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Representing Outside the Box: Identity-based Constituencies and Surrogate Representation in U.S. State Legislatures

Julia Hellwege

Julia M. Hellwege

Candidate

Political Science

Department

This dissertation is approved, and it is acceptable in quality and form for publication:

Approved by the Dissertation Committee:

Lonna Rae Atkeson , Chairperson

Christine M. Sierra

Michael S. Rocca

Cherie Maestas

REPRESENTING OUTSIDE THE BOX:
IDENTITY-BASED CONSTITUENCIES AND
SURROGATE REPRESENTATION
IN U.S. STATE LEGISLATURES

by

JULIA M.L. MARIN HELLWEGE

B.A. Poltical Science, Mesa State College, 2009
M.A. Political Science, University of New Mexico, 2011

DISSERTATION

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DEDICATION

This work is dedicated to my siblings:

Claudia, Nania Cassandra, Byron, Birk, and Leahnna

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REPRESENTING OUTSIDE THE BOX: IDENTITY-BASED CONSTITUENCIES AND SURROGATE REPRESENTATION IN U.S. STATE LEGISLATURES

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Julia M. L. Marin Hellwege

B.A. Political Science, Mesa State College, 2009
M.A. Political Science, University of New Mexico, 2011
Ph.D. Political Science, University of New Mexico, 2016

ABSTRACT

This project asks: whom do representatives seek to represent and how do they do it? Specifically, I seek to understand how marginalized state legislators define the concept of "constituency" and the implications for their legislative behavior. I argue that marginalization affects legislators through two avenues: socially through their identity, and institutionally through the proportion their identity group holds in the state legislature. I argue that when legislators are marginalized their awareness of identity and identity-based issue needs are prioritized and they will come to define group members as a salient identity constituency. Furthermore, they will seek to represent this salient identity constituency through legislative behavior because of a moral obligation to group members. Such a perception of constituency has implications for their hill and home style legislative behavior and affects their legislative preferences as well as their constituency activities at "home". I argue that their conceptualization of home extends beyond traditional definitions that tend to be restricted to the geographical boundaries of the

district, to include women and minorities more broadly. I also show that representing both their district and a salient identity constituency results in additive pressures on their legislative activities. I examine the implications of the salient identity constituency theory through their legislative activities with constituents, their workload, and their committee memberships. Methodologically, I employ a multi-methods approach using three different data sources. The data come from face-to-face interviews with state legislators, an original survey of state legislators, and an aggregate data set of state legislators' committee assignments from 14 states for three time points.

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Chapter 1: Studying Identity-Based Representation in US State Legislatures

A young bright-eyed first term legislator is ready to take on her work in the legislature. She's an African American woman who fought a tough battle on the campaign trail but won by appealing to her genuine care for "community" and skills at coalition building. She arrives in the legislature on her first day, walks in to the chamber and quickly realizes she can easily count the few women and African Americans in the room; more so, all the women are white, and all the African Americans are men. No one else looks like her. In that moment she is reminded of how far we have come, that she, an African American woman, is now part of the decision making power in the same country that wouldn't allow her parents to cast a ballot. In that moment she recognizes her responsibility to represent not only the district that elected her, but also the people she identifies with, the African American community broadly speaking. She also recognizes that given the few number of other women in the legislature, she must also be a voice for women in the state, she knows that there are certain issues men just don't bring to the table. She is overwhelmed by the responsibility to represent several constituencies, but she is especially determined, being motivated by a sense of moral obligation to minorities and women who for too long have been inadequately represented in her state. The recognition that this responsibility rests with her and few others fuels her motivation and her drive to be an effective representative, not only for her district, but also for women and minorities everywhere.

This is not an uncommon story for many of the recently elected representatives who are women and/or people of color. In a featured story for their "Divided America"

series, the Associated Press reported on the struggles for token legislators, who are the only or one of only a few legislators from their identity group. They told the story of Alfonso Lopez, Virginia's only Latino state legislator, and noted his persistence in pushing for Latino friendly legislation. Repeatedly, his proposed measure would die in committee, but he persisted in pushing the same legislation. Lopez argued, "If we had a more diverse (legislature) and more Latinos in the House of Delegates…I don't think it would be as difficult" (quoted in Lieb 2016). Similarly, Senator Margaret Rose Henry, who is the only black senator for Delaware, said "if there were more black elected officials, we would have a better chance to get something done" (quoted in Lieb 2016). Henry and Lopez's statements highlight two lines of arguments about minority representation: that minorities will seek to push legislation on behalf of their identity group, and that being a token legislator, that is being the only legislator, or one of very few, of an identity group, increases their burden of doing so.

In the 2010 Census, the non-Hispanic white population comprised 69.10% of the country's 308 million inhabitants, yet, in 2015, nearly nine in every ten state legislators were white. Adding the consideration of gender in this calculation, with approximately 51% of the population female, nearly seven in ten legislators are white men. Though we have seen an increase in the number of women and minorities as state elected officials, and especially minority women, the numbers are nowhere near proportional to the rest of the population (Center for American Women and Politics 2016; Hardy-Fanta et al. 2016). When presented with these data, two lines of questioning become apparent, first what is the impact of marginalization on legislators' behavior, and secondly, how are our theories of legislative behavior impacted by the introduction of minority and women legislators?

The first question leads us to consider not only how race, ethnicity, and gender impact behavior, but also forces us to think about the context in which state legislators are operating. How does being so heavily out-numbered in a decision-making context impact behavior? What does it mean to be the only, or one of a few, state legislators of a certain identity? The second question forces us as academics to consider how many of our theories of legislative behavior have largely assessed the behavior of white men. Considering the behavior of marginalized legislators forces us to think outside the box of mainstream theories to examine legislative behavior. It pushes us to re-examine some of our fundamental assumptions about legislators and legislative behavior. The goal of this dissertation is to examine how marginalized legislators perceive of representation, and how they act upon it through their legislative behavior. I argue that being a marginalized legislator, through their identity and/or their group proportion in the legislature, affects a legislator's policy priorities, their perceptions of constituency, and ultimately their legislative behavior in achieving representation.

Table 1.1 State Legislators by Race, Ethnicity and Gender, 2015

	Frequency	Percent		Frequency	Percent	Total:
white men	3,612	66.43%	**white women**	1,071	19.70%	**86.13%**
black men	292	5.37%	**black women**	183	3.37%	**8.74%**
Latino males	135	2.48%	**Latinas**	70	1.29%	**3.77%**
Asian Am. men	32	0.59%	**Asian Am. women**	24	0.44%	**1.03%**
Am. Indian men	3	0.60%	**Am. Indian women**	10	0.18%	**0.78%**
Multirace men	5	0.90%	**Multirace women**	0	0.00%	**0.90%**
Total:		**76.37%**	**Total:**		**24.98%**	
	4,079			**1,358**		**5,437**

Table 1.2 Population by Race, Ethnicity, 2010

	Percent
Whites	63.70%
black or African American	12.60%
Hispanic/Latino	16.30%
Asian American	4.80%
American Indian	0.90%
Two or more races	2.90%
	101.20%[1]

Theories of legislator behavior argue that "to understand members' behavior we must understand their ambition" (Herrick and Moore 1993, 765). In other words, to understand legislators' behavior is to understand their goals. Fenno (1978) provides a nuanced picture of congressional member goals that extends beyond Mayhew's classic statement that the singular goal of legislators is re-election (Mayhew, 1974). Fenno's work on members of Congress in their districts suggests that legislators have three goals: generate good policy, professional ambition, and prestige (Fenno, 1973;1977; 1978). For Fenno (1973, 1978) and Mayhew (1974), legislative behavior was about re-election, and the representation of those individuals who were empowered to ensure their re-election (their district constituency). When Fenno and Mayhew wrote their landmark pieces, most of the legislatures in the United States were predominantly white and male. Their observations of legislative behavior were inherently portraying white male legislative behavior. As scholars of legislative behavior we must acknowledge the possibility that these assumptions are outdated as more and more legislators with diverse backgrounds are elected. Indeed, even Fenno himself, expanded some of his assumptions in *Going Home: Black Representatives and Their Constituents* (2003), as he recognized that African American members of Congress may seek to represent their group members in a

[1] percentage points may not add up 100 because Latino/Hispanic was not considered a race in 2010 census, thus percentage points for whites is for "white alone"

"national constituency of African Americans" (Fenno 2003). I argue that legislators with diverse backgrounds, such as women and minorities, have additional goals in championing women and minority issues because as token representatives they feel obligated to do so.

Contemporary research has found that minority women have been getting elected at higher rates than white women (C. E. Bejarano 2013; Scola 2014; Smooth 2010, 2014), but we know much less about these legislators once they are elected. In her comparison of election rates of white and non-white female state legislators, Scola proposes that there are geographical as well as institutional factors at play affecting minority women's higher chances of winning state legislative office, though she admits the results are better at indicating reasons why white women do *not* get elected rather than why minority women do (Scola 2014, see also Bejarano 2013). Fraga et al. suggest while minority women may experience double marginalization, they may also have an advantage over white women through a concept they refer to as "strategic intersectionality" (Fraga et al. 2006, 2007). In their study of Latina state legislators, they find that minority women are able to use their multi-faceted identity to build coalitions and to generate a more fluid policy agenda. In other words, their multiple identities provided them with multiple options for legislative constituency building and policy responsiveness. However, Marin Hellwege and Sierra (2016) urge caution in reading strategic intersectionality as an "advantage", as it is only an advantage over white women and minority males, thus minority women are still electorally disadvantaged in comparison to white males (Marin Hellwege and Sierra 2016). They further point out that the electoral advantage minority women may receive exists predominantly in the electoral context, and they indicate that Latina women may

still be disadvantaged vis-à-vis white males in the legislature (Marin Hellwege and Sierra 2016).

Descriptive representation, particularly through salient identity constituencies, may be an important intrinsic motivator for a marginalized legislator, whereas according to Fenno, representatives seek to generate good policy primarily for instrumental, self-interested reasons (Broockman 2013, 2014; Mansbridge 1999, 2003). This puzzle should not be seen as an either-or situation, but rather the effect is an additive one. I argue that while all legislators have instrumental goals, minority and women legislators, particularly those who are especially marginalized in their legislatures, are likely to feel a sense of a moral obligation to represent their identity group's interests. The assumption of a moral obligation is founded in three reasons. First, the sense of moral obligation is tied to a large literature showing that marginalized groups have a sense of group consciousness or belongingness with group members (Dawson 1994; Henderson-King and Stewart 1994; Masuoka 2006; Gabriel R Sanchez 2006). Secondly, as I will show I expect identity-based representation to extend beyond the district, which means that those constituents cannot hold the legislator accountable through a vote, leading scholars to argue that the provision of representation to these groups is based in an intrinsic motivation (Broockman 2013; S. J. Carroll 2002a; Htun 2014; Mansbridge 2003). Finally, I use the term "moral obligation" because borrow the language from Mansbridge (2003), who detailed the theory on extra-district representation. The implication of generating good policy for both instrumental and intrinsic/altruistic motivations is that legislative behavior may change as the target, or scope of representation shifts. In other words, the type of policy that a legislator chooses to engage with may reflect different needs depending on

whether the representative is focusing on the personal pursuit of being re-elected (district targeted legislation), or on providing substantive representation for a descriptive constituency (driven by a salient identity) (Broockman 2013). I expect that these additive pressures result in legislative behavior that is different from that of white males; in other words, there is an additional responsibility related to representing a second constituency.

Scholars have found that women tend to have a different leadership style than men. This literature has found that men and women tend to approach politics differently, and that women are more likely than men to self-describe themselves as hard working, better at achieving consensus as opposed to conflict, more likely to avoid the limelight in order to get the job done, likely to work more transparently, and to be more persuasive (Hardy-Fanta et al. 2016; Reingold 2000; C. S. Rosenthal 2001; Thomas 1994). Though the literature on women legislators, and popular media, often reference women's differing leadership style, there is little quantitative evidence showing such a correlation exists(but see Hardy-Fanta et al. 2016; Kathlene 1994; Reingold 1996, 2000; Thomas 1994). From qualitative empirical work, as well as journalistic interviews with female leaders, offering anecdotal evidence, there is reason to support these findings. The most relevant quantitative study of women's leadership style is Sue Thomas' *How Women Legislate* (1994) which presents evidence from a survey of state legislators that men and women differ in their attitudes about women in leadership positions. Thomas conducts interviews with women state representatives in six states (California, Georgia, Mississippi, Nebraska, Pennsylvania, and Washington). She asks about procedural change, and specifically asks women to predict what the legislative process would look like with more women. She states "women's alternative conceptions of power translate

into concrete changes in the way they envision getting legislative business done" (Thomas 1994, 110). I suggest that women's, as well as minorities', legislative style comes as a response to attempting to represent multiple constituencies, both a district constituency and a salient identity constituency that extends beyond the district. Representing multiple constituencies with limited resources, suggests that women's and minorities' behavior should be significantly different than white men, particularly in terms of the issues they prioritize, the amount of work they do, and the amount of constituency service they do.

The saying that women must work twice as hard for half the credit has become cliché, a catchphrase for the feminist movement based on the assertive quote by Ottawa's first female mayor, Charlotte Whitton (Delacourt, 2011). While the phrase has been over-used and tired, many women professionals still stand by the quote and indeed suggest that this holds true for women generally still in 2015. Although it is challenging to disentangle precisely why women "must work twice as hard", there is evidence from both the face-to-face interviews and the survey data to suggest that this is the case. In an interview conducted in 2014 one minority female legislator remarked that: "I'm kind of a workaholic…I find myself that I love to work for our community. From the moment I wake up until the moment I sleep, I think about how to make our community better, not only on the state level, but even locally". At the 2015 Legislative Summit during the Women's Legislative Network 30 Year Anniversary Luncheon the (all-white female) panel was asked about mentorship and leadership as a woman in the legislature. One of the panelists, who holds the position of House Majority Leader, said that the road to leadership had been challenging, particularly because of the lack of mentorship. She

stated: “It has not been easy to get to the number two spot; especially as a woman, since [the legislature] is mostly run by men.” She then followed up with, “sometimes I feel I work three times as hard”. The Majority Leader made this statement unprovoked and without a leading or even related question, offering the statement as a spontaneous reflection on her experience in the legislature. As she made this remark, there was a clear murmur of agreement in the audience.

When asked about constituency service beyond her district, a Haitian American representative said “word gets out…I have Haitian Americans from all around the state call my office because we have someone who strictly speaks creole. So I’ve had many people call my office. Sometimes that culture competence component is needed” (personal communication, August 20, 2014). The answer to why constituency service might be different from speaking on the floor or developing legislation became evident in my discussion with a minority female representative from the Midwest. I had asked her if she thought she might represent issues of minority communities better than other legislators; the conversation turned to a discussion regarding policy development and strategic legislative behavior. The legislator responded:

> *Not necessarily…sometimes I find, whether it’s women’s issues or issues that are traditionally brought forward by people of color, I would rather have my [white] colleague run the racial profiling bill because then it’s not [me] who’s [the] only [one] to ever, always, bringing up that issue. Sometimes I think, people just shut their ears…*
>
> Minority woman, August, 18, 2014

This is a very important caveat to understanding differences in legislative behaviors, and also to understanding the need for different strategic behaviors,

particularly in different contexts. The legislator is arguing here that while she might be more prone to prioritize issues of race/ethnicity or gender, doing so too frequently might cause her to be further marginalized and ostracized by other legislators in her chamber.

It is evident that while many strides have been made to lessen the political exclusion of minorities and women in legislative office, their continued marginalization poses several challenges in office. Katrina Shealy, the only woman in South Carolina's Senate, said in an interview with the Free Times, it's "hard to be a woman and be in political office" (quoted in Trainor 2016), and as Lieb (2016) notes "again and again, minority legislators in other states told the [Associated Press] that their priorities have been stymied partly due to a lack of others like them" (Lieb 2016). Being a minority or woman legislator in a context of social and institutional marginalization results in additional pressures, albeit intrinsic— from a sense of moral obligation, to represent a population that has been marginalized and under-represented. Thus, for a sub-set of legislators, this culminates in a view of constituency that is more expansive, and legislative behavior that is more extensive, than conventional wisdom has suggested.

1.1 Chapter Overview

Chapter 2, "Marginalization and Implications for Legislative Behavior", discusses the proposed theory of representation and legislative behavior for marginalized legislators. The theory argues that marginalization, through both social and institutional means, affects legislators' preferences and priorities, their perceptions of constituency and ultimately their legislative behavior. Centuries-long marginalization along the lines of race, ethnicity and gender in the social context has impacted the preferences and behaviors of individuals who identity with these groups (Garcia 1986; Masuoka and Junn

2013). I expect that those legislators who are marginalized in the legislature, through a low group proportion, will be more acutely aware of their identity and thus be increasingly likely to prioritize the preferences of the identity group. I expect that legislators then come to perceive their identity group members as a salient identity constituency that is to be represented. I then argue that these preferences not only lead to substantive outcomes on the hill as legislators find opportunities to move forward legislation on behalf of the identity group, but also that legislators will expand their views of representation at "home" to represent their salient identity constituencies even when part of that constituency is beyond their district's borders.

Chapter 3, "A New View of "Home": Perceiving of Identity Based Constituencies", is the first chapter to test the implications of the salient identity constituency theory. It is an attempt to inform the causality of marginalized state legislators' behavior. This chapter asks how do marginalized legislators perceive of their constituency and how do they build their constituency? This chapter empirically tests the concept of salient identity constituencies. This chapter relies on face-to-face interviews with state legislators conducted over two one-week periods of observation in 2014 and 2015 at the Legislative Summits of the National Conference of State Legislatures. I find that marginalized legislators, especially those who are more heavily outnumbered in their legislature, perceive of identity-group members as a constituency, and that this constituency is not defined by geography.

The first quantitative chapter is Chapter 4, "Going the Extra Mile: Surrogate Activities of State Legislators", this chapter examines how state legislators engage in activities to represent their salient identity constituencies. This chapter tests if the

behaviors marginalized legislators engage in are consistent with their perception of a salient identity constituency. I consider how representing both an electoral district and a salient identity constituency might produce additive pressure and with it a heavier workload. I also ask if representing a constituency that is not defined by geography leads legislators to engage in representation outside the district, through what is known as surrogate representation. Chapter 4 uses survey data from an original survey conducted in 2015 of legislators from 48 states. I test several hypotheses based on the implications of the salient identity constituency theory:

Hypothesis 4.1 Socially and institutionally marginalized legislators will meet with identity-based groups, both in general, and outside the district, more frequently than legislators who are not marginalized

Hypothesis 4.2 Socially and institutionally marginalized legislators will meet with a larger number of types of groups, both in general, and outside the district, than legislators who are not marginalized

Hypothesis 4.3 Socially and institutionally marginalized legislators will work more than legislators who are not marginalized.

Hypothesis 4.4 Socially and institutionally marginalized legislators will provide constituency service on behalf of an extra-district constituency more frequently than legislators who are not marginalized.

In Chapter 5, "Additive Pressures of Marginalization and the Effects on Committee Membership", I focus on the impact of salient identity constituencies on hill style activities, that is, activities in the legislature. In particular I examine how marginalized legislators represent their identity-based constituencies' preferences through their committee membership. This chapter seeks to answer the question of what types of committees that state legislators sit on. For this chapter I rely on comprehensive data of state legislators' committee assignments for 13 different states for the years 1998, 2004, and 2010. I conduct quantitative analysis on the proportion of membership of one

committee type to all others for five different committee types. To do so I rely on a coding scheme of state legislative committees proposed by Sanchez and Marin Hellwege, 2014. This chapter tests the following hypotheses:

Hypothesis 5.1: Marginalized legislators sit on a proportionally equal number of control and workhorse committees as non-marginalized legislators (white men and dominant group members)

Hypothesis 5.2: Marginalized legislators are more likely to be members of caretaker committees than legislators who are not marginalized

Hypothesis 5.3: Marginalized legislators sit on a proportionally fewer number of private and public committees than non-marginalized legislators (white men and dominant group members)

Chapter 6 will provide an overview of the findings of all chapters and discuss the contributions to the literature. Importantly, this chapter will also provide a discussion of future projections and implications for future research.

