984; Munger 1988; Cox and McCubbins 1993). Literature on minority representation has highlighted the effects of committee deliberation and votes, as well as composition (Haynie 2001; Tate 2003; Gamble 2005). For example, Gamble (2005) looks at the impact of committee deliberation on the substantive representation of African Americans. She finds that black legislators are more likely to actively participate (i.e. speak and ask questions) on committees than their white counterparts when black interest legislation is being considered. What can committee composition, deliberation, and voting say about the way Latino interests are represented? Committee activity may be an aspect of the legislative process where Latino substantive representation becomes more evident.

An analysis of Latino representation would be incomplete without looking at voting behavior. Roll call voting has often defined the literature on the descriptive/substantive representation of Latinos, but conclusions from this body of work have produced mixed results. This suggests that any examination of voting behavior must be part of a broader and more

encompassing research that explores not only preferences (votes), but the timing and intensity of those preferences in order to better understand the impact of ethnicity on the legislative process.

Since a comprehensive exploration of the legislative process is the goal here, it is important to complement a quantitative analysis of representation (and specifically Latino representation) with qualitative work that takes into account the actual experiences of legislators. What do Latino legislators believe are the most important issues to their constituencies? Which part of the legislative process do they feel they have the most influence? How much value do they place on specific legislative activities (e.g. sponsorship, collaboration, committee work, and roll call voting)? Information about the role of ethnicity in both formal and informal legislative activities is best obtained through personal interviews.

Finally, identifying a Latino policy agenda has been an elusive task. Therefore, it may be beneficial to take an *ex post facto* look at what really constitutes a “Latino interest.” Are Latino interests clearly defined and isolated from broader and cross-cutting issues (issues that encompass the interests of multiple groups)? If so, how are these interests marshaled through the legislative process? Researchers have also noted that Latinos in the mass public exhibit more heterogeneity than most minority groups (e.g. Bratton 2006). Does this diversity make it difficult to identify a Latino political agenda? Given that previous work has relied on legislative activity such as bill sponsorship and committee deliberation to identify group specific issues, I conclude this overall project with a discussion of whether and how scholars can think about the identification and definition of Latino interests.

PLAN OF DISSERTATION

In this chapter I have outlined the concepts of representation that are central to this research. Further, I have reviewed some of the pertinent literature with respect to minority representation in general, and Latino representation in particular. Here, I have also argued for

the importance of a comprehensive examination of the legislative process in order to grasp the extent of Latino legislative influence.

In Chapter 2, I focus on ethnic differences in agenda setting; specifically, the factors that influence the sponsorship activity of Latino legislators. I rely strongly on the “critical mass” literature and how chamber composition affects agenda setting behavior.

In Chapter 3, I examine the role of ethnicity in committees. The deliberative nature of committees provides an environment for individual influence. Thus, Latinos as a legislative minority may generate greater efficacy in committees than in other stages of the legislative process. This chapter also emphasizes the distinction between preference and preference intensity. The intensity of preferences or levels of committee participation in this case, can reveal a great deal about how Latino representation takes shape.

In Chapter 4, I look at the roll call stage of the legislative process and whether ethnicity has a discernable impact on vote choice. I also note the different dynamics at play during roll call voting, specifically the collective nature of the process in comparison to other legislative activities. This allows for a measured differentiation in Latino political influence when the dynamics of legislative participation vary.

In Chapter 5, I use information from interviews with state legislators to provide individual accounts of the Latino legislative experience. This qualitative examination compliments the rest of the analysis by probing areas of the legislative process that are difficult, if not impossible to quantify. Further, interviews with those directly involved in policy making add validity to the quantitative work.

In Chapter 6, I present a conclusion that ties the separate sections of the dissertation together. I summarize the results of each chapter while paying particular attention to how the link between descriptive and substantive representation shapes and is shaped by ethnicity. Here,

I also discuss the Latino political agenda as an effect rather than the impetus for legislative action. This approach results from a lack of significant and congruent research on what constitutes a “Latino interest.” Thus, scholars have relied on issues brought forth within the legislative arena. Since I embark on a comprehensive examination of the legislative process, this exercise allows for a back end discussion about which interests define the Latino agenda. Finally, I also discuss the implications of the project in light of the continuously growing presence of Latinos in both the mass public and in legislative bodies.

CHAPTER 2: CRITICAL ACTORS OR CRITICAL MASS? THE CONDITIONAL ROLE OF ETHNICITY IN LEGISLATIVE AGENDA SETTING

At its most basic political definition, *representation* is having a voice in government.

Hannah Pitkin (1967, 209) says that representation “means acting in the interest of the represented, in a manner responsive to them.” As discussed in the previous chapter, the literature on representation makes an important distinction between two forms of representation: descriptive and substantive. In recent decades, scholars have examined the representation of African Americans and women and have paid particular attention to the link between these two concepts. Do minority groups need descriptive representation in order to be substantively represented? Under what conditions is the link between descriptive and substantive representation strongest? And how is this link conditioned by factors such as legislative composition and constituency interests?

A number of scholars have debated the descriptive-substantive link within the framework of minority representation. As previously discussed, scholars such as Haynie (2001) and Canon (1999) advocate the necessity of black descriptive representation, while Swain (1993) posits that substantive representation can be achieved without descriptive representation, and that in fact, African Americans may be better served by having the former without the latter. In the women and politics literature Swers (2002), for example, finds that women are stronger advocates of women’s interest legislation than male legislators, thus supporting the need for women to be descriptively represented. And yet others argue that descriptive representation should only be linked to substantive representation under certain conditions (see Mansbridge 1999; Dovi 2002).

Although much of the literature on minority politics makes descriptive representation a prerequisite for substantive representation, the connection between the two is by no means guaranteed. Minority legislators do not provide substantive representation by simply being

present in a legislative body; legislators can provide substantive representation regardless of racial and ethnic characteristics. Therefore, the descriptive-substantive representation link must be looked at in terms of legislative actions and outcomes, and it must be recognized that the linkage is shaped by the presence of other factors.

In this chapter, I examine the link between descriptive and substantive representation in legislative agenda-setting. Agenda setting is an important part of the political process (Bachrach and Baratz 1963). Erbring, Goldberg, and Miller (1980, 17) define agenda setting as a “process by which problems become salient as political issues around which policy alternatives can be defined and support or opposition can be crystallized.” Legislative scholars have argued that agenda setting is crucial because it affects policy outcomes by providing a relatively wide opportunity to define (or redefine) the choices that are considered. The importance of agenda setting via bill sponsorship has been widely discussed in the legislative literature. For the most part, bill sponsorship is viewed as a substantive institutional tool that benefits individual members; these benefits include legislative influence, information shortcuts, and electoral success (Fenno 1973; Campbell 1982; Kingdon 1989). Further, the often high opportunity costs of bill sponsorship makes this a selective action, signaling the strong commitment of legislators to certain issues (Schiller 1995). For minority legislators, agenda setting provides opportunities that may not exist at other stages of the legislative process to shape policies specific to their own interests and to the interests of their constituency. In comparison to floor voting, for example, agenda setting is a chance for legislators to exert individual rather than aggregate influence. Therefore, agenda setting is the stage of the legislative process at which the link between

descriptive and substantive representation may be most pronounced (Bratton and Haynie 1999; Swers 2002; Bratton 2005).⁸

Previous research has clearly demonstrated racial and gender differences in legislative interests. Scholars have shown that black legislators have distinct policy interests such as civil rights, crime, poverty, and discrimination (Whitby 1989; Hutchings 1998; Whitby and Krause 2001) and women legislators are disproportionately concerned with such issues as health, children, family, and domestic violence (Saint-Germain 1989; Thomas 1991). Although initial studies looked at racial or gender differences in voting behavior (Combs, Hibbing, and Welch 1984; Welch 1985; Thomas 1991; Reingold 1992; Vega and Firestone 1995), more recent work has examined minority legislative behavior at the sponsorship stage of the legislative process (Haynie 2001; Dodson 2001; Swers 2002; Tate 2003). This research has shown that both African American and female legislators are more likely to sponsor legislation that disproportionately affects members of their respective groups and more likely to cosponsor each other's legislation (Bratton and Rouse 2007). In general, scholars have found support for a descriptive representation model; even when controlling for constituency composition, the race and gender of a legislator influence policy interests and agendas (Swers 2002; Grose 2005).

Previous literature has indicated that Latinos, at the mass level, have distinct policy concerns. These issues include immigration, education, healthcare, discrimination, and crime (Fraga et al. 1996; Martinez-Ebers et al. 2000).⁹ Mansbridge (1999, 629) argues “for attention to the specific historical contexts that make descriptive representation most useful.” These “contexts” are when groups have dealt with obstacles to representation and when they have

⁸ The link between descriptive and substantive representation at other stages of the legislative process is addressed in ensuing chapters.

⁹ A more thorough analysis of how “Latino interests” are conceptualized is touched upon in other chapters of this dissertation and is discussed in detail in the final chapter.

policy concerns that have yet to be folded into the legislative agendas of political parties. Both of these conditions apply directly to Latinos. Latinos have to some degree been excluded from the political process (Hero 1992) and there are issues that are particularly relevant to Latinos, but that have not yet been definitely claimed or "owned" by either party.

Research on ethnic differences in legislative agenda-setting is relatively scarce, but recent work has shown that Latino representatives are more likely than non-Latinos to sponsor "Latino interest" measures (Bratton 2006).¹⁰ However, the question of whether that link between descriptive and substantive representation depends on the composition of the legislature remains unanswered. Does the presence of Latinos in legislative chambers influence sponsorship activity of individual representatives? This chapter explores the question of whether legislators respond to diversity within the chamber when making choices about the policies they will place on the agenda. In this chapter, I draw on the substantial amount of literature in gender and politics that examines the idea of "critical mass."

CRITICAL MASS: THE CONDITIONAL NATURE OF REPRESENTATION

Initial work on critical mass theories focused on corporate settings. Rosabeth Moss Kanter (1977) argued that women in male dominated organizations experience pressures to conform, and in turn, attempt to minimize gender differences with such actions as allowing others to take leadership positions or not taking credit for certain accomplishments. This organizational behavior literature has been directly applied to legislatures at both the national and state level (Dahlerup 1988; Saint-Germain 1989; Thomas 1991, 1994; Bratton 2002, 2005).

There remains a debate, however, over whether and how chamber diversity influences individual legislative behavior. For example, Saint-Germain (1989) and Thomas (1991, 1994)

¹⁰ Bratton (2006, 8) defines "Latino interest" measures as those that "might decrease discrimination against or alleviate the effects of that discrimination, or were designed to improve the socioeconomic status or health of Latinos."

find that a larger percentage of women in a legislative chamber leads to greater differences in support among men and women on women's interest bills. More recent work however, has noted a clear distinction between women as political actors and women in other institutional settings. Some scholars argue that critical mass theory, at least as it is applied from Kanter's work, is limited in its ability to explain the behavior of women in legislative settings (e.g. Bratton 2005; Childs and Krook 2006). Bratton (2005, 3) points out that this limitation is due to several factors. First, it is likely that women serving in "skewed" legislatures are politically active and willingly participate in this type of setting in order to advocate for women's interests. Swers (1998) and Dodson (2001) find that in a legislative institutional setting, women, regardless of numbers, are inclined to focus on "women's issues." Second, unlike other organizational settings, women legislators must not only be responsive to other legislators, but also to voters; voters may in fact believe female legislators are better qualified to handle issues pertaining to women. Third, as the presence of women increases within legislatures, it is likely that women begin to influence men; the more men support women's interests, the less of a gap there should be between the legislative activity of men and women. Finally, Bratton points out that Kanter's work assumes *a priori* existence of factors that influence the performance of women. At least in a legislative setting, women may be subject to discrimination, but that will not necessarily keep women from pursuing a "women's interest" agenda.

As the literature on women and critical mass has evolved, the issue has become more about a relative, rather than an absolute number of women needed for policy effectiveness (Dahlerup 1988, 2006). In this sense, the goal is less about how women can achieve a critical mass and more about how to maximize their influence. Dahlerup (2006, 513) suggests several ways this can happen: changes in the reaction to women politicians, changes in the performance and efficiency of women politicians, changes in political culture, changes in political decisions,

and the empowerment of women. These changes imply that the use of critical mass theories to explain or even promote better and more effective representation may be somewhat outdated and, in fact, misused. Childs and Krook (2006, 524) argue that the critical mass debate must be reconceptualized from centering on questions about *when* women matter to “*how* the substantive representation of women occurs.” They also emphasize the importance of focusing on what individual women do rather than on what women as a group accomplish. This emphasis draws on the notion that women are diverse and that utilizing this diversity can have greater legislative impact than simply having large numbers. In this sense, then the focus should be on “critical actors” rather than on “critical mass” in order to understand policy effectiveness (Childs and Krook 2006).

EXPECTATIONS ABOUT THE BEHAVIOR OF LATINOS IN AGENDA SETTING

Arguably, Latinos face similar challenges as women and African Americans in their ability to be effective legislators. Although legislative bodies are considerably more diverse than in the past, institutional constraints are still present, whereby the perceived probability of legislative effectiveness is still, in part, a product of “strength in numbers.” However, as the literature on gender demonstrates, there is reason to believe that a critical mass is not necessary for underrepresented legislators- in this case Latinos- to focus on group interests. This is especially true at points in the legislative process where individual effort is most significant and where ethnic differences, as is the case for race and gender, would be most pronounced.

Although Latinos are a very heterogeneous group, they often share certain similar experiences. These experiences can include minority group status, discrimination, and exclusion from the political process. Latino legislators, as part of this group should have some attachment to these experiences. This is the notion of “linked fate” that is often used in support of the need for descriptive representation (Mansbridge 1999; Tate 2003). Also, research has found that Latino

representatives often feel a sense of obligation to the broader Latino community that extends beyond their districts (Fraga et al. 2003). The term “surrogate representation” has been used to describe this sentiment among African American representatives (Gamble 2005). Agenda setting affords legislators the opportunity to craft legislation that reflects multiple and perhaps at times competing interests. Therefore, I expect that Latinos can provide substantive representation at the agenda setting stage even when (and perhaps especially when) they make up a small percentage of the legislative chamber. I also expect that this focus on issues relevant to Latinos is not reflected only in the number of such measures that are introduced, which could be seen as a largely symbolic activity, but also in the number of such measures that are passed.

District characteristics are also important to legislative behavior. For example, legislators with a higher percentage of Latino constituents or a lower average income in their district will likely be more responsive to Latino interests (Fraga et al 2003; Bratton 2006). The influence of ethnicity and other factors on agenda setting and their impact on the substantive representation of Latinos is central to this research.

DATA AND METHODS

In this chapter, I examine the total number of Latino interest bills introduced in 2001 in both chambers for six state legislatures: Arizona, California, Colorado, Illinois, New Mexico, and Texas. Table 2.1 shows that these states provide a great deal of variance, both in the number of Latino legislators and in the percentage of Latinos in the mass public. As is often true for minorities, Latinos (with the exception of New Mexico) are usually underrepresented in these legislatures. I use Bratton’s (2006) database of state legislators and bill introduction. Legislators

are coded as Latino only if they are explicitly determined to be Latino.¹¹ All bills sponsored in each legislative chamber are content coded into four policy areas: Latino interests, education, health, and welfare policy. These 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.¹² It is important to note that bills were often placed in multiple policy areas. For example, a number of bills that were coded as “Latino interest” were also coded as health, education, or welfare measures.¹³ The dataset

Table 2.1: Percent Latino Legislators and Percent Latino Population (by state)

State	Percent Latino Legislators ^a		Percent Latino Population ^b
	House	Senate	
AZ	12%	14%	25%
CA	26%	39%	32%
CO	13%	3%	20%
IL	4%	4%	14%
NM	41%	38%	42%
TX	19%	23%	34%

^a Percent Latino legislators is for the 2001 regular legislative session in each state.

^b Percent population is based on U.S. Census Bureau data for 2000.

¹¹ Several data sources were used by Bratton (2006) to code Latino legislators. These sources include lists obtained from the National Association of Latino Elected and Appointed Officials, newspapers, and state documents. Most Latino legislators in the states under examination are either of Mexican or Puerto Rican descent.

¹² Specific examples of these bills are fair housing and labor laws that outline ethnicity as a protected category, education programs to help LEP (limited English proficiency) students, programs for addressing Latina teen pregnancy, and programs to provide services to border communities.

¹³ Examples of cross coded bills include measures regarding Latina teen pregnancy- coded as “Latino interest” and education; LEP bills coded as both “Latino interest” and education; and measures to assist immigrant/border communities coded as “Latino interest” and welfare.

only includes substantive proposals; resolutions were not part of the analysis. In her dataset, Bratton (2006) identifies the bill introducer or primary sponsor of each bill. The majority of bills only had one primary sponsor, but for the few bills that had multiple primary sponsors, all those primary sponsors were given credit for introducing the legislation.¹⁴

FACTORS THAT INFLUENCE AGENDA-SETTING

In order to test the effects of legislative composition on Latino bill introduction, I create two variables. The first variable is a measure of legislative diversity- the percent of Latinos in a legislator's party within a particular chamber.¹⁵ I use percentage in party rather than percentage in chamber because legislators are more likely to be responsive to the composition of their party rather than the chamber as a whole; it is the members of the party with which they interact and caucus.¹⁶ The second variable is an interaction between Latino legislator and whether the legislator's party is relatively homogenous- that is, the percentage of Latinos in a legislator's party.¹⁷ The first variable is a measure of diversity, in line with the "critical mass" theory in the gender and politics literature (Swers 2002). The second measure captures the added impact of being a Latino in a party with very few members of one's own ethnic group.

I also include variables to account for general legislative activity, or the number of bills that each legislator sponsors outside of a particular category. This measure is created by subtracting all bills introduced on a particular subject area from the overall total of bills introduced. For example, Latino interest measures, education measures, health measures, and welfare measures, respectively, are removed from the total number of bills sponsored. This

¹⁴ Bills with multiple primary sponsors accounted for less than 5% of all the bills analyzed.

¹⁵ This variable is labeled "Percent Latino in Legislator's Party" in the models.

¹⁶ I ran the model with percentage of Latinos in chamber and it does not change the results.

¹⁷ This variable is labeled "Latino*Percent Latino in Legislator's Party" in the models.

variable captures overall legislative activity and any differences in legislative activity across states. The variable is included in the analysis for each bill subject.

I also create a variable that captures the total number of Latino interest measures which are introduced *and* subsequently passed. Variables are also created to account for the number of bills that are introduced and passed in the other subject areas- health, education, and welfare.¹⁸ As previously discussed, the distinction between the number of bills in a particular area that get introduced and are subsequently passed, and the number of bills that simply get introduced, is important in order to disentangle symbolic legislative activity from a measure that combines both legislative activity in agenda-setting with legislative effectiveness.

Several control variables are also important to the analysis. First, based on prior research, I expect that race and gender will also influence agenda setting activity. Both African American and women legislators have been shown to focus on particular issues, including health, education, and welfare. Black and women's interests often overlap with Latino interests, particularly when group interests are reflected in anti-discrimination measures that cover multiple groups, so it is also likely that African Americans and women may be particularly likely to focus on Latino interests. Second, legislative experience with a particular subject area is likely to influence agenda setting choices. Therefore, I control for whether a legislator served on a committee or chaired a committee pertaining to health, education, or welfare. Also, I expect that the majority party in charge of the chamber will influence legislative activity; therefore I include a measure of partisan control of the chamber.

Since constituency is hypothesized to impact the agenda setting choices of legislators, I include a number of district variables in the models. I include a measure for the percentage of

¹⁸ These variables are used as dependant variables in the regressions that analyze the number of sponsored bills passed in each of the four categories

Latinos in the district, a measure for percentage of blacks in the district, and the average income in the district.¹⁹ And finally to account for state level differences in ideology, I include two measures. The first is a measure of institutional or governmental ideology and the second measure captures the ideology of the citizens in each state (higher score = more liberal).²⁰

The unit of analysis in the two sets of models- the number of bills introduced, and the number of bills introduced that passed the chamber- is the legislator. The dependant variable in the first set of models is the number of bills sponsored in each subject area (Latino interests, education, health, and welfare) and the dependant variable in the second set of models is the number of sponsored bills that were introduced and subsequently passed in each area. I perform pooled cross sectional analysis and I use negative binomial regression as the estimator for the models.²¹

RESULTS

Table 2.2 presents descriptive information about sponsorship activity on Latino interest measures for the six states under analysis. Latino legislators do sponsor more Latino interest bills than non-Latino legislatures. There is, however, a great deal of variance across states in the level of sponsorship activity among Latinos.