Chapter 2: Conceptualizing Constituency and its Effect on Legislative Behavior

Representation is fundamental to the study of American politics as it informs our understanding of how well our democracy performs. In the U.S. electoral system, each member of the United States Congress represents a single geographically defined district (Fenno 1978). Though there is some degree of variation in U.S. state legislatures, by and large each state representative also represents a single geographically defined district (Smith 2003).[2] The logic of the single-member representative system is such that each member of the legislature is tasked with representing the geographical district, or *constituency*. This system vastly improves the efficiency of democratic governance in comparison to the direct democracy first experimented within ancient Greece (Rehfeld 2005). A representative form of democracy where elected officials represent some defined group provides a more efficient system of democratic governance. This is easy to see considering the complexity of our government and the size of our population; it would be near impossible for people to have the time and resources to vote on every issue. However, the electoral rules of how such representation is defined, by geography or through some other means, has important implications for how representation is provided and who is represented. A system of representation naturally begs several questions regarding who the representatives are, and who they ought to be, and also who they represent.

[2] The variation in state legislatures affects the number of representatives who might share a geographically defined district, for example in New Hampshire, multiple representatives may represent the same district. However, in no case does a single representative represent more than one geographically defined district.

Given the multiple social cleavages in the United States, scholars have questioned the notion that representatives are, or *should be*, solely bound to act as delegates for their districts (Rehfeld 2005). A large body of literature has examined how U.S. legislative behavior is shaped by individual characteristics, such as race and ethnicity (Casellas 2009, 2010; Fenno 2003; Haynie 2001; Minta 2011; Whitby 1997), gender (Cammisa and Reingold 2004; S. J. Carroll 2002b; Kanthak and Krause 2012; Osborn 2012; C. S. Rosenthal 2001, 2002; Swers 2002, 2005, 2013; Sue Thomas and Welch 1991), class, (Carnes 2012), and sexual orientation (Haider-Markel 2007a; Herrick 2009) to name a few. While many have argued that minority and female legislators in both Congress and state legislatures often act on behalf of members of their identity group, in what Pitkin (1967) refers to as substantive representation (Dovi 2002; Minta 2009, 2012a; Swers 2002, 2005, 2013) few have systematically studied this behavior under the context of "constituency" (but see Carroll 2002; Fenno 2003; Htun 2014). Here I seek to gain a deeper understanding of the motivations for legislative behavior to establish a more systematic study of representation of what I will refer to as *extra-district constituencies*. I argue that minority legislators have an additional incentive, perhaps because of a feeling of a moral obligation, to represent members of their identity group, particularly if those groups have been socially marginalized as racial and ethnic minority groups and women have been in the United States. Therefore, the question I seek to answer is whether or not legislators perceive of "constituency" in ways other than the traditional geographically defined district. Do marginalized legislators perceive of "surrogate" constituencies that are not defined by geography, but rather by shared identity group membership? It is clear that representatives must pander to the needs of their electoral district constituency

because of electoral incentives. However, I argue, that under conditions of social and/or institutional marginalization, representatives will also perceive, and represent, identity constituencies.

2.2 A Theoretical model of Surrogate Representation and Legislative Behavior

I propose a model of individual legislative behavior whereby surrogate legislative behavior is motivated by heightened identity saliency, which in turn is caused by marginalization through social status and/or, institutional weakness in terms of low group proportions. I contend legislators' social identity, especially their minority status, and their institutional strength, defined as group proportion, help to shape individual legislative behavior. I assume legislators are rational actors. However, in contrast to many rational choice institutionalists, I propose that goals are also contingent upon context and may reflect group interests rather than simply narrow self-interest or instrumental goals of reelection. Legislators who operate in institutionally marginalized contexts are likely to feel an additional obligation to focus their representational efforts on their identity group, both inside and outside their districts. Importantly, this stems from legislators' position of power; by virtue of their office, legislators are empowered to affect actual change. I argue that for marginalized legislators, who identity not only with their geographic constituency but also with a broader identity group, representational efforts will embrace serving both the district constituency's goals, and the goals of their salient identity constituency.

Figure 2.1 is a visual representation of the theoretical model. It depicts two separate avenues for marginalization: social position and institutional context. Social marginalization is caused by a minority social position, such as gender, race/ethnicity, or

both.[3] The United States has a clear de facto social hierarchy allowing Caucasians (whites) and males a certain degree of privilege in society (Masuoka and Junn 2013). Consequently, individuals and groups can be marginalized along one or multiple lines of social stratification, known as intersectionality. As I explain in section 2.3, within the parameters of race/ethnicity and gender, white males can be considered the most privileged, while minority women, who are marginalized along both lines, are the most marginalized. In section 2.4, I explain that in addition to social position, the institutional position, or group proportion, can also lead to a sense of marginalization. Kanter (1977) showed that women, whose institutional position was very small in comparison to the proportion of men in the organization, exhibited different behaviors from women whose position was more balanced. I argue that for legislators, institutional position is an additional avenue to marginalization.

Figure 2.1 shows marginalization, through both social and institutional means, can lead to both a raised identity salience (see section 2.5) and relatedly, an increased interest in identity policy preferences (see section 2.6). Under the condition of social marginalization, identity salience is raised through socialization in a system that politicizes race and gender (Garcia 1986, 2012; Mansbridge 1999; Masuoka and Junn 2013). Relatedly, through institutional marginalization, identity salience is raised because of an awareness of the unbalanced proportions of groups within the institution (Kanter 1977; Mehra, Kilduff, and Brass 1998b). This is akin to being a woman and walking in to a room full of men - while you might not have thought much about your identity as a

[3] Marginalization can be caused by multiple lines of social position including not only gender and race/ethnicity, but also age, class, disability, immigration status, language, religion, region, and sexual preference, etc. Here I focus on what are arguably the two most salient identities- gender and race/ethnicity.

woman beforehand, your sense of gender identity is heightened in the context of being in a crowd that is dominated by men. Not only is the awareness of one's own identity heightened, but also the marginalized position of the identity group and its members is heightened as well (McGuire and Padawer-Singer 1976; Sierra Leonard, Mehra, and Katerberg 2008). Similarly, when social and institutional marginalization exists, and when identity salience is high, there is an increased likelihood policy preferences and concerns related to identity will be prioritized. Again, consider being the only woman in a crowd of men; under these conditions one may prioritize women's issues more than under conditions where there is a greater sense of gender parity. Gender and race/ethnic identity are likely to shape preferences, but prioritization of identity-based preferences is likely to be enhanced, when there is also institutional marginalization (Crowley 2004; Kanter 1977; McGuire and Padawer-Singer 1976; Sierra Leonard, Mehra, and Katerberg 2008). Under unbalanced conditions, the burden is on the minority to raise issues the dominant group might not otherwise consider. For example, Mansbridge (1999) suggests an increase in minority representation can lead to more diversity in deliberations. I argue such a prioritization of minority issues may also be caused by a feeling of obligation by marginalized individuals to raise those issues because otherwise no one else can, or will. This leads to greater salience of minority related issues resulting in increased legislative emphasis on group issues both inside and outside the district. While we can empirically assess social position and institutional position through (relatively) visual identifiers and counting of proportions, identity salience and preferences are individual and internal processes. In this dissertation I use social status, whether or not a legislator is a member of a traditional minority group (race, gender or their intersectionality), along with

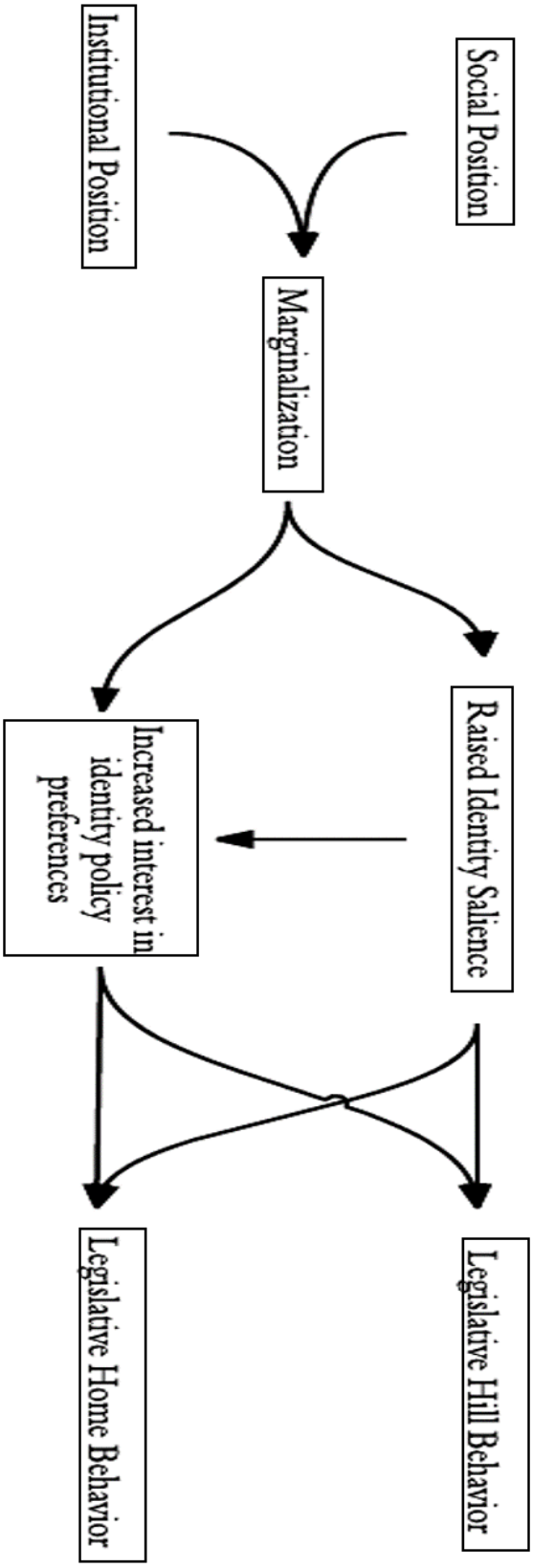
institutional marginalization, defined as low group proportions in the legislature of the same minority group to examine if and when marginalized legislators differ from majority group members in their legislative behavior.

The last section of the model describes the behavioral implications of having a raised identity salience and an increased interest in identity policy preferences. The behavioral implications are divided into two different sets of behavior- "hill" behavior and "home" behavior. Hill activities are individual activities that involve engagement with the collective legislature; they are in essence activities legislators engage in while at the capitol. Further, the goals and outcomes of these activities generally have an impact on the entire state. Hill activities include roll call voting, bill sponsorship, and committee membership (Fenno 1978; Smith 2003). Legislators' "home style" refers to the behaviors and activities legislators engage in while in their "home" district (Fenno 1978). These activities incorporate "constituency service", including responding to citizen requests, attending rallies and events, and meeting with groups (Fenno 1978; Smith 2003).

I argue that both hill and home behaviors are affected by a raised identity salience and an increased interest in identity policy preferences. Hill behavior will display an increased effort and prioritization of identity policies, in particular, on how committee memberships are affected. In terms of "home" style, I suggest the concept of constituency will be affected in such a way that legislators who are marginalized will seek to represent identity-based constituencies in addition to their "home" or district based constituency. In other words, marginalized legislators are likely to engage in representation and constituency services, of individuals who do not necessarily live in their district, in what is known as surrogate representation (S. J. Carroll 2002b; Mansbridge 2003). For

example, we might expect an African American legislator to write bills, such as one promoting affirmative action, which specifically target minority groups, or they might serve as a panelist for a NAACP meeting held anywhere in the state.

Figure 2.1 Theoretical Model of Surrogate Representation



2.3 Marginalization through Social Position

The United States has a history of marginalization of women and minorities through both institutional and social systems (Dawson 1994, 2001; Duerst-Lahti and Kelly 1995; Duerst-Lahti 2002; Githens and Prestage 1977). Cornell (1985) argues circumstance affects the salience and endurance of collective identities. Group members' shared culture and shared interests will become more salient when they exist within the same institutional system or circumstances (Cornell 1996). The shared experience of political marginalization, such as political disenfranchisement, has been suggested as a strong motivator in constructing a sense of group belonging as part of an identity group (Garcia 1986, 2012).

The political exclusion of racial and ethnic minorities in the United States is extensive. Minority groups in the United States have been excluded from citizenship on the basis of race (African Americans and Native Americans) and ethnicity (Chinese and Japanese Americans), both de jure (until the 15th Amendment) and de facto (under Jim Crow laws) disenfranchisement, legal and social discrimination (slavery, in its worst form), and extensive inequality (including poverty, education, and health outcomes). There are several racial and ethnic groups in the United States, each of which have endured marginalization collectively in comparison to a privileged majority, but also specific discrimination targeted at its particular group and its members. The two largest racial/ethnic based identity groups in the United States today are African Americans, who comprise approximately 12% of the population (Humes, Jones, and Ramirez 2011) and Latinos, who have succeeded African Americans as the largest minority group and now comprise approximately 16% of the population (Humes, Jones, and Ramirez 2011).

African Americans are arguably the most cohesive identity group in the United States, and indeed this group has experienced the most direct and consistent discrimination on the basis of race. Many scholars attribute the strong cohesiveness of African Americans predominantly to a legacy of slavery; the legacy of slavery has also acted as a catalyst for continued unequal treatment and relatively poor sociopolitical outcomes, which may also help to increase black cohesiveness (Barker, Jones, and Tate 1999; Dawson 1994, 2001; Haynie 2001).

Though other racial and ethnically based identity groups have not experienced the same high degree of cohesion as African Americans, scholars have shown that several groups, such as Latinos/Hispanics, Asian-Americans, Native-Americans, and Arab-Americans do hold some sense of identity due to group membership (Barreto, Masuoka, and Sanchez 2008; Hertzberg 1971; Horse (Kiowa) 2005; Masuoka 2006; G. R. Sanchez and Masuoka 2010; G. R. Sanchez 2006). Similar to African Americans, members of these identity groups have also experienced political marginalization in direct response to their race/ethnicity (Masuoka and Junn 2013). Masuoka and Junn (2013) show how these groups have been marginalized through the use of legal actions, such as immigration laws to prevent the influx of Asian Americans and Latin Americans in particular. Native Americans (American Indians) have also been relegated to a marginalized position through the special relationships created between the United States and American Indian tribes whose members were not given full U.S. citizenship until 1924 (Hertzberg 1971). In several cases, particularly in the American South, members of minority groups were excluded from the political system through legal disenfranchisement until the Voting Rights Act of 1965 and its extensions, particularly to language minorities, in 1975, 1982,

and 2006 (Barker, Jones, and Tate 1999; Garcia 1986, 2012; Haynie 2001; McCool, Olson, and Robinson 2002). Garcia (1986, 2012) argues that extensive legal and political exclusion, disenfranchisement in particular, has led to the saliency of identity group membership. Public opinion survey data provides further evidence for these theoretical assessments. Masuoka (2006) shows that for both Asian- Americans and Latinos, having experienced discrimination is a primary factor in holding a sense of pan-ethnic identity.

In terms of gender, scholars have shown that children come to acquire an awareness of gender and sex role differences as early as age two (Weinraub et al. 1984). Indeed, "sex-role identity is thought to be one of the most powerful determinants of human behavior" (Simrell King 1995). Although studies have shown that women tend to hold lower levels of group consciousness than other groups, such as African Americans, studies show women persistently identify women as one of their primary group characteristics (Gurin and Townsend 1986; Gurin 1985; Henderson-King and Stewart 1994; Miller et al. 1981). Women, as a group, have a long history of political marginalization, just as the racial and ethnic groups discussed in the previous paragraphs. Traditionally, a woman's sphere was expected to remain around the family and the home (DuBois 1998). Women were disenfranchised from full political participation until the 19th Amendment passed in 1920, but even beyond its passage women's participation faltered behind men's (DuBois 1998; Orum et al. 1974). By the 1960's women were turning out to vote at the same rate as men and since the late 1960's women have consistently turned out at higher rates than men, and the gap continues to widen (Center for American Women and Politics 2012). Even so, women's underrepresentation in elected office persists. In the Unites States in 2016, women make up only 19.4% of the

U.S. Congress and 24.6% in state legislatures (with significant variation across states) (Center for American Women and Politics 2016). Fox and Lawless (2010) show a primary cause is linked to women's ambition, as women are less likely to run for elected office (Fox and Lawless 2010). In terms of women's policy representation, the United States falls behind in comparison to many other countries in providing equal rights to women, access to abortions, equal pay, protections from sexual and domestic violence, and family leave (Ravitz 2015).

For minority women, the sense of salient identity becomes particularly heightened because of their dual marginalization in society. The intersectionality of identities, which ultimately culminates in a third distinct identity, is likely to lead to a heightened awareness of the needs of the salient constituencies as well as significant pressures to represent those constituencies. There is a growing literature on the empirical study of intersectionality and legislative institutions (C. Bejarano 2013; Hardy-Fanta et al. 2016; Marin Hellwege and Sierra 2016; Navarro, Hernandez, and Navarro, Leslie 2016; Scola 2014; Uhlaner and Scola 2016). This literature, along with early more theoretical works, suggests caution in applying behavioral theories of white women to minority women because it may fail to consider their different experiences caused by their race or ethnicity (Crenshaw 1989, 1993; Hancock 2007; Hill Collins 1990). Crenshaw (1989) states, minority women are "situated within at least two subordinated groups that frequently pursue conflicting political agendas." Empirical evidence regarding intersectionality has shown that there are significant differences in regards to both gender and race/ethnicity (Garcia Bedolla, Tate, and Wong 2005; Garcia Bedolla 2007; Hancock 2007; Manuel 2006; Orey et al. 2006; Sampaio 2014; Sierra 2010; Smooth 2011). Scholars have found

that because of their dual marginalization, minority women's political voice has been depressed (Crenshaw 1989, 1993; Githens and Prestage 1977; Hardy-Fanta et al. 2016; Hawkesworth 2003; Manuel 2006; Marin Hellwege and Sierra 2016). Intersectionality implies that minority women legislators, identifying with two marginalized groups, should be expected to represent the political agendas of both their race/ethnicity as well as their gender. I expect minority women's dual marginalization and intersectionality will lead to the perception of multiple salient identity constituencies along the lines of race/ethnicity and gender. This work will serve to extend our understanding of minority women legislators' behavior, as well as improve our understanding of how the underlying foundation of marginalization can generalize to other groups' behavior.

2.4 Marginalization through Institutional Position

Marginalization can also be defined by a representative's institutional position, which is when a representative's identity group holds a small proportion of seats in the legislature. Kanter was among the first to argue that a group's proportion in an organization impacts the behavior and effectiveness of members of that group, such as women. She identified certain members of the legislature as token based upon their low relative numbers. For example, members who were less than 15% of the legislative population were defined as token and hence institutionally marginalized. Marginalization makes tokens ineffective because they are undervalued by the dominant group (Kanter 1977). When token groups increase in size they lose their marginalized status and become more effective players. Several studies use this framework in the legislative arena, particularly looking to the collective effectiveness of women legislators once a critical mass of women is reached, defined as holding at least 30% of seats (Beckwith and

Cowell-Meyers 2007; K. A. Bratton 2005; Childs and Krook 2008; Dahlerup 2006; Kanthak and Krause 2012; Numbers and Beyond: The Relevance of Critical Mass in Gender Research 2006; Tremblay 2006). When token groups reach 30% or more of the legislature, they are no longer defined as token, but are considered balanced players and can more effectively produce outcomes requiring collective action. However, Kanthak and Krause (2012), as well as Crowley (2004), show tokens are able to be more effective than groups that are considered a minority (15-30%) or balanced group (30-60%) in proportion because they are more highly valued than members of larger (non-token) groups. They argue that "women face a dual dilemma as their ranks increase: men devalue them, which is to be expected, but so do women, which implies that minority and underrepresented groups that are increasing in size will see a concomitant decrease in actual influence in the legislature" (Kanthak and Krause 2012). Much of this work focuses on, and criticizes, the collective effectiveness of critical mass rather than the individual effectiveness, or perhaps effort, of tokens.

2.5 Salient Identity Constituencies & Identity-Based Policy

Historically in the U.S., minorities and women have been severely underrepresented in the halls of legislators relative to their numbers in the population (Githens and Prestage 1977; Hardy-Fanta et al. 2016; Scola 2014; Sierra 2010; Smooth 2010, 2014). As described in the previous section, the political exclusion and oppression of members of these groups in the United States has led to individuals considering these descriptive characteristics as the basis for part of their identity (Dawson 1994; Mansbridge 1999; Pitkin 1967). The psychology of group interests, especially in a context of marginalization, is such that individual interests are intimately tied with group

interests (Dawson 1994; Haynie 2001; Whitby 1997). Due to the marginalization of identity groups, being a woman or a minority in the United States matters for political and social outcomes, resulting in a bond among group members (K. a. Bratton and Haynie 1999; Dawson 1994; Gurin 1985; Haynie 2001; Mansbridge 1999, 2003; Whitby 1997). Elected officials who belong to these groups are likely to share the same feelings of belonging and identity, as well as share group interests as any other member of the group (Haynie 2001; Whitby 1997). As Whitby (1997) and Haynie (2001) argue it follows logically that group members who reach the status of lawmaker should hold the same interests and seek to pursue those interests.

Because of the degree of institutional marginalization, we should also reasonably expect group members, who have reached such a high level of inclusion into the political system as lawmakers, have not only an interest, but also a moral obligation to represent identity group members (Htun 2014; Mansbridge 2003). I further argue that the identity bond among these groups leads legislators to perceive of their respective identity group as a constituency to be represented, regardless of whether or not the identity-based constituents reside in their district. I test this implication in Chapter 3.

Identity-based representation is the foundation for understanding the motivation for and purpose of surrogate representation and related legislative behavior. Identity-based representation is often referred to as descriptive representation, which is the extent to which the representative resembles the constituency in terms of their experiences or personal characteristics, thus suggesting an intimate link between representative and the represented (Mansbridge 1999; Pitkin 1967; Swain 1995). Pitkin (1967) refers to this form of representation as *standing for* a group of constituents. Mansbridge (1999) further

suggests that when the identity bond between descriptive representative and their constituency is defined by a marginalized group, the bond of representation is stronger. (Mansbridge, 1999). Therefore, it is reasonable to expect minority and women legislators as group members share these interests, and will thereby seek to act as representatives for their salient identity constituencies. An increase in the number of descriptive representatives also signals to group members and to society at large that group members have the ability to rule, and an increase in presence may increase group members' feelings of efficacy, while low descriptive representation may lead to feelings of alienation (Atkeson and Carrillo 2007; Pantoja, and Segura 2003; Hansen 1997; Mansbridge 1999), further igniting the moral obligation to represent salient identity constituencies. Not only does descriptive representation have an impact on the group members, but also, given the tenets of democracy as a system of inclusion, increased descriptive representation lends legitimacy to the institution of representation, especially in a context of past discrimination (Mansbridge 1999; Tolleson-Rinehart 1994). This is related to the sense of moral obligation, as the logical converse is that when descriptive representation is low the institution appears illegitimate, fueling marginalized representatives' sense of moral obligation to provide representation for salient identity constituencies. Representatives from disadvantaged groups are suggested to have a moral responsibility to respond to the functions of descriptive representation, such as signaling an ability to rule, increased legitimacy, and increased efficacy for group members, through their presence and their legislative behavior (Mansbridge 1999, 2003).

Members of marginalized groups, such as racial or ethnic minorities and women, tend to hold shared preferences resulting from a shared set of experiences (Dawson 1994;

Escobar-Lemmon and Taylor-Robinson 2014; Fenno 2003; Garcia 2012; Githens and Prestage 1977; Haynie 2001; Masuoka and Junn 2013; Whitby 1997), and when identity salience is heightened, those preferences are prioritized (Gonzalez Juenke and Preuhs 2014; Gurin 1985; Haynie 2001, 2002; R. R. Preuhs and Gonzalez Juenke 2011; Whitby 1997). This study will examine the role of women and minorities in a framework of mainstream legislative scholarship, not only in the role of descriptive representatives, but also in the more nuanced role of surrogate representative. My theory of surrogate representation, described in more detail later in this chapter, highlights how both social and institutional marginalization may lead to an even greater level of identity salience and prioritization of identity policies that lead to different legislative behaviors compared to representatives who hold a more dominant position either in society or institutionally. In particular, I show that using the surrogate representation framework creates an opportunity to think outside of the box, beyond a district-based definition of constituency, to consider the more fluid concept of salient identity constituencies. Gender, race, and ethnicity can be considered salient identities, not only because some groups hold a minority position, but also because their minority position has been politicized and has resulted in distinct policy preferences and priorities. Representatives who belong to these groups are then expected to be particularly likely to champion the policy agendas of their salient identity groups ((K. a. Bratton and Haynie 1999; K. A. Bratton 2005; Brown 2014; Reingold and Swers 2011; Saint-Germain 1989; Takash 1993; Sue Thomas and Welch 1991; Werner 1968).

2.6 Surrogate Representation in Hill and Home Style Activities

Legislators engage in a number of activities in an effort to represent their constituencies. Their activities, broadly speaking, can be divided into two different types of activities: "hill" and "home" activities. Hill activities encompass legislators' "policy responsiveness", whereas their home style involves "service responsiveness" (Norris 1997). Most hill style activities are low cost/ high reward activities. Compared to constituency service, these activities, such as committee deliberations, voting on bills, and sponsoring bills primarily require presence and moderate participation In return these activities offer high reward because they are highly visible to both voters and donors. In the words of Mayhew (1974), legislators are able to use these activities for the purposes of credit claiming. Home style, however, offers the opposite calculation. These activities, which mostly consist of what is called "constituency service" are high cost-low reward (Norris 1997). Constituency service involves responding to very specific requests from constituents, such as finding out why a constituent is not receiving his/her social security, or helping someone through the legal process of immigration. Other home style activities include the numerous meetings and "appearances" legislators make with local groups. Legislators spend much of their time being present for meetings, rallies, plenaries, workshops, conferences, and the like (Norris 1997; see Chapter 4 for current survey results). Constituency service activities are very high cost, as they often involve the presence or activity of the legislator rather than staff, and they often require a lot of research or preparation for the activity. In return there is little reward for constituency service; a legislator cannot build a foundation of support on constituency service, though some claim it can have a positive impact at the margins (Cain, Ferejohn, and Fiorina

1984). Home activities affect the recipients of the service, whereas hill style activities have a broader impact on the whole district or even the whole state.

The question of representation, and by extension, legislative behavior begs the question of who is represented? The constituency is the group of individuals whom a representative seeks to represent. Though this term is often used synonymously with "district", using the two interchangeably assumes the district is the only constituency that representatives seek to represent. Fenno (1978, 2003) claims constituency can be seen as concentric circles where the largest conceptualization of constituency is the district, or "geographical constituency" (Fenno 1978; Smith 2003). In his view "the district [is] the entity to which, from which, and within which the member travels" (Fenno 1978, 1). This constituency is a "legally bounded space" defining a particular territory, with an "internal makeup" of individuals of different demographics and political views. Within a district there exist several sub-constituencies, mostly defined by the degree of support of the representative in reaching his or her goals. There is a "reelection constituency" of primarily partisan supporters who make up the base of the representative's re-election efforts. Within the reelection constituency there is a "primary constituency". The primary constituency consists of mostly partisan supporters who serve as the most organized and active supporters, as Fenno describes "the test for inclusion and exclusion goes beyond a vote, to the intensity and the durability of one's support" (Fenno 1978, 19). The smallest constituency is the "personal constituency". This is the constituency of the representative's closest circle of friends and family; they are not only his strongest supporters, but also those "to whom he has entrusted his political career" (Fenno 1978, 24). Though Fenno recognizes that legislators collectively have a broader impact on the

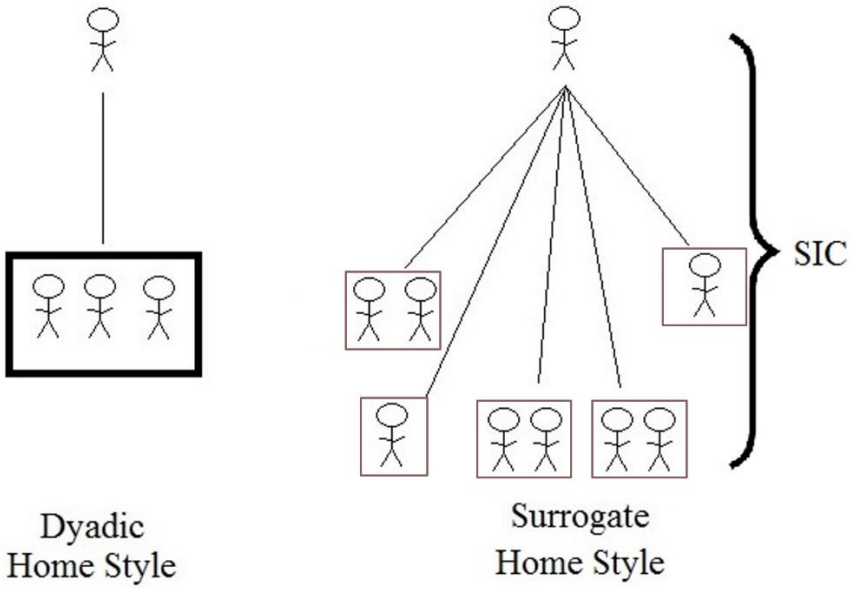
country at large in the case of Congress (hill style), his perception of the home constituency extends only to the geographical territory of the district.

Weissberg (1978) coins the term dyadic representation to signal a representational relationship between a single representative and his or her (district) constituency, such as Fenno (1978) describes. Weissberg (1978) proposes that "recent American research on legislative responsiveness has usually viewed representation in an electoral context" (Weissberg 1978, 536). Similar to Fenno's observation of *hill style*, Weissberg concludes that legislators may provide collective representation. This scope of representation involves the provision of representation by one or more representatives for districts that are not their own. Weissberg concludes that citizens are more strongly represented than previously believed because even though citizens may not be receiving dyadic representation when their chosen candidate lost the election, they are still receiving representation through collective representation (Weissberg 1978). Weissberg further concludes that "collective representation also appears to solve the troublesome theoretical problem of how minorities are to be represented in a system of single-member districts with first-past-the-post elections" (Weissberg 1978, 547). In this short mention, Weissberg simultaneously argues that minorities are more likely to represent minority constituents, and this representation is likely to occur in a surrogate manner, a theory that I will test in this study.

In the dyadic scope, which is what Fenno refers to as the "home," a single legislator represents a geographically defined constituency, which is the electoral district. In the surrogate home style, a single legislator represents individuals who may exist within several electoral districts, instead the perception of the representational

relationship from the perspective of the legislator is the salient identity constituency membership. Figure 2.2 is a visual conceptualization of the dyadic and surrogate scopes of representation, or views of "home", where the box represents district boundaries and SIC represents those belonging to a salient identity constituency. Note that in the dyadic home style a legislator represents constituencies within a district boundary, whereas in the surrogate home style the legislator represents a particular set of individuals belonging to the salient identity constituency but who may reside in various districts. Importantly, I expect marginalized legislators to exhibit both forms of representation.

Figure 2.2 Scope of Representation



Other scholars have suggested additional constituencies may exist beyond the district, in particular for state legislators, however disagreement exists as to the reasons for considering an extra-district constituency, and who belongs to the extra-district constituency (S. J. Carroll 2002b; Fenno 2003; Gollob 2007; Htun 2014; Mansbridge 2003; Smith 2003). This parallel concept of extra-district representation is closely related

to the Burkean concept of "virtual representation" (Burke 1774), Weissberg's (1978) "collective representation" and Mansbridge's "surrogate representation" (Mansbridge 2003) all of which suggest some legislators may take on representation of a constituency that is not confined to the territory of the district. I use the framework of "surrogate representation" as it is the most developed in terms of its theoretical causation and implications.

Some scholars suggest extra-district constituencies are geographically defined, however larger than the district (Gollob 2008; Smith 2003 but see Carroll 2002 and Fenno 2003). Smith (2003) envisions the virtual constituency for state legislators as a set of further concentric circles that are broader than the district, with the largest being the whole state but echoing Fenno's visualization. Smith (2003) argues state legislators may engage in virtual representation because of progressive ambition as higher office entails larger geographic districts. Jewell (1983) hypothesizes virtual representation is common among state legislators because of their relatively small districts that often overlap other jurisdictions and districts such as cities or school boards (Jewell 1983). Importantly Jewell (1983), Smith (2003), and Gollob (2008) all argue that the virtual constituency serves a benefit to the individual legislator, complementary to Fenno's (1978) perception of legislator goals.

Theories of legislator behavior argue that "to understand members' behavior we must understand their ambition" (Herrick and Moore 1993, 765). In other words, to understand legislators' behavior is to understand their goals. Fenno (1978) provides a nuanced picture of congressional member goals that extends beyond Mayhew's classic statement that the singular goal of legislators is re-election (Mayhew, 1974). Fenno's

work on members of Congress in their districts reveals that legislators have three goals: generate good policy, professional ambition, and prestige (Fenno, 1973;1977; 1978). I argue that marginalized legislators have a fourth goal in seeking to represent their salient identity constituency in an effort to create political inclusion for these groups. Though many scholars of legislative behavior founded in Mayhew (1974) and Fenno's (1973) work often operationalize representation as a means to reach their goals, I argue that representation is an end of itself. Marginalized legislators' ambition is strongly tied to their efforts of political inclusion for the group. Marginalized legislators have an imperative to enforce social justice on behalf of the salient identity constituency, or as Mansbridge call it, a moral obligation to represent the identity group. The concept of moral obligation signals the prioritization and urgency marginalized legislators have for representing their salient identity constituency, even if electoral rewards are small or non-existent. Broockman (2013) calls the same concept an "intrinsic motivation" to deliver on those interests (Broockman 2013; Mansbridge 2003). In addition, a surrogate constituency is not necessarily defined by a territory, other than that it is an extra-district constituency. Mansbridge argues that in surrogate representation there is "no power relationship between surrogate constituent and representative" such as that between donors and recipients, rendering self-serving explanations unable to explain this why legislators would engage in extra-district representation. Mansbridge (2003) proposes that the electoral connection is not necessary for representation to exist because, "surrogate representatives *feel* responsible to their surrogate constituencies" and that the "sense of surrogate responsibility becomes stronger when the surrogate representative shares

experiences with constituents in a way that a majority of the legislature does not" (Mansbridge 2003, 523. Original emphasis).

2.6.1 Prioritizing Policy Preferences on the Hill

The evaluation of legislators' hill activities involves examining their policy congruence in comparison to policy preferences of different constituencies (Harden 2013, 2014). Examining hill style behaviors in the context of surrogate representation is arguably very similar to the concept of substantive representation. As discussed above, the difference is in the motivation for representation. The theory arguing the link between descriptive and substantive representation does not tell us why minority legislators represent minority constituents; it could be because of a shared interest and thus it is a reflection of the individual's preferences, or it could be, as is the case for surrogate representation, that the legislator specifically seeks to represent the group's interests. Further, relationship between these forms of representation does not tell us about the scope of representation; legislators may reflect the interests of the salient identity constituency because s/he represents a majority-minority district, or the representative may seek to represent minority interests broadly speaking, beyond the district, as surrogate representation suggests. This study both theoretically, and empirically, examines these differences; however, admittedly the outcomes of policy based, hill style representation are quite similar to descriptive representation. In section 2.6, I show that members of salient identities, such as women and racial/ethnic minorities, tend to have sets of shared policy preferences. Representatives with salient identities likely enhance the diversity of deliberation that should lead to an increase in substantive representation for those identity groups (Haynie 2001; Mansbridge 1999; Pitkin 1967; Whitby 1997). In

other words, we should expect that women and minority legislators should hold the same identity-based policy preferences that other group members do. Further, the theory suggests that legislators will use their position as law-makers to prioritize those policy preferences in the legislative process. Indeed, studies have continuously suggested that representatives who hold those same salient identities have an impact on substantive policy outcomes (Minta 2009, 2011, 2012a; R. R. Preuhs 2005; Swers 2002, 2005, 2013). Studies have also consistently shown that women and minorities often bring in new topics for legislative deliberation (Mendelberg, Karpowitz, and Goedert 2014b; Michele Swers 2002; Piscopo 2011; M. S. Rocca and Sanchez 2008; Swers 2005).

The literature on female legislators suggests that female legislators are likely to engage in activities that promote so-called "women's issues" and that they are likely to introduce previously "uncrystallized", or new, issues (S. Carroll 2003; Reingold and Swers 2011; Reingold 1992; Saint-Germain 1989; Swers 2002, 2005, 2013; Sue Thomas and Welch 1991), and when these activities are on behalf of women broadly speaking they should be termed as surrogate representation (S. J. Carroll 2002b; Htun 2014; Mansbridge 2003). In terms of self- ascribed policy priorities, women representatives are more likely than men to prioritize policies dealing with children, the family and welfare (Sue Thomas and Welch 1991). Their prioritization of these issues is also evident through their legislative activities. Women are more likely to be members of committees that focus on health, education, social, and human service issues (S. J. Carroll 2002b; Dodson 1998; Werner 1968).

The literature on race and ethnicity similarly suggests that minority legislators are likely to hold a coherent set of policy preferences that are distinct from whites (Minta

2009, 2011, 2012a; R. R. Preuhs 2005; Swain 1995; Tate 2003; Whitby 1997). For example, African Americans legislators are more likely than white legislators to be members of health and social services committees (Bratton & Haynie 1999; Sanchez & Marin Hellwege 2014). Studies of bill sponsorship have shown that black legislators are more likely than their white counterparts to promote legislation that is congruent with the black community's policy goals even after controlling for party (Canon 1999; Grose 2005; Haynie 2001; Tate 2003). Studies on Latino legislators show that Latinos also have different policy preferences than non-Latinos, however, this finding has consistently been weaker than for African Americans (Bratton 2006; Sanchez & Marin Hellwege, 2014).

Recent work on minority women's legislative behavior finds that minority women tend to behave in ways predicted by theories of both female and minority legislative behavior. Carroll (2002) argues that female African American members of Congress advocate for women's issues while simultaneously incorporating policy priorities of interest to the black community. Takash (1993) makes a similar argument in her study of Latina politicians in the California state legislature. In looking to policy provisions by descriptive representatives, Orey, et al. (2006) find that African American women state legislators are more likely to introduce more progressive bills.

2.6.2 Scope of Constituency- Conceiving of Home

Empirical studies of surrogate representation of identity-based groups have thus far been limited to within-group studies of women (S. J. Carroll 2002b); African Americans (Broockman 2013; Fenno 2003), and minority women - specifically Afrodescendant women in Latin America (Htun 2014). While not all specifically

reference surrogate representation, each considers how legislators seek to represent constituents that are not geographically defined.