An analysis of the regression models provides a detailed assessment of the factors affecting sponsorship activity (see Table 2.3). There are two key initial observations to make based on these analyses. First, ethnicity only seems to significantly affect the sponsorship of Latino interest bills; for education, health, and welfare measures, there is no significant

¹⁹ This contextual data was obtained from the *Almanac of State Legislators* (Lilley, DeFranco, and Diefenderfer 1994).

²⁰ Both measures come from the state citizen and ideology scores calculated by Berry, Ringquist, Fording, and Hanson (1998). The means of each score are as follows: institutional ideology = 48.4267; citizen ideology = 46.9633.

²¹ Event count models are appropriate here since the dependant variables are counts and the likelihood of an additional event happening decreases as the number of events increases.

Table 2.2: Introduction of Latino Interest Measures (Percentage of Legislators)

State	Latinos	Non-Latinos
Arizona	82%	17%
California	44%	19%
Colorado	11%	2%
Illinois	67%	11%
New Mexico	25%	8%
Texas	66%	14%

Source: Bratton (2006)

difference in the number of bills introduced by Latino and non-Latino legislators. This suggests that Latino legislators increase their bill sponsorship activity on a set of bills which meet a relatively narrow definition of “Latino interest.” Second, consistent with some of the literature on critical mass which states that women will focus on women’s interest bills when there are few women in the legislature, it appears that this is the case for Latinos as well. Latinos serving in a party with few Latinos are more likely to introduce Latino interest measures.

Both Latino and non-Latino legislators appear to provide substantive representation to their constituents as the percent of Latinos in the district increases; the proportion of Latinos in the district is positively associated with the number of Latino bills introduced. However, other institutional and contextual factors hypothesized to influence the sponsorship activity of Latino legislators have little substantive effect.²² For example, chairing or serving on a relevant

²² I ran a separate model with both electoral margin and district demographics. The results of the analysis showed that sponsorship is not influenced by electoral margin.

Table 2.3: Negative Binomial Regression Analysis of Bill Sponsorship Activity

	# of Latino Interest Bills	#of Education Bills	# of Health Bills	# of Welfare Bills
Latino Legislator	1.287*** (.414)	-.144 (.259)	-.035 (.231)	.232 (.277)
African American Legislator	1.592*** (.402)	.592** (.246)	-.423* (.232)	.055 (.303)
Female Legislator	.215 (.176)	.119 (.092)	.402*** (.088)	.299*** (.099)
Percent Latino in Legislator's Party	.002 (.008)	.005 (.005)	.001 (.004)	.006 (.004)
Latino*Percent Latino in Legislator's Party	-.019* (.011)	.004 (.006)	-.004 (.006)	-.005 (.007)
Party	-1.651*** (.362)	.087 (.161)	-.179 (.130)	-.325** (.155)
Majority Democratic Chamber	-.831*** (.236)	-.196 (.124)	-.382*** (.108)	-.408*** (.134)
Percent Latino in District	.027*** (.005)	.007*** (.003)	.003 (.003)	.009*** (.003)
Percent Black in District	-.013* (.008)	-.005 (.005)	.005 (.004)	.002 (.005)
Average Income in District	.015 (.010)	-.001 (.005)	-.006 (.004)	-.013*** (.005)
Membership on related Committee	-.062 (.177)	.430*** (.086)	.310*** (.081)	.447*** (.100)
Chair of related Committee	.096 (.334)	.803*** (.181)	.700*** (.190)	.459*** (.170)
Institutional Ideology	.007 (.005)	.009*** (.002)	.001 (.002)	-.003 (.003)
Citizen Ideology	.009 (.014)	-.007 (.006)	.015** (.006)	.008 (.008)
Non-subject Bills Introduced	.023*** (.005)	.027*** (.003)	.040*** (.004)	.033*** (.003)
Intercept	-3.482*** (.839)	-.065 (.352)	-.376 (.364)	-.532 (.429)
Wald Chi Square	263.02***	271.40***	226.61***	374.50***
N	759	759	759	759

***p 0.01; **p 0.05; *p 0.10 (two-tailed tests)

Note: Robust standard errors in parenthesis

committee does not have a significant influence on the sponsorship of Latino interest measures. Also, the average income in a district does not influence the number of Latino interest bills that legislators introduce, but the percentage of blacks in a district appears to depress the introduction of Latino interest bills.

Moreover, African American legislators sponsor more Latino interest legislation than white legislators. Indeed, the effect of race is more substantial than the effect of ethnicity in predicting the sponsorship of Latino interest measures. This finding is not that surprising considering that African Americans and Latinos share similar experiences, have similar interests and needs, and often live in close proximity. At least at the elite level, there is some feeling of commonality and a need for cooperation between African Americans and Latinos (Kaufmann 2003; Bacon 2004). Also, as noted by Bratton (2006), many Latino interest measures, especially those that deal with discrimination, are designed to include a variety of protected classes. Given the intergroup benefit of this legislation, it may be that African Americans instead of Latinos take a greater lead in sponsoring these types of broad anti-discrimination bills.

On the more broadly defined issues of education, health, and welfare, Latinos are no more likely than white legislators to introduce these types of bills. However, African Americans are more likely to sponsor education bills and women are more likely to sponsor a higher number of measures in the areas of health and welfare. Some of the factors hypothesized to influence sponsorship activity influence the introduction of these other types of bills as well. Legislators who serve on or chair a committee with jurisdiction over education, health, or welfare issues are more likely to sponsor legislation in each of these areas. Also, a majority democratic chamber has a significantly negative effect on the introduction of legislation across all four policy areas. This result is in the unexpected direction. It may be that since I include other chamber measures, this variable is not capturing interparty differences. Finally, governmental and citizen ideology

scores within a state do not significantly affect introduction of Latino interest measures.²³

However, legislators in states with relatively liberal populations introduce more health policy measures, while legislators in states with more liberal governments introduce more education measures.

Turning now to the second models, presented in Table 2.4, the most interesting finding here is that in homogenous parties (parties with few Latinos) “Latino interest” measures make up a greater proportion of the number of measures introduced and passed by Latino legislators.²⁴ It appears from this analysis that if the value of agenda setting for Latino legislators is gauged in terms of passage of Latino measures they introduce, then bill sponsorship is much more than a symbolic activity. Latinos seem to be more active in sponsoring and passing Latino interest bills when there are fewer members of their group to take up this activity.²⁵ This finding suggests that there is a strong link between the descriptive and substantive representation of Latinos, and that the link is most evident in less ethnically diverse chambers.

Some other measures also prove to be important to the introduction and passage of legislation. Latino interest measures take up a greater proportion of the measures introduced and passed by legislators with a relatively large percentage of Latinos in their district. As one would expect, legislators who serve on or chair committees with jurisdiction over education, health, and welfare bills are significantly more likely to introduce and pass such legislation. Also notable is that the number of measures passed in general (legislation not having to do with Latino interest, education, health, or welfare) is associated with the number of “Latino interest,” education,

²³ Supplementary analyses indicate that controlling for other factors, legislators who focus on Latino interest measures tend to be somewhat more liberal than legislators who do not sponsor Latino interest measures.

²⁴ The dependant variable is a count (number of Latino interest measures introduced by a legislator). However, since I am controlling for the total number of bills introduced and passed, it in essence becomes a proportion.

²⁵ Prior research (Bratton 2006) suggests that the ethnicity of a legislator is not significantly related to the passage of bills he or she introduces.

Table 2.4: Negative Binomial Regression Analysis of Passage of Bills Introduced

	# of Latino Interest Bills	#of Education Bills	# of Health Bills	# of Welfare Bills
Latino Legislator	1.328** (.521)	.267 (.314)	.318 (.235)	.610** (.302)
African American Legislator	2.010** (.630)	.709** (.279)	-.595** (.265)	.600* (.360)
Female Legislator	.071 (.248)	.104 (.103)	.283*** (.083)	.320*** (.116)
Percent Latino in Legislator's Party	-.006 (.012)	.000 (.006)	.005 (.004)	.004 (.006)
Latino*Percent Latino in Legislator's Party	-.022* (.013)	-.002 (.008)	-.013** (.006)	-.016** (.008)
Party	-1.628** (.509)	-.035 (.185)	-.035 (.143)	-.290 (.200)
Majority Democratic Chamber	-.152 (.365)	.087 (.153)	-.125 (.124)	-.252 (.170)
Percent Latino in District	.031*** (.007)	.002 (.003)	.002 (.003)	.007** (.004)
Percent Black in District	-.022 (.014)	-.008 (.006)	.010** (.005)	-.006 (.006)
Average Income in District	.031** (.007)	.002 (.005)	-.003 (.004)	-.013** (.006)
Membership on related Committee	.171 (.234)	.393*** (.102)	.220*** (.085)	.414*** (.128)
Chair of related Committee	-.163 (.485)	.604*** (.180)	.352** (.143)	.459** (.188)
Institutional Ideology	.002 (.007)	.006** (.003)	-.003 (.002)	-.004 (.003)
Citizen Ideology	.018 (.021)	-.003 (.008)	.023*** (.007)	.003 (.010)
Total Number of Bills Passed	.067*** (.011)	.060*** (.006)	.081*** (.004)	.070*** (.005)
Intercept	-5.744*** (1.197)	-1.332*** (.414)	-1.882*** (.393)	-1.219** (.573)
Wald Chi Square	263.02***	273.46***	733.58***	489.35***
N	759	759	759	759

***p 0.01; **p 0.05; *p 0.10 (two-tailed tests)

Note: Robust standard errors in parenthesis

health, and welfare measures passed—suggesting that legislators who successfully sponsor and pass measures do so across a number of issue categories. Institutional and citizen ideology measures again have a mixed impact, significantly affecting the sponsorship and passage of education and welfare bills, respectively.

Also noteworthy is that Latino interest bills introduced by African Americans are significantly more likely to achieve passage than other types of legislation. As mentioned above, with respect to bill introduction, African Americans and Latinos have overlapping policy interests. It appears that some level of substantive representation of Latinos is occurring on the part of African American legislators; such shared interests may actually be reflected in broad anti-discrimination measures that apply to multiple groups. I also find that African American legislators are more likely to introduce and pass health and welfare measures than other legislators.

DISCUSSION AND CONCLUSIONS

In this chapter I examine the sponsorship behavior and effectiveness of Latino legislators. I find that with respect to sponsorship activity, both constituency and the ethnicity of the legislator matters; Latinos are more likely than non-Latinos to sponsor legislation that is specifically related to Latino interests, and legislators elected from constituencies with a high proportion of Latino residents are also more likely to sponsor Latino interest legislation. I also find that the composition of the legislature- when Latinos make up a small percentage of their legislative party within the chamber- has a significant impact on how many Latino interest bills legislators introduce. These results are in line with the more recent critical mass literature which indicates that women are more likely to engage in legislative activity when their numbers in the representative body are relatively low. Likewise, the effect of ethnicity on the agenda setting behavior of Latinos depends on the percentage of Latinos in a party; Latinos are more likely to

sponsor “Latino interest” legislation when their party within a chamber is rather homogenous. To highlight the importance of ethnicity and party composition on the substantive representation of Latinos, Figure 2.1 illustrates the probability that both Latinos and non-Latinos will sponsor “Latino interest” legislation depending on the percentage of Latinos in the party. The x axis is the probability of introducing one Latino interest bill, and the y axis is the percentage of Latinos in the party. The figure shows that there is no party composition effect on the probability of non-Latinos introducing “Latino interest” legislation. However, for Latinos, the lower the percentage of Latino members in the party, the more likely they are to introduce at least one “Latino interest” measure.

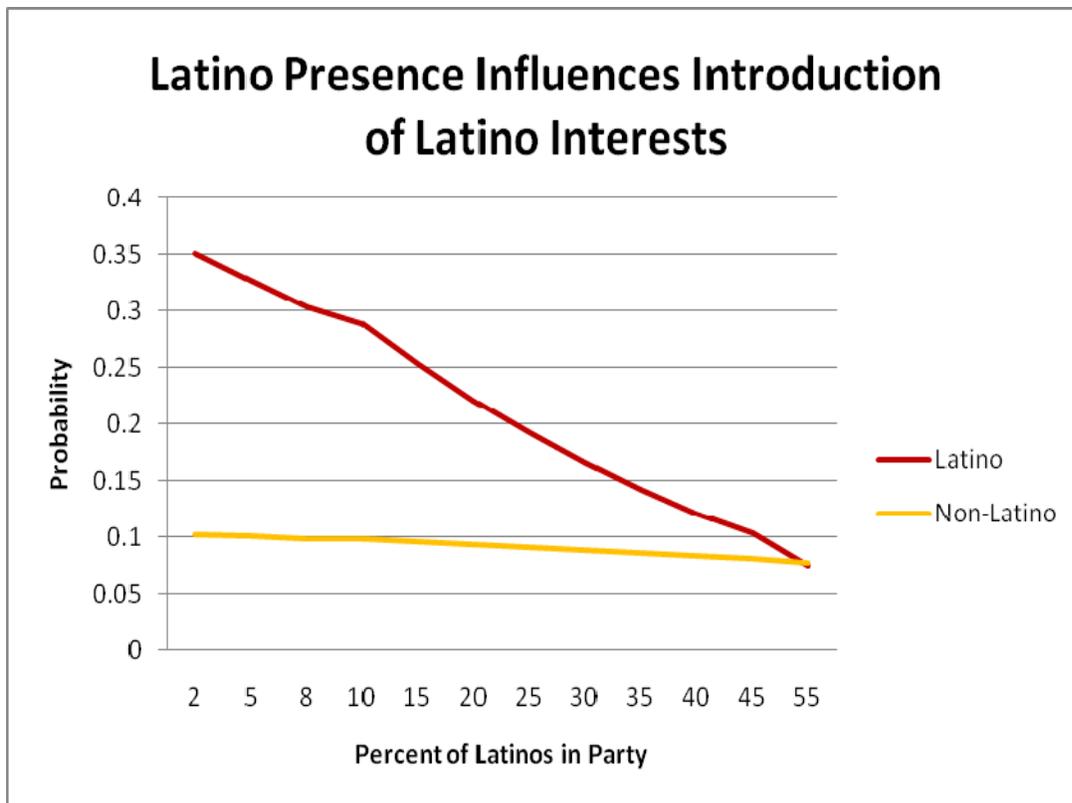


Figure 2.1: Latino Presence Influences Introduction of Latino Interests

Moreover, I find that Latinos are not significantly more likely than non-Latinos to sponsor broader legislation; specifically in the areas of education, health, and welfare. These

findings indicate that a descriptive representation model of Latino legislative behavior is applicable at the bill sponsorship stage of the legislative process when Latino interests are narrowly defined and Latino legislators can utilize individual influence. On broader measures, it may in fact be the case that Latinos rely on surrogate representation from African Americans and women during bill introduction, particularly when anti-discrimination legislation covers multiple protected classes. This may also indicate that it is much easier for Latino legislators to define Latino interests in terms of issues that are relatively new to the legislative agenda. As previously discussed, Mansbridge (1999) defines issues that have no clear place on political agendas as “uncrystallized” and argues that descriptive representation is most significant for these types of issues. In circumstances when “uncrystallized issues” are important to a particular group, it is likely, and perhaps even expected, that representatives from that group sponsor these types of bills. For example, it is only recently that the major political parties have focused on the issue of immigration and that it has become part of their platform. To a large degree, immigration was an “uncrystallized issue” that may be relatively salient to Latino representatives, but which has not produced well-defined party cleavages. Therefore, we would expect that in previous legislative sessions, as in the one under analysis here, for Latinos to sponsor legislation dealing with immigration at higher rates than other legislators.²⁶

My analysis also reveals that when Latinos are part of a relatively homogenous legislative body- when they comprise a small percentage of the party- Latino interests make up a higher proportion of the bills that each Latino legislator introduces and passes. This result suggests that there is a compensatory mechanism at play when Latinos serve in significantly underrepresented bodies: in those contexts, individual Latino members take on a greater role in

²⁶ For additional discussion on the connection between “uncrystallized issues” and Latino descriptive and substantive representation, see Bratton 2006.

the representation of Latino interests. In line with the more contemporary “critical mass” literature, descriptive representation of Latinos may be best explained by focusing on individual actions of legislators rather than on representative thresholds. As “critical actors,” Latino legislators may be more motivated to take legislative action on behalf of Latinos and encourage others (Latinos and non-Latinos) to do the same.

It should be noted that individual initiative, however, does not preclude Latino legislators from acting collectively. Fraga et al. (2003) discover in personal interviews that Latino legislators exhibit a commitment to the larger Latino community and are willing to support the legislation of other Latino legislators. This suggests that Latino representatives act collectively to substantively represent Latinos in the mass public. It also suggests that any adverse effects suffered by Latino legislators as a result of being a small legislative minority are muted in their bill sponsorship activity, as individual legislators shape their sponsorship activity in part based on the chamber's composition.

This chapter has focused on agenda setting via bill introduction. At least at this stage of the legislative process, ethnic differences seem to be most pronounced in legislatures where there are few Latinos. In the following chapter I examine levels of Latino participation on committees. Do Latino legislators continue to provide descriptive representation within the deliberative process? How does the composition of committees affect this representation? The findings here support the need to go beyond vote choice to examine the role of ethnicity in the legislative process in order to better understand the link between Latino descriptive and substantive representation.

CHAPTER 3: LATINO INTERESTS, LATINO BEHAVIOR AND LEVELS OF PARTICIPATION ON LEGISLATIVE COMMITTEES

An important, and often overlooked, part of the legislative process is committee service. Committees provide a setting for legislators in general, and for minority representatives in particular, to strongly articulate the interests of their constituents and to have a larger individual impact on legislative agenda. Gamble (2005, 71) argues that, particularly for minorities, committees provide an opportunity for “institutional leadership” and that “institutional leadership has a major impact on legislative participation.” In this chapter, I examine levels of participation among members of committees at both the national and state level. Research on committee work often takes a back seat to more easily quantifiable activities with more readily available data, such as sponsorship and roll call voting. This may be sufficient information when the composition of a representative body has little effect on legislative outcomes, that is, when legislatures are fairly homogeneous; however, if one is to understand the role of ethnicity in legislative decision-making and representation and place the descriptive/substantive representation debate into broader context, analysis of committee work must be part of the discussion.

Scholars who have examined the importance of committees generally agree that committees wield a significant and disproportionate amount of power within legislatures (Fenno 1973; Hall 1996). Shepsle and Weingast (1987, 85) point out that there is a “substantial consensus” on a number of facts about committees:

- Committees act as “gatekeepers” in their respective jurisdictions.
- Committees are repositories of policy expertise.
- Committees are policy incubators.
- Committees possess disproportionate control over the agenda in their policy domains.
- Committees are deferred to, and that deference is reciprocated.

While the role of committees in the legislative process is viewed as significant, the level of participation on committees by individual legislators is fairly unpredictable. This variance stems from the fact that legislators have competing interests and a finite amount of time and resources, all of which they must take into account when deciding their level of participation. As Gamble (2005, 43) states, “given multiple committee assignments, district work, and other obligations, it is impossible for members to be active on every piece of legislation that comes through their committees.” However, committees are perceived as specialists within their policy jurisdictions and are relied upon by other legislators to gather and disseminate relevant information to the chamber at large (Krehbiel 1991). Gamble (2007) shows that legislators rely on particular committee members with whom they share similar ideologies, for cues on how to vote on certain pieces of legislation. Given these demands and expectations, the type of legislation on which committee members choose to focus and their level of participation are important pieces of the legislative puzzle.

A typical and often used measure of legislative participation is roll call votes. These votes, however, come at the end of the legislative process and do not really capture the overall level of involvement expended by individual members. Further, roll call votes are a relatively low cost and less engaging legislative activity (Kingdon 1981; Warwo 2000). For these reasons, it is important to make the distinction between preferences and preference intensity. As Hall (1996) notes, preferences are “revealed” by votes, while the intensity of these preferences are indicated by time and legislative effort. Since there are no set institutional rules placed upon legislators regarding legislative effort, the participation choices made by individuals is important for determining their impact on the legislative process. Level and form of participation can reveal a great deal about how legislators view and perform their jobs. The deliberative nature of committees- from hearings, to offering amendments, to motions, to votes on bills - provides a

setting where not only preferences, but the intensity of preferences can be examined; committees are a place where individual rather than institutionally-designed choices are highlighted. Each legislative member, regardless of dispositional characteristics, must decide how to weigh a plethora of interests under finite conditions. Few scholars have undertaken a study of this process, and even fewer have considered the effect of ethnicity on this aspect of representation.

EXPECTATIONS ABOUT THE BEHAVIOR OF LATINOS ON LEGISLATIVE COMMITTEES

In his seminal work on committee participation, Hall (1996, 8) points out that "...a model of legislative choice must tell us not only how the preferences of the players become aggregated, but also how nominal members come to be players in the first place." In an institutional setting where majority rule (both ideologically and in terms of group composition) can determine legislative outcomes, it becomes difficult to disentangle process from results. It is, however, the process that I am particularly concerned with here, the process by which Latino interests are represented and the behavior of those who represent them. As previously discussed, roll call votes signify the end result of a number of legislative activities. These activities are performed to varying degrees by a subset of legislative members who have different incentives (or disincentives) to participate. From a rational perspective, incentives must outweigh the costs involved in participation. For minority members, the benefits include the opportunity to advocate for the interests of their constituents (descriptive representation) at certain points in the legislative process.

Aside from roll call analysis, previous research on descriptive and substantive representation has focused primarily on the effects of race and gender on agenda setting activities such as bill introduction and co-sponsorship (Thomas 1994; Bratton and Haynie 1999; Haynie 2001; Swers 2002). These studies have found that both women and African American legislators are more likely than white representatives to introduce and support black and gender interest

bills. In one of the few published studies that examine the activity of a minority group within legislative committees, Gamble (2007) finds that African American legislators are more likely than their white counterparts to participate in committee activities when black interest policies are involved. Research specific to the representation of Latinos has mainly focused on roll call voting (Welch and Hibbing 1984; Hero and Tolbert 1995), with some examination into the role of ethnicity on bill sponsorship, committee membership, and bill passage (Bratton 2006), but none on committee participation. The impact of committee activity on the descriptive and substantive representation of Latinos has been largely overlooked. Similar to activity by other groups at different points in the legislative process, and in line with a descriptive representation model, I expect that Latino legislators are more likely to participate in committee activity when Latino interests are being considered. This expectation is based primarily on the fact that given the obstacles affecting minority interest legislation, Latino legislators, *ceteris paribus*, will be more likely than other members to incur the higher costs of committee activity when this activity is particularly valuable. In other words, a disproportionate interest in Latino preferences (preference intensity) should result in different patterns of committee participation.

Further, as Hall (1996) and Gamble (2005, 2007) point out, there are a number of factors that have been shown to influence committee participation. These factors include: individual policy interests, constituency interests, party preferences, and institutional positions. In comparison to the committee at large with similar contextual attributes (e.g. district composition and institutional positions), the ethnicity of a legislator should be a significant predictor of participation on Latino relevant legislation. Further, as discussed in the previous chapter, Latinos face similar challenges as African Americans and women in their ability to effectively represent minority group interests. These similarities include the marginalization of issues important to Latinos - what Mansbridge (1999) calls “uncrystallized issues”- and the obligation a

Latino legislator may feel toward pursuing not only legislation that benefits his constituency, but legislation that is more broadly representative of the needs of the entire Latino community (Fraga et al. 2003).²⁷

Latino legislators do not face the same type of constraints at the deliberative stage of the legislative process as they do at the agenda setting stage. Unlike agenda setting, the specialization of committees affords members who are willing to invest time and resources the opportunity to mold legislation to benefit his/her constituents. In this vein, committee work relies less on a consensus and more on individual effort, and is therefore less exposed to the “critical mass” debate. Second, as previously noted, legislators rely on committees and committee members to provide information shortcuts and cues on how to vote. Therefore, Latino representatives use their roles as committee members to serve as information conduits to other legislators who may in turn support (either directly or indirectly) legislation that is important to Latinos. Finally, bills that reach the committee stage of the legislative process have already cleared some legislative obstacles, particularly those involved in agenda setting. Given the time and effort expended in committee work, it is reasonable to assume that committee action can be viewed as substantive effort toward the success of legislation and much less as merely symbolic activity.

DATA AND METHODS

I collected data on committee activity from the U.S. House of Representatives (109th Congress) and two state legislatures for 2005. I examine the participation activity of individual members for three committees in the U.S. House: the Energy and Commerce Committee, the Financial Services Committee, and the Ways and Means Committee. Information on committee

²⁷ This is what Gamble (2005) refers to as “surrogate representation” when discussing the role of African American legislators.

activity in two state Houses - Texas and Florida - is also analyzed. Committees chosen from the Texas House are the Committee on Border and International Affairs, the Committee on Urban Affairs and the Committee on Criminal Jurisprudence. Committees analyzed from the Florida House are the Education Committee, the Health and Family Committee, and the Justice Committee. I chose the 109th Congress and the 2005 regular sessions of the Texas and Florida Houses because at no previous time in American politics has there been as many Latinos serving in legislative bodies at both the national and state level. Legislative information from this congressional year provides a fertile opportunity to measure the effects of ethnicity on representation. I include the Congressional level analysis in this chapter as a way to offer a comparative perspective into both national and sub-national levels of committee composition, committee participation, and how the link between descriptive and substantive representation of Latinos may or may not differ. Further, all research conducted on levels of participation in committees has occurred at the national level; therefore, the Congressional analysis provides a familiar point of reference with which to conduct this research.

I use information from markups to examine committee participation. Committee markup meetings occur to consider legislation that has been referred to a particular committee. Actions at these meetings include discussions, amendments, motions, and changes to the language of legislation. The final action undertaken at markups is to vote on whether a particular bill should be referred out of the committee. Committee markups provide a rich opportunity to explore varying levels of participation (Gamble 2007). Markup meetings are the point in the legislative process when major changes to legislation can take place. Committee members who choose to participate in this process have a disproportionate amount of influence over policy formulation. In addition, markups are not a very visible legislative activity, compared to congressional hearings, floor speeches, or floor votes. As a result, members who participate in markups are

more likely to be engaged in substantive legislative activity and less in symbolic and grandstanding actions. As Hall (1996, 29) states, “the markup both serves as an indicator of who has participated behind the scenes and is itself an important forum for policymaking.”

At the onset of data collection, my goal was to select the same or similar committees for both the national legislature and the state legislatures; however, inconsistencies in data availability made this a difficult task for several reasons. First, both committee markup information in the U.S. House of Representatives and in the state legislatures is compiled and made available by each individual committee. This means that there is no general “clearinghouse” for committee markup data across a particular chamber (as there is for general bill information). Each committee varies in the amount and type of information it provides and for which legislative sessions it provides that information. For example, many committees offer markup and hearing information on the current Congress/legislative session, but provide no information on markup activity for previous congressional sessions. Second, when available, the data from each committee varies in the amount of markup detail. A committee may publish the minutes from a markup session, but not include individual up or down votes of committee members on amendments or bills. For these reasons, my first criterion in committee selection was to ensure that similar detailed data was available for the committees chosen. I then selected committees that had at least two Latino members and had some jurisdiction over policy areas affecting Latinos.²⁸

For both theoretical and conceptual purposes, I develop a variation of Richard Hall’s (1987; 1996) formal participation scale to measure committee activity. Hall’s measure of committee participation is based on an eight point scale ranging from 0 to 7, which places non-participation at one end of the spectrum and significant agenda-setting role at the other end. At

²⁸ Most committees actually had more than two Latino members.

each level of participation, committee members incur additional costs to participate, but these costs are less apparent the more categories of participation are included.²⁹ My intent here is to capture a threshold for “opportunity costs” that a legislator must meet in order to be involved in a significant form of committee participation. I argue that in ascending order, the most significant forms of participation are: attending markup meetings, deciding whether or not to vote legislation out of committee, and offering an amendment or motion to a piece of legislation. Going from the lowest level of participation (simply attending markup meetings) to a higher level of participation incurs additional “opportunity costs.” These costs may come in the form of time and effort, but also in resources necessary to be sufficiently informed about a particular piece of legislation. To this end, I posit that a three point scale for Congress and a four point scale for the state legislatures do a better job of capturing this threshold. Both of these scales make distinctions between attendance, committee voting, and participation beyond committee voting. The only difference between the two is that for the Congressional scale I count “attendance” and “vote” as one integer because in all the markups analyzed there was not a single instance where a committee member attended a markup meeting and did not record a vote. Typically, House committees employ “voice votes” when a piece of legislation does not require a recorded vote for further action.³⁰ For the purpose of scale consistency, I removed the voice votes from final analysis of the Congressional committees.³¹ Conceptually, these distinctions are possible based on the data available for analysis, and theoretically, they capture the most explicit

²⁹ As an example, Hall’s participation scale includes a score of 3 if a committee member speaks during markup, but he or she is a “minor” participant in the discussion. A score of 5 on this same scale refers to a committee member who offers a “minor or technical amendment or procedural motion.” While the act of being a minor participant in a discussion is probably less costly than offering minor changes to a bill, the difference between these costs are not very apparent.

³⁰ Voice votes require a smaller quorum and are typically used for non-controversial legislative action where there is fairly obvious agreement on how the particular piece of legislation should be handled.

³¹ I ran the same analysis with the voice votes, adding an additional integer to the scale and it did not make a difference in the results.

levels of participation necessary to measure whether or not Latino committee members are more likely to engage in committee activity when Latino interest legislation is being considered.

Table 3.1 illustrates Hall's original seven point participation scale, and Tables 3.2 and 3.3 show the three and four point scale I use for Congressional analysis and state level analysis, respectively.

I examine a subset of bills for each committee under analysis. Only bills which contained a recorded vote were included in the datasets.³² I divide bills into three categories to capture levels of Latino saliency. Bills were coded 0 (non-Latino interest) if they dealt with an issue that could not implicitly or explicitly be construed as addressing something of importance to Latinos; bills were coded 1 (general Latino interest) if they dealt with an issue that was of some importance to Latinos, but did not specifically single out Latinos as the subject of the legislation; and bills were coded 2 (specific Latino interests) when legislation specifically targeted Latino policy concerns.³³ Only a small percentage of bills introduced during a legislative session actually reach the committee markup process. I include all specific Latino interest legislation that was considered during the mark up meetings of each committee as well as a random sample of general Latino interest and non-Latino interest bills.

The unit of analysis in the models is the individual legislator and the dependant variable is the participation score of each committee member on the bill being considered. Using the criteria employed in the previous chapter, legislators are only coded Latino if it can be explicitly verified that they are of Latino descent.³⁴ In this analysis, Latinos range in their country of

³² Bills that died in committee, never received a hearing, or no action was taken on a proposed motion or amendment were excluded from the datasets.

³³ I employ similar guidelines in content coding specific "Latino interest" legislation as Bratton (2006) uses in her analysis of bills. A sample of each form of legislation is included in Appendix A.

³⁴ I rely on Bratton (2006), as well as the National Association of Latino Elected and Appointed Officials, state and Congressional legislative websites, and individual member web pages to verify Latino descent.

Table 3.1: Committee Participation Scale Developed by Hall

Score	Committee Activity
0	Engaged in none of the activities
1	Attended markup
2	Voted in one or more recorded roll calls
3	Spoke during markup, minor participant in the discussion
4	Spoke during markup, major participant in the discussion
5	Offered minor or technical amendment or procedural motion
6	Offered one or more substantive amendments
7	Engaged in agenda action

Sources: Hall (1987, 1996) and Gamble (2005, 2007)

Table 3.2: Participation Scale for Committee Markups (109th Congress)

Score	Committee Activity
0	No attendance
1	Attended markup/registered vote
2	Offered amendment or motion

Table 3.3: Participation Scale for Committee Markups (Florida and Texas State Legislatures)

Score	Committee Activity
0	No attendance
1	Attended markup
2	Registered Vote
3	Offered amendment or motion

origin; in Florida most legislators are of Cuban descent, while legislators in Texas are mainly of Mexican descent. Latinos in the U.S. House represent Cuban, Mexican, and other Latin

American roots. In order to test the level of committee activity by Latino legislators, I create a variable that captures the interaction between ethnicity and Latino interest legislation.³⁵ I expect that Latinos will be significantly more likely to engage in higher levels of committee participation when Latino interest legislation is being considered.

I also include in the models a number of control variables that are hypothesized to influence committee participation. First, based on previous research, I expect that African American legislators will be more likely to engage in committee activity, especially when legislation disproportionately affects blacks (Gamble 2005, 2007). Given that black interests and Latino interests often overlap, it is reasonable to assume that African American legislators will be more active in committees when both general and specific Latino interest legislation are considered (since this legislation is also likely to be important to African Americans). Issues of similar interest to both Latinos and blacks are health, education, and anti-discrimination (Bratton 2006). Therefore, I include in the models a variable that accounts for whether or not a legislator is black. Second, an important institutional consideration of committee participation is committee leadership. A committee leader is expected to take special interest in the legislation that is brought before his or her committee. Research on committee participation has shown that committee chairs offer more amendments and motions than other committee members (Hall 1996; Wawro 2000; Gamble 2007). I include a measure of committee leadership (whether or not a legislator is chair of the committee) to capture this effect.

Previous work on committees has also noted the influence of party on levels of participation. Gamble (2007) finds that black legislators in her study of the 107th Congress were all members of the Democratic Party, which was the minority party. Gamble (2007, 434) hypothesized that Democrats would be more likely to participate in formal markups “because as

³⁵ This variable is labeled “Latino*Latino salience” in the models.

members of the minority party, they have limited access to informal meetings and negotiations.” However, Latino committee members at the national and state level are members of both the Republican and Democratic parties. In 2005, Latinos served in chambers that held both minority and majority party status. While it is understood that minority legislators (in terms of race, ethnicity or gender) hold more legislative power when they are part of the majority party, I do not expect this to be a significant distinction for Latino members. Latino members are a bit more heterogeneous in their party affiliation than African Americans. In fact, in one of the states under analysis, Florida, the majority of Latinos are actually Republicans. Therefore, I do not hypothesize a directional effect of party status for Latinos and their level of committee activity, but I include a party variable in the models.

District composition plays an important role in general legislative behavior. Previous research has shown that legislators with a higher percentage of Latino and/or African American constituents in their districts are disproportionately more responsive to minority interests (Canon 1999; Haynie 2001; Fraga et al. 2003). I expect that similar constituency factors will influence committee activity levels. Therefore, I include a measure for the percentage of Latinos and blacks in a legislative district. Finally, I also include committee dummy variables (fixed effect variables) to account for varying levels of activity across committees within a chamber. A table outlining the variable definitions is included in the appendix (see Appendix B). I estimate levels of committee participation using ordinal logistic regression. Ordinal logit estimation is the appropriate method given that the dependant variable is ordered and discrete.³⁶

³⁶ I also estimated the models using multinomial logit and ordinary least squares. The results of these models were similar to the ordered logit estimator (no changes in significance, direction, or size of the coefficients). Ordered logit is also the most appropriate method given that the assumptions of OLS are violated when the dependant variable is a non-interval (as is the case here) and that the ordering of the dependant variable is not ambiguous.

RESULTS

Tables 3.4 through 3.6 provide the coefficient estimates for the ordered logit models. In the models, the dependant variable, *score*, is the odds that increased levels of committee participation will occur given the defined explanatory variables.³⁷

Committee Activity at the State Level

Table 3.4 shows that in Texas, Latinos are more likely to be active during committee markups when Latino salient legislation is being considered. For a one unit increase in *latino*latino salience*, there is a .66 increase in the log odds of a higher participation score. Interestingly enough, the results also indicate that overall, Latinos are significantly less likely to participate in committees. Therefore, the depressing effect of being Latino on levels of committee participation is lessened significantly when Latino salient issues are considered. As predicted, committee leaders are significantly more likely to engage in committee activity; being a chair of a committee increases the chances of committee participation by 2.44 points. As stated earlier, committee chairs are not only disproportionately interested and involved in the legislation that comes before their committee, but they also have more resources and staff than non-leaders to dedicate to committee activity (Gamble 2007). None of the other coefficients in the model reach levels of statistical significance. Neither party nor minority district composition influence committee markup participation in Texas.

In Table 3.5, we observe the results for the Florida committees. In Florida, ethnicity alone does not affect levels of committee participation. However, the interaction between ethnicity and Latino salient legislation approaches but does not reach statistical significance ($p > z = .104$). The fact that Latino legislators in Florida are mainly Republicans (and all members of the committees analyzed are Republicans), makes this finding somewhat interesting. With added

³⁷ Tests conducted to measure whether the models violate the proportional odds assumption were not significant.

Table 3.4: Ordered Logit Model of Committee Participation in Texas (2005)
 Dependant Variable: Committee Participation Scores

Independent Variables	Coefficient (robust standard error)
<i>Individual Characteristics</i>	
Latino Legislator	-1.722* (.679)
Black Legislator	-1.926 (1.645)
<i>Institutional Characteristics</i>	
Latino Salience	-0.183 (.292)
Latino*Latino Salience	.660+ (.376)
Committee Leader	2.442*** (.699)
Republican	.337 (.730)
Committee on Border and International Affairs	.033 (.471)
Committee on Urban Affairs	.373 (.372)
<i>District Characteristics</i>	
Percent Latino in District	.013 (.016)
Percent Black in District	.035 (.043)
N	352
Wald Chi Square	38.86***

Sources: Committee markups for Committee on Border and International Affairs, Committee on Urban Affairs, Committee in Criminal Jurisprudence for 2005 legislative session; *Almanac of State Legislative Elections*.

***p < 0.001; **p < 0.01; *p < 0.05; +p < 0.10 (two-tailed tests)

Table 3.5: Ordered Logit Model of Committee Participation in Florida (2005)

Dependant Variable: Committee Participation Scores

Independent Variables	Coefficient (robust standard error)
<i>Individual Characteristics</i>	
Latino Legislator	.659 (.747)
Black Legislator	2.127* (.879)
<i>Institutional Characteristics</i>	
Latino Salience	-0.021 (.189)
Latino*Latino Salience	.632 (.390)
Committee Leader	1.502*** (.332)
Republican	.526+ (.283)
Education Committee	.554* (.276)
Health and Families Committee	.165 (.266)
<i>District Characteristics</i>	
Percent Latino in District	-1.277 (1.164)
Percent Black in District	-5.455** (1.689)
N	547
Wald Chi Square	56.72***

Sources: Committee markups for Education Committee, Health and Families Committee, Justice Committee for 2005 legislative session; *Almanac of State Legislative Elections*.

***p < 0.001; **p < 0.01; *p < 0.05; +p < 0.10 (two-tailed tests)

variance there may be a Latino descriptive-substantive representation link in committee activity. Although ethnicity does not have an effect on committee activity, race does have a positive and statistically significant effect on markup participation. For a one unit increase in *black* (i.e. going from 0 to 1), there is a 2.18 increase in the log odds of greater committee activity. This result suggests that African American legislators may be serving as “surrogates” to the interests of Latinos. Of the institutional variables, being a Republican significantly increases committee participation, as well as being a committee chair. The party effect implies that at least in Florida, majority party status matters for overall levels of participation. However, other research has suggested that being part of the minority party increases committee participation because of the lack of alternative formal and informal avenues available to affect legislation. Therefore, members of the minority party are more willing to incur the “opportunity costs” involved with higher levels of committee participation. Clearly more states and more legislative sessions need to be analyzed before drawing conclusions about majority/minority party influence in committee activity.

Of the two district composition variables, a high percentage of Latinos in a district has no effect on committee activity, but oddly enough, having a significant number of African Americans in one’s district greatly decreases committee participation. On its own, this result does not make theoretical sense. Adding additional legislative sessions and district variables may clarify the significance of this measure for levels of committee activity. The Florida model also shows that among the three committees analyzed (Education, Health, and Justice), more markup activity takes place on the Education Committee than on the other two committees.

Committee Activity at the National Level

Table 3.6 presents results for committee activity in the U.S. House of Representatives. Of particular note in the model is the relationship between Latino salience and committee

Table 3.6: Ordered Logit Model of Committee Participation in the U.S. House of Representatives (109th Congress)

Dependant Variable: Committee Participation Scores

Independent Variables	Coefficient (robust standard error)
<i>Individual Characteristics</i>	
Latino Legislator	-0.572 (.835)
Black Legislator	.176 (.512)
<i>Institutional Characteristics</i>	
Latino Salience	.287** (.103)
Latino*Latino Salience	-0.378 (.456)
Committee Leader	7.783*** (.462)
Republican	-0.138 (.212)
Energy and Commerce Committee	-0.635** (.215)
Financial Services Committee	.474* (.196)
<i>District Characteristics</i>	
Percent Latino in District	.009 (.009)
Percent Black in District	-0.019 (.012)
N	947
Wald Chi Square	70.39***

Sources: Committee markups for Energy and Commerce Committee, Financial Services Committee, Ways and Means Committee for 109th Congress; *Almanac of American Politics 2006*.