Carroll (2002) is the first empirical test specifically assessing Mansbridge's (2003) theoretical conceptualization of surrogate representation. The qualitative study involves two rounds of interviews with around 40 female members of Congress in 1997-1998. Carroll (2002) argues, women's underrepresentation in Congress, which at the time was less than 14% of seats, causes women in Congress to have a sense of "surrogate responsibility". Carroll specifically asked the Congresswomen if "in addition to representing their districts, they felt a further responsibility to represent women" (Carroll 2002, 53). Unlike other scholars examining links between descriptive and substantive representation, Carroll makes an important contribution in that she differentiates between dyadic and surrogate representation. She also points out that while some Congresswomen came to Congress without an intention to focus on women or women-centered issues, their institutional marginalization caused them to shift their focus (S. J. Carroll 2002b). She concludes her results noting that Congresswomen do see their district as a top-priority, but that despite differences in their districts, most of them do act, and perceive of themselves, as surrogate representatives (S. J. Carroll 2002b).

Carroll (2002) approaches her study with the specific intent of first re-conceptualizing how we discuss descriptive representation and then examining the extent to which women engage in surrogate representation. Fenno (2003), however, approaches his study as an extension to his (1978) study on constituency and Members of Congress' home style. In his classic book *Home Style: House Members in their Districts* (1978), Fenno argues that members of Congress perceive of several different constituencies but

argues that these are bound to the geographical boundaries of the district. In *Going Home: Black Representatives and Their Constituents* (2003), he acknowledges that "African American members…perceive a fourth constituency to which they respond, one beyond the district—a national constituency of black citizens who live beyond the borders of any one member's district, but with whom all black members share a set of race-related concerns (Fenno 2003, 7). Fenno's qualitative, "soak-and-poke", inquiry of four black members of Congress, partially culminates in the suggestion that these minority representatives have the additional goal of furthering minority interests, an interest that separate them from their white counterparts (Fenno 2003).

Htun (2014) is the only study examining the role of surrogate representation outside the United States, and specifically focuses on minority women (Carroll 2002, does include a section on minority women but her analysis is not specifically focused here). She presents evidence that surrogate representation exists across several Latin American countries, and across several different institutional contexts as, "Afrodescendant women…have advocated the interests of (both) women and of Afrodescendants" and that this representation extends beyond each legislators' individual district to represent their identity constituency broadly (Htun 2014, 132). Htun points out how Afrodescendant female legislators' proportional under-representation in legislative institutions, in a context of social marginalization, has led them to, "perceive a *mandate* to speak out and introduce policy initiatives on behalf of Afrodescendant and women's rights" (Htun 2014, 133. Emphasis added). Htun's result of a perceived mandate echoes Mansbridge's suggestion of the moral obligation, which serves as a causal mechanism for marginalized legislators' decision to engage in surrogate representation.

Broockman (2013) furthers the notion of moral obligation to the surrogate constituency by testing differences in extrinsic (personal gain) and intrinsic (altruistic/moral) incentives for representation (Broockman 2013; Gutmann & Thompson, 1996). Broockman (2013) tests the hypothesis that representatives who share an identity should be more likely to represent constituents who share this identity even if they do not reside in the district (surrogate representation). Using a field experiment sending email requests using an alias "which strongly signals being black" (Broockman 2013, 525), and varying the fictional constituents' location within district, and out-of-district, he finds that as a whole, legislators are less likely to respond to out of district requests, but black legislators are more likely to respond than nonblack legislators *regardless* of the constituent's location. As Broockman explains, there is a potential cost-benefit analysis to be had for representatives in considering representation of surrogates, as there is no electoral gain from providing services to citizens who do not live within the district (Broockman 2013).

This study seeks to expand on these studies of surrogate representation in several important ways. First, each of these studies are within-group studies examining if a certain group engages in behaviors consistent with surrogate representation. This dissertation instead compares multiple groups to explore if a) all groups engage in such behavior and b) if any one group does so more than others. Secondly, each of the studies explores Mansbridge's theory regarding social marginalization, which is that members of groups marginalized in society should be more likely to engage in surrogate behavior. In turn, the studies have explored surrogate behavior for women, minorities, and minority women with an assumption that these groups are numerically marginalized in the

institution as well. This study explicitly examines both social marginalization and institutional marginalization to test whether these underlying assumptions about social position hold when varying the context of institutional position. In order to examine social marginalization within varying contexts, I test my theory in state legislatures, which is an additional expansion on the literature, as three of the four previous studies test their implications in national legislatures. The sub-national level allows for greater diversity in institutional contexts that a single institution study cannot provide. There is great methodological diversity in the surrogate representation literature offering results and insights based on theory (Mansbridge 2003), qualitative interviews (S. J. Carroll 2002b; Fenno 2003), case studies (Htun 2014), and quantitative field experiment (Broockman 2013). However, each employs a single-method study to test their theoretical implications. This study recognizes the gaps in the existing literature and the value in the methodological richness offered by using a multi-methods approach to triangulate on multiple implications and assumptions that existing theory offers. Finally, by using Fenno's (1978) framework of hill and home style approaches to representation, I am able to explore and test both sets of implications of engaging with the constituency at "home" and the policy preferences prioritized on the "hill".

2.7 Theoretical Implications

The implication of the theory of surrogate representation is that marginalized representatives should recognize salient identity constituencies, both within and outside their districts, and engage in activities on their behalf, in other words treat them as constituents. I examine the implication that marginalized legislators perceive of salient identity constituencies in Chapter 3. The salient identity constituency theory also suggests

that legislators who seek to represent both their district constituency as well as one or more salient identity constituencies outside their district will have additive pressures to respond to all constituencies resulting in a higher workload. Therefore, I examine, in Chapter 4, workload differences between marginalized and dominant legislative members. In terms of home style activities, the theory implies that marginalized representatives should be more likely to meet with their salient identity constituency groups, even if these meetings (including events and rallies) take place outside the district because salient identity constituencies are not necessarily bound to the district and may include a surrogate constituency. I test several hypotheses related to these implications in Chapter 4. Finally, the theory implies that socially and/or institutionally marginalized legislators, including minorities, women, and especially minority women, are especially likely to prioritize identity politics and sit on committees that reflect those interests. I examine committee membership in Chapter 5.

Theoretically, most state legislators are likely to engage in some degree of surrogate representation. Through their various legislative activities, legislators regularly represent individuals even if they do not live in the district. Often this happens collectively in the form of a public good, where everyone benefits or suffers from the passage and implementation of legislation. State legislators engage in surrogate representation for several reasons, in some instance a surrogate constituent sought out this representative for reasons of shared partisanship, policy interests, or occupation (Mansbridge 2003). Jewell argues that state legislative districts in particular are so small that there is often overlap with other legal jurisdictions that leads to significant cooperation among state legislators and may ultimately lead to helping surrogate

constituents (Jewell 1983)). Some scholars argue that legislators regularly engage in extra-district representation because it can fulfill electoral goals, in particular they suggest that political ambition for higher office is more likely to lead a legislator to perceive an extra-district constituency (Gollob 2007; Smith 2003). All of these may be reasons for individual approaches to political representation, but another reason may also be a shared salient identity.

Within-group studies have allowed for a richness in data, but have failed to explore the foundations of surrogate representation. I seek to use a more expansive theory to examine both the foundations of salient identity constituencies and the implications for legislative behavior. First, I argue that legislators perceive of group members as salient identity constituencies because of marginalization. I expect marginalization to occur in multiple layers through social marginalization (identity) and through institutional marginalization, which I define as low group proportion in the legislature (Kanter 1977; Kanthak and Krause 2012). I examine implications for legislative behavior through both policy efforts (hill style) and constituency service (home style) activities. I examine how policy priorities are aligned with group members' preferences, and also how legislators engage with the identity constituency through constituency service when the salient identity constituency may extend beyond the electoral district. I focus my discussion of identity on gender (women) and race/ethnicity (minorities), because of the saliency of these identities in the US context (Hutchings and Valentino 2004); however arguably other salient identities are likely to establish similar relationships between representatives and a surrogate constituency, such as class (Carnes 2012) or sexual orientation (Haider-Markel 2007b; Herrick 2009).

The coming chapters test each of these implications starting with testing the underlying foundation of how marginalization leads to the recognition of salient identity constituencies. Chapter 3 will address how social and institutional marginalization leads legislators to recognize salient identity constituencies. It utilizes face-to-face interviews and participant-observation forms of qualitative methods to examine the underlying motivations behind this behavior. Chapter 4 will address several different legislative activities to show differences in hill, district-home, and surrogate activities. Finally, Chapter 5 will address committee activities, as one measure of hill style activities, to examine how legislators represent salient identity constituency group preferences.

2.8 Research Methodology

To test the implications of my theory I use three different types of data, both qualitative and quantitative in nature. The first methodological approach uses qualitative data, including observations and face-to-face (FTF) interviews with state legislators. These data were obtained during two rounds of week-long data collection during the 2014 and 2015 National Conference of State Legislators (NCSL) Legislative Summits. During these two weeks of field work, I conducted formal interviews with 14 legislators, including seven minority women, five white women, a minority male and a white male. I also had dozens of informal conversations, and attended several panels, workshops, round-tables and conference meetings, including all meetings scheduled for the Women's Legislative Network for both years (See schedules in Appendix A). These data provide rich descriptions of personal accounts of representational motivations and behaviors. These data were most important for the purposes of theory-building. Collecting the data was predominantly an exercise in listening to the data, allowing each respondent's

personal account to inform an understanding of representation used to generate testable hypotheses. These data were imperative to understanding how both context and motivation affect legislative behavior. I explain more details of the data collection and theory-building process in Chapter 3.

The second set of data used in my research design comes from an original survey of state legislators from 48 states conducted in 2015. The survey data include self-reported legislative behavior, including data on workload, constituent meetings, and constituency service. This new survey was necessary to tackle some of the questions regarding behaviors in the district in comparison to behaviors outside the district. The survey also asks about motivations for behavior in relation to a non-district based constituency. To the author's knowledge, no other survey of state legislators is able to distinguish representation of an extra-district constituency. This data set is supplemented by comprehensive data from the National Conference of State Legislatures (NCSL), which include descriptive data on every state legislator in 2015. The supplemental data allow for analysis of both social and institutional marginalization using race, ethnicity, gender, and group proportion in the legislature.

The final data set is an original dataset of 4,263 unique state representatives from 13 states for three time points (1998, 2004, 2010). The data include measures of legislators' committee memberships, race, ethnicity, gender, group proportion, years in the legislature, political party and leadership positions. These data are exceptional in their comprehensive measure of committee membership, allowing for a comparison of over 400 committees across states and time, and also provide an opportunity for a comparison between proportion of one type of committee to all others. While several studies of

committee membership are limited either by examining single group behavior (Barrett 1995; Orey, Overby, and Larimer 2007), a single state analysis (Broockman and Butler 2015; Hedlund 1989), or only a small selection of committees (Hamm, Hedlund, and Post 2011), these data allow for an analysis that can address each of these limitations.

The introduction of institutional marginalization is more than a theoretical one, one of the features of these datasets is that they include a variable for group proportion. Unlike other works on surrogate representation which focus on social marginalization (Broockman 2013; S. Carroll 2003; Fenno 1978; Htun 2004), I am able to explicitly test social and institutional marginalization, separately, but parallel, to one another in the analysis. I am particularly interested in the behavior of highly marginalized populations, and pay particular attention to the behavior of minority women and tokens in comparison to white men and dominant group members. However, these rich data allow me to compare behaviors across all four identity groups (minority women and men, and white women and men) and group proportion categories (tokens, minority, balanced, and dominant group). These data allow me to look beyond the behavior of one group to actually examine the behavior of one group in comparison to another. This comparison is crucial as it informs us about whether one groups' behavior is *different* or unusual from our conventional expectations. For example, the finding that marginalized legislators are highly likely to sit on social welfare committees is predominantly interesting because white men and dominant group members are less likely to exhibit the same behavior.

2.9 Benefits of Triangulation with Multiple Methodologies

A multi-methods approach is particularly appropriate for this dissertation as it attempts to answer questions of both motivation and correlation. Using multiple

approaches of data collection and analysis allows for a more holistic understanding of the implications and the nature of the theory. A multi-methods design is preferred for the study of complex concepts, such as representation, to allow various methods to complement each other in more thoroughly testing it (Jick 1979). Jick (1979) states that there is "desirability of mixing methods given the strengths and weaknesses found in single method designs." (Jick 1979, 602). A complex, or holistic, multi-methods design serves several purposes, such as, ensuring findings are based on the phenomena and not the methods, answering different types of questions or implications of a theory, for combining fieldwork with survey methods, and for different processes in the research design (theory building vs. theory testing (Cambell and Fiske 1959, Jick 1979, Seawright 2016).

My research design for the dissertation uses three different methods (interviews, survey, and aggregate data). The data sets each have their benefits and limitations. The primary advantage of the face to face interviews is the ability to engage directly with the data to, literally, have a conversation with the data provider to dig deeper to understand a weaker or especially interesting response. The interviews were especially important to answer questions of motivation; *why* do legislators behave a certain way? Using a semi-structured set of interview questions allowed the respondent to answer the question more freely, in ways that the researcher might not have anticipated. This is important both for theory building and survey production. In terms of theory building, not being limited by previous findings in the literature, but rather asking state legislators themselves how they perceive of representation was crucial for developing several features of the salient identity constituency theory. In addition, the responses that I was provided during the

first interview session (which occurred before the survey instrument was completed), were instrumental in constructing both questions and selected responses for the survey. Whereas the survey data may be somewhat limited by its predetermined set of questions and responses, this methodology has other benefits such as answering questions of (self-reported) behavior and providing power to make correlations and broader generalizations. The survey methodology was useful in theory testing, especially as the measures were developed in tandem with the development of the theory, allowing for more precise measures of outlined concepts. Finally, the aggregate data provide the best opportunity for correlation and broader generalization as a study of the population of state legislators within the given parameters. This allows for a very strong analysis of committee memberships, but suffers somewhat from lacking a broader richness in understanding legislative behavior more broadly. The advantages and limits of each method complement one another to generate a more holistic research design and study. Using this design, I am able to test several different implications of the salient identity constituency theory in ways a single method design would not allow.

Chapter 3: A New View of "Home": Perceiving Identity Based Constituencies

The theory of surrogate representation argues that marginalized legislators are more likely to have raised identity salience and interest in identity-based issues. The theory argues further that this should lead to particular legislative behaviors furthering the agenda of an identity-based constituency (See Chapter 2 for more detail). The model assumes legislators' raised identity salience will lead to a view of identity group members as a constituency. It is expected that these legislators will seek to represent the salient

identity constituency through policy efforts (hill style behaviors) and constituency services (home style behaviors) regardless of their geographical location. This chapter tackles questions about the assumption that legislators who belong to marginalized groups have raised identity salience and thereby a view of identity group members as a constituency to be represented.

Following the theoretical work of Mansbridge (2003), which theorizes surrogate representation—representation without an electoral connection, I seek to understand why legislators may act as surrogates, and how they perceive of the concept of "constituency". Mansbridge's (2003) theoretical argument, and empirical works examining surrogate representation, argue that minorities and women are more likely to provide representation beyond the district, because they are likely to provide it for members of their identity group who may not otherwise have a descriptive representative in their district (Broockman 2013; S. J. Carroll 2002a; Htun 2014; Mansbridge 2003). The key question for this chapter is *whom* do legislators represent? As I show in Chapter 2, social and institutional marginalization have important implications for group members' sense of a shared identity. I use face-to-face semi-structured interviews to explore whether marginalized legislators will use their lawmaking power to further the agendas of their group members because of a shared identity. (Haynie 2001; Whitby 1997). I extend this argument to suggest that marginalized legislators view group members as a constituency to be represented through both policy efforts and constituency service (Fenno, 2003 makes the case for African American legislators).

Legislative theory predicts that legislators are primarily interested in representing the constituency that elected them— their district constituency (Fenno 1978; Mayhew

1974). Fenno (1978) makes the case that the district constituency is the largest constituency legislators perceive of, but that representatives also perceive of smaller constituencies within the electoral district. He argues that there are smaller contingencies within the district such as the party, campaign supporters, friends, and family, are all constituencies within the district constituency. He illustrates these multiple constituencies as concentric circles where the district is the largest circle. Importantly, these constituencies are defined by a relationship to the legislator, but confined within the territory of the district. I argue that marginalized representatives perceive of constituencies based on a relationship to the legislator—identity, but that the constituency perception extends beyond the district. Instead of the district-bound, or dyadic, view of constituency held by Fenno (1978), I follow Mansbridge's (2003) conceptualization of "surrogate representation". The argument for surrogate representation is that under some conditions, representatives may have incentives to represent constituencies which are not geographically defined, but defined by some group membership. This view is also similar to Weissberg (1978), who perceived of "collective representation", which he thought was particularly useful to examine the representational relationship between minority members of Congress and minority constituents. Fenno (2003) acknowledges that African American members of Congress may have a "fourth" constituency which encompasses all African Americans; he argues that this perception comes from a sense of shared experiences and expectations of shared outcomes (Fenno 2003). Carroll (2002) makes a similar argument about women, as does Htun (2014) about Afrodescendant women in Latin America. Each of the studies on surrogate (or collective) representation

only examine one group: women (Carroll 2002), African Americans (Fenno 2003; Broockman 2013), and Afrodescendant women (Htun 2014).

There are four goals of this chapter related to the overarching question of motivations for representation. Primarily, I seek to show that women and minority legislators see their group members as salient identity constituencies because of their historical and current social marginalization (S. J. Carroll 2002a; Fenno 2003; Htun 2014; Mansbridge 2003). Second, I argue since these constituencies are not defined by geography, the goals of representation for these constituencies comes from a sense of obligation to represent these groups, owing to a sense of group consciousness tied to a historical political exclusion (Broockman 2013; Dawson 1994; Mansbridge 2003; G. R. Sanchez and Masuoka 2010; Tate 2001). Third, I argue legislators perception of social groups as constituencies is heightened when the identity group is marginalized within the institution because such contexts heightens the awareness of the groups' social marginalization and need for representation (Kanter 1977; Mansbridge 2003; McGuire and Padawer-Singer 1976; Sierra Leonard, Mehra, and Katerberg 2008). Finally, I show that networks, caucuses, or other organizational mechanisms are important to further the agenda of marginalized groups particularly as an identity group grows, in order create a structure to focus issues (Kanthak and Krause 2012). To examine these questions, and test my arguments, I focus on minority women and legislators whose identity group (gender and/or race/ethnic group) holds a small proportion in the legislature, as I expect these legislators will be the most likely to perceive salient identity constituencies.

Perceiving of group members as a constituency has several important implications for legislators' behavior. Legislators who are marginalized will seek to further the policy

interests of minority group members through bill sponsorship, and committee memberships (hill style) as well as meet with identity group constituents (home style) on a large scale (surrogate representation).

3.1 Building Salient Identity Constituencies

The saliency of race, ethnicity, and gender as identities based on political exclusion and as motivators for behavior is well-documented (Dawson 1994; Dovi 2002; Mansbridge 1999). There are large bodies of literature describing and analyzing identity groups' distinct policy preferences (Caiazza 2004; Dovi 2002; Michele Swers 2001, 2002; G. R. Sanchez 2006; Swain 1995; Swers 2005, 2013), political ideology (Dawson 2001; DeSipio 1996) attitudes (Branton, Cassese, and Jones 2012; Branton 2007; Gay 2002; Norrander and Manzano 2010), and political behavior (Barreto 2007; Bobo and Gilliam 1990; Gay 2001; Leighley and Vedlitz 1999). There are also large bodies of literature discussing the relationship between representatives' descriptive features and their policy preferences and priorities; commonly discussed as the relationship between descriptive and substantive representation, and it has been well hashed out in terms of gender (Burrell 1998; S. J. Carroll, Dodson, and Mandel 1991; S. J. Carroll 2002a; Dodson 1998; Saint-Germain 1989; S. Thomas and Welch 1991), race (Haynie 2001; Hero and Tolbert 2004; Minta 2012b; Robert R Preuhs 2006a; Tate 2001, 2003), ethnicity (Gonzalez Juenke and Preuhs 2014; Kerr and Miller 1997; Lopez and Pantoja 2004; Takash 1993), and other descriptive features such as sexual orientation (Herrick 2009), occupation (Squire 2007), or even parenthood (Bryant and Marin Hellwege 2016).