***p < 0.001; **p < 0.01; *p < 0.05; +p < 0.10 (two-tailed tests)

participation; committee members are significantly more likely to participate in markup sessions when Latino salient legislation is being addressed. For every unit increase in *latino salience* a .29 increase in the log odds of greater committee activity can be expected. However, Latino members are no more likely than other committee members to be engaged in committee activity, even when Latino salient legislation is being considered. It appears that Latinos receive substantive representation in committee; however, the link between descriptive and substantive representation is not clear as ethnicity is not a substantive predictor of increased committee activity on issues important to Latinos. Again, as in the other models, committee chairs in the U.S. House are very active during markup sessions. This effect appears quite consistent regardless of representational level. However, there is no significant party effect in markup activity and minority district composition is not a predictor of increased committee participation. The fixed effects variables in the model indicate that members of the Energy Committee are less likely to engage in markup activity while members of the Financial Committee are significantly more likely to do so.

A Congruent Analysis of Committee Activity?

What conclusions can be drawn from the results above regarding committee participation—and whether and how the link between descriptive and substantive representation is reflected in committee debate? Both the state level and national level analyses indicate that ethnicity plays a role in committee activity, even though that role across the three models is not the same. In Texas, ethnicity is a significant factor in increased levels of committee debate on only Latino-salient legislation. In Florida neither the ethnicity of the legislator nor the Latino saliency of the legislation explains committee activity (although the interaction of the two comes close to being statistically significant). In Texas there is a clear descriptive-substantive representation link for Latinos, while in Florida the effect is in the right direction, but not

significant. However, considering that Latino legislators in Texas are generally Democrats of Mexican descent, while Latino legislators in Florida are generally Republicans of Cuban descent, the similarity in findings in terms of the significance and near significance of the interaction between ethnicity and Latino salient legislation, respectively, is quite promising for future research. Also noteworthy is that race has a positive effect on committee participation in Florida but not in Texas. As I observed during sponsorship analysis, Latinos and African American legislators, as minorities, may face similar challenges in being effective legislators. At the national level, Latino salient legislation is significant to increased levels of committee participation, but legislator ethnicity has no discernable impact. Further analysis on the effects of ethnicity at other points in the legislative process is needed to better understand the descriptive-substantive representation link in Congress.

Finally, the only variable that is significant across the three models is the influence of committee chairs on levels of participation. The consistency of this variable alludes to the importance of institutional factors on committee participation. Committee chair is the only “chamber resource” variable included in the model, but the results are suggestive as to why it is so significant. Not only are committee chairs in a position of disproportionate power in their ability to shape the direction of markup sessions, but they have significantly more tangible resources (staff and money) to dedicate to the participation process. Future research should examine disparate levels of committee member resources and their effect on committee participation, as well as other institutional factors that may play a role in the process.³⁸

³⁸ Data on individual committee member resources are not readily accessible.

CONCLUSION

In this chapter, I examine committee activity in the U.S. House of Representatives for the 109th Congress and in the lower chamber of the Texas and Florida legislatures for 2005. The results of the analysis indicate that ethnicity, in one form or another, has an effect on committee activity, but does not play a consistent role across the three chambers. In the U.S. House, Latino saliency is significant to committee participation, but the ethnicity of the legislator is not. In Texas, ethnicity is only significant when it is coupled with Latino salient legislation. And in Florida the interaction of ethnicity and Latino salient legislation comes close but does not reach statistical significance. However, the consistent effect of committee leadership is hard to overlook. In all three models, committee chairs are more active during markup sessions than are other committee members. The influence of committee chairs has been noted in other minority representation research and should be explored further as a means of access (or lack thereof) for the representation of Latino interests.

This is an initial examination on the role of ethnicity on committee participation, and on how committee participation shapes the representation of Latinos and Latino interests. Although some earlier work examined the role of race in committee participation, this is the first in-depth empirical analysis of the effects of ethnicity on that process. While the results here are to some degree best regarded as a springboard for future work, they do indicate the potential for fruitful research. Moreover, the quantitative work presented here can be complemented with qualitative research on legislators' own perceptions of the challenges and benefits of committee participation.

In contrast to analysis of sponsorship behavior and votes, here I make an important distinction between preference and preference intensity when referring to forms of legislative activity. Since committee activity (preference intensity) is guided less by institutional rules and

more by individual effort, it is an important piece of the legislative puzzle and supports the argument that an understanding of the link between Latino descriptive and substantive representation must extend to less visible areas of the legislative process. Majoritarian rule, which is viewed largely through votes, cannot speak alone for the actions and decisions of legislators that are often determined by minority or individual interests.

CHAPTER 4: ROLL CALL BEHAVIOR AND LATINO REPRESENTATION

Thus far I have examined the link between descriptive and substantive representation of Latinos at two stages of the legislative process: agenda setting and committee participation. Historically, roll call voting behavior has been viewed as the best way to understand the descriptive and substantive representation of Latinos by capturing legislative preferences while controlling for other factors (Welch and Hibbing 1984; Hero and Tolbert 1995; Kerr and Miller 1997). However, more recent research on Latinos, as well as African Americans and women, points out that roll call votes constrain the policy alternatives of legislators to simply up or down choices with little room for the expression of group-specific preferences (Bratton and Haynie 1999; Swers 2002; Preuhs 2005; Bratton 2006).

Nevertheless, an exploration of how well Latino interests are advanced and how successful Latino legislators are at representing their constituency would not be complete without an analysis of roll call votes. Although roll call votes may not be a sufficient piece of the legislative puzzle, they are a necessary part of the story. Roll call votes determine what policies become laws, and in many ways they are the most visible measure of policy preferences. Further, in keeping with the distinctions outlined in this project, roll call votes signal preferences, while activity at other stages of the legislative process arguably speak more to policy interests, or to the intensity of policy preferences.

In the 1980's and 1990's, projects on Latino representation stressed the need to understand how a historically underrepresented group achieved representation on issues perceived to be important to that group (Hero and Tolbert 1995). Since that time, research on Latino representation has evolved to look beyond an argument about critical mass and to understand quality rather than just quantity of representation. Given that Latinos are now the largest minority group in the country, representing 30% of the total population growth rate since

1966 (Pew Hispanic Center 2005), research has shifted from a viewpoint of minimal legislative success to one where better representation and a greater understanding of what constitutes “Latino interests” may lead to substantive policy differences.

In this chapter, I examine the link between descriptive and substantive representation in roll call voting behavior. As discussed in previous chapters, much of the minority politics literature assumes that descriptive representation is a prerequisite for substantive representation, but the connection between the two is not assured. Minority legislators do not provide substantive representation simply by being part of a legislative chamber. On the other hand, it is possible for legislators of any race, ethnicity, or gender to offer substantive representation to their constituents. Further, there could be marked differences in the way Latino interests are represented during the policy formation stages of the legislative process compared to the policy outcome stage. Differences stem from the characteristics of these activities- the effectiveness of bill sponsorship and participation in committees may be dependent on amount of visibility and levels of participation, whereas roll call voting is arguably the most visible legislative activity and involves taking a discrete stance (vote choice). Here I specifically look at whether or not ethnicity accounts for distinct voting behavior and whether this behavior is more evident when examining the policy preferences of Latinos.

In *The Difference Women Make*, Michelle Swers (2002) poses similar questions about the presence of women in the legislature. Swers tests whether electing more women to Congress leads to *better* representation of women’s issues; in other words, the idea that having more women in Congress (descriptive representation) will have a significant impact on the passage of women’s issues legislation (substantive representation). This premise stems from the writings of Pitkin (1967) who was one of the first scholars to posit the idea that there is a connection between descriptive representation and substantive representation. Many scholars have since

explored that link in the context of roll call voting. Although the two concepts of representation are clearly not mutually exclusive, a link between descriptive and substantive representation should be more distinct when one examines representation of minority groups because minorities are more likely to seek descriptive representation whenever possible (Welch and Hibbing 1984; Kerr and Miller 1997). The perception that minorities have a distinct policy agenda and are more cohesive in their behavior has led scholars to examine the descriptive-substantive representation link for minority groups, often ignoring the effect of that link on the representation of the white majority.

PREVIOUS RESEARCH ON ROLL CALL BEHAVIOR

Research on roll call voting behavior has concentrated more on the representation of other groups, mainly women and African Americans. Scholars like Welch (1985), Saint-Germain (1989), and Thomas (1994) have shown that women are just as successful as men at passing legislation that benefits women. Bratton and Haynie (1999) argue that legislation sponsored by women and blacks has a distinct policy focus. They find that women are just as likely to succeed in passing legislation as their male counterparts, while blacks are less likely to be successful. Tate (2003) examines the votes of black legislators against the policy interests of blacks in the general population. She finds that black legislators and black constituents agree on the importance of economic and racial issues, but they are divided on more general issues. This body of research suggests that there is a differentiation to be made among minority groups in their ability to define group interests and gain legislative success. What do these differences mean for the success of Latino legislators and Latino-interest policies?

Research on the roll call behavior of Latinos and non-Latinos representing Latino constituencies is much more scarce. Most of the work that examines roll call behavior and how it affects the descriptive and substantive representation of Latinos has occurred at the aggregate

level and has produced mixed results. In one of the first articles on Latino representation, Welch and Hibbing (1984) examined the impact of Latino constituents and Latino legislators on roll call voting behavior. They found that both Latino legislators and non-Latino legislators with a large Latino constituency have a more liberal voting record than their non-Latino counterparts. Conversely, Hero and Tolbert (1995) find no direct substantive representation of Latinos, despite an increase in Latino population during the 1980's. Replicating the same data, Kerr and Miller (1997) conclude that, not only do Latino House members behave distinctly from non-Latino members, but that they do provide direct substantive representation to Latinos.

More recently, scholars have extended research on Latino representation to the sub-national level. Casellas (2006) examines roll call behavior at the state level and finds that the behavior varies across legislatures. Casellas concludes that whether or not Latinos receive substantive representation depends on the particular state. He observes substantive representation of Latinos in Texas, but not necessarily in Colorado and New Jersey³⁹. Bratton (2006) tests a descriptive representation model (i.e. influence of a legislator's ethnicity after accounting for district composition) on the behavior of Latino state legislators. In particular, she examines the ability of Latino legislators to achieve passage of the bills they introduce. Bratton finds that "the legislative success of Latino-sponsored legislation varies substantially across chambers" (2006, 17).

ROLL CALL BEHAVIOR AND LATINO INTERESTS

Previous work on roll call voting analysis has used ideology (or ideology-based) scores to examine patterns of voting behavior across all bills that reach the chamber floor. Few scholars (Casellas 2006) have undertaken the examination of roll call behavior when it pertains *only* to

³⁹ Casellas (2006) qualifies his conclusions as tentative and points out that analysis of more states is necessary to determine causes of variance in roll call voting patterns at the sub-national level.

Latino interest legislation. There is substantive benefit to the examination of overall voting patterns of a particular group, but there is also value in looking at whether those patterns are observed on group-specific policies. In this chapter, I examine both the general roll call voting patterns of Latino and non-Latino legislators and the specific patterns of voting behavior pertaining to Latino interest legislation.

In Chapter 2, I noted the relative lack of literature on the influence of ethnicity on legislative policy interests, and discussed the more abundant scholarship on racial and gender differences in legislative interests. This literature suggests that black legislators show particular interest in such issues as civil rights, crime, poverty, and discrimination (Hutchings 1998; Haynie 2001; Whitby and Krause 2001), while women legislators often favor legislation dealing with health, domestic violence, and children (Thomas 1991; Swers 2002). Research that examines the interests of Latino legislators is fairly non-existent, with a few exceptions. Fraga et al. (2003) finds that Latino legislators have policy interests in such areas as education and health, and that support for these policies extends beyond a legislator's constituency and to the broader Latino community. Bratton (2006) looks at four categories of legislation; three of these categories are health, welfare, and education, which she categorizes as being of "general interest" to Latinos, and a fourth category which she classifies as legislation "specifically relevant to Latinos" (2006, 5)⁴⁰. Bratton finds ethnic differences in sponsorship activity on legislation specifically relevant to Latinos, but no differences on legislation dealing with health, welfare, and education.

⁴⁰ As previously mentioned, this category includes legislation designed to decrease discrimination against Latinos or specifically to improve the socioeconomic status or health of Latinos.

EXPECTATIONS ABOUT LATINOS AND LATINO-INTEREST LEGISLATION DURING ROLL CALL VOTING

From the review above, it is evident that research on the voting behavior of Latinos has produced mixed results. At the national level, there is a lack of consensus on whether or not Latino legislators behave differently than non-Latino members during roll call voting. Recent research at the state level tentatively finds that there is significant variation across legislatures, not only in Latino voting behavior but in the level of success achieved by Latino representatives. Therefore, the role of ethnicity and the broader link between descriptive and substantive representation at the roll call stage of the legislative process remain ambiguous. As noted in Chapter 2, previous literature has shown that Latinos at the mass level exhibit distinct policy concerns such as immigration, education, crime, and discrimination (Fraga et al. 1986; Martinez-Ebers et al. 2000). However, the question still remains whether these issues translate into tangible policies as an end result of legislative activity. As Bratton and Haynie (1999) note, African American legislators face greater obstacles than women legislators in passing group-specific policies. They conclude that race may serve as a larger disincentive than gender in garnering broad legislative support. Bratton (2006) argues that ethnicity may also be an obstacle toward passing Latino-interest legislation. She notes that like black legislators, Latino legislators encounter discrimination within the legislative process. However, she also states that ethnicity transcends racial boundaries and that greater political diversity exists among Latinos than among blacks; alternatively, this may lead to ethnicity being a less significant voting cue than race.

Drawing upon the literature on Latinos, as well as the broader research on minority interests and representation, I expect that Latino legislators are more likely to exhibit a liberal voting record than non-Latino legislators. This expectation is consistent with a descriptive model of representation whereby the ethnicity of a legislator has an effect above and beyond constituency composition (Bratton and Haynie 1999; Bratton 2006). Also, in line with the

descriptive-substantive representation link outlined throughout this project, I expect that Latino legislators and legislators with a significant Latino constituency are more likely to support the passage of Latino interest legislation, even when accounting for the effect of party. Finally, I seek to capture any differences in roll call voting behavior between Latino interest and non-Latino interest legislation, something that has not previously been tested.

DATA AND METHODS

The central focus of this chapter is the role of ethnicity on the voting behavior of state legislators. To test the variables hypothesized to influence the roll call votes of both Latino and non-Latino legislators, I examine the voting behavior of legislators in the lower house of five state legislatures for 2001. In addition, I look at roll call votes on general and specific Latino interest legislation in two state legislatures for 2005. The states selected for the general roll call analysis are Arizona, California, Florida, New Mexico, and Texas. In addition, I look at votes cast on Latino interest legislation in Florida and Texas, the two states used to examine committee activity in the previous chapter. The states selected for these analysis rank among the highest in both percentages of Latinos in the legislative chamber and Latinos in the general population.⁴¹ Analyzing roll call voting is a good method of determining how legislators arrive at policy decisions (see Weisberg 1978; Kingdon 1989). The use of roll call votes in terms of policy decisions affecting minorities at the sub-national level adds an important explanatory dimension to the literature on descriptive and substantive representation and the representative-constituent linkage. Specifically, this research tests whether there are similarities in ethnic representation that have been previously found in racial representation (Haynie 2002).

⁴¹ The ranking for Latino population comes from the 2000 U.S. Census Bureau. The ranking for percentage of Latinos per legislative chamber is based on the author's computations.

The dependant variable for the general analysis of roll call behavior is the ideology score (W-Nominate) of each legislator on all substantive legislation passed in his/her respective chamber and the ideology score on Latino interest legislation for the supplementary analysis in Florida and Texas.⁴² The W-Nominate score is determined using Poole and Rosenthal's factor analytic method of gauging legislator preferences by calculating a spatial model with probabilistic voting (Poole and Rosenthal 1997). The W-Nominate score is obtained by employing a scaling procedure that produces an unfolding liberal-conservative measure, ranging from -1 to 1 (-1 being most liberal and 1 being most conservative) over a series of legislative votes.⁴³ This type of ideology dimension captures both the positions of legislators and roll call outcomes without contamination from outside information. However, one limitation of the W-Nominate score is that it is not comparable across states or legislative chambers. This lack of comparability results from the fact that each legislature may consider a set of bills that falls in a different location on the left-right continuum. Therefore, a vote on a similar legislative topic may be much further to the left or right in one chamber than a similar vote in another chamber. For this reason, I conduct a separate regression analysis for each lower chamber in the five states under examination. Also, to capture the political diversity of Latinos across the different states, I include a separate analysis for the Latino dominant party of each legislature. In four of the five states, (Arizona, California, New Mexico, and Texas), Latinos are overwhelmingly Democrats, while in Florida, Latinos are predominantly Republican.⁴⁴ The ideological and party differences of both Latino and non-Latino legislators for each state are illustrated in Table 4.1.

⁴² Votes on non-binding resolutions and procedural motions were excluded from analysis.

⁴³ The program used to calculate the ideology measures can be found at: <http://voteview.org/w-nominate.htm>.

⁴⁴ Research and survey data has shown that there are ideological differences, and by extension party differences, among Latinos depending on their geographical origin. Cuban Latinos, a majority of which are concentrated in Florida, are overwhelmingly conservative and, therefore, are members of the Republican Party. By contrast, Latinos

Table 4.1: Roll Call Voting: Mean Ideology (W-Nom) By State, Ethnicity, and Party

	Latino Democrats	Non-Latinos Democrats	Latino Republicans	Non-Latino Republicans
All Legislation				
Arizona	-.754 (7)	-.657 (17)	----	.622 (36)
California	-.615 (17)	-.773 (33)	.519 (4)	.684 (26)
Florida	-.823 (4)	-.741 (38)	.751 (10)	.723 (67)
New Mexico	-.812 (25)	-.763 (16)	.469 (3)	.520 (25)
Texas	-.427 (27)	-.223 (50)	.846 (1)	.729 (71)
Latino Interest Legislation				
Florida	-.851 (3)	-.734 (32)	.170 (14)	.317 (69)
Texas	-.372 (31)	-.294 (34)	.507 (1)	.445 (86)

(n) Denotes number of representatives

The data for the supplementary analysis of roll call votes on only Latino interest legislation in Florida and Texas is constructed using a method similar to that employed in chapters 2 and 3. In both states, I selected bills that contained some level of Latino saliency. These bills either specifically singled out Latinos as the subject of the legislation or addressed issues that dealt with policy priorities important to Latinos. Bills specific to Latinos included such measures as programs to assist border communities (in Texas), education initiatives that

of Mexican and Puerto Rican decent, a majority of which reside in the other four states -Arizona, California, New Mexico, and Texas- are considered fairly liberal and therefore, are members of the Democratic Party.

dealt with language proficiency, and changes to criminal laws involving illegal immigrants. Legislation that more generally dealt with issues important to Latinos included such bills as those aimed at improving healthcare services, bills addressing discrimination, more general education policies, and economic improvement initiatives for impoverished areas.⁴⁵

I employ a multiple regression technique (OLS) to analyze roll call behavior on both general legislation and Latino interest legislation. The analysis not only attempts to isolate the descriptive and substantive representation of Latinos, but it also considers other independent variables that may influence the voting behavior of state legislators. These well established predictors of roll call voting include both dispositional variables (personal characteristics of legislators) and contextual demand variables (constituency/district characteristics) that have been consistently shown to affect voting decisions. I expect that these variables will offer an important level of explanatory value when examining the role of ethnicity at the end stage of the legislative process. These variables are as follows:

Dispositional Characteristics

Latino: 1 = Latino legislator, 0 = non-Latino legislator. Once again, legislators are coded as Latino only if they are explicitly determined to be Latino. The same vetting process used in chapters 3 and 4 is employed here. Latino legislators, in line with the descriptive model of representation, are expected to have a more liberal voting record and to support Latino policy preferences than non-Latino legislators.

Party: 1= Republican, 0 = otherwise. Party should be a significant predictor of roll call behavior. The effect of party on ideology score should vary by state. In Arizona, California,

⁴⁵ An example of both “general” Latino interest and “specific” Latino interest legislation can be found in Appendix A.

New Mexico, and Texas, Latinos and those that support Latino interests tend to be part of the Democratic Party, while Latinos in Florida are by in large members of the Republican Party.

Black: 1 = black legislator, 0 = non-black legislator. As discussed in chapter 2, African American legislators have been shown to focus on particular issues, including education, crime, and welfare. Minority groups such as African Americans and Latinos often share similar legislative priorities. As a result, a black legislator may serve as a “surrogate representative” to Latinos and their policy interests. Given this dynamic, I expect that African American legislators will have a more liberal voting record in general and in Latino interest legislation.

Female: 1 = female, 0 = non-female. Similar to black legislators, women’s interests have also been shown to overlap with Latino interests. These issues include health, welfare, and family. As a result, women legislators should have a more liberal voting record and should be more willing to support Latino interest legislation.

School Board: 1 = prior experience on school board, 0 = no prior experience on school board. Since education is an issue that is quite salient to Latinos, legislators who have experience serving on school boards may be more willing to support not only education policies but policies that benefit Latinos and minorities more broadly. Additionally, serving on school boards affords elected officials arguably the most direct form of descriptive and substantive representation. This service may influence how legislators vote at the state level.

Vote Margin: Margin by which a legislator defeated his/her opponent(s) in the previous election. This is a measure of electoral security. Research has shown that legislators are more likely to support controversial or unpopular measures the more secure they are in their legislative seat. Minority interest legislation is often unpopular or not supported by the majority. For example, in Florida the majority of Latino legislators belong to the Republican Party which has historically been less supportive of general issues important to Latinos. Therefore, I expect that

the more electoral security a legislator has, the more likely this may impact his or her voting behavior. This effect may be more significant when voting on Latino interest measures.

Constituency/District Characteristics

Percent Latino in District: The idea of substantive representation posits that a legislator represents the interests of his or her constituency regardless of physical similarities to that constituency. Therefore, the larger the Latino population in a legislator's district, the more likely he or she will exhibit support for Latino interest policies.

Percent Black in District: Similar to a large Latino constituency, a heavily black populated district also presents issues of substantive representation. As is the case with Latinos, I expect that a large black population will positively affect voting behavior and support for Latino interest legislation.

Average Income: Based on descriptive census data, Latinos are shown to have lower income than other groups in the U.S. Given this fact, I expect that districts with a lower average household income will have a measurable effect on ideology and support for Latino policies.

College: Higher educational attainment (measured as percent of district population with a college education) is often associated with higher standards of living. It is reasonable to assume that districts with an educated population are likely to be more affluent. Latinos as a group have lower levels of educational achievement. Therefore, I expect that higher levels of education will have a discernable effect on ideology and support for Latino interest legislation.

RESULTS

Table 4.1 provides a quick illustration of the voting behavior of Latinos and non-Latinos on both general and Latino interest legislation. In all five states under review, there is not a great amount of variance in ideology between Latinos and non-Latinos of the same party. The biggest ideological gap is seen in Texas on general interest legislation (Latinos average a .2 higher

liberal score than other Democratic legislators) and in Florida on Latino interest legislation. Even though Latino legislators in Florida are mainly Republicans, they have a .14 lower conservative score on policies that are important to Latinos.⁴⁶

Although Table 4.1 shows differences in state/chamber ideologies between Latinos and non-Latinos, it does not account for the plethora of factors that may influence voting behavior. As previously mentioned, one major limitation of the W-nominate ideology scores is that they are not comparable across states (or even legislative chambers within the same state). Therefore, I perform a separate regression analysis for each state. Table 4.2 shows the results of roll call analysis on all substantive legislation. There are two types of models employed here. The first accounts for the entire chamber and the second only includes the party with which Latino legislators generally align (Democratic Party in Arizona, California, New Mexico, and Texas; Republican Party in Florida).

The R^2 for each regression analysis of overall voting behavior indicates that the models fit the data very well. In all five models at least 80% of the variance in the dependant variable is explained.⁴⁷ The results show that there are no significant differences between Latino and non-Latino legislators in general roll call behavior. Even when roll call behavior is analyzed exclusively for Democrats, only in California does ethnicity have a statistically significant effect on voting. The most consistent variable across the five states is party- in every single chamber, party significantly influences ($t = <.001$) voting behavior. Other dispositional characteristics have a much less consistent effect on roll call voting. Gender has a measurable influence in Florida and among Democrats in Texas and race and vote margin affect voting among Democrats in California.

⁴⁶ 10 out of the 14 Latino members in the Florida House were Republicans in 2001 and 14 out of 17 were Republican in 2005.

⁴⁷ The R^2 ranges from .81 in Arizona to .94 in California.

Table 4.2: Ordinary Least Squares Regression Analysis of Roll Call Votes, W-Nominate Scores for 2001
(Standard Errors in Parenthesis)

	Arizona House	Arizona House Democrats	California House	California House Democrats	Florida House	Florida House Republicans	New Mexico House	New Mexico House Democrats	Texas House	Texas House Democrats
Adjusted R²	.81	.35	.94	.38	.93	.09	.93	.03	.87	.30
Intercept	-.859** (.307)	-1.447 (1.043)	-.079 (.218)	.117 (.239)	-.473*** (.138)	.705*** (.125)	-.700*** (.167)	-.680** (.238)	-.130 (.131)	.168 (.218)
Latino Legislator	-.006 (.039)	-.055 (.177)	.007 (.019)	.150* (.075)	.002 (.100)	-.030 (.117)	-.124 (.069)	-.110 (.085)	-.023 (.022)	-.021 (.024)
Party	1.229*** (.104)	-----	1.291*** (.050)	-----	1.394*** (.046)	-----	1.305*** (.059)	-----	.921*** (.041)	-----
Black	-.295 (.343)	-.318 (.461)	.217 (.160)	.374* (.152)	-.161 (.106)	-----	-.053 (.200)	.029 (.164)	-.176 (.111)	.006 (.136)
Female	-.015 (.096)	.035 (.176)	-.020 (.047)	-.012 (.049)	-.136** (.043)	-.073 (.040)	-.056 (.050)	-.053 (.062)	-.054 (.042)	-.176** (.062)
School Board	.065 (.110)	.041 (.227)	-.029 (.020)	-.027 (.018)	.038 (.072)	-.047 (.061)	-.008 (.112)	-.041 (.111)	.018 (.013)	.028 (.017)
Vote Margin	.562* (.265)	.808 (.513)	-.367 (.255)	-.601* (.288)	-.184 (.102)	-.040 (.085)	-.120 (.123)	-.134 (.169)	-.017 (.102)	.138 (.142)
Percent Latino in District	-.003 (.005)	-.002 (.012)	-.004* (.002)	-.005 (.002)	.001 (.002)	.001 (.002)	.002 (.002)	.002 (.002)	-.003** (.001)	-.005*** (.001)
Percent Black In District	.002 (.021)	.030 (.049)	-.003 (.004)	-.004 (.004)	.001 (.002)	.002 (.003)	.014 (.012)	-.005 (.018)	.001 (.003)	-.006 (.004)
Average Income in District^a	-.000 (.000)	-.000 (.000)	3.650 (3.860)	-2.250 (3.950)	3.000 (3.680)	1.490 (3.650)	4.170 (5.150)	3.610 (6.840)	4.110 (1.050)	-3.480 (2.120)
College	.012 (.009)	.027 (.029)	-.013* (.005)	-.007 (.006)	-.002 (.004)	-.001 (.004)	-.006 (.004)	-.008* (.003)	.000 (.000)	.000 (.000)
N	59	24	78	49	119	76	69	33	149	77

^a In Thousands

* p ≤ .05; **p ≤ .01; ***p ≤ .001

Similar to most of the dispositional variables, the effect of constituency/district measures on voting behavior is inconsistent. The percentage of Latinos in the district has a statistically negative effect on voting behavior only in California and Texas and higher educational attainment only significantly impacts voting in California and among New Mexico Democrats. Surprisingly, the average income in a district has no discernable effect on how legislators vote in any of the states.

I supplement the general voting analysis with an examination of roll call voting behavior on Latino interest legislation in two states – Florida and Texas – for 2005. These results are presented in Table 4.3.

Ethnicity also has minimal impact on voting behavior on legislation relevant to Latinos in the two states. Only among Florida House Republicans do Latinos exhibit a significantly different voting behavior ($t = <.05$). The consistent effect of party remains present in the supplementary analysis. Party is a strong determinant of voting behavior on Latino interest legislation in both Florida and Texas. No other dispositional characteristics were found to influence roll call votes on these bills.

The effects of constituency/district variables on Latino interest legislation are also quite negligible. Except for average district income and educational attainment in Texas (and among Texas Democrats), no other variable is a predictor of voting behavior when it pertains to policies important to Latinos in either of the two states.

DISCUSSION AND CONCLUSIONS

In this chapter, I have empirically tested models of roll call voting by state legislators. I separated roll call votes into two categories- general legislation (all substantive legislation reaching the chamber floor) and Latino interest legislation. I conducted analysis of voting behavior on general legislation in five states - Arizona, California, Florida, New Mexico, and

Table 4.3: Ordinary Least Squares Regression Analysis of Latino Interest Votes, W-Nominate Scores for 2005 (Standard Errors in Parenthesis)

	Florida House	Florida House Republicans	Texas House	Texas House Democrats
Adjusted R ²	.74	.05	.64	.02
Intercept	-.589** (.200)	.099 (.231)	-.408* (.177)	-.439 (.373)
Latino Legislator	-.193 (.115)	-.322* (.150)	-.167 (.113)	-.148 (.152)
Party	1.025*** (.073)	-----	.596*** (.090)	-----
Black	-.117 (.144)	.155 (.291)	-.347 (.199)	.144 (.331)
Female	.031 (.063)	-.014 (.086)	.022 (.066)	-.119 (.118)
School Board	-.024 (.100)	.034 (.123)	-.000 (.031)	-.078 (.154)
Vote Margin	.109 (.102)	.190 (.175)	.081 (.148)	-.081 (.282)
Percent Latino in District	.002 (.002)	.004 (.003)	-.001 (.002)	-.002 (.003)
Percent Black In District	-.001 (.004)	.004 (.006)	.002 (.004)	-.008 (.009)
Average Income in District ^a	-8.630 (5.460)	-7.130 (7.170)	.000* (5.260)	.000 (.000)
College	-.002 (.004)	.001 (.007)	-.009* (.004)	-.017* (.008)
N	117	82	147	63

^a In Thousands

* p ≤ .05; **p ≤ .01; ***p ≤ .001

Texas– for 2001. Roll call analysis on Latino interest policies was limited to Florida and Texas for 2005. The results of the analysis distinctly point to party as being the proverbial eight hundred pound gorilla in the room. In other words, the consistently strong party effect is in line with much of the positive party literature which states that parties do have a significant impact on legislative decisions (Rhode 1991; Cox and McCubbins 1993; Aldrich 1995). In the end, party may be a good surrogate for preferences and interests, and for Latinos the effect of ethnicity disappears because most Latinos are Democrats. Further, Latino legislators in chambers that are

controlled by Democrats, as well as Latino legislators in Florida, tend to have an advantage in bill passage simply by virtue of being affiliated with the majority party.

The effect of party can be further substantiated by looking at differences in R^2 between the models for the entire chamber and those that only include the party with which Latinos generally align (see Table 4.2). For example, the R^2 for the California House model is .94, compared to an R^2 of .38 for the model of California Democrats. Similar disparities are observed across the five states indicating that party explains an overwhelming amount of the variance in roll call voting.⁴⁸

The results in these models are also impressive for what they do not show: any significant and consistent effect of ethnicity. There is virtually no difference in voting behavior between Latino and non-Latino legislators on both general legislation and Latino interest legislation. Only in two models does ethnicity affect voting behavior: on general bills among California Democrats and on Latino interest bills among Florida Republicans. The Florida result is interesting in and of itself because it suggests that Cubans, who are mostly Republicans and are the dominant Latino political force in Florida, must still provide substantive representation to Latinos from other nationalities (Mexican, Puerto Rican, and Central and South American) that tend to favor more liberal policies.⁴⁹ The results also indicate that the other independent variables (both dispositional characteristics of legislators and district characteristics) do not hold consistent and significant value in explaining what influences voting behavior on either general or Latino interest legislation.

The goal of this chapter was to explore the link between descriptive and substantive representation of Latinos during the roll call stage of the legislative process. Specifically, I

⁴⁸ Similar R^2 differences are observed on Latino interest voting in Texas and Florida.

⁴⁹ The breakdown of Florida Latinos by Origin/Nationality (for the four largest nationalities) is as follows: Cuban 31.1%; Puerto Rican 18%; Mexican 13.6%; South American 11.2%.

addressed the questions of whether or not the presence of Latinos has a substantive impact on vote choice, and whether this behavior is more evident when examining the policy preferences of Latinos. Historically, roll call behavior has been viewed in the literature as a good way to understand the descriptive/substantive link by “capturing” legislative preferences and the factors that influence those preferences. Arguably, these preferences are quite important to the overall legislative process since roll call votes determine what bills become laws, and to a great extent they are still the most quantitative measure of policy influence. However, the results presented here indicate that relying solely on roll call analysis to understand the link between descriptive and substantive representation creates somewhat of an explanatory vacuum.

First, the results here indicate that Latino legislators do not behave differently than other legislative members at the roll call stage of the legislative process (even on Latino interest legislation). Consistent with the findings of Hero and Tolbert (1995), the representation of Latinos appears to take place in a collective manner through legislative parties. In other words, Latinos appear to receive indirect substantive representation in the final stage of the legislative process.

Second, roll call behavior is only one piece of the legislative puzzle, and contrary to the historical literature, it may not be the most important method for measuring the descriptive and substantive representation of Latinos. More recent research on minority representation indicates that when casting roll call votes, legislators are limited to simple up or down choices with little room to express group-specific preferences. Unlike the act of bill sponsorship or the deliberation present during committee markups, roll call behavior appears to be guided more by institutional rules and less by individual interests.

Although legislators are constantly balancing a plethora of factors that may affect their voting behavior, they seem to be influenced most strongly by their party affiliations. The

benefits and consequences of such influence for the descriptive and substantive representation of Latinos are yet to be fully explored. This collective-partisan type of representation raises several issues. For example, Hero and Tolbert (1995) questioned whether party representation compensates (fully or partially) for the lack of direct substantive representation of Latinos. They also wondered about which Latino concerns are addressed at other stages of the legislative process, since roll call votes are only measured on bills that reach the chamber floor. Both of these questions are at the heart of my rationale for conducting the comprehensive examination of the legislative process that takes place in this project. At this point, it is worth noting that other scholars have recognized the limitations of relying solely on roll call behavior. Therefore, roll call analysis remains an important but not sufficient part of the equation for gaining an understanding of the link between descriptive and substantive representation of Latinos. Given the major effect of party, along with the insignificant role of ethnicity and observed variations in the effect of other explanatory variables, the value of roll call analysis is important but only if it is considered as part rather than the whole of the lawmaking process.

CHAPTER 5: IN THEIR OWN WORDS: HOW LEGISLATORS VIEW LATINO REPRESENTATION

In the preceding chapters I have explored the role of ethnicity in the legislative process using quantitative analyses of sponsorship activity, committee participation, and roll call votes. This approach allows for the examination of legislative actions but does not speak to attitudes, intent, and reasons behind such behavior. Put another way, “data crunching” the activities of legislators has its limitations. For this reason, I supplement the quantitative research with a qualitative analysis of legislator interviews in order to focus on how individual characteristics affect legislative behavior. This approach allows representation to be defined from the perspective of those actually engaged in representing rather than from arbitrary measurements of legislative outcomes.

There is a strong disconnect between the normative ideas about representation and the positive aspects of legislative activity (Jewell 1982, 1983); what is expected of our elected officials is often far from what occurs in practice. As one state legislator from California who received his degree in Political Science commented:

Whatever I learned in school about politics doesn't really apply here. I liked what I learned in school a lot but it does not cover what we actually do. It is totally different. All the backdoor stuff that goes on here is not something we learn about in books.

Indeed, much of the influence that legislators have, particularly minority legislators, cannot be easily quantified. Personal interviews offer a valuable opportunity for gathering the kind of contextual information that will shed light on this type of influence. Interviews with state Latino legislators are particularly valuable in identifying and exploring the issues that are important to Latinos, in examining the conditions under which these legislators see themselves representing Latino interests, and in investigating how the link between descriptive and substantive representation shapes legislative influence. Further, such interviews define the

nuances of the relationship between constituency, ethnicity, and policymaking. These factors are especially important when examining the representation of a group that is as politically diverse as Latinos.

Personal interviews are also essential when looking at issues that are relatively new to the political agenda, such as immigration. As Mansbridge (2000) argues, such “uncrystallized issues” are very relevant to the link between descriptive and substantive representation; at the same time, their relatively new entry to the political debate means that qualitative data garnered from interviews may offer important insights to the political process that cannot yet be gained through the analysis of bill introduction, committee deliberation, or roll call voting. Other scholars have found substantive value in qualitative interviews to supplement their research on representation.

Interviews may be particularly important when exploring the concept of “Latino interests.” Previous research has used techniques such as content analysis to categorize the policies perceived important to Latinos. However, a limitation of this method is that it relies, to some extent, on the subjective judgment of the researcher. While it may be possible to empirically construct a list of policy categories that are priorities for Latinos, legislation is often complicated, making it difficult to tap into important nuances. Further, there may be particular aspects of policy areas, or intersections between policy areas that are meaningful for defining Latino interests. Legislators spend a large part of their time and effort identifying the issues that are important to their constituencies. Therefore, interviews with Latino legislators hold a great deal of promise for tapping into important subtleties that help identify “Latino interests.”

PREVIOUS QUALITATIVE WORK ON REPRESENTATION

In the late 1970’s Malcolm Jewell embarked upon a seminal journey to nine state capitals to interview state legislators. He did this in an effort to gain important contextual information to

better understand the positive aspects of representation. Jewell (1982) argued that most of what was known to date about legislative representation had come from congressional studies, and that there was a void in research on state level representation. Further, Jewell expressed the need for researchers to test generalizations about representation at the sub-national level that had previously been examined only in studies of Congress. To this end, Jewell saw individual level analysis as a necessary part of this legislative research. He noted that it provides a unique opportunity to study the representative process and the variables affecting representation from the vantage point of those actually performing the job. In particular, he stressed the benefits of studying state legislators over studying Congressmen. He noted that state legislators have greater freedom to define their role as representatives because their office is not as institutionalized as the office of Congressman. Additionally, because they often live among them, state legislators are closer to their constituents, allowing them a more intimate knowledge of constituent needs than most members of Congress would have. Jewell's (1982, 1) interviews with state legislators about their representation of constituents led him to comment, "the question may appear to be a simple one, but the answers I received show that representation has many dimensions and that legislators approach it differently, depending on the state and particular district they represent as well as their own perceptions and political styles."

Since the time of Jewell's study, state legislative bodies have come a long way in degrees of institutionalization. However, many of the differences Jewell noted between members of Congress and state legislators, as well as the complexities and characteristics of representation still hold true today. Jewell's qualitative research of state legislators built upon the work of Richard Fenno (1978), a pioneer in the work of individual level analysis of the legislative process who spent significant time observing and interviewing U.S. House Members. Since then, other scholars have utilized this technique to compliment their work on representation. In

particular, some scholars have employed this tool to flesh out the many nuances involved in the representation of minorities. For example, Reingold (1992) takes an “attitudinal” approach toward the question of whether female legislators are more likely than male legislators to actively represent women’s interests. She uses women as case studies to explore how descriptive and substantive representation are linked. Reingold relies on interviews conducted with Arizona and California state legislators to find that female legislators are more likely to consider women an important constituency group with particular policy needs. She also finds that female legislators feel especially qualified to advocate for the interests of women because of their gender, reinforcing the descriptive-substantive representation link.

In *The Difference Women Make*, Swers (2002) combines a quantitative analysis of legislation with interviews of both male and female members of the House of Representatives and their staffs. Similar to Reingold, Swers is interested in exploring if and when female legislators behave differently than their male counterparts throughout various stages of the legislative process. However, unlike Reingold and Jewell, who base their entire analysis on data compiled from personal interviews, Swers interjects interview data around her systematic analysis in order to help explain her statistical results. Swers (2002, 18) notes that the interviews provide “insight into how members determine their legislative priorities and what strategies they employ to achieve their goals...” Based on both her quantitative and qualitative results, Swers concludes that female legislators, regardless of political ideology, exhibit a superior commitment to the policies of women, family, and children. She credits both the systematic analysis of the legislative process and data garnered from personal interviews with being able to capture degrees of commitment and participation that would not have been possible otherwise.