Most of the above mentioned studies do not differentiate between the motivation for the representation of these groups. The expectations of descriptive representation

mostly suggest that legislators embody the same preferences as their group members and as a result represent group members. However, while this argument is strong in explaining preferences, it is not as strong in explaining behavior, such as meeting with groups or engaging in constituency service, which are high cost low reward activities (Norris 1997). This study is different as it seeks to examine the underlying motivations for representing group interests and explicitly differentiates between representing group members only in the district and group members broadly speaking (but see Grose 2005). Therefore, I show that legislators view group members as distinct constituents who are owed representation.

Continued political exclusion and oppression leads to a sense of community and group consciousness, this is evident in studies of African Americans, and to a lesser extent, Latinos and women (S. J. Carroll 2002b; Dawson 1994; G. R. Sanchez and Masuoka 2010). I expect a sense of group consciousness, or at least awareness, to be heightened among elites because of their relatively visible status as descriptive representatives.

Whitby (1997) and Haynie (1999) argue that group consciousness, and awareness of the identity groups' social position follows individuals as they transition to become elites in the political system as political leaders and lawmakers, and as such we should expect minority legislators to further the agendas of the minority groups once in office (Haynie 2001, 2002; Minta 2012a; Whitby 1997). There is a significant literature that has focused on showing that legislators pursue agendas which reflect the group preferences (Minta 2012b; Swain 1995; Tate 2003; Thomas and Welch 1991). This literature somewhat fails in showing the motivation behind supporting such legislation. I argue that

not only do elites hold policy preferences and attitudes similar to their identity groups, they also see identity group members as constituencies to represent. Elites who belong to these groups are likely to have a sense of obligation to give back to their communities because they are now in a position of inclusion in the political arena (Broockman 2013; Haynie 2001; Whitby 1997). As political leaders of marginalized groups they see themselves as charged with the task of furthering the groups' agenda for political inclusion (Htun 2014). I expect that some of the motivations for legislative behavior are to include the marginalized groups into the political arena and to represent the identity group membership.

I expect marginalization causes identity group members to have a raised saliency, and consequently, I expect that legislators who are marginalized along the lines of multiple intersecting identities should be especially likely to perceive of identity based constituencies. Minority women hold two separate and salient identities through their gender and their race/ethnicity, ultimately culminating in a third and distinct identity as minority women. The experience of identifying with multiple identities is known as "intersectionality," and has several important implications for behavior —most importantly for this chapter is that minority women should perceive of several salient identity constituencies more than minority men and more than white women? Is that ture? I think you need to make these qualification and relative statements somewhere. (Crenshaw 1989; Gay and Tate 1998; Smooth 2011). Minority women are marginalized in society through the current and historical political exclusion of minority and women's interests. As Githens and Prestage (1977) argue, "politics has long been 'man's business'…[and] politics has also been 'white folks' business', as a consequence, black

women have been doubly excluded from the political arena" (Githens and Prestage 1977).

Early literature on intersectionality tended to focus on the challenges for minority women through dual marginalization or "double disadvantage" (Crenshaw 1989). However, Brown (2014) points out "it is important to note that intersectional identities create both oppression and opportunity; they reflect the social stratification that points to the operation of power relations among groups within a given identity category" (Brown 2014). Brown's insistance that intersectionality can create opportunity is echoed in Bejarano (2013) and Scola (2014) works, both of which show minority women state legislators win office at higher rates than white women. Fraga et al (2006,2007) argue that minority women may hold a "strategic intersectionality" because minority women's dual identities descriptively maximize appeals to both male members of the identity group and to women regardless of identity group (Fraga et al. 2006, 2007). They argue that minority women state legislators may be better able to build coalitions across identity groups because they embody multiple salient identities as "minorities" *and* as "women (Fraga et al. 2006, 2007). Consequently, Fraga et al (2006, 2007) also suggest that minority women are able to generate a more fluid policy agenda that appeals to a broader audience because of their experience in responding to additive pressures (Fraga et al. 2006, 2007). Their findings of strategic intersectionality imply that minority women are likely to perceive of, and respond to, salient identity constituencies that include both women and minorities.

3.2 Data and Methods

To understand the motivation behind representation and the perception of salient identity constituencies I conducted face-to-face (FTF) interviews with state legislators and engaged in participant-observation during two national meetings for state legislators, staff, and lobbyists. Face-to-face interviews and participant observation are especially effective tools for understanding legislators' motivations because they allow the respondent to define their conceptions without any pre-constructed definitions provided by the researcher. These types of fieldwork methods allow the researcher to "soak and poke", giving the researcher access to "insider" information (Fenno 1978; Leech 2002). The semi-structured nature of the interview process is also optimal for understanding questions of causation and motivation because it allows for an interaction between interviewer and the subject that is not present in most other methodologies. This format ensures the subject understands the question being asked and also allows for the possibility for follow-up questions. A common critique of the interview method is its lack of generalizability; to which I respond in two ways. First, the interviews are not intended to establish correlation; instead qualitative methods are often used for interpretive and inductive purposes, such as theory building (Mayan 2009). As Mayan explains, "by studying naturally occurring phenomena, qualitative researchers attempt to interpret or make sense of the meaning people attach to their experiences or underlying a particular phenomenon" (Mayan 2009). Using face-to-face interviews has pushed this research in developing an understanding for legislators' personal motivation which could not have been hypothesized by the researcher without the respondents' insights. Again, the face-to-face interviews serve a purpose in building a theory of salient identity constituencies,

and the conditions under which such perceptions are more likely, the implications of which may be tested using other methods. Thus, while generalizability may not be established through the interviews, it will be established by the dissertation as a whole through various quantitative methods.

Studies of state legislator behavior using interviews or other qualitative methods often suffer from a lack of state variation by limiting the study to one or a few states (Reingold 2000; Tolleson-Rinehart 1994). To combat the geographic limitations (a challenge which persists due to researchers' limited resources), I instead chose to interview state legislators during conferences for the National Conference of State Legislatures (The NCSL Legislative Summits of 2014 and 2015). Traveling to one common meeting location allowed me to observe and meet with state legislators from around the country. The Legislative Summit brings thousands of state legislators to a single location providing a natural and easy point of access for interviews and participant. The NCSL Summit serves as an excellent venue for face-to-face interviews because I was able to interact with the state legislators in a professional but more social and relaxed setting. Additionally, the goals of the Legislative Summit include professional networking, discussing strategies for policy goals, and socially engaging with other legislators- all of which are related to the objectives of this study.

Interviews and observations were conducted at the 2014 National Conference of State Legislatures (NCSL) Legislative Summit in Minneapolis, MN and the 2015 Legislative Summit in Seattle, WA. All lower house state representatives (and Nebraska senators) were recruited for the study one month prior to the beginning of the meetings via e-mail, regardless of intention to attend the Summit (as such information was not

provided by the NCSL). Though all state legislators were invited, I received nearly no contact via e-mail, but instead found the best way to recruit participants was through more organic means, networking during the meeting (Email invitation in Appendix B). I conducted 14 semi-structured interviews, engaged in countless shorter and/or non-purposive conversations, and acted as either participant or observer (or both) in 10 full days of panels, workshops, committee meetings, luncheons, and other events as part of the Legislative Summit (See schedule in Appendix A, and semi-structured interview instrument in Appendix C). The interviewees included seven minority women, five white women, a white man and a minority man, providing data from each of the four groups, although admittedly overwhelmingly from minority women. The respondents represented eight different states, including states in the Northeast, South, Midwest, Southwest, and Pacific Northwest regions. The respondents represented states with various degrees of institutional marginalization as well. There were six tokens, four minority group members, three balanced group members, and one dominant group member.

I used a prepared set of open interview questions allowing for a focused conversation, but one where the researcher cannot predict the answers (Mayan 2009; Richards and Morse 2007). I asked state legislators about whom they seek to represent and how they represent these constituencies through their legislative activities. The semi-structured interviews lasted about 30 minutes, though the range was between 10 minutes and 1.5 hours. Interview questions fell under 6 categories: goals and priorities; district composition; representation; legislative activities; collegiality in the legislature and women and minorities in legislative politics. The semi-structured interview questions were based on the implications of the theory and many questions were built on the

previous literature that included interviews of state legislators and other elected officials (S. J. Carroll and Sanbonmatsu 2013; Reingold 2000; Schwindt-Bayer 2010; Sue Thomas 1991a)[4]. The interview data were analyzed for patterns of motivations using inductive and abductive reasoning, these processes involved treating the theory as malleable and adjusted with each interview. I analyzed the qualitative data through memoing and theorizing (Mayan 2009). Memoing, which involves making connections and questioning the data, is a helpful tool during semi-structured interviews as this concurrent analysis allows the researcher to push the theory and "entertain theoretical notions about the phenomenon" (Mayan 2009). Essentially, what this means in practical terms is engaging in conversation by listening to the respondent, and using the responses to follow up and push the respondent on further questions or allow for further elaborations on responses to expand the researchers pre-conceived ideas. Memoing is a very useful tool in the theory-building process. Theorizing the data allows the researcher to hone in on key statements to summarize the abstract meaning of the data, particularly through building the theory, this is related to memoing, but rather than expanding and elaborating, it pushes the researcher to narrow down to key points (Mayan 2009). Each of these qualitative forms of analyses were used throughout the study and post-data collection to build the theory of salient identity constituencies and their role in surrogate representation.

[4] The interview instrument is attached as Appendix B.

3.3 Findings

The findings of this qualitative study suggest marginalized representatives define constituency differently from white men and that their motivations to run for office come from a sense of group needs more than electoral self-interest. In addition, motivations vary by the proportion of the group membership in the legislature. The first, and perhaps most important question in understanding how minority women perceive of constituency and representation was about the motivations for representation; what was the catalyst for choosing to become a representative? What is the role of minorities & women in state legislatures? Do minority women representatives see themselves as representatives for an identity group? If so, how does that affect their role as state representatives, and their decision to run in the first place?

3.3.1 Representing the district…and then some

Studies of legislative ambition have shown that women are less likely to run than men, and that women may need to be recruited to run for public office (Lawless and Fox 2005; however, see Scola 2014 and Bejarano 2013 who suggest lack of political ambition is predominantly a problem among white women). The key to understanding the ambition-gap is understanding the different motivations for the reasons why men and women do decide to run for office. When Debbie Walsh, director of the Center for American Women in Politics, who moderated the NCSL Women's Legislative Network's 30th Anniversary Luncheon in the summer of 2015, stated "women run to do something and men run to be somebody" she received an applause and a standing ovation from the room of about 100 women state legislators and staff in agreement. The notion that women representatives are more likely to choose to engage in legislative work because of

a desire to accomplish substantive outcomes on behalf of others, rather than because of a self-interest in establishing a political career, was not only immensely popular in the room, but also the description of male ambition appeared to be something female legislators lamented about their male colleagues. In each one of my interviews I started the conversation with a question about the reasons the legislator chose to run for office. Many of the responses, without any prompt, involved a discussion of community, identity, and a desire for political inclusion. One Midwestern minority woman articulated this sense well in her analogy of "adding a voice to a chorus":

> *When I made the decision to run…it was to add my voice to the chorus, and not merely a chorus that is older white males, farmers, ranchers, or attorneys, but a chorus that I didn't always think included the perspective of...quite frankly a black person who did not grow up in poverty. So often we engage and relate to people of color from a position of 'aww you poor thing, I'm up here, you're down there'- that's just another version of racism as far as I'm concerned.*
>
> Minority woman, August 19, 2014

The Midwestern legislator's response clearly shows the desire for political inclusion and her attention to the need for diversity to create political inclusion. Her focus on identity and racism suggest that her motivation for representation comes from a sense of group belonging. Her response also indicates an important note on diversity within racial and ethnic groups, and how members of minority groups are perceived. This legislator points out that political exclusion is related to stereotypes, and even racism, because there are assumptions made (in this case about class) about members of minority groups. Through our conversation this legislator illustrated a need for more descriptive representation of historically underrepresented groups. She suggested that because of the diversity within these identity groups it is impossible for one, or a few, legislators to

sufficiently represent the group. In other words, while she recognized the need for descriptive representation to further the agenda of marginalized groups, she bemoaned the essentialism and stereotypes attached to them.

I found the Midwestern minority woman's response, and the notion of running for office for the sake of representation, a very important piece to understanding representation itself. Many of my conversations led me to see that for minorities and women, ambition for political office is intimately linked with whom the legislator is seeking to represent, and that their ambition is often linked to identity and political exclusion. I spoke with a Latino (male) representative who shared his perspective on whom he represents, whom he perceives to be part of his "constituency".

> *I represent working people and there are aspects of our working class that have to also be paid special attention; and (social) treatment, whether they be people of color, communities of color, and other protected classes, but my district, which is, you know, about 85% white, the largest minority is probably Asians, certainly is Asians. We don't know the full count on Latinos, but I know that it's larger than those who might be registered to vote.*
>
> Latino, August 22, 2014

Intriguingly, this representative acknowledged that he represents several constituencies, and he also offered that some of these constituencies were not geographically defined, nor confined to the district. Instead, his response included a discussion of constituencies defined by social status (workers), identity, and geography. His response points to the acknowledgement that legislation affects groups across the state and not just within a certain district, and that his goals of representation are to further the agendas of working people. In his response to why he is politically engaged,

this legislator spoke for a long while about the political exclusion of certain groups and how that affected his desire to run for office. He continued:

> *So, I guess I'm supposed to answer why I'm involved? That's why, I want to help our community make a difference, wherever we are; whether we're in the Eastern part of the state…we need to represent one way or the other. That means stepping up and running for all the various offices that are out there, committees and commissions to higher elected office.*
>
> Latino male, August 22, 2014

It is worth noting that throughout our conversation this legislator used "community" and "Latinos" or "people of color" interchangeably, suggesting that for him, constituency must not necessarily be geographically defined, but rather defined by a shared identity and group membership. He also indicated the need for more minority representation, similarly to the Midwestern minority woman's earlier response. Again, indicating that there is an expectation that these representatives will work on behalf of the identity group, and that more representatives of the same background would result in a smaller individual share of representing the salient identity constituency. This representative also very clearly illustrated the notion of surrogate representation, that the representation of the identity group is not geographically defined, but that it can transcend the district lines. His words, "wherever we are", suggests that the electoral connection is inconsequential to the moral obligation and personal desire to represent members of the identity group.

In all of my conversations with state legislators, whether male or female, and whether white or a racial/ethnic minority, they indicated an expectation that there were differences in perspective, style, and/or policy priorities along the lines of gender and/or

race/ethnicity. They also suggested that issues defined along the lines of identity would be best represented, or more likely to be brought to the attention of the chamber, by a member of the same identity group. Speaking to her gender, one minority female representative stated:

> *Women bring a different perspective into government. Women understand the intimate needs of families, they understand you know…not saying that men don't understand it, but you know women live that every day, making sure that our families are okay. So we bring that unique perspective, I would say that intimacy into government. Women, we care more, we feel more emotionally attached, so you know, we want to bring people to government*
>
> Minority Woman, August 21, 2014

Interestingly, a white male representative echoed that there may be a need for more women in government, but found it important to give a caveat in his saying that: "I'm all for more women- unless it's my seat" (Personal Communication, August 6, 2015). None of the women or minority representatives I spoke with included the same sense of self-interest in discussing the role of gender and race/ethnicity in the legislature.

As I have argued, one of the predominant implications of marginalization among legislators is that they will perceive of their group members as salient identity constituencies. I spoke with an Asian American state legislator from the Northwest who distinguished her multiple constituencies very clearly and deliberately.

> *I have a dual constituency, and really I have three constituencies- One, my district, they are the ones who elected me and I represent them very well. Two, immigrants, there are few immigrants in the legislature (an Indian, a Latino, a European…). Three, Koreans, I speak Korean, and I 'm the only one who represents this community*
>
> Minority woman, August 4, 2015

Importantly, this response was to the question "Who do you represent?" indicating that this is her natural perception of her constituencies and who she represents. Further, the theory suggests that one of the implications of raised identity salience and increased interest in identity policy preferences is for marginalized legislators to have a different "home" style behavior that includes representing identity based constituents regardless of residency in the electoral district. The state legislator's response very clearly separates her district constituencies from her two identity-based constituencies. Importantly, she does not say "immigrants in my district" or "Koreans in my district".

Fenno (1978) argued that legislators have several constituencies *within* the district (the broadest constituency). He expected that legislators may have strong supporters from a "primary" constituency, which might have included such identity based groups *in* the electoral district. Instead, and this was further clarified in our conversation, these constituencies are groups of individuals who do not necessarily reside in the district. In addition, the constituencies she described were clearly defined by a shared identity. Fenno (2003), who finds similar behavior and perception among African American members of Congress, calls a national constituency of African Americans a "fourth" constituency for these members. Carroll (2002) finds the same among women members of Congress, as does Htun (2014) among Afrodescendant legislators in Latin America. The perception of a surrogate constituency, a constituency which is not defined by geography and includes constituents who may not live in the district is what I argue is the result of a raised identity salience due to marginalization. That marginalization is the foundation for conceiving of salient identity constituencies is made clear in the legislator's statement as she points out that she's "the only one" representing those

communities. In so doing, she is dually signaling that the groups are under-represented, and that the groups are in need of representation, and, in other words have been historically overlooked.

Similarly, but in an admittedly more leading question about extra-district representation, I asked: "do you represent anyone who is not in your district?" One black woman legislator from the Midwest said:

> *I would absolutely consider the black church a constituency…when it's time to run, or to give me support, the African American churches, which might not be in the boundaries of my district [support me].*
>
> Minority woman, August 19, 2014

While, again the question was specifically asking about representation beyond the district, it is noteworthy that she responded with an identity group. In addition, such a specific perception of the constituency also shows that she is not speaking about a broad notion of representation, a hill style, where granted all citizens in the district admittedly are affected by her presence in the legislature. Instead, she is pinpointing a very specific constituency, beyond the district, which is tied to her identity.

For many minority legislators the distinction between identity-based representation and representation of the district specifically can be difficult to make as many minority representatives are elected from districts that are at least somewhat diverse, if not majority-minority. Thus it is important to distinguish between constituencies and activities that are in- versus outside- the district when examining these differences. One minority legislator spoke specifically about the difference between his

district constituency, which is mostly white, and his identity based constituency (Latinos):

> *We have a whole different opportunity now for Latinos in the legislature with the largest delegation we've ever had in the history of the state. All of us unfortunately, well, I shouldn't say unfortunately, but it should be noted that we come from the western part of the state, mostly white suburbs, although the minority vote was irrelevant to our election, but all of us are very involved with minority issues.*
>
> Minority male, August 22, 2014

His statement shows clear evidence for surrogate representation. He defines a constituency based on identity and then specifically states that there is no electoral connection to this constituency. He also implicates that other minority legislators are engaging in the same surrogate behavior by stating that they are all involved in issues that affect this minority constituency despite the fact that there is no electoral connection between the representation and the ability of voters to hold the representatives accountable. Instead, it is clear that the motivation for representation is tied to a personal obligation rather than instrumental goals.

To understand how he prioritizes issues, or handles any tension or conflicts caused by his divided attention, I pushed further on the notion of the surrogate constituency; he responded:

> *My district has been very understanding, it's never an issue for me to work on these other things. Which is funny because I know a lot of my Democratic leadership was afraid that I was going too far out and that I was going to make myself problematic in my district…but in the two elections since I was elected, the 2010 and again now, these are non-issues.*
>
> Minority male, August 22, 2014

Although he acknowledged that his attention is indeed divided between his district constituency and his surrogate constituency, he said that any tension created by his out-of-district attention is now a non-issue, and that clearly he was still sufficiently working on behalf of his district since he was re-elected twice. He also touches on another very important circumstance, the perception of the Democratic leadership. He notes that the Democratic leadership expressed concern about his surrogate behavior and how it might impact his relationship with, and his electability in, his district. This shows the contrast between their priorities in that the Democratic leadership clearly expects legislators to be primarily concerned with the district, whereas the marginalized legislator displayed a moral obligation to represent the salient identity constituency.

3.3.2 Extra Layers of Marginalization and Surrogate Representation

The bond of surrogate representation is the strongest, and the most likely, when it comes from the basis of identity, and particularly a salient identity such as race, ethnicity, and/or gender (Mansbridge 1999, 2003). Scholars have argued that the strong bond is created through a shared experience of historical marginalization for members of the group; in its strongest forms this shared experience can form a sense of group consciousness or linked fate among members (Dawson 1994; Mansbridge 1999). When conducting interviews with the various state representatives, I noticed a degree of variation in their likelihood to discuss either salient identity constituencies, or surrogate representation. The first distinction was, as expected, between individuals who identified as minorities or as women or both, in comparison to white men. These individuals, as discussed in the previous section, tended to discuss a moral obligation to represent their identity group. The discussion of salient identity constituencies, and an identity-

community as constituency was particularly common among minority women, which was the expectation based on the literature. According to the theory of strategic intersectionality, minority women should be the most likely to perceive of salient identity constituencies as they would be likely to seek to represent their district, women, and members of their minority group. However, I found a second distinction after noticing that there was a higher degree of variation than I expected among the minority women interviewees.

After engaging in multiple conversations about representation and attending several workshops and panels addressing the issue, it became clear to me that there was a lot of variation in terms of whether legislators naturally perceived of multiple constituencies, but also I saw a difference in the perception of whether there was a perceived need for representation of other groups. I considered, in particular, two interviewees in 2014, and some confirming conversations in 2015, whose responses were initially surprising given the literature I had reviewed on minority and women's representation. In 2014, I spoke at length with a minority woman legislator from the South. I asked her about why she ran for office, who she represents, and her perception of gender and race/ethnicity in the legislature. I found in her answers that she was particularly concerned with "community." I pushed her on this definition to understand how she perceived of community, and found it was geographically determined. In response to my question "Whom do you represent", she responded:

> *I'm representing the voices of the district I was elected from, and each and every bill, they become a law over this whole state…so I look at it from, how will this touch my community that I'm representing? and how will it touch the rest of the community when there are bills with state-wide implications?* Minority woman, August 21, 2014

Clearly, this minority woman representative took a much more traditional approach, as we would expect following Fenno's (1978) definition of constituency and home-style behaviors. She's representing her district though she does also recognize that her legislative activities, such as bill-writing, for the most part, affects the whole state, but she does define a salient identity constituency. She went on to state that her key goal is to represent the communities closest to her, so I followed up asking about these communities which she considered are the "closest", again keeping in mind the ambiguity in the words "community" (which can be geographically defined or not) and "closest" (which can refer to either proximity or feeling), and she responded:

> *The (communities closest to me), that would be my district communities. I have Hispanics, Asians, Africans, the Black community…everything that we do will touch each community either positively or negatively, and I try to make sure that nothing that I do will touch any of those communities negatively as much as possible.*
>
> Minority woman, August 21, 2014

This is an important departure from the earlier discussions of surrogate representation, as this minority woman is focusing her scope of representation on a dyadic, within-district, relationship; a geographically defined constituency. That said, she is specifically defining communities within her district by race and ethnicity. The finding was counter to my initial expectations; I expected a minority woman to perceive of multiple constituencies including both minorities and women, and that those would not be geographically defined.

To make matters more confounding, I later spoke with a minority male representative from the Northwest, whom I introduced in the previous section. His responses indicated he clearly perceived of salient identity constituencies that were not

geographically defined, and acknowledged his engagement in surrogate representation. These early interactions caused me to further examine how context affected these legislators. I sought out to understand why a minority woman, with dual marginalization, would be less perceptive of multiple constituencies and why a minority man would be more perceptive of multiple constituencies. Some key pieces in the conversation with the minority male legislator pushed my theory about how legislative context affects behavior. In particular, the legislator discussed how the institutional marginalization of his identity group impacted his behavior: "I know that the lack of Latino leadership at the legislative level requires me to also be aware of those issues [in other parts of the state] too" (08/22/2014). His argument suggested that as a Latino he would always acknowledge Latino interests, that is act as a descriptive representative; however, what really pushed him to not just support but champion these issues, and to be aware of issues tied to Latinos outside of his district is the fact that there are very few Latinos in his legislature. In other words, he felt not only socially marginalized as a member of a minority identity group, but also, given how few members of his identity group are legislative leaders, it means he felt a stronger responsibility to represent this constituency. I reflected on the responses from the minority woman from the South and considered her context and realized that in her state minority women hold a relatively larger proportion of seats. In other words, there are either sufficient descriptive representatives causing less of a need for legislators to act as surrogates, or there is sufficient representation of groups' interests to not warrant a need for surrogate representation.

The theoretical addition of institutional marginalization was supported when in 2015, I spoke with a minority woman legislator from a state with over 30% women. As

introduced above, while she acknowledged several constituencies, her district, immigrants, and Koreans; she did not mention women, instead her non-district, identity based constituencies were all based on an institutional marginalization. Her responses, "there are few immigrants in the legislature", "I'm the only one representing this [Korean] community" specifically address how group proportions affect her perceptions. She may not have perceived of the same moral obligation because comparatively her legislature boasts a large number of women.

3.3.3 Divided We Lose: group size & cleavages

The qualitative evidence in this chapter supports the expectation that individuals who belong to a socially marginalized group are likely to perceive of salient identity constituencies: if those individuals are also marginalized in their organization (such as legislators), they are more likely to engage with those salient identity constituencies through surrogate representation. Just as curious is the behavior of individual group members of non-token groups; as the group's proportion grows why do individuals become less motivated to work for surrogate constituencies? The answer is, in part, that as group proportion grows (but is less than dominant), individuals become more likely to free-ride, they perceive that their group will still receive substantive benefits without his/her own participation in ensuring those benefits (Olson, 1967). Further, as Kanthak & Krause (2012) show, as the group grows, internal cleavages become more apparent and group members are less likely to value each other highly (Kanthak and Krause 2012). Much of the literature on women's participation in particular, and minority representation broadly speaking, suggests that once the group reaches a so-called *critical mass* that opportunities for effective substantive representation will be more likely (Dahlerup

2006). The concept of the critical mass, and group proportion's conditional effects, harks back to Kanter (1977) who shows that an individual's effectiveness is tied to the group's proportion in the legislature (Kanter 1977; Saint-Germain 1989). Given the variation in success of legislatures with critical mass to produce effective substantive representation, more recent literature has attempted to evaluate what causes this variation (Celis et al. 2008; Childs and Krook 2008). Many of these explanations have related to women's positions in the legislature and recognized that they are more likely to hold rank-and-file positions than legislative leadership positions (Childs and Krook 2008). Kanthak and Krause (2012), however; argue that once group proportions reach closer to what could be considered a critical mass (about 30%), then the group is much less likely to be cohesive and act as a group. When the group is marginalized, it is more likely to act cohesively as a group, and they coin this phenomenon the "Diversity Paradox" (2012). Kanthak and Krause (2012) argue that a growing group can be more effective if there are organizational tools, such as caucuses, to create cohesion (Kanthak and Krause 2012).

Both the literature and the present findings support the expectation that having a strong legislative caucus can be important in ensuring the legislative effectiveness of substantive representation of a group (Kanthak and Krause 2012). This is important as it speaks to the relationship between individual behavior and legislative effectiveness. Importantly, legislative effectiveness is different from individual behaviors in engaging with or supporting identity constituencies. There is an important distinction here to be made between the organized group behavior and the behavior and attitudes of individuals who belong to an identity group. One of the challenges for legislators, particularly marginalized legislators, is how to best be effective in achieving legislative outcomes

(e.g. passing bills). Though most of this study examines legislator's motivations and prioritizations in behavior, a question of effectiveness arises, particularly as marginalized legislators by definition are under-represented in the legislature. Most legislators choose to join several caucuses in order to overcome some of the collective action problems associated with governance (Hammond 2001). Kanthak and Krause (2012) argue that establishing organization is imperative to further the interests of marginalized groups, particularly as the group grows, because the Diversity Paradox predicts that individual efforts are less likely under non-token conditions (Kanthak and Krause 2012). In other words, if marginalization is likely to lead to an increase in identity-based efforts, conversely, less marginalization leads to a lower individual effort. Kanthak and Krause (2012) argue that organization is a useful tool in combating this decreased effort. I argue that marginalized legislators are likely to perceive of a need for organization to further identity-based interests and that organizations, such as caucuses, are tools marginalized legislators may use to gain attention and support for their efforts. That said, given the parameters of this study in examining individual legislative behavior and motivation, I make no expectations regarding the effectiveness of caucuses for policy development. As of 2016 eleven states did not have some mechanism for organization among women (NCSL 2016); however, the organizational strength and membership (partisan vs. non-partisan) varies much across the groups (Kanthak and Krause 2012).

The Women's Legislative Network (WLN), a sub-organization of the National Conference of State Legislatures; is a bi-partisan organization with automatic membership of all women state legislators in the United States (including territories). According to the Network's first president who spoke at the 30th Anniversary, the

Network was established in 1985 in response to a statement made by then- President of the NCSL (a white man). In a discussion of having a female president he remarked, "over my dead body". In reflecting on the occasion she said, "that was totally unacceptable…we had to get organized" (08/05/15). She further discussed the creation of the Network, and she illustrated how women at the time were in a position where they were marginalized in many legislatures but there was a sufficient number of women overall to warrant a need for an organization, which could further women's interests broadly speaking, and in a bi-partisan way. Creating an organized network does not only create coordination among members, it also signals the importance of the groups' issues to the rest of the legislative membership and to the citizenry. One Latino legislator discussed how creating a Latino caucus could help further the Latino agenda, the challenges associated with doing so, and the importance of having strong support for the success of the caucus:

> *We're starting a Latino Legislative Caucus, they [the Democratic leadership] haven't yet said anything about it, they haven't told me I can't yet though. We are still somewhat ad-hoc to the House Democratic Caucus, we don't get the same kind of support, staff support that the other committees might get, and I think that the party really wants to show that they are in all the way to help us. They should be doing that, because the more we can elevate the issues that are important to our communities, the more the communities will start to recognize they don't have to be robbed to make that work.*
>
> Minority man, August 22, 2014

Another reason for decreased motivation to represent salient identity constituents in a non-token context, is that as a group grows, differences among the group become more apparent and will make cleavages more likely (Olson 1965). Formal coordination

helps insure that the focus is on the broader goals of the whole membership; however, this focus can be tested even from within the membership.

The impression of within-group differences and cleavages was felt strongly by the leadership of the Women's Legislative Network during a business meeting in 2015 and also during the 30th Anniversary Luncheon later in the week. The 2015 business meeting, which included the Network leadership (of about 20 women), opened discussion surrounding the Network's strategic plan for the future. The main goal was to establish goals, a mission statement, and plans for a time capsule for the Network. Some of the women board members felt that the goals of the Network should be about "encouraging women to run, all women, of all parties" (08/02/2015). According to the veteran legislators, this has been a general part of the mission previously; however, it had not been previously codified. This statement created a murmured response from some legislators in the room. The president-elect, a white woman from one of the Plains states, stated that, "we need to move away from talking about 'all women'" (08/02/2015). She argued that a more partisan approach was necessary, and that there was "no longer" a need to pay special attention to women's issues and women's representation broadly speaking. In her tirade she went on to question the very existence of the network itself. She brought up a previous meeting of the top Network leadership where some of these discussions had also taken place and reflected on her statement, then saying "I don't even know why we were there" (08/02/2015). This statement created a lot of tension, and visibly angered some of the others, particularly the minority women in the room, who felt that women legislators have yet to achieve parity in either numbers or power and that they still need to work together "across the aisles (of partisanship)" (08/02/2015). This

statement by the President-elect came at the business meeting on the first day of the Summit and framed the rest of the week as many conversations among legislators took place about this statement. Most of these conversations were in opposition to the President-elect's statements, and most were among women of color. This observation highlights the need for accounting for additional cleavages, especially race and ethnicity. The exchange also offers an example of the concept of institutional marginalization and the diversity paradox. As the theory suggests, white women, who are dominant within the Women's Legislative Network (i.e. among women legislators), were less motivated to create a mission focused on all women, seeking instead to focus on non-identity based issues. Conversely, the marginalized group (i.e. minority women), supported a continued effort and stated mission focusing on the needs of women.

The cleavage between white women and women of color became especially apparent during the Anniversary Luncheon when the panel of women who had held legislative leadership positions (all white women) was opened up to the audience for questions. One black woman state legislator asked the panel, and the room, "What do we do to push women of color because it's even more difficult as a woman of color- we don't take time to learn each other's culture" (08/06/2015). The first two panelists ignored the specific question of race, but rather focused on the broader notion of women. One of them highlighted the institutional marginalization of women broadly and the importance on the broader identity of women without the race/ethnicity cleavage and said "when I first started there were very few women, really trying to take time to meet with each other; we do still have something in common- it takes working together" (08/06/2015). The third panelist responded to the question with "color-blindness, we're

all the same" (08/06/2015). This statement created enormous tension in the room. One group of women of color, who were all seated at one table in the back, were not only visibly but audibly agitated at the notion, many of them rolling their eyes in contempt. One black woman legislator sitting next to me leaned over to say "this is what white privilege looks like!" (08/06/2015) a white woman legislator at the same table offered: "this is a reflection of her generation" (08/06/2015). The experienced moderator quickly gave some remarks about the diversity of women in state legislatures and closed the panel. However, the table discussions, and soon hallway discussions rose with tensions mostly along racial lines. This event clearly indicated that an intersectional cleavage along the line of race, exists within this group of women. The need, and truly the plea, for women of color was founded in the recognition that while women as a whole are reaching beyond a minority position in state legislative politics, broadly speaking, minority women are still in many ways marginalized. The failure of the white woman panelist to recognize this was also tied to her perception of the marginalization of women broadly speaking and a need to find common ground for all women because of her perhaps dated perception. Understanding these types of cleavages are important to the theory of salient identity constituencies, because it signals that having minorities and women in legislatures is insufficient, and that there is a need for minority women. Relatedly, such cleavages signal a need to study identity-based representation through the lens of race/ethnicity *and* gender. This exchange highlights how minority women perceive of issues related to women and minorities writ large, but also minority women specifically, in other words highlighting the dual marginalization of women.

3.4 Implications

The findings in this chapter mostly serve as a theory-building exercise in understanding how marginalization in two contexts affects the perception of salient identity constituencies, which can then further lead to a surrogate view of home style behavior. The findings show that there is support for the notion that state legislators who belong to marginalized groups can perceive of, and represent, salient identity constituencies in addition to their district constituency, at least along the lines of race/ethnicity and gender. Further, the qualitative methods allowed for a deeper understanding of marginalization in multiple contexts, which otherwise might not have been explored. The findings show that social marginalization and institutional marginalization have an effect on perceptions of constituency. I showed that these effects can be seen as layers of identity that shape behavior, where social marginalization may be a necessary but not sufficient condition for surrogate representation. The interviews conducted clearly delineated this duality, or layers, of marginalization:

> *So I've always been aware of the plight of minorities and what my father and his grandmother, my great grandmother, have done to make me, obviously, be self-aware of these things … the number of legislators of color is not proportionate to the demographics in the state…and it's particularly true for Latinos*
>
> Minority man, August 22,2014

There are several implications of perceiving of salient identity constituencies for surrogate activities and home style behavior. The finding that legislators are motivated to represent on behalf of multiple constituencies (both a district and a salient identity constituency), and constituencies that are not necessarily electorally bound suggests that there is reason to believe that legislators may engage in surrogate

activities that expand our notion of "home" style. This is an important step in the broader study of representation because it suggests an important normative point about our democracy. If representatives are actively seeking to represent citizens to which there is no link of accountability, it indicates a previously overlooked strength of our democratic system. It also raises questions about whether marginalized legislators, broadly speaking, are experiencing tensions between their identity group, their district, and/or their party, and also whether their multiple constituencies are resulting in a larger proportion of work to respond to those constituencies. In terms of surrogate representation, recognizing salient identity constituencies is but one step in examining this concept. The qualitative data serves an important role in understanding motivations and unrestricted attitudes about the concept of representation and constituency, but this chapter does not show the implications for legislative behavior. Questions remain regarding activities on behalf of surrogate constituencies; how many engage in surrogate behaviors? Does marginalization predict surrogate behavior? And is the theory built here part of a larger pattern of representation among legislators? I test these implications in the next two chapters.

Chapter 4: Going the Extra Mile: Surrogate Activities of State Legislators

In this chapter, I examine the implications of the salient identity constituency theory on state legislators' hill (policy development) and, particularly, home (constituency service) style behaviors presented in Chapter 2. The theory suggests that legislators who are socially or institutionally marginalized will have a raised identity salience and an increased interest in identity-based policy preferences, which results in perceiving of group members, regardless of their geographical residency, as a salient identity constituency (See Chapter 3). Having such a perception of a non-geographically defined constituency generates several testable implications. First, it implies that marginalized legislators should seek to represent their salient identity constituency in addition to their electoral district, resulting in a higher demand on their time. In other words, that they will work more. In addition, marginalized legislators will seek to represent their salient identity constituency through both policy development efforts (hill style) and constituency service (home style). I rely on the "Representation in U.S. State Legislatures" survey which I conducted in 2015, along with some qualitative data from the 2014 and 2015 NCSL Legislative Summit to test these claims.

4.1 Motivations for Legislative Behavior

Mayhew's (1974) theory of legislative behavior, on which most contemporary studies of legislative behavior relies, suggests that legislators are rational and unitary actors who are singularly interested in re-election. He argues that the activities of legislators can ultimately be categorized into advertising, credit claiming, and position-taking; but that each of these behaviors are intimately tied with the desire to be re-elected (Mayhew 1974). The primary concern of a legislator in Mayhew's theory is the electoral

connection between the legislator and the voters in the district, as the key to re-election is sufficient voter support. Fenno (1978) agrees with Mayhew that re-election is, at least, a primary goal for legislators. He argues that to achieve the goal of re-election, legislators must necessarily develop the electoral connection by engaging with their constituents at "home" (Fenno 1978). In understanding the "home style" of legislators, Fenno suggests that legislators have multiple and nested constituencies, the broadest of which is the district. This argument is based in a rationalist theory of behavior which recognizes that not all residents of the districts are members of the same party as their legislator, and thereby are less motivated and less likely to contribute to the legislator's goal of re-election. Thus, efforts should be focused on the smaller, but district based, constituencies, narrowing a legislator's focus. If, as Mayhew (1974) and Fenno (1978) argue, the constituency is bound to the district and legislative representation is motivated solely by electoral gains, then logic would follow that legislators' efforts should be focused on engaging in activities that benefit the district, a highly instrumental view of representation. However, the salient identity constituency view of representation suggests that because of social and institutional marginalization, legislators are motivated by a moral obligation to represent an identity-based constituency.