Similarly, in *Black Faces, Black Interests: The Representation of African Americans in Congress*, Swain (1993) utilizes interviews with congressional legislators to supplement her

quantitative work on the link between the descriptive and substantive representation of African Americans. In this research, Swain assesses whether the presence of more African Americans in Congress leads to better representation of the interests that are important to blacks. She approaches this and other underlying questions by conducting detailed interviews with black and white legislators, as well as through narrative and historical observations of the relationship between representatives and their constituents. Swain presents case studies that differentiate between types of congressional districts (historically black, newly black, heterogeneous, and majority-white) and the success of both black and white legislators in representing these types of districts, as well as the influence black legislators exhibit in the congressional arena. Swain finds that blacks, in terms of numbers, have made inroads into the congressional arena, but that these gains will always be limited (given the makeup of most congressional districts). As an alternative to numerical strength (descriptive representation), Swain advocates the need for blacks in Congress to forge relationships with like-minded representatives of other races and ethnic backgrounds. She concludes that whites, especially, can be very successful at providing substantive representation to blacks. Swain (1993, 225) states that, “twentieth-century black representation has been more substantive than ever before, but further progress requires new alliances and new strategies- and that in turn calls for recognizing the substantive representation of blacks coming from white members.”

More recent work, such as that of Katrina Gamble (2005) explores the effects of race on the deliberative aspect of representation. She argues that research on the link between descriptive representation and deliberation, must examine legislators’ backgrounds and experiences. She emphasizes the need to speak directly to black legislators about the influence of their backgrounds, behavior, and institutional characteristics on how and when they advocate for the interests of their constituents. To that end, Gamble conducts interviews with black

members of three Congressional committees. Similar to Swers and Swain, Gamble supplements her quantitative analysis with qualitative data. Via these legislative interviews, Gamble is able to surmise that the link between descriptive representation and deliberation goes beyond the presence of race in the legislative arena and is more directly attributable to the experiences of African American legislators as members of a historically marginalized group. Gamble (2005, 41) states that "...experiences combined with members' individual life histories are reflected in congressional deliberations." She also notes that the black members interviewed "clearly articulate a connection between their backgrounds and their representational activities."

The scholars referenced above share a unified goal in utilizing interviews to gain greater insight into the relationship between legislators and their constituents (i.e. the representative process). This relationship is particularly important for minorities because of the value in the link between descriptive and substantive representation. Although this methodology has been implemented in research on women and African Americans, it has not been applied to the study of Latinos or the role of ethnicity in the legislative process. My main purpose in this chapter- similar to the one pursued by Jewell almost thirty years ago and by other legislative scholars since that time- is to understand variations in representation. Fenno (1978) raises two important questions with regard to the representative-constituency relationship. First, what does an elected representative see when he or she views their constituency? Second, how does this perception impact legislative behavior? Fenno argues that this relationship cannot be understood by outside observers unless they are able to view the constituency and the representative process through the eyes of the legislator. Jewell (1982) expands upon this idea by suggesting that interviews provide a way by which researchers can explore how representatives respond to both "articulated demands" and the "unarticulated interests" of their constituents. Beyond perceptions of policy inputs it is also necessary to take into account differences in background, experiences, and

attitudes among legislators. Finally, how legislators perceive their institutional setting (i.e. formal and informal functions, importance of committee service, value of leadership positions, etc.) is a crucial measure of legislative effectiveness. Following in line with such minority scholars as Reingold, Swers, Swain, and Gamble, I provide a qualitative analysis of how both Latino legislators and non-Latino legislators with a large Latino constituency perceive their role as representatives and how they see themselves fitting into the legislative decision making process.

DATA AND METHODS

In this chapter, I add a qualitative piece to the legislative puzzle in order to further explore the link between the descriptive and substantive representation of Latinos. This is done not only by examining the various ways in which legislators embrace the representative role, but how differences among states affect legislative activity. For this project, I contacted all Latino members of the lower chamber for three states- California, New Mexico, and Texas.⁵⁰ In addition, I contacted non-Latino members who represent a large Latino constituency.⁵¹ The states that I selected met a number of important criteria that were consistent with the overall project. First and foremost, they are a subset of the states included throughout the dissertation. Second, these states have the highest number of Latinos serving in the legislature as a percentage of the chamber (all above 20%). Third, the three states provide variations in several characteristics that have previously been shown to affect representation. These include levels of

⁵⁰ I limited my pool of prospective legislators to the lower chamber for several reasons. First, the House (or Assembly) chamber of any legislature is larger than the Senate. This allowed me to target a greater number of legislators, not only for variance but also knowing that I would likely achieve a higher response rate. Second, given the perceived greater prestige of the upper chamber, scholars in the past have found House members to be much more accessible than Senators. Although I did not empirically test this assertion, I assumed it to be valid. Third, my choices were also limited by time and resource constraints.

⁵¹ I only contacted non-Latino legislators whose district population consisted of more than 30% Latino. This limited the pool of potential non-Latino legislators to only a handful in each state. The total number of actual interviews conducted with non-Latino legislators was 4.

legislature professionalism, time the legislature spends in session, majority party control of legislature, and policy priorities for each state.

Of the three states, California has the most professionalized legislature with a large budget and abundant support staff. As a professionalized legislature, the California legislature stays in session year-round (with the exception of a spring and fall break). In contrast, Texas has the least professionalized legislature of the three. Most legislators have minimal support staff. In fact, during my efforts to schedule interviews with Texas legislators, I called their district offices and found members themselves manning the phones. This lack of support is partly due to the fact that the Texas legislature only meets once every two years, unless the governor calls a special session. In New Mexico, the legislature convenes yearly for either 30 or 60 days (shorter session in even numbers years and longer session in odd number years). This essentially means that a full legislative term in New Mexico only occurs every other year. Further, Democrats are the majority party in both the California Assembly and the New Mexico House, while Republicans control the Texas House.

Table 5.1 shows the interview response rate relative to all Latino legislators in the chamber and to the chamber as a whole. I conducted a total of 28 interviews over a six week period. Interviews with California assembly members were conducted in person at the capitol building in Sacramento. Interviews with Texas and New Mexico legislators were conducted via telephone.⁵² All legislators interviewed were Democrats. The number of interviews I obtained was fairly consistent across all three states and was sufficient to draw state-specific as well as generalized conclusions about how Latino representatives perceive their job. I spent an average of about 40 minutes with each legislator. The instruments used for the interviews covered a wide

⁵² In a few instances I was not able to obtain an interview with the actual legislator but was granted access to a high level legislative staff member. I note this in the chapter where relevant.

Table 5.1: Proportion of Latino Members Interviewed

State	Number Interviewed	Total Latino Members in Chamber	% of Latino Members	% of Chamber
CA	10	19	42	8
NM	6	29	21	9
TX	8	30	27	5

array of issues that included general questions about the legislative process, as well as constituency and institution-specific inquiries. I used two separate instruments, one for Latino legislators and one for non-Latino legislators.⁵³ The interviews were loosely structured and the questions were mostly open-ended to allow legislators to expand upon a particular topic. Where appropriate, I also used follow-up questions in order to clarify answers. As a condition of the interview, I guaranteed anonymity to each legislator in order to evoke as much candor from their responses. Previous scholars have used both anonymous and non-anonymous responses when presenting their qualitative work. All interviews were recorded and then transcribed.⁵⁴

FINDINGS

Defining Latino Interests from a Legislator’s Perspective

I began the interviews with the topic that has been quite elusive in much of the quantitative research on Latino representation. I asked each legislator to discuss the issues that were particularly important to his or her district and the issues that they perceived to be of

⁵³ See Appendix C for a sample of the interview instruments and Appendix D for a copy of the letter provided to each legislator.

⁵⁴ Most interviews were transcribed verbatim with the exception of a few where the legislator went off subject or was interrupted by staff.

particular importance to Latinos (whether salient or not to his/her own constituency). There was some variance in the issues enumerated by each legislator, but overall there appears to be a set of Latino policy priorities that transcend districts and states. A Latino assembly member from California when asked about the issues important to his constituency said the following:

The issues important to my constituency change a little bit from year to year, but for the most part there are two key ones. Public education and healthcare are consistently at top of the list.

A female assembly member from California answered the same question in the following way:

My district is very blue collar. I have a lot of working class families and a lot of them are struggling. The big issues to them are maintaining their healthcare and their education. So I think that in my district its education and healthcare that are the primary concerns.

When I asked a male Latino legislator from Texas what issues are important to his district, he responded with the following:

I have had surveys done in my district. Most of the feedback I receive is about child education. Closely behind is the rising cost of healthcare, either insurance or not being able to afford prescriptions.

Similarly, a male Latino legislator in New Mexico offered the following:

I would say that affordability is the biggest issue. This is pretty general but what my constituents worry about is the rising costs of healthcare and other essentials. They also worry about the opportunities for their children if things become cost prohibitive in the future.

I also inquired about any other issues that legislators saw as important to Latinos that may not be priorities to their particular district. One Latino female legislator from California said the following:

Immigration is important. There would be some people in my district that would disagree with this being a priority but I think it is important in one way or another to all Latinos.

I heard similar sentiments from legislators in both Texas and New Mexico. One Latino male legislator in Texas offered the following:

The immigration issue is very visible right now. Unfortunately we have this broken federal immigration system and Latinos are carrying a lot of the burden of the resentment and the anger over a system that is not working.

A Latino male legislator in New Mexico offered this insight into the immigration issue:

I think the one issue that really differentiates Latinos from other communities is immigration. However, it is a controversial issue even among Latinos. It is different though because at some point or other many of us have had family that came over to this country as some would now call “illegally” because the laws and rules are different, so we have that heritage tie in.

Further, some legislators I spoke to framed both the issues that are priorities for their constituency, in particular, and for Latinos in general, as the same issues that are (or should be) important to non-Latinos and the state as whole. A Latino male assembly member from California described the policy priorities of his district in this manner:

The policy issues that are important to my district are the same issues that impact all of California and all of our Latino districts. It is education; making sure that kids not only graduate from high school but are taught the courses that will gain them admission into a university. It is affordable healthcare and living a healthy lifestyle. It is also about juvenile justice and reform of the criminal justice system. These types of issues impact everybody.

A Latino female assembly member in California spoke about it in these terms:

I don't think there are, quote “Latino interests.” We all want safe communities, we all want good education, and we all want health care. I mean these are human issues not specific to any ethnic or cultural group.

Interestingly, in California in particular, I found there to be a concerted effort by Latino lawmakers to promote Latino issues as not being Latino, meaning that the issues Latinos are concerned about are no different from the issues important to the average non-Latino citizen (with perhaps the exception of immigration). In both New Mexico and Texas, Latino legislators

frame Latino issues in a much more traditional way. They speak more in terms of differences between Latino and non-Latinos and in the special needs of the Latino community rather than similarities among groups. So, even though legislators from all three states describe similar policy priorities, there is a difference in the way Latino policy priorities are framed.

Agenda Setting: The Acts of Bill Sponsorship

Moving away from legislative inputs and into the actual legislative process, part of the goal of this project is to gain a personal perspective from members as to how they view the legislative institutional setting and both its formal and informal functions. Here I recount legislators' views on the agenda setting process. I asked legislators how much value they place in sponsoring legislation.⁵⁵ This question produced some varying responses. One Latino male legislator from New Mexico placed the sponsorship process in the following perspective:

When I author a bill or when I am approached to author a bill I think it is because I believe or others believe that I have the necessary expertise in that area and that I have a staff that will help overcome opposition to that piece of legislation. I think I have developed a reputation of getting tough bills through so this is why myself and those who ask me to author legislation value the sponsorship process.

A Latino female assembly member from California observed the following about the value of bill sponsorship:

Sponsorship is very important but it does not mean much if you do not also build coalitions to garner support for your bill. You can sponsor bills all you want but if you don't gain the necessary support for them, they won't go anywhere.

A bit of a different perspective was provided by a Latino male legislator from Texas who offered this viewpoint on sponsorship:

⁵⁵ The term "sponsorship" has different meanings as I discovered during the course of the interviews. In the context above the term refers to legislators actually introducing a bill and being the primary sponsor of a particular piece of legislation. This point was clarified with the legislators during the interview process.

I don't put as much weight on bill sponsorship as other people do. I don't really care if it is my bill that passes or if it is an amendment on another bill. In other words, I may not have ever filed a bill in the first place. It is the idea that becomes law whether or not it goes through the bill filing process. There are more efficient means of affecting legislation.

I also followed up with several legislators about the idea that sponsorship is sometimes viewed as just a symbolic act; as something done to show legislative activity to one's district rather than as a purposeful action toward passing legislation. A Latino male legislator from New Mexico addressed this issue by saying:

I suppose some people may view it as a symbolic action but most of the legislation I sponsor is because I think it will make good policy. I work hard for these bills and follow them through until the end. There have been a few bills that I have sponsored where I wasn't sure why I sponsored them. With these bills, I just watch what happens and if they die in committee or in appropriations, then so be it. But these bills are few and far between.

A Latino female legislator from Texas echoed a similar sentiment about symbolic sponsorship activity:

I think every bill that I sponsor is significant. What is the point of introducing it if you do not think it is going to bring about positive change? Some bills you introduce have a better chance than others of passing but you introduce bills because you think they can bring about positive change.

Most Latino legislators across all three states view bill sponsorship as a purposive activity designed to advance the interests of Latinos rather than just a symbolic act. With a few exceptions, Latino legislators view the act of sponsorship as a crucial part of representation. However, in the view of legislators themselves, the ultimate impact of sponsoring legislation is dependent on how much effort is put forward after a bill is introduced. Many pointed to the pride they take in authoring a bill. This pride translates into a strong commitment to see their bills through the entire legislative process. Legislators spoke about their efforts in building support (coalitions) for their sponsored bills and in making sure these bills do not get derailed.

This degree of commitment seems reserved specifically for sponsored legislation and it signals that Latino descriptive representation does indeed take place during agenda setting.

The Importance of Committees

As previously mentioned in this project, many scholars have posited that committees wield a disproportionate amount of influence and power within legislatures. How do Latino state legislators view the role of committees for advancing the interests of their constituents? Among the Latino legislators that I interviewed, committees and the presence of Latinos on them is viewed by most as the most influential part of the legislative process. Some of the opinions offered highlight the importance of having Latinos serve on committees. A Latino assembly woman from California said the following about committees:

Committees are very important for the fate of our legislation. It is particularly important to have Latino members chairing or serving on committees that deal with issues critical to our constituents. I chose every committee that I served on as a priority for what it would bring to my district.

A Latino male legislator from Texas offered this insightful assessment on the importance of committees:

Committees are critically important. The right committees can help you get your legislation passed. Getting the number of votes necessary to pass legislation requires the actual and the perceived power that you may or may not have in your legislative body and a lot of that is determined by what committees you are given. If you are a chairman of a committee you can almost guarantee that you can get a piece of legislation passed through another committee because other chairmen do not want to risk that you will hold up their legislation. It is almost like you are a member of their little club. Typically, committee chairs' legislation is heard first and is usually voted out of committee because no one wants to piss them off.

Another interesting perspective on committees and Latino service on committees comes from a female Latino legislator in New Mexico:

Committees are very important. It is not enough just to be in the legislative body if you are not effective, and therefore for that to occur, you need to learn to work within the system. The only reason I have certain positions of

perceived power is because I have the respect of my chairman and the speaker who gave me the appointments. The reason they've done it is because I am not a bomb thrower and they know I will work with others to help get their legislation passed.

These statements are generally representative of the sentiments Latino legislators expressed about committees during the interviews. It appears that Latino members view committees as a unique opportunity to affect the legislative process and that leadership positions on committees are particularly crucial. A Latino leader in the California assembly used this example to make his point:

The presence of Latinos on committees is very critical. For example, in the Banking and Finance Committee here in the California Legislature there are six of us (Latinos) that are members of a ten member committee. So the chairman is a Latino and there are five additional Latino committee members. We constitute a majority of the membership and so our presence is strongly felt there.

Although the significance of ethnicity on committees may be difficult to consistently quantify, it certainly is evident in the minds of Latino legislators. The legislators I interviewed were quick to point out the importance of committees and how crucial it is to have Latinos serve as committee chairs and be appointed to the most powerful committees in order to provide both descriptive and substantive representation. Given the chamber makeup of the states under analysis here, it seems much more attainable for Latinos to achieve influence on committees. However, differences in chamber composition, particularly in states with a much lower Latino presence in the legislature, will undoubtedly affect Latino committee influence.

Legislative Influence and Collaboration

The interviews I conducted included a number of open-ended questions designed to elicit responses about influence and collaboration within the legislature. Previous literature on representation has discussed the importance of informal legislative activities that often take place behind closed doors or outside of the formal legislative setting (Hall 1996, Warwo 2000). These

activities of course are difficult if not impossible to quantify. The best way to attain a sense of how the informal process affects representation, particularly for Latinos, is to directly inquire with those that engage in these activities.

I asked legislators to tell me during which part of the legislative process they felt they had the most influence and how this influence manifested itself. The answers I received varied quite a bit and involved both formal and informal aspects of the legislative process. One Latino male legislator from Texas stated that his subcommittee chairmanship afforded him the best opportunity to exert influence. He made the following remark:

I think my position as chairman of the subcommittee on Housing is where I have the most influence. I have the opportunity to kill legislation that I find offensive or hurtful to housing in the state. The easiest way to kill a bill and not offend anybody is to send it to a subcommittee for quote “further study.” As the subcommittee chair I have a lot of flexibility.

Another Latino male legislator from Texas placed the formal and informal legislative process into perspective. He explains why it is difficult to exert much influence through formal channels and how the informal process is much more effective. He put forward the following:

Lawmaking is a difficult process. There are so many bills that get filed, five or six thousand in the House. The number of them that pass, even on their own or as amendments, is so small that if you are just talking about the formal process you have to really think about where you can make a difference. Is it during a final vote where I am one out of 150 or is it when I file a bill when the bill is one out of 5000? This becomes a much easier question to answer when you consider the informal aspect. Here, it is my friendship and relationship with other members that helps me gain support for my policy priorities. This is definitely the most effective way.

A Latino assemblywoman echoed similar sentiments about legislative influence:

When you get up here and they put us through orientation, they tell us it is all about developing relationships, and it absolutely is. Because it is the conversation with the senator over lunch or the brief encounter you have with a fellow assembly member in the hall. It is giving others the advanced advocacy of what you want to do, giving them the heads up so they are aware of it when it comes up for them. So, relationship building is absolutely critical.

Some legislators spoke independently about collaboration without explicitly mentioning influence. However, one could surmise from the discussions that in their estimation this was a critical part of the legislative process. The legislative director for a top Latino assembly member in California spoke of collaboration in this manner:

Assemblyman x really values collaborating with others. He makes sure that his staff has meetings with the staff of other assembly members. He wants to help other members get legislation passed and likewise he solicits help from others for his own bills. He is willing to help not just fellow Democrats, but Republicans as well. It doesn't matter who is backing a bill, as long as it is good public policy he wants to be part of the process that will get that legislation passed.

A Latino assembly woman from California offered this assessment on collaboration:

It is really important to get along well with others up here. You want to be able to meet with other assembly members when you feel your legislation needs support. Hopefully through these meetings and collaborative efforts you can get any issues with your bills resolved before it doesn't get enough votes on the floor. Because that is when mischief starts to happen... then the lobbyists start showing up and deals are cut and then you might have to negotiate something you didn't want to and so you try to avoid that by having good relationships with other assembly members.

Other legislators, particularly those in California, mentioned the Latino caucus as a vehicle by which they are able to collaborate and exert influence as a unified group. Several Latino assembly members made similar statements about the caucus as the one offered by this Latino male legislator:

The Latino caucus here in California provides a way by which we can work together as a group to influence policy. Just in the four years that I have been in the Assembly I have seen the caucus grow and increase its efforts to use the numerical advantage we can have as a group. The caucus makes sure its members know which bills are a priority to the caucus and we generally provide support and vote with one voice on those issues.

There are various ways in which Latino legislators feel that they can exert influence on the legislative process. In particular, they point out the importance of the informal aspects of lawmaking which involve collaborating in various ways with other representatives. Many

legislators really couldn't emphasize enough the importance of building good relationships with others and how this goes further than practically any formal activity could offer. They often made it a point to emphasize how hard they work at building these relationships and how good they had become at using the most effective methods to gain support for their legislation.