There is a growing literature examining the behavior of minority and women elected officials (Broockman 2013, 2014; Butler and Broockman 2011; Grose, Mangum, and Martin 2007; Hardy-Fanta et al. 2016; Mendez and Grose 2014; Navarro, Hernandez, and Navarro, Leslie 2016). Much of this literature has examined the extent to which minority and women representatives echo the preferences of their identity groups, in what is known as the link between descriptive (standing for) and substantive (acting for)

representation (Cowell-Meyers and Langbein 2009; Dovi 2002; Michele Swers 2002; Minta 2009, 2012b; Pitkin 1967; Robert R Preuhs 2006b; Reingold and Haynie 2014; Reingold and Swers 2011; Swers 2005). The literature has shown that in most cases legislators echo the preferences of their identity group, and are more or less successful in their outcomes (Childs and Krook 2008; Kanthak and Krause 2012; Minta 2009; Osborn and Mendez 2010; Osborn 2012; Reingold and Swers 2011). These studies have shown that women are more likely to support issues related to women such as children and families, healthcare, violence against women, and education (S. J. Carroll 2002b; S. Carroll 2003; Osborn 2012; Swers 2002, 2013, 2016), and that minority legislators similarly engage in issues related to minorities' and women's marginalized position in society, such as healthcare, unemployment, education, race relations, and public safety (Barrett 1995; Brown 2010; Minta 2009, 2011; Orey, Overby, and Larimer 2007; Whitby 1997).

The literature on policy preferences and legislative behavior has provided much evidence that minority and women legislators do provide substantive representation on the basis of their descriptive features. However, by looking primarily at the alignment of policy preferences, the literature has been less adept at considering the target of substantive representation. In other words, this scholarship looks at one half of legislative behavior- the "hill style", the behavior that legislators engage in at the legislature such as roll call voting, bill sponsorship, and committee assignments. However, legislators also engage in a tremendous amount of constituency service; meeting with constituents and helping them solve problems they are faced with (Cain, Ferejohn, and Fiorina 1979, 1984; Norris 1997). Considering the evidence that minority and women legislators

provide substantive representation through their position as descriptive representatives, a question has been posed of whether so-called descriptive representatives represent minorities and women who live both within and outside the district boundaries as identity-based constituencies (S. J. Carroll 1989; Fenno 2003; Htun 2014).

Mansbridge (2003) provides a framework for distinguishing between representation in and outside of the district, which she calls "surrogate representation". Mansbridge (2003) argues that surrogate representation should be more likely when the legislator belongs to an historically excluded group including women and racial/ethnic minorities. She asserts that the "sense of surrogate responsibility becomes stronger when the surrogate representative shares experiences with constituents in a way that a majority of the legislature does not" (Mansbridge 2003, 523. Original emphasis). She continues to say that legislators who have a shared experience with an identity group "feel not only a particular sensitivity to issues relating to these experiences, but also a particular responsibility for representing the interests and perspectives of these groups, even when members of these groups do not constitute a large fraction of their [district] constituents" (Mansbridge 2003, 523). She argues that having a marginalized position leads to a *moral obligation* to represent group members.

There is a smaller, but growing literature, which has examined minority and women's representation in these terms, suggesting that marginalized legislators have intrinsic motivation to represent group members broadly speaking (Broockman 2013; S. J. Carroll 2002a; Fenno 2003; Htun 2014). Carroll (2002), Fenno (2003), and Htun (2014), each show that marginalized legislators perceive of identity group members as constituents broadly speaking, and will seek to represent identity-based constituents in

what Fenno (2003) calls a "fourth, national constituency" (Fenno 2003). These studies collectively explain the social foundations for a moral obligation to represent group members, including African Americans (Fenno 2003), women (S. J. Carroll 2002a), and Afrodescendant women in Latin America (Htun 2014) by using in depth interviews and case studies. However, these studies fall a bit short in exploring the implications on particular legislative behaviors, and distinguishing between within, and outside, district activities. Broockman (2013) fills this gap, somewhat, by showing that African American state legislators respond to constituency service requests from African American constituents regardless of district residency.

Mansbridge's (2003) theory of surrogate representation has been predominantly linked to identity-based representation as described above. However, her statement that the "sense of surrogate responsibility becomes stronger when the surrogate representative shares experiences with surrogate constituents in a way that a majority of the legislature does not" (Mansbridge 2003,523) signals a need to consider the proportion of seats held by the legislator's identity group. Though the institutional context has been implicitly examined as many women and minority legislators, and particularly minority women legislators, tend to hold a small proportion of seats in legislatures, the impact of what I refer to as institutional marginalization, or group proportion, on individual behavior has been understudied.

A parallel literature of the effect of group proportion has existed since about the late 1970's, and has focused predominantly on the behavior of women. In particular, the question of the need for a, so-called, *critical mass* came into foray in the late 1970's following Kanter's (1977) discussion of group proportions within organizations and the

notion of tokenism (see also Dahlerup 1988, 2006; Saint-Germain 1989). The term critical mass, which is borrowed from physics, refers to an "irreversible turning point", or a starting point for change; and is expected to rest around 30% of group proportion (Dahlerup 2006). In other words, the theory suggested that women and minority legislators have not been able to exert change because they still hold a minority position in a majority rule institution.

The study of institutional marginalization and critical mass has focused on the collective ability of a sub-set of legislators to pass legislation. The critical mass theory has received criticism over the years, in particular, in the face of evidence showing that the presence of high percentages (30%) of women in state legislatures and national legislatures across the globe has failed to bring the expected substantive changes (Celis et al. 2008; Childs and Krook 2008). Some scholars have argued that the critical mass argument fails to acknowledge the hierarchical structure and importance of gate keepers in the legislature and that women are less likely to hold such gate-keeping or leadership roles rendering them largely ineffective (Childs and Krook 2008). Others have argued that the soft or informal politics which happens behind the scenes, in "cigar filled backrooms" do not include women (Franceschet and Piscopo 2008). Others still have argued that as women become a larger minority group, there is less incentive to be constrained to the "essential" preferences of the marginalized group and the minority group becomes more likely to behave more mainstream, that is more like the majority (Kanthak and Krause 2012).

Most of the criticisms of critical mass, and thereby the influence of group proportion, consider the collective ability or inability of the group to exert change.

However, some argue, as I will, that group proportion does not only affect the collective ability of the group to exert change, but also affects individual behavior as well. In "The Diversity Paradox", Kanthak and Krause (2012) hold that institutional marginalization matters to the behavior of women (minority) legislators. They argue that barring institutional mechanisms incentivizing collective coordination among the minority group, that individually, these group members are likely to reduce their substantive representation of their social group as they increase in size (Kanthak and Krause 2012). They argue that as the group grows in size institutionally, so too does the incentive to "free-ride" on essential goals of the group. Institutional marginalization then creates a moral obligation for legislators to engage in representation of their group members in a way they might not if they were not marginalized. In other words, the recognition of being a token representative for that group creates an intrinsic incentive to represent that group (Gurin and Townsend 1986; McGuire and Padawer-Singer 1976; Sierra Leonard, Mehra, and Katerberg 2008). Since the group is defined along the lines of identity (race, ethnicity, and gender) and not geographical boundaries, the representation, both in terms of the constituency (who is represented) and the legislative behavior can be expected to transcend traditionally defined district constituencies (how they are represented). In this chapter, I extend Kanthak and Krause's (2012) argument and test if marginalization affects individual legislative behavior, but particularly if social and institutional marginalization affects legislators' individual behavior through their home-style.

4.2 Theory

My expectation is that marginalization impacts legislators' perception of constituency, that is, that they will perceive of an identity-based constituency, and

thereby have substantial effects on their legislative behavior. I make an assumption based on the literature, that marginalized legislators have a moral obligation to represent a salient identity constituency due to an empathetic understanding or "consciousness" of marginalized or under-represented constituencies' experiences because of their own dual marginalization (Crenshaw 1989; Githens and Prestage 1977; Gurin and Townsend 1986; Gurin 1985). I expect that those legislators who are the most marginalized— minority women for social marginalization, and tokens for institutional marginalization— will be the most likely to represent salient identity constituents. Minority women are dually marginalized by both their gender and race/ethnicity and so are likely to represent two salient identity constituencies in addition to their district (S. J. Carroll 2002a; Crenshaw 1993; Fraga et al. 2006, 2007; Githens and Prestage 1977; Htun 2014; Marin Hellwege and Sierra 2016). Tokens' salient identity is stronger than non-tokens because their small group proportion leads to an awareness of their marginalized identity and thereby the marginalization of the identity group (Gurin 1985; Mehra, Kilduff, and Brass 1998b). I expect marginalized legislators to behave differently from non-marginalized legislators because their goals as legislators are not only tied to self-interest, but also to an interest to further the agenda of the group, and most importantly lend a voice to a group which has been historically excluded (Haynie 2001; Mansbridge 1999, 2003; Whitby 1997).

Mansbridge (1999) suggests that diversifying a legislative body to allow for a discussion of previously uncrystallized interests is one of the main goals of descriptive representation, and as seen in the discussion of the literature, minorities and women do bring in a different set of interests. However, as noted, legislators are expected to have instrumental goals of re-election, and I maintain that for marginalized legislators,

traditional assumptions of legislative behavior, such as re-election, still hold true. However, I argue that marginalized legislators have *additional* pressures, albeit internal pressures, to represent a salient identity constituency. Because marginalized legislators have additional goals to represent salient identity constituencies, and additional motivations based in a moral obligation, we should expect that those additional pressures will also affect their legislative behavior, such as their view of constituency, the amount of work they engage in, and their propensity to provide services to constituents who do not live in the district. Since minority and women legislators want to represent other women and minorities to lend these groups a voice, and since these constituencies are defined by identity rather than geography, we should expect marginalized legislators will not be restricted by geographical boundaries in their representation.

As discussed in the review of the literature, social marginalization (identity) alone is insufficient to explain variation in behaviors among women and minorities because it fails to take institutional context into account. We might reasonably expect that when an identity group has a non-token position in the legislature, individual members will feel less of a moral obligation to represent the identity group because of an expectation that there is sufficient representation available collectively (Kanthak and Krause 2012).

Institutional marginalization, as I have defined it here, can be seen as a second layer of marginalization; while it is defined by identity, it emphasizes the proportion a legislator's group holds in the legislature. The qualitative data from the 2014 and 2015 NCSL Legislative Summit lent support to my argument that marginalized legislators perceive of salient identity constituencies as presented in Chapter 3. In comparing the qualitative data between an African American woman representative from a state with a

large African American population, a sizable (non-token) minority of African American women legislators, and a legacy of African American female leadership, to a Latino representative from a mostly white state with a recent, but growing, largely immigrant, Latino community and a small number of Latino legislators, the institutional context in terms of group proportions became evident. The African American woman indicated that most if not all of her legislative activities were motivated by her desire to represent her geographical district, where as the Latino (man) discussed how his identity-based constituency was a strong motivator for representation rather than his electoral constituency. Seemingly the degree of marginalization in the legislature explained variation among socially marginalized (minority) legislators.

In a broad sense, I expect that both hill and home style behaviors will be affected by the perception of a salient identity constituency. I expect that marginalized legislators are more likely than non-marginalized legislators to meet with constituency groups that are defined by race/ethnicity and gender because they are more likely to perceive of identity-based groups as constituents. I also expect that the additive pressures marginalized legislators experience in representing both their district as well as at least one salient identity constituency, will result in marginalized legislators meeting with a larger number of groups. In other words, I expect that marginalized legislators do not shift their focus, but rather add to it. Relatedly, I expect that the workload should be greater for marginalized members as they seek to represent not only their electoral district, but also the salient identity constituency. As a consequence, they should spend significantly more time than white men on all of their legislative activities. I expect they will spend more time studying and developing legislation to meet the needs of their

several constituencies. I also expect that they will spend more time campaigning and fundraising as they are likely to do so both through traditional campaign avenues, highlighting interests of the district, but also particular rallies highlighting the symbolic values of minority and women representatives (such as rallies with NALEO, NOW, or the NAACP).[5] Again, I expect all legislators do work long hours, and to fundraise (both in and outside the district), but I expect that marginalized legislators do so more. Similarly, I expect that marginalized legislators will write more legislation to respond to the added pressures, ultimately resulting in a higher number of bills, again an indication of an increased workload.

I expect that marginalized legislators' perception of salient identity constituencies expands the perception of home outside the district boundaries, that is, a surrogate perception of representation because salient identity constituencies are defined by identity rather than geography. I expect that marginalized legislators will seek to provide constituency service to their salient identity constituency regardless of geographic residency. Having a salient identity constituency further implies that marginalized legislators will meet with identity-based groups both within and outside district boundaries, and that they will provide constituency service on behalf of individuals who do not reside in the district. Legislators attend meetings and rallies with constituents frequently because it helps build the electoral connection, building rapport with the community (Cain, Ferejohn, and Fiorina 1979, 1984; Fenno 1978; Norris 1997). I argue that marginalized legislators must respond to traditional district demands while also providing constituency service to the salient identity constituency, because they have a

[5] National Association of Latino Elected and Appointed Officials, National Organization of Women, National Association for the Advancement of Colored People

moral obligation to do so. Meeting the same pressures as other legislators and having additional constituency groups to respond to should ultimately result in a higher frequency of meetings with groups both in and outside of the district, a higher likelihood to meet with identity-based groups, and a higher likelihood to provide surrogate constituency service.

4.2.1 Hypotheses

To summarize my expectations presented in the previous section, I present the following hypotheses:

Hypothesis 4.1 Socially and institutionally marginalized legislators will meet with identity-based groups, both in general, and outside the district, more frequently than legislators who are not marginalized

Hypothesis 4.2 Socially and institutionally marginalized legislators will meet with a larger number of types of groups, both in general, and outside the district, than legislators who are not marginalized

Hypothesis 4.3 Socially and institutionally marginalized legislators will work more than legislators who are not marginalized.

Hypothesis 4.4 Socially and institutionally marginalized legislators will provide constituency service on behalf of an extra-district constituency more frequently than legislators who are not marginalized.

4.3 Data and Methods

To test the implications of the surrogate representation theory on legislators' behavior, this study utilizes a survey of state legislators. The state level allows for sufficient variation for both social and institutional variation that a Congressional study would not be able to offer. There are no publically available datasets that specifically ask legislators to distinguish between activities within district and outside district, and about the motivations for legislative behavior. Thus, the data on legislative behaviors come from an original survey; the "Representation in U.S. State Legislatures" survey was

conducted in 2015. The text of the survey is available in Appendix D. All 5,437 lower state house representatives and assembly members in all U.S. states, and all senators from the unicameral Nebraska legislature were invited to participate.[6] The survey was distributed in mixed modes, starting with an email invitation with an embedded link to an online Opinio© survey, a subsample of legislators was then sent paper surveys.[7]The sub-sample was selected based on their identity with the goal of over-sampling women and minorities.[8] The sub-sample included all 1,358 women and all minority (466, male) state representatives and assembly members in the U.S., as well as a random sample of 23 white men per state for a total of 2,974 state representatives.[9] Legislators were contacted a total of four times via email invitation. The online survey was first distributed to all representatives on February 18th, 2015, with a follow-up reminder on February 27th, 2015. Starting on March 12th the invitation was sent to all representatives on a schedule based on the closing date of their legislative session[10]. The paper survey was mailed to the subsample on March 26, 2015.

The total contact rate for e-mail invitations was high, 96.3% based upon an automated reply that I received from most state legislators (using AAPOR's Contact Rate 1),[11] as can be expected with state legislators whose contact information is kept updated

[6] See Appendix E for a copy of the e-mail invitation
[7] A list of email and physical addresses was provided to me by the National Conference of State Legislatures
[8] Data on the gender and race/ethnicity of participants was provided to me by the National Conference of State Legislatures
[9] The number of white men was determined by a budget restriction.
[10]Full schedule of dates: All: 02/18/15, 02/27/15; AR, KY, NM, SD, UT, VA, WV, WY: 03/12/2015, 03/17/2015; AK, AZ, GA, ID, IN, MD, MS, MT, ND, TN, WA: 05/18/15, 05/25/2015; CO, FL, HI, IA, IL, KS, MN, MO, OK, VT: 06/02/15, 06/05/2015; AL, CT, DE, LA, ME, NC, NE, NH, NV, OR, RI, SC, TX: 07/20/2015, 07/24/2015; CA, MA, MI, NJ, NY, OH, PA, WI: 03/12/2015, 04/15/2015, 05/15/2015.
[11] AAPOR's Contact Rate 1 is calculated as: (I+P) +R+O / (I+P) +R+O+NC+ (UH + UO). Where I= Complete Interviews, P=Partial Interview, R=Refusals and Breakoffs, O=Other, NC=Non-Contact, UH=Unknown Household Occupied, and UO=Unknown, Other (AAPOR 2016).

regularly (AAPOR 2016). There were a total of 342 completed surveys, yielding a 6.3% response rate using AAPOR's Response Rate 2 calculation, which includes both complete and partial responses (AAPOR 2016).[12] Of these surveys, 215 were completed online (AAPOR RR2: 3.9%) and 127 were completed on paper (AAPOR RR2: 4.3%). The response rate for the Representation in U.S. State Legislature's 2015 survey was significantly lower than earlier surveys of the same population (Maestas, Neeley, and Richardson 2003). I expect that part of the explanation for the low response rate, and the large gap between the contact rate and the response rate is that state legislators are highly likely to use automated replies for e-mail contact, as such the e-mail contact rate may be inflated. In addition, it was suggested to me by some legislators that they receive thousands of emails each week, and with the small staff they are provided they are not effectively able to filter through emails (personal communication 07/30/2015). One legislator in particular said that often times state legislators are not able to distinguish between legitimate research and spam, and err on the side of non-response (personal communication 08/05/2015). I expect a similar issue of filtering between legitimate research and what amount to political "spam" occurs for mail surveys. The final survey sample includes respondents from 48 of the 50 states.[13] There are 36.4% women and 63.6% males of which there were 27% white women, 9.4% minority women, 44.5% white men and 19.1% minority men. The sample is somewhat skewed towards minorities and women in comparison to the population of state representatives which include 19.7%

[12] AAPOR's Response Rate 2 is calculated as; (I+P)/(I+P) + (R+NC+O) + (UH+UO). Where I= Complete Interviews, P=Partial Interview, R=Refusals and Breakoffs, NC=Non-Contact, O=Other, UH=Unknown Household Occupied, and UO=Unknown, Other (AAPOR 2016).
[13] There were no respondents from Illinois or West Virginia

white women, 5.2% minority women, 66.5% white men and 8.6% minority men.[14]

4.3.1 Measuring Marginalization

I conduct two separate and parallel analyses to examine marginalization from two angles: marginalization in society (identity) and marginalization in the legislature (group proportion). I use four different categories of social identity based on race/ethnicity and gender: white men, minority men, white women, and minority women. This data was provided by the National Conference of State Legislatures. I focus the social marginalization analysis on minority women because these legislators are expected to be dually marginalized, and have multiple salient identity constituencies (women and minorities). I thus see them as a most likely case for engaging in surrogate representation in comparison to white women, minority men, and white men. I define institutional marginalization as the proportion of seats a legislator's identity group holds in the chamber. For example, in the North Carolina lower chamber there are eight African American women out of the total 120 seats, thus each African American female representative has a 5.8% group proportion. I code whether a legislator was institutionally marginalized or not using Kanter's categories of group proportions in organizations: *token* group members with 15% or fewer legislators of the same race/ethnicity and gender in the legislature, *minority* group members with 15-30% of the legislature, *balanced* group members with 30-60% and *dominant* group members who hold at least 60% of the legislative seats.[15]

I expect the results to be similar when comparing social and institutional

[14] Because of the concern for skewed results the analyses were also run using probability weights; however, no significant differences were found.