Legislative Views of Non-Latino Legislators

Finally, I interviewed four non-Latino legislators. The opinions of these legislators in particular are germane to this research because they represent a large Latino constituency (above 30% of the district population). The purpose of these interviews was to gain an understanding for how well legislators provide substantive representation without the presence of descriptive representation. Are there any differences in the way Latinos and non-Latinos represent a significant Latino constituency? How do non-Latinos balance the potentially conflicting policy interests of their district? How do they view the different aspects of representation, compared to Latino legislators?

On the topic of issues important to their constituency, non-Latino legislators listed similar interests as those enumerated by Latino lawmakers. For example, an African American female legislator in Texas listed education, healthcare for children, and criminal justice reform as the issues that are priorities to her district. Similarly, a white female in New Mexico named education and child obesity as legislative priorities.

I asked non-Latino legislators if they believed there are such issues as "minority issues" or issues of importance to one particular group. One African American female legislator from Texas answered that question in this manner:

Let me tell you how I think of issues as being different. I think issues are different based on the priority one gives them. People who want to think that all of the people who can't afford healthcare for their children are African Americans and Hispanics... I don't think that is really true. I think that you have people in each race that are middle class working families that cannot afford insurance, but they tend to see these programs (programs that offer

medical assistance) as social programs or welfare programs so they want you to think that the largest majority of those people are blacks or Hispanics.

Another male legislator from Texas made this observation:

To tell you the truth, there is only one issue that I personally feel is an issue that is totally of more importance to Hispanics than most any other group and that is immigration. But as far as other important issues as education and healthcare, all groups want the same thing.

Non-Latino legislators also shared similar views as Latino legislators about the importance of committee service, particularly for minorities. A non-Latino female legislator from California offered this perspective on committee makeup:

I think it is important for minorities to be well represented in committees. I think that committees should be balanced. Because some of the things that go on in urban cities, especially for Hispanics is not the same thing as what occurs in other places. It is important for all the interests of minorities to be represented.

Non-Latino legislators also conveyed similar opinions as Latino legislators about the importance of collaborating with other members, as well as the value gained from the informal parts of the legislative process. What is fairly clear from the interviews with non-Latinos is that although they express confidence in their ability to adequately represent their Latino constituencies, they realize the value that Latinos can gain from having descriptive representation.

The general consistency of the answers point to certain commonalities among those who represent Latino interests, suggesting that Latinos receive both descriptive and substantive representation and that this representation is fairly consistent across state legislatures. Table 5.2 shows the percentage of positive responses to the interview questions discussed in this chapter.

Table 5.2: Percentage of Positive Responses to Most Significant Interview Questions

Question	Latinos	Non-Latinos
Education and healthcare are the top policy priorities for Latinos.	86%	75%
Sponsorship is an invaluable legislative activity for the representation of Latinos	94%	100%
Committees are crucial to the representation of Latinos	92%	100%
It is important to have Latinos legislators chairing legislative committees	81%	75%
Formal legislative activities provide the greatest opportunities for influence	32%	25%
Informal legislative activities provide the greatest opportunities for influence	68%	75%

Percentage is based on number of representatives who responded to the particular question.

CONCLUSION

In this chapter I supplement the quantitative research presented in this project with a qualitative analysis of the legislative process using legislator interviews. I do this in order to gain an insight into how individual characteristics affect legislative behavior. As noted by a number of legislative scholars, much of the influence that legislators have cannot be easily quantified. This often leaves a void in our understanding of the representative process. Personal interviews not only provide contextual information in order to fill some of the quantitative blanks, but they also afford researchers the opportunity to define representation from the

perspective of those directly involved in the process. Further, there has been a significant chasm in the research that utilizes state level interviews to better understand representation. Particularly absent is the examination of how Latinos view their role as representatives.

Here I rely on the perspectives of Latino and non-Latino legislators from three diverse states- California, New Mexico, and Texas. Several generalizations about how state level representatives view the legislative process can be drawn from these interviews. First, Latinos in all three states share similar policy priorities. Second, with a few exceptions, Latino state legislators greatly value the act of sponsoring legislation. They seem to take great pride in being able to introduce legislation that is important to their constituents and in doing what it takes to see their bills through the entire legislative process. In other words, sponsorship activity in the view of Latinos is a purposive rather than a symbolic act. Third, Latino legislators point to work on committees as critical to the success of their legislation. They note that it is particularly important for Latinos to have a strong presence on influential committees in order to affect public policy. Finally, Latino legislators emphasize the informal aspects of representation, via such methods as collaboration and informal communication with fellow members, as crucial to legislative success. This is exactly the type of insight that cannot be easily quantified by looking exclusively at legislative outputs.

Lastly, I examined the views of a few non-Latino legislators who represent a significant Latino constituency. I was mainly interested in determining whether there were notable differences between Latinos and non-Latinos in how they view the different aspects of representation. I found that the substantive representation of Latinos, sans the descriptive aspect, provides no significant variation in how legislators view the representative process. Non-Latino legislators name similar policy priorities that are important to their districts as the ones enumerated by their Latino counterparts. Similarly, non-Latino legislators expressed the same

opinions as Latinos about the importance of committees, particularly in the need for Latinos to have descriptive representation in this arena. Also, non-Latinos give further credibility to the significance of informal legislative activities for the legislative success of minority interests.

This qualitative analysis has contributed to a better understanding of the relationship between constituency, ethnicity, and policymaking. The individual level examination of Latino representation fills a large void in the literature and allows for a different and unique perspective of how individual characteristics affect legislative behavior. Finally, the analysis enhances the sponsorship, committee, and roll call findings presented earlier in this project and reveals potential avenues for future research.

CHAPTER 6: CONCLUSION

Quantity of representation is important because what you need to get your legislation passed in the end is votes. However, during other parts of the process, it is equally important for Latinos to receive quality representation. This may come from just a few Latino members or from members of other groups. I have black colleagues, Asian colleagues, and white colleagues who I can depend on more with their support of issues that are important to me and my constituents than some Latino colleagues. Therefore, I would rather have them than the Latino guys who are going to sell out to special interests.

The above statement by a Latino male legislator from Texas is a nice illustration of the complex dynamics that are at play when we examine the role of ethnicity in the legislative process. In this brief statement, this legislator brings up issues of descriptive and substantive representation of Latinos. Perhaps without intent, he raises questions about which concept of representation is most important and how we begin to understand the link between the two.

This project began with a discussion of what representation means; specifically the significance of representation for minority groups such as Latinos. Although Latinos have historically been underrepresented or misrepresented, their growth over the last twenty years makes a discussion about how Latinos can maximize representation quite salient. A review of the literature on representation reveals that there are two main concepts that guide the discussion- descriptive and substantive representation. There is a large body of literature which argues that descriptive representation is necessary for minority groups. On the other hand, substantive representation has been presented as both a compliment to and a substitute for descriptive representation. Although these two concepts of representation have been widely analyzed within the literature on African Americans and women, much less research has focused on the link between descriptive and substantive representation for Latinos. Particularly crucial to my work here is the question of whether Latinos need descriptive representation in order to achieve substantive representation. Throughout the dissertation, I discuss two important factors that may influence the descriptive-substantive representation link for Latinos. The first of these factors is

the idea that Latino legislators do not automatically provide substantive representation simply by being present in a legislative body. The mere presence of minorities on legislative bodies is often referred to as “symbolic representation.” However, as discussed by Phillips (1995), even if descriptive representation does not lead to tangible substantive representation, symbolic representation may have value in its own right, particularly for minorities. Similar to African Americans, Latinos benefit from having members of their own group represent them, if for no other reason that these legislators stand as role models to other Latinos who may want to run for political offices. In fact, many Latino legislators I spoke to pointed out the importance of having Latino lawmakers reach out to their community to recruit future leaders. Latino legislators and Latino caucuses see this as an important step toward maintaining and increasing Latino political influence. So, even if there are no quantifiable distinctions in substantive representation between Latinos and non-Latinos, the significance of legislative diversity remains an important topic of research.

The second issue important to Latino representation is that the descriptive-substantive link can be conditional. That is, the idea that substantive representation for Latinos is dependent on descriptive representation under certain specific circumstances. These conditions often involve “uncrystallized issues” such as immigration that are relatively new to political agendas, but that have long been important to Latinos or in circumstances where groups historically have been denied full access to the political process. Particularly in legislatures where Latinos are a small minority and during legislative activities that require much more individual effort, this conditional link may be observed.

With the concepts of representation defined and the importance of ethnicity placed in proper context, it was then time to embark upon a comprehensive analysis of how Latino representation occurs throughout the legislative process. I approached this process with the

assumption that Latino descriptive representation may be necessary but not sufficient to ensure legislative influence and success. The process involved five parts: agenda setting, committee participation, roll call voting, legislator interviews, and “Latino interests.” As mentioned in the introduction, part of the goal of this chapter is to offer a discussion about how “Latino interests” are defined and expressed within the legislative arena. In the course of analyzing the different aspects of representation it became evident that the Latino political agenda is in large part shaped by the legislative process itself, rather than the other way around. For this reason, I reserved the discussion about Latino interests until the end of the project in order to draw from findings uncovered during the different stages of representation.

A DISCUSSION ON DEFINING AND UNDERSTANDING “LATINO INTERESTS”

Do Latinos share common interests and concerns that can be articulated into specific legislative policies? Are there particular issues that are important to the Latino population as a whole? Literature on minority politics has identified issues that are of notable importance to both African Americans and women. There is some debate, however, about whether or not African American and women’s issues can be isolated from broader issues, and whether or not cross-cutting issues (issues that encompass the interests of multiple groups) can be “owned” by one particular group. There is no consensus in the literature about how to determine group interests or what these interests should be. Studies that have defined African American and women interests have generally used both objective and subjective measures (Haynie 2000, Bratton 2005). Objective measures involve identifying issues or policy areas that disproportionately affect a particular group, and where one could expect to observe group differences. Subjective interests are those important to a group’s members and are based on feelings and emotions. These issues are usually identified through public opinion surveys. Scholars of minority politics generally tend to use a combination of both objective and subjective

measures in order to identify a group agenda. Tables 6.1 and 6.2 outline some of the approaches used to identify women and African American interests.

Gender scholars state that women are particularly concerned about issues relating to reproduction, child care, and anti-discrimination (Thomas 1994, Swers 2002, Bratton 2002). Race scholars highlight poverty, crime, unemployment and civil rights among the issues that are of particular importance to African Americans (Tate 1993, Kinder and Winter 2001). Arguably, women and African Americans are more homogeneous than Latinos. In fact, Haynie (2001) contends that the congruity of African Americans, due to their shared culture, history, beliefs, and values, makes them the most consistent political subgroup in the U.S. Therefore, according to Haynie, determining black interests is easier than defining the interests of other minority groups. The underlying assumption in the minority politics literature, however, seems to be that a political agenda can be identified for both African Americans and women (Swers 1998, Bratton and Haynie 1999, Gamble 2005). As Tables 6.1 and 6.2 shows, the identification of women and black interests stems from various approaches. These approaches include mass public opinion, bill content analysis, and categories of legislation defined by special interest groups.

Gender and race scholars have identified group interests by relying on several distinctions. Some scholars have made distinctions between the needs (objective measures) and wants (subjective measures) of African Americans in defining their policy agenda (Swain 1993; Canon 1999; Haynie 2000). In this delineation, objective measures include such issues as unemployment and education, while subjective measures would deal more with government spending to improve the overall economic position of blacks. Another distinction is the actual source of the “interest” measure itself. This involves how groups themselves define interests versus how researchers designate the interests of a group (based on objective measures of legislative outcomes). There are also distinctions in the ways researchers have measured group

Table 6.1: Recent Approaches to Defining Women’s Interests

Scholar	Approach
Thomas (1991, 1994)	Conducted a survey of legislators in twelve states, asking legislators to name “top five priority bills in the last complete legislative session.” Measures were placed into eight categories: “women’s issues”, “children and family”, “education/medical”, “welfare”, “business”, “crime”, “budget”, and “environment”. The definition of women’s issues included both feminist issues and traditional women’s issues (Thomas 1994)
Reingold (2000)	Content coded six general categories of measures sponsored in two states (Arizona and California). The first category included issues that “in an immediate and direct way, are about women exclusively (e.g., domestic violence or breast cancer).” Second through sixth categories included “issues that reflect women’s traditional areas of concern, including children and families, education, health, poverty, and the environment” (Reingold 2000, p. 169).
Wolbrecht (2000)	Defined “women’s rights bills” using the following headings of the Congressional Record Index 1953-1992: women, discrimination, equal/equality, female, gender, rights, sex. The bills concerned women directly and only (Wolbrecht 2000, 78-79).
Swers (2002)	Defined “women’s issues” in the 103 rd and 104 th U.S. Congress as “bills that are particularly salient to women because they seek to achieve equality for women; they address women’s special needs, such as women’s health concerns or child-care issues; or they confront issues with which women have traditionally been concerned in their role as caregivers such as education or the protection of children.” Swers used monthly legislative reports of five major liberal and conservative women’s groups to identify measures, and then reviewed bill synopsis in each Congress, supplementing the sample to add bills that matched the subject areas defined by the women’s groups (Swers 2002, p. 34-35).
Bratton (2002, 2005)	Defined women’s interest legislation as legislation that would decrease discrimination or counter the effects of discrimination, or would improve the social, economic, or political status of women. These generally involved three overlapping categories: measures addressing the health of women; measures addressing the social, educational, and economic status of women; and measures addressing the political and personal freedom of women. A small number of measures were identified as contrary to women’s interests; these included measures to limit access to birth control and abortion, and measures to reduce levels of child custody and child support. Bratton content-coded measures in the lower chambers of six states (2002, p. 139). Uses definition of women’s interests that “captures the core definition” reflected in the above approaches (Bratton 2005, p. 9). Does not include measures placed in broad categories unless they focused directly on women (Bratton 2005).

Source: Bratton (2005, 33) and revised by author.

Table 6.2: Recent Approaches to Defining African American Interests

Scholar	Approach
Swain (1993)	Identifies both objective and subjective indicators of African Americans and asks “whether and to what extent these are represented in Congress” (1993, p. 7). Some of the objective measures Swain uses include: unemployment, educational achievement, healthcare, crime and victimization, and poverty and drug use. Swain states, with regard to these measures, that blacks “have an objective interest in change in these areas” (p. 9). Indicators of subjective interests are based on public opinion and include: increased government spending on healthcare, education, and food programs for low income families.
Canon (1999)	Focuses on the consequences of black interests in the political process. Differentiates between objective (needs) and subjective interests (wants). States that the needs of blacks and whites are not equal, and that huge differences remain on policies aimed at producing equality. Similar issues as ones mentioned by other authors: unemployment, education, poverty, healthcare, etc.
Haynie (2000)	States that defining black interests is a highly “contested concept” (2000, p. 19). Also uses objective and subjective measures to identify African American interests. Objective measures include: unemployment, income levels, and education. Subjective measures deal mainly with more government spending to improve the position of blacks, as well as create jobs, improve Medicare and support food stamps. Haynie states that defining black interests is easier than defining the interests of other groups because blacks are relatively homogeneous.
Tate (2003)	Compares the votes of black legislators against the policy interests of blacks in the general population (more subjective measures). These interests include: jobs, affirmative action, school busing, Medicare and food stamp spending. Tate finds that black Democrats “are unified on economic and racial issues” but divided on more general issues that may or may not directly affect blacks (2003, p. 91).
Griffin and Keane (2006)	Use ideological orientations rather than specific policy interests to test whether African Americans are mobilized by descriptive representation. Tests whether those representatives that support more “liberal” policies are likely to mobilize voters to participate in national elections. Study finds that the descriptive representation of more liberal African Americans leads to greater voter turnout, while moderate and conservative African Americans are less likely to vote. Griffin and Keane conclude that descriptive representation “affects which African Americans’ interests are communicated to elected officials through voting” (2006, p. 998).

interests. Scholars have utilized objective measures along with public opinion voting to develop a coding scheme that can be compared to elite behavior (expression of elite policy interests) (Tate 2003). Within the legislative setting, this elite behavior can further be differentiated

between legislative actions that involve expressions of interests (e.g. bill sponsorship) and legislative acts that deal with expressions of preferences (e.g. roll call voting) (Bratton 2006).

Researchers note that Latinos in the mass public exhibit more heterogeneity than most minority groups (e.g. Martinez-Ebers, et.al 2000; Bratton 2006). Does this heterogeneity make it difficult to identify issues that transcend the many groups that fit under the Latino umbrella? Can the distinctions discussed above with regard to quantifying the interests of women and blacks be applied to the study of Latinos? If there is a void in the literature on Latino representation, then research dealing with how Latino interests should be defined and delineated is fairly non-existent. In one of the few studies that attempts to identify and quantify “Latino interests,” Bratton (2006) uses both objective and subjective measures to outline a Latino policy agenda. Further, she content codes legislation to flag bills that are of particular interests to Latinos. Additionally, Bratton distinguishes between Latino elite policy interests and Latino elite policy preferences by looking at bill introduction (interests) and the passage of those bills introduced (preferences). Bratton finds that the significance of ethnicity on legislative activity (bill sponsorship and passage of sponsored bills) is dependent on a narrowly defined Latino political agenda.

Aside from a few articles that specifically identify a Latino policy agenda (e.g. Martinez-Ebers, Fraga, Lopez and Vega 2000; Bratton 2006), most of the research on Latinos assumes *a priori* ownership of certain issues by Latinos. Table 6.3 provides a sample of literature that has directly and indirectly contributed to the identification of a Latino policy agenda.

As Table 6.3 illustrates, research that addresses either specific issues about Latinos or a Latino policy agenda sometimes occurs outside the realm of the legislative arena, but often relies on legislative initiatives as a way to identify Latino interests. My comprehensive analysis of the legislative process supports the idea that “Latino interests” are born out of legislative activity

Table 6.3: Identifying Latino Interests (Sample of Literature)

Scholar(s)/Source	Latino Issue	Specific Latino Policy Focus	Objective	Subjective	Public Opinion	Elite Interests	Legislative Preferences
Newton (2000); Hood and Morris (2000)	Immigration	Proposition 187 in California	X	X	X		
Martinez-Ebers, et al. (2000)	Education	Educational attainment, bilingual education	X	X	X	X	X
Martinez-Ebers, et al. (2000)	Health	Insurance, diabetes, breast cancer, teenage pregnancy	X	X	X	X	X
Martinez-Ebers, et al. (2000)	Criminal Justice	“Racial antagonism”, victimization, unequal treatment		X	X		X
Jones-Correa and Leal (2001)	Religion	Role of church in political participation		X			
Leal, Martinez-Ebers, Meier (2004)	Education	Percent of Latino administrators and teachers in districts	X	X		X	
Leal (2004)	Education	School vouchers	X	X		X	
Rouse, Wilkinson and Garand (N.D.)	Immigration	Policies for legal and illegal immigrants	X	X	X		
Bratton (2006)	“Latino interests”	Discrimination, protection of migrant workers, teen pregnancy, bilingual education	X	X		X	X
NHCSL ^a	Education	Narrowing achievement gap	X	X	X		
NHCSL	Health	Infant health, HIV, chronic diseases, caring for elderly	X		X		
NHCSL	Immigration	No specific policies detailed		X	X		
NHCSL	Economic Development	Latino access to capital and business resources		X	X		

^a National Hispanic Caucus of State Legislators

(both quantitatively and qualitatively). In the agenda setting chapter, I used a dataset that relied on content analysis to identify “Latino interest” policies and how ethnicity affected sponsorship actions. I found that Latinos were more likely than non-Latinos to sponsor “Latino interest” legislation, but no more likely to significantly engage in greater levels of sponsorship activities when the interests were more broadly defined (e.g. health, education, and welfare policies).

Results of the committee analysis indicate that Latinos in Texas are more likely to be active during committee markups when “Latino interest” legislation is being considered. I employed a similar bill content coding scheme as the ones used for bill sponsorship. The biggest difference between the two is that for the bills employed in this chapter I made the distinction between specific Latino interests and general Latino interests. Again, it appears that a narrowly defined Latino political agenda, constructed through various methods, significantly impacts Latino legislative behavior.

Finally, evidence from direct interviews with legislators supports the quantitative construct of Latino interests. The interviews revealed that across states and legislative chambers, both Latino and non-Latino legislators share almost identical perceptions about the handful of issues that are consistently crucial to Latinos. Although many legislators frame issues in terms of policy concerns that transcend the needs of Latinos and affect the broader population, it is clear that when legislation is drafted that specifically and directly benefits Latinos, Latino legislators are likely to provide both descriptive and substantive representation in various parts of the legislative process. The results of the overall project suggest that “Latino interests” can be defined, but that because of the heterogeneity of the group, a consistent political agenda must be relatively narrow in order to identify that agenda as being “Latino.”⁵⁶

⁵⁶ As the interviews revealed, this narrow political agenda may be framed in different ways depending on the state and legislature.

Minority groups have always played an important role in American politics, but only in the last few decades have gained influence within legislatures. Over this time, the Latino population has increased significantly, resulting in Latinos now being the largest and fastest growing minority group in the country. How well this increased Latino presence translates into political influence has only recently attracted scholarly attention. This project explores the link between Latino descriptive and substantive representation in U.S. legislatures. Specifically, how “Latino interests” are defined, whether and how these interests are advanced through the legislative process, and how ethnic diversity within legislatures influences legislative behavior and outcomes.

At the inception of this project I argued that in order to truly get at the effects of ethnicity and a significant understanding of Latino representation, a comprehensive examination of the legislative process needed to take place. Previous literature has examined the role of ethnicity at various parts of the legislative process, but it has been difficult to place the strength and significance of those results in relative terms. For instance, if Latinos receive both descriptive and substantive representation during roll call voting, can it be assumed that the same form and strength (intensity) of representation is taking place during agenda setting or committee work? My results here indicate that Latino representation is visible in various ways depending not only on the characteristics of a specific legislative activity, but also on the mechanisms and goals for that particular legislative activity. Table 6.4 illustrates the different legislative characteristics and whether they are present when analyzing Latino representation at the various stages of the legislative process.

In the agenda setting stage of the legislative process, I examine the sponsorship behavior and effectiveness of Latino legislators. I find that Latinos are more likely than non-Latinos to

Table 6.4: Characteristics of Latino Representation

	Agenda Setting	Committee Work	Roll Call Behavior
Visibility	X		X
Influence of Chamber	X	X	X
Influence of District	X	X	
Resource Intense		X	
Individual-led Effort	X	X	
Identification of Important Policy Areas/Issues	X	X	
Expression of Ideological Preferences on Existing Proposals		X	X
Expression of Intensity of Preferences on Existing Proposals		X	

sponsor legislation narrowly defined as “Latino interests.” I also find that the composition of the legislature – when Latino legislators make up a small percentage of their party within the chamber - makes a difference in how many Latino interest bills they sponsor. In other words, Latinos are more likely to sponsor specific legislation that benefits Latinos when their party within the chamber is homogenous. The results in this section indicate that Latinos receive both descriptive and substantive representation under particular circumstances- when “Latino interests” are narrowly defined and when Latino legislators can exert individual influence. Therefore the representation of Latinos at the agenda setting stage of the legislative process may be best explained by focusing on individual actions rather than representative thresholds.

During my examination of committee work I find that ethnicity plays a role in committee activity but that this role is not consistent across legislative chambers. In the U.S. House, “Latino interests,” narrowly defined, significantly affects overall committee participation, but the

ethnicity of the legislator has no discernable impact. Conversely, in the Texas legislature, ethnicity significantly influences committee participation when it is matched specifically with Latino salient legislation. In Florida, the interaction of ethnicity and Latino salient legislation during committee participation comes close but does not reach statistical significance. Given the mixed results obtained in these analyses of committee activity, it is difficult to draw strong generalizable conclusions about how committee participation is influenced by ethnicity and shapes the representation of Latinos. However, given that this is a first cut analysis of the effects of ethnicity on committee participation, the initial results are promising. Further, the distinction between preferences and preference intensity that I discuss in this chapter speaks directly to the important dynamics that must be considered when exploring the link between descriptive and substantive representation of Latinos. Finally, this chapter highlights the need to delve into less visible areas of the legislative process in order to understand how ethnicity impacts representation.

In the chapter on roll call behavior, I test models of roll call voting by state legislators. I examined two categories of roll call votes – general legislation (all legislation that reaches the chamber floor) and Latino interest legislation. There are two noteworthy findings in this chapter. The first is that ethnicity has no significant effect on the roll call behavior. There is no distinguishable difference in the voting behavior between Latino and non-Latino legislators on both general legislation and Latino interest legislation. Second, party has the strongest influence on roll call voting, out of all the explanatory measures. I note that historically roll call behavior has been viewed as a good way to measure legislative preferences. However, the results from this chapter suggest that relying exclusively on roll call analysis to understand the role of ethnicity in the legislative process creates an explanatory vacuum. The roll call chapter is a strong example of why it is crucial to engage in a comprehensive analysis of legislative behavior

in order to better understand the link between descriptive and substantive representation of Latinos.

Finally, I compliment the quantitative work in this project with a qualitative analysis of legislator interviews. This is a unique opportunity to detail how legislators themselves view the legislative process and how individual characteristics influence legislative behavior. I make an argument for including this type of research on the basis that “data crunching” has limitations in its explanatory value when the goal is to gain a comprehensive understanding of attitudes, intent, and reasons behind legislative actions. I also note that research on the legislative process, especially at the state level, has significantly lacked this element of analysis. The interviews provide rich information about how Latino legislators and non-Latino legislators who represent a large Latino constituency view their role in the legislative process. First, Latino legislators across states and chambers share similar policy priorities. Second, Latino legislators generally place great value on bill sponsorship. This value is not only for the act itself, but because it represents the beginning of a process meant to achieve a beneficial legislative outcome. From the viewpoint of Latinos, bill sponsorship is a purposive rather than a symbolic activity. Also, Latino legislators emphasize committee work as crucial to legislative success. In particular, they point to the importance of Latinos serving and chairing influential committees as critical to long term legislative influence. Interviews with Latino legislators also revealed the importance of informal legislative activity such as collaboration and casual communication. The informal aspects of representation cannot be captured by quantitative measurements. Lastly, this chapter also includes the legislative views of non-Latinos who represent large Latino constituents. Overall these legislators share very similar opinions about the legislative process as their Latino counterparts. They note similar issues as being significant to the Latino community and they reinforce the importance of informal legislative actions as crucial to the substantive

representation of minorities. In sum, the inclusion of legislator interviews adds to the quality of the research on representation.

IMPLICATIONS

This project is a start rather than an end result in the underdeveloped but significant research on Latino representation. The value of this dissertation is strongly anchored in its comprehensive approach to understanding the role of ethnicity in representation. The overarching conclusion is that Latinos receive both descriptive and substantive representation, to varying degrees, throughout the legislative process. It is also evident that the link between descriptive and substantive representation is conditional and is affected by factors that are both endogenous and exogenous to the legislative arena.

There are of course limitations to this project that offer multiple avenues for future research. First and foremost is the greater generalizability of some of the results. Although I examine six state legislatures and the U.S. Congress in some combination throughout the dissertation, the inclusion of more states, and by extension more data, would provide a higher level of explanatory value. In particular, the work on committees could benefit from the addition of more committee data and more chambers in order to better tease out the effects of ethnicity on the deliberative process. The qualitative interviews not only offered abundant information from those who participate in the legislative arena, but also revealed important questions that need to be included in future work on Latino representation. In particular, the growing influence of Latino caucuses, the effects of term limits (where applicable), and the varying degrees of legislative professionalization, and their impact on the descriptive and substantive representation of Latinos should be explored. Finally, one interesting and rather unexpected finding that came out of the interview analysis was the idea of issue framing. As I discussed in chapter 5, although Latino legislators from different states name similar policy goals that are important to Latinos,

there is a significant difference in the way the legislators framed these issues. For example, Legislators from California frame issues important to Latinos as policies that benefit all of California, while Latino legislators from Texas are much more willing to paint the plight of Latinos as somewhat unique compared to the needs of other groups. An important question is why there is a difference in issue-framing between Latino legislators of different states? At this point conjecture points to the varying influence that Latino legislators experience within their particular state and legislative chamber, but future work should empirically explore these differences.

The growth of the Latino population not only in the mass public but in the political arena is difficult to ignore. This growth, translating into significant political influence, is probably not a question of “if” but a question of “when.” The job of ethnicity scholars is to continue to explore how this influence manifests itself within the representative process. I hope this dissertation provides a stepping stone toward that goal.

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APPENDIX A

SAMPLE OF BILLS CODED FOR LATINO SALIENCY IN COMMITTEE AND ROLL CALL ANALYSIS

Non-Latino Interest Legislation (no Latino salience):

Florida HB 209: Administration of Medication to Public School Students: Defines the term "psychotropic medication"; prohibits a recipient of state funds from requiring a student to be prescribed or administered psychotropic medication as a condition of receipt of educational services financed by state funds; provides requirements for administration; requires notification to parents prior to evaluation of certain students for classification or placement as an exceptional student.

Texas HB 148

Amends the Local Government Code to allow the Fire Fighters' and Police Officers' Civil Service Commission, in municipalities having a population of less than 1.9 million, to extend the probationary period for a newly hired firefighter, police officer, or academy trainee who is not employed by a department which has or once had a collective bargaining or meet-and-confer agreement. These individuals are required to attend a basic training academy necessary for initial certification by the Texas Commission on Fire Protection or the Commission on Law Enforcement Officer Standards and Education.

General Latino Interest Legislation (low Latino salience):

Florida HB 227: Children's Summer Nutrition Programs

Requires each district school board to develop a plan to sponsor a summer nutrition program; provides criteria for operating summer nutrition program sites; authorizes exemption from sponsoring a summer nutrition program and provides procedures therefore; requires a district school board to annually reconsider its decision to be exempt; authorizes district school boards to encourage not-for-profit entities to sponsor a summer nutrition program under certain circumstances; authorizes a superintendent of schools to collaborate with specified agencies and private, not-for-profit leaders to implement a summer nutrition program; provides for reporting; directs the Department of Education to provide each district school board with a list of organizations intending to participate

Texas HB 525

Amends the Local Government Code to authorize certain municipalities to create homestead preservation districts and reinvestment zones to increase home ownership, provide affordable housing, prevent involuntary loss of homesteads by existing low-income and moderate-income homeowners living in disadvantaged neighborhoods, and improve economic and social conditions within disadvantaged communities. The bill authorizes such a municipality to create and operate a homestead land trust or a homestead preservation reinvestment zone or to adopt a homestead land bank plan to coordinate development in concert with the needs of the existing population of the district.

Specific Latino Interest Legislation (high Latino salience):

Florida HB 809: Residency Status of Dependent Immigrant Children

Directs the Department of Children and Family Services or a community-based care provider to determine whether a dependent child is a citizen of the United States and to report the information to the court; provides that services to children alleged to have been abused, neglected, or abandoned be provided without regard to the citizenship of the child except under certain circumstances; requires that a child's case plan include specified information; directs the department or the community-based care provider to file a petition with the court to determine whether the child meets the criteria for special immigrant juvenile status; directs the department or the community-based care provider to file papers with federal authorities to adjust the child's residency status; authorizes the court to continue jurisdiction of a child whose residency status is being considered by federal authorities; directs the department to adopt rules.

Texas HB 1099:

Amends the Health and Safety Code and the Government Code to transfer from the Health and Human Services Commission and the Department of State Health Services to the Texas Department of Housing and Community Affairs (TDHCA) all powers and duties relating to the inspection and licensing of migrant labor housing facilities, including all rules, policies, procedures, decisions, actions, and proceedings.

APPENDIX B

VARIABLE DEFINITIONS FOR COMMITTEE ANALYSIS

Institutional Variables

Score (dependant variable)	level of committee participation
Congress:	0= no attendance; 1= attended/vote; 2= amendment/motion
States:	0= no attendance; 1= attended; 2= vote; 3= amendment/motion
Latino Salience	0= non-Latino interest; 1= general Latino interest; 2= specific Latino interest
Latino*Latino Salience	Interaction between ethnicity and Latino interest legislation
Latino	1 if legislator is Latino
Black	1 if legislator is Black
Committee Leader	1 if chair of committee
Party	1 if Republican
Energy and Commerce Committee	Committee fixed effect- U.S. House
Financial Services Committee	Committee fixed effect- U.S. House
Committee on Border and International Affairs	Committee fixed effect- Texas
Committee on Urban Affairs	Committee fixed effect- Texas
Education Committee	Committee fixed effect- Florida
Health and Families Committee	Committee fixed effect- Florida

District Composition

Percent Latino in District	Percentage of Latinos in a legislative district
Percent Black in District	Percentage of Blacks in a legislative district

APPENDIX C

SAMPLES OF INTERVIEW INSTRUMENTS

Interview Instrument for Latino Legislators

Project Title: Latino Representation in U.S. Legislatures: Interests, Behavior and Influence

IRB# E3516

LSU Proposal# 31708-1

Project funded through the National Science Foundation Dissertation Improvement Grant

Hello, my name is Stella Rouse. I am a doctoral student in the Department of Political Science at Louisiana State University. I am currently in the process of conducting dissertation research on Latino Representation in state legislatures; specifically, the role of ethnicity in legislative behavior. I would like to ask you a few questions about your role as a Latino lawmaker and your work and experience in the (state) legislature.

May I record this interview?

Do you have any questions for me before we begin the interview?

- 1) What particular interests/policies do you consider to be priorities for your district?
- 2) Are there any interests, beyond the ones you just mentioned, that are important to you personally?
- 3) Are there times when the interests of your district and your personal interests conflict? If so, how do you resolve these conflicts?
- 4) How do you learn about new interests/problems in your district?
- 5) Whether important to your constituency or not, are there certain issues that you believe are particularly relevant to the Latino community as a whole? If so, what are these interests?
- 6) Some people may argue that Latino legislators have a duty to represent all Latinos whether or not they reside in their district. Do you believe this is true? If so, how do you see yourself representing the interests of Latinos?
- 7) Do other legislators consider you a leader on Latino issues? If so, how do you take on this role?
- 8) How important do you think your presence on committees is toward advancing the policy priorities of your district?
- 9) How important do you think your presence on committees is toward advancing Latino interests in general?

10) Do you believe it is important for there to be at least one Latino representative on powerful committees (Appropriations, Governmental Affairs, Ways and Means) in order to advance Latino-interest legislation?

11) How much value do you place on bill sponsorship?

12) Can you tell me about the last piece of legislation you sponsored?

13) Do you value the act of cosponsorship? If so, how does cosponsoring legislation contribute to your work?

14) How important do you believe it is for Latino representatives to have leadership positions in legislatures in order to represent the interests of Latinos?

15) During which part of the legislative process do you feel you have the most influence?

16) In what ways do you collaborate with other lawmakers to advance your legislative agenda?

17) How much attention do you feel the (state) legislature gives to the interests of minorities in general and Latinos in particular?

18) Do you believe as a Latino legislator that you are able to draw attention to the needs of Latinos in ways that legislators from other ethnic backgrounds cannot?

19) Which legislative function (formal or informal) provides you the best opportunity to advance your legislative agenda?

* This is the basic instrument that will be used for all interviews. A respondent's answer to a question may lead to a follow-up question to further clarify an answer or to gain a better understanding of the legislative act in question. Also, there may be legislative attributes or responsibilities that are specific to a particular legislator. In these instances, some additional questions designed to probe these specific characteristics will be utilized.

Interview Instrument for non-Latino Legislators

Project Title: Latino Representation in U.S. Legislatures: Interests, Behavior and Influence

IRB# E3516

LSU Proposal# 31708-1

Project funded through the National Science Foundation Dissertation Improvement Grant

Hello, my name is Stella Rouse. I am a doctoral student in the Department of Political Science at Louisiana State University. I am currently in the process of conducting dissertation research on Latino Representation in state legislatures; specifically, the role of ethnicity in legislative behavior. I would like to ask you a few questions about your role as a non-Latino lawmaker, but one who represents a district with a large Latino constituency.

May I record this interview?

Do you have any questions for me before we begin the interview?

- 1) What particular interests/policies do you consider to be priorities for your district?
- 2) Are there any interests, among the ones you just mentioned that are particularly important to you personally?
- 3) How do you learn about new interests/problems in your district?
- 4) Do you believe there are such issues as “minority issues” or do specific minority groups have issues that are particularly important to that group? How do you go about giving priority to those interests?
- 5) Do you believe African Americans can represent the interests of Latinos and vice versa (surrogate representation)?
- 6) How important do you think your presence on committees is toward advancing the policy priorities of your district?
- 7) Do you believe it is important for there to be at least one minority representative on powerful committees (Appropriations, Governmental Affairs, Ways and Means) in order to advance minority-interest legislation?
- 8) How much value do you place on bill sponsorship?
- 9) Can you tell me about the last piece of legislation you sponsored? Also, what is the most important piece of legislation you have sponsored?
- 10) Do you value the act of cosponsorship? If so, how does cosponsoring legislation contribute to your work?
- 11) During which part of the legislative process do you feel you have the most influence?

- 12) In what ways do you collaborate with other lawmakers to advance your legislative agenda?
- 13) How much attention do you feel your party-- the Democrats-- gives to the interests of minorities?
- 14) Which legislative function (formal or informal) provides you the best opportunity to advance your legislative agenda?
- 15) Do you feel it is necessary for there to be a significant number of minority representatives in the legislature in order to affect policy? In other words, how important is the quantity of minorities versus having fewer but highly influential minority representatives in the legislature?

* These are the basic instruments that will be used for all interviews. A respondent's answer to a question may lead to a follow-up question to further clarify an answer or to gain a better understanding of the legislative act in question. Also, there may be legislative attributes or responsibilities that are specific to a particular legislator. In these instances, some additional questions designed to probe these specific characteristics will be utilized.

APPENDIX D

SAMPLE OF CONSENT/INTERVIEW LETTER

Project Title: Latino Representation in U.S. Legislatures: Interests, Behavior and Influence
IRB# E3516
LSU Proposal# 31708-1

Date

Honorable (Representative)
Address

Dear Representative _____:

I am a doctoral student in the Department of Political Science at Louisiana State University. My dissertation research examines the role of ethnicity in the legislative process. I am writing to ask if I could meet with you in the near future for a brief interview. The purpose of the interview is to learn about your experiences as a Latino lawmaker in the (state) Legislature. Specifically, I am interested in finding out about how you represent your district, your collaboration with fellow lawmakers, and your interest and experience in advancing Latino issues. I anticipate that an interview will take no longer than thirty minutes of your time and can be conducted at either your legislative or district office in (city, state).

The results for this and other interviews will be used to compliment the quantitative portion of my research which looks at the representation of Latinos throughout the legislative process. This is a non-partisan academic project funded by the National Science Foundation. Most questions are very general in nature, and are not intended to elicit sensitive or confidential information. Nonetheless, please know that the information you provide will be kept in strict confidence. *Neither your name nor your district will be associated with the responses you give.*

If you have questions or concerns, please do not hesitate to contact me. I can be reached by telephone (225-578-2141) or by e-mail (srouse1@lsu.edu). Further, this study complies with strict federal guidelines regarding the conduct and use of interviews for academic purposes. If you have any questions concerning the procedures used in conducting this study, you may also contact the LSU Institutional Review Board Chairman, Dr. Robert Mathews, at 225-578-8692 (203 B-David Boyd Hall, LSU, Baton Rouge, LA 70803).

I understand that your time is valuable and that you are extremely busy, particularly during the legislative session. While participation in this study is completely voluntary, I do hope you are able to provide me with a small portion of your time. Your experience as a legislator will help advance the understanding of the role of ethnicity in the legislative process. I believe you will find that this is a worthwhile examination given the growing importance of Latinos in American society.

I look forward to meeting you and to gaining valuable information from your knowledge and experience.

Sincerely,

Stella M. Rouse
Doctoral Candidate

VITA

Stella Rouse was born in Medellin, Colombia, in April 1972, to the late Stella Restrepo and Antonio Manrique. She moved with her family to the U.S. when she was two years old. Upon graduation from St. Thomas Aquinas High School in Fort Lauderdale, Florida, she came to Louisiana to attend Louisiana State University, receiving her undergraduate degree in political science in 1996. After spending several years working in the political and corporate environment, she enrolled in the LSU political science graduate program in 2003.

Stella Rouse's main area of study is American politics with a concentration on Latino politics; ethnicity, race, and gender; legislative politics; and Latin American politics. Ms. Rouse was awarded a doctoral dissertation grant from the National Science Foundation to fund her dissertation. She has also received numerous travel awards to present her work at academic conferences and has published an article entitled "The Drug Laden Balloon: An Analysis of U.S. Military Assistance and Coca Production in the Central Andes" (coauthored with Moises Arce) in the journal *Social Science Quarterly*.

In the fall, Ms. Rouse will begin a tenure-track position as an Assistant Professor in the Department of Government and Politics at the University of Maryland in College Park where she will teach and conduct research. Stella Rouse and her husband, Rodney Rouse, have two children, Carson Jacob Rouse and Riley James Rouse.