[15] For example, if minority women in State "A" hold 5% of seats each minority woman in that state is coded as belonging to a "token" group.

marginalization given that in most cases minority women are token (correlation between the two measures is .80). However, there is a degree of variation between these variables; importantly, there are several cases where white women and minority men are tokens. In Oklahoma, for example, white women made up only 11.8% in 2015, and minority men only 3.8%. In some cases, such as Oklahoma, there are several token groups and one overwhelming dominant group. On the flip side, in New Mexico, which has no dominant group, both minority men and minority women enjoy a "minority" group position, whereas white women are tokens and white men hold a balanced group position. Importantly for comparison in the analysis is that to date, only white men have held a dominant position, and never a token position; thus I suggest that these analyses should be repeated if such circumstances occur. The comparisons do tell us an important story about how marginalization, and the burden it places on legislators to represent a salient identity constituency, impacts their legislative behavior. That said, it is important to note that these are separate analyses, while there is a degree of institutional variation, to a large degree (again, a correlation of 0.80), there is still significant overlap of categories. In most cases minority women are token and white men are dominant, and the majority of shifts exist among white women and minority men.

4.3.2 Measuring Legislative Activity

This study uses several different dependent variables to examine the implications of perceiving salient identity constituencies and to test the resulting hypotheses. All of the activities are based on self-reported answers to questions from the 2015 State Legislator survey. As an overview, I focus on four sets of analysis, meetings with race/ethnic minority groups and women's groups, the number of groups met with, the amount of work and surrogate constituency service. In terms of meetings with groups, I also

distinguish between behaviors in general and those that are specifically outside of the district.

For Hypothesis 4.1, I seek to test whether marginalized legislators meet with groups defined by identity, both in general and specifically outside the district. I use two matrix style questions to examine legislators' engagement with groups. The first question asked "How frequently do you participate in activities (rallies, celebrations, conferences, etc.) sponsored by the following groups?" Respondents were asked to respond if they met with certain groups: "never" (1), "rarely" (2), "sometimes" (3), "frequently" (4), or "very frequently" (5). Because the frequencies in both extreme categories, "never" and "very frequently" were very small, I recoded these to be combined with "rarely" and "frequently" for a total of three response categories— "rarely", "sometimes", and "frequently". I asked respondents about their activities with nine different group types: business associations, community associations, educational groups, environmental groups, professional associations, racial/ethnic minority groups, religious groups, student or youth groups, and women's groups.

My measures for the identity based groups are "women's groups" and "racial/ethnic" minority groups. I use a follow-up question, which was identical except for the qualification of meeting with these groups *outside* of the district. This distinction is important because it implies that a legislator is engaging with a surrogate constituency. I test Hypothesis 4.1 using bi-variate t-tests comparing most marginalized to least marginalized legislators. Table 4.1 offers some descriptive statistics on the frequency with which legislators report meeting with different types of groups. The type of group most frequently met with was "community" groups; 68.4% of respondents reported

meeting with such groups. The least frequently met with group type was race/ethnic minority based groups with only 20.3% of respondents reporting meeting with this group "frequently". A majority of legislators (51%) reported meeting with race/ethnic minority groups "rarely". About a quarter (26.4%) of legislators reported meeting with the second identity-based group type, women's groups; one third (33.1%) said they meet with these groups "rarely". The plurality of respondents said they meet with women's groups "sometimes". The identity based group types are highlighted in the table.

Table 4.1 Frequency of Group Meetings

How frequently do you participate in activities (rallies, celebrations, conferences, etc.) sponsored by the following groups? (Index of: Business associations, Community associations, Educational groups, Environmental groups, Professional associations, Racial/Ethnic minority groups, Religious groups, Student or Youth groups, Women's groups)

Group	"never"/"rarely"	"sometimes"	"frequently"
Business	11.3%	41.3%	47.3%
Community	4.0%	27.6%	68.4%
Education	10.1%	41.6%	48.3%
Environment	34.8%	41.5%	23.8%
Professional	15.1%	46.5%	38.5%
Race	51.0%	28.7%	20.3%
Religion	47.2%	31.1%	21.7%
Students	23.1%	43.8%	33.1%
Women	33.1%	40.5%	26.4%

Hypothesis 4.1 also posits that marginalized legislators should be more likely to meet with identity-based groups *outside* the district. As such, I follow-up the previous question on "participating in activities" with a nearly identical question asking about the same group meetings outside the district, the descriptive statistics for this question are presented in Table 4.2. For these surrogate meetings, outside the district, the most frequently met with type of group was education groups, with 31.1% of respondents. The

lowest frequency group type was religious groups, with only 10.8% respondents indicating they meet with this group type “frequently”. In terms of the two identity-based groups, a majority of legislators report that they meet with race/ethnic minority groups and women’s groups “rarely”, with 62.9% and 50.0% of respondents respectively. Only 13.7% of legislators say they meet with race/ethnic minority groups outside the district “frequently” and 23.4% say they do so “sometimes”. In comparison, 19.7% of legislators say they meet with women’s groups “frequently” and 30.3% report they meet with such groups “sometimes”.

Table 4.2 Frequency of Group Meetings Outside the District

How frequently do you participate in activities (rallies, celebrations, conferences, etc.) OUTSIDE the district, sponsored by the following groups? (Index of: Business associations, Community associations, Educational groups, Environmental groups, Professional associations, Racial/Ethnic minority groups, Religious groups, Student or Youth groups, Women’s groups)

Group	"never"/"rarely"	"sometimes"	"frequently"
Business	27.9%	46.6%	25.5%
Community	41.6%	36.6%	21.8%
Education	29.4%	39.5%	31.1%
Environment	49.2%	32.4%	18.4%
Professional	32.3%	43.0%	24.7%
Race	62.9%	23.4%	13.7%
Religion	66.0%	23.2%	10.8%
Students	42.5%	38.8%	18.7%
Women	50.0%	30.3%	19.7%

To test the second hypothesis, I rely on the same questions, and 3-category, recoded, responses, as above regarding meetings with groups. However, I limit the analysis to legislators who responded that they meet with the groups “frequently”, and then create a count of the number of groups (out of 9) that legislators meet with “frequently”. As presented in Table 4.3, on average, legislators meet with 2.9 groups in

general, and 1.4 groups outside their district. The modal number of groups, both overall and outside the district, is zero, which includes respondents who said they meet with all groups either “never”, “rarely”, or “sometimes”. I analyze the data using t-test to compare the number of groups that the least and most marginalized legislators meet with.

Table 4.3 Count of Groups Met with "Frequently"

Count	Percent for all Groups	Percent outside District	
0	25.2%	53.2%	
1	11.1%	10.5%	
2	9.9%	10.8%	
3	14.6%	8.2%	
4	14.3%	7.3%	
5	9.9%	4.4%	
6	6.4%	3.2%	
7	3.8%	1.8%	
8	2.1%	0.6%	
9	2.6%	0.0%	
Average	**2.9**	**1.4**	**groups**

As another way to look at both frequency and count, I created an index of all groups by adding the responses for all group meetings (with the raw 5 categories) and dividing by the nine total groups. This variable should be interpreted on the scale of 0-5, where 0 is “never” and 5 is “frequently”. For this variable high scores indicate meeting with many groups frequently, and lower scores measure few meetings with few groups. The average score for overall group activities is 2.9, and 2.7 for outside the district, as presented in Table 4.4.

Table 4.4 Frequency of Indexed Groups

	Mean	Min	Max
Overall	2.9	0	5
Outside District	2.7	0	5

I test Hypothesis 4.3, which posits that marginalized legislators have a higher workload, using a set of several different dependent variables. This set includes variables measuring what proportion the legislator's work is to a full-time job, the number of hours spent on various activities (both on the hill and at home), and the number of bills the legislator writes in an average session. This set of variables provides a good test of the implications related to having multiple constituencies (the district and at least one salient identity constituency), as more constituencies should result in a higher workload. The first variable used is the proportion of full-time work; the survey asked: "averaged over an entire year and taking into account session time, interim work, constituent service, and campaigning, what proportion of a full-time job is your legislative work?" The responses are on a scale from 0-4 where 0="less than 30%", 1="30-50%" 2="50-70%", 3="70-90%", 4="90% or more". Given Hypothesis 4.1, I expect legislators who are more marginalized will perceive of their position as closer to a full-time position and less marginalized legislators will see their position as less than a full-time position as this is closer to the expectation for legislators according to the part-time nature of most state legislatures. I conduct a difference of means test between the most and the least socially and institutionally marginalized legislators to test Hypothesis 4.3. Consistent with the institutional design of part-time legislatures, most state legislators report that they perceive of their job as less than a full-time position. As seen in Table 4.5, 65% of members say it's less than or equivalent to 70% of a full-time position, and only 18.9%

report their position to be 90% or more of a full-time position. The average state legislator registers at 2.1 on the scale, marking closest to the category of legislative work equating to "51-70%" of a full time job.

Table 4.5 Proportion of Full-time position

"Averaged over an entire year and taking into account session time, interim work, constituent service, and campaigning, what proportion of a full-time job is your legislative work?"

	Percent	Cumulative Percent
Less than 30%	9.8%	9.8%
31-50%	27.3%	37.1%
51-70%	27.6%	64.7%
71-90%	16.4%	81.1%
91% or more	18.9%	100.0%

I also examined the amount of hours worked across four different activities to test Hypothesis 4.3. The question read "how many hours do you spend per week (consider the average week) on the following activities: legislative business (overall), meeting with constituents/ studying proposed legislation/ developing new legislation/ campaigning and fundraising". The respondent was given the opportunity to provide an open-ended response (in the form of an integer) for this question. The question was developed to examine several aspects of work to gauge the amount of work legislators put in to each activity. This question offers a survey of what the types of activities all legislators are expected to engage in. Though I expect marginalized legislators to spend more time on each activity, breaking down into specific activities will allow for a more complete

comparison. The average legislator spent about 40 hours overall on legislative activities. This is interesting in comparison to the previous question in which most legislators reported spending less than a full-time position. This may indicate that at least some legislators perceive of a full-time position as more than 40 hours. In terms of individual activities, legislators report spending about 7 hours on constituency service, 12 hours on studying proposed legislation, nearly 6 hours on developing legislation and 2 hours campaigning and fundraising during the session. These descriptive statistics are provided in Table 4.6.

Table 4.6 Number of Hours Spent

How many hours do you spend per week (consider the average week) on the following activities?

	Hours
Overall	39.2
Constituency Service	7.0
Studying Proposed Legislation	11.9
Developing Legislation	5.7
Campaigning & Fundraising	1.9

I measure amount of work in a third way through bill sponsorship. I expect that if legislators perceive of additive pressures there should be a need for additional legislation to be written. For this question the survey asked "how many bills do you write in the average session?", and respondents were offered seven categories with ranges of numbers of bills. "Respondents were given the options of "0 or never written a bill", "1- 5", "6-10", "11-20", "21-25", "26-30", and "31+". However, because the frequencies were very small in the extreme categories I recoded the raw data to a four-category ordinal variable where 0= "0-5", 1= "6-10", 2="11-20", 3="20+". This question allows for a more precise measure of bill sponsorship than the previous question which asked about the numbers of

hours spent developing legislation. The average number of bills falls slightly below the "6-10" category at 0.9, though the modal category was "0-5 bills" (44%), as seen in Table 4.7.

Table 4.7 Number of Bills Written

How many bills do you write in the average session?

Number of Bills	Frequency	Cumulative
0 to 5	44.0%	44.0%
6 to 10	30.3%	74.3%
11 to 20	16.0%	90.3%
21+	9.7%	100.0%

Finally, I test Hypothesis 4.4 which asks about legislators' propensity to engage in surrogate constituency service. This question seeks to answer if marginalized legislators perceive of a broader definition of "home" and perceive of surrogate constituents. I asked legislators if they engage in constituency service "on behalf of citizens who do not live in [the] district". The questions offered a five-point scale, where only extreme points were provided the qualitative designations "never" and "often". As seen in Table 4.8, more than 95% of legislators engage in surrogate constituency service, with most reporting one scale step over "never" (coded here as "2").

Table 4.8 Surrogate Constituency Service

Do you provide constituency service on behalf of citizens who do NOT live in your district?

	Percent	Cumulative
Never	4.7%	4.7%
2	38.2%	42.9%
3	22.3%	65.2%
4	21.3%	86.5%
Often	13.5%	100.0%

4.4 Results

One of the goals of this chapter is to introduce institutional marginalization as an

important variable in understanding legislative behavior. I argue that using identity, or social marginalization, is insufficient to understanding institutional behavior, and that including institutional marginalization will improve models of such behavior. Because of the large number of dependent variables, as well as the focus on comparing the two different marginalization measures, I present the results as part of three sets, and within each set I present the social marginalization variable first, followed by the institutional marginalization variable. Overall, the results suggest that minority women's legislative behavior is impacted by the additive burden of representing salient identity constituencies in addition to the district. However, the results also indicate that the institutional marginalization variable performs just as well, if not better than the social marginalization variable, thus showing that the key to understanding salient identity constituencies and surrogate behavior lies in the condition of marginalization.

4.4.1 Meeting with Race/Ethnic Minority Groups and Women's Groups

Table 4.9 shows the results for frequency of meeting with race/ethnic minority groups and women groups by social marginalization. I present the results for the most and least socially marginalized groups, minority women and white men. The Chi^2 analysis shows that minority women behave significantly different from white men, in that they meet with both more race/ethnic minority groups and women's groups. In terms of meeting with race/ethnic minority groups, the frequencies are nearly reverse; whereas 66.7% of minority women meet with such groups frequently, 63% of white men report they do so rarely. In comparison only 19.1% of minority women meet with race/ethnic minority groups rarely. Only 11.1% of white men report meeting with race/ethnic minority groups. For the middle category "sometimes", 14.3% of minority women fell into this category in comparison to 25.9% of men. These results support Hypothesis 4.1.

The data for women's groups is also consistent with Hypothesis 4.1, which posits that minority women should be more likely to meet with women's groups than white men are. Continuing in Table 4.9, the results show that white men are about equally likely to respond that they meet with these groups either "rarely" (45.5%) or "sometimes" (42.5%). Only 11.9% of white men say they meet with women's groups "frequently". In comparison a majority of minority women (57.1%) say they meet with women's groups "frequently". 28.6% of minority women say they meet with such groups "sometimes", and 14.3% report doing so "rarely".

The results hold for meeting race/ethnic minority groups and women's groups outside of the district, that is as a surrogate constituency. Table 4.9 also shows these results. 57.1%, the majority, of minority women report that they meet with race/ethnic minority groups, *outside* the district, "frequently". There is strong support for Hypothesis 4.1 and the notion that minority women meet with a race/ethnic salient identity constituency. 19.1% say they meet with race/ethnic groups outside the district "sometimes" and 23.8% do so "rarely". In comparison white men rarely meet with race/ethnic minority groups outside the district. Nearly three-quarters, 72.6%, of white men report meeting with these groups "rarely". Only 8.2% report doing so "frequently" and 19.3% fall into the "sometimes" category. Hypothesis 4.1 is also supported by the data on meetings with women's groups outside the district. Nine in ten minority women meet with women's groups either "sometimes" (45%) or "frequently" (45%). Only 10% of minority women report meeting with such groups outside the district only "rarely". In comparison 63.2% of white men report meeting with women's groups outside the district "rarely", 12.8% report they do so "frequently", and 24.1% are in the "sometimes"

category. Taken together, the data on race/ethnic minority groups and women's groups by social marginalization lends support for Hypothesis 4.1 showing that minority women meet with groups more frequently than white men do, both in general but also *outside* the district.

Table 4.9 Meetings with Identity Groups by Social Marginalization

How frequently do you participate in activities (rallies, celebrations, conferences, etc.) sponsored by the following groups?

	Race/Ethnic Minority Groups		Women' Groups	
	Min. women	**White men**	**Min. women**	**White men**
Rarely	19.1%	63.0%	14.3%	45.5%
Sometimes	14.3%	25.9%	28.6%	42.5%
Frequently	66.7%	11.1%	57.1%	11.9%
n=	21	135	21	134
	chi2: p=0.000		chi2: p=0.000	

How frequently do you participate in activities (rallies, celebrations, conferences, etc.), OUTSIDE the district, sponsored by the following groups?

	Race/Ethnic Minority Groups		Women' Groups	
	Min. women	**White men**	**Min. women**	**White men**
Rarely	23.8%	72.6%	10.0%	63.2%
Sometimes	19.1%	19.3%	45.0%	24.1%
Frequently	57.1%	8.2%	45.0%	12.8%
n=	21	135	20	133
	chi2: p=0.000		chi2: p=0.000	

The data also showed that tokens meet with women and race/ethnic groups more frequently than dominant group members, also supporting Hypothesis 4.1. Just as with the social marginalization analysis, the gap was larger for race/ethnic minority groups; 59.5% of tokens said they meet with these groups "frequently", whereas only 12.5% of dominant group members meet these groups "frequently". Only 27.0% of tokens compared to 64.8% of dominant group members report meeting with race/ethnic minority groups "rarely". 13.5% of tokens and 22.7% of dominant group members responded with

"sometimes" meeting with race/ethnic minority groups. In terms of the women's groups the results for institutional marginalization were similar to the results for social marginalization. In Table 4.10, the results show that a majority of tokens (54.1%) report meeting with women's groups "frequently". Among tokens, 27.0% said they do so "sometimes" and 18.9% they "rarely" meet with women's groups. 45.7% of dominant group members, said they "rarely" meet with women's groups, 41.7% report they do so "sometimes", and only 12.6% say they meet with women's groups "frequently". These results all lend support for Hypothesis 4.1, showing that tokens meet race/ethnic minority groups and women's groups more frequently than dominant group members.

Hypothesis 4.1 is also supported by results analyzing meetings with race/ethnic minority groups and women's groups *outside* of the district. Nearly half of tokens, 47.2%, report meeting with race/ethnic minority groups outside of the district, in comparison only 8.6% of dominant group members report the same. Conversely, 74.2% of dominant group members report they meet with these groups "rarely", about one third (33.3%) of tokens report the same. 19.4 of tokens, and 17.2% of dominant group members say they meet with these groups "sometimes". As for women's groups the numbers are somewhat less skewed for tokens, 38.2% report they meet with these groups "frequently", 35.3% say "sometimes" and 26.5% say "rarely". In comparison, two-thirds, or 66.9%, of dominant group members say they meet with women's groups "rarely". Only 12.6% of dominant group members report meeting with these groups "frequently" and the remaining 20.5% report they do so "sometimes".

Table 4.10 Meetings with Identity Groups by Institutional Marginalization

How frequently do you participate in activities (rallies, celebrations, conferences, etc.) sponsored by the following groups?

	Race/Ethnic Minority Groups		Women' Groups	
	Tokens	**Dominant**	**Tokens**	**Dominant**
Rarely	27.0%	64.8%	18.9%	45.7%
Sometimes	13.5%	22.7%	27.0%	41.7%
Frequently	59.5%	12.5%	54.1%	12.6%
n=	37	128	37	127
	chi2: p=0.000		chi2: p=0.000	

How frequently do you participate in activities (rallies, celebrations, conferences, etc.), OUTSIDE the district, sponsored by the following groups?

	Race/Ethnic Minority Groups		Women' Groups	
	Tokens	**Dominant**	**Tokens**	**Dominant**
Rarely	33.3%	74.2%	26.5%	66.9%
Sometimes	19.4%	17.2%	35.3%	20.5%
Frequently	47.2%	8.6%	38.2%	12.6%
n=	36	128	34	127
	chi2: p=0.000		chi2: p=0.000	

4.4.2 Meeting with Groups

In terms of the index group variable, the results, presented in Table 4.11, show that minority women meet with groups more frequently overall than white men do. The average score for minority women was 3.5 on the 5-point frequency scale, or between the "sometimes" and "frequently" category, whereas white men only reach 2.7, between "rarely" and "sometimes". A t-test revealed that the -0.8 difference was statistically significant ($p < 0.001$). In terms of the surrogate meetings, or meetings outside of the district, minority women engage in these activities at a score of 3.3 again between "sometimes" and "frequently", and white men only at 2.6 (between "rarely" and "sometimes", again this, -0.7 difference is statistically significant ($p<0.01$). The data lend support to the theoretical arguments that minority women act as surrogate representatives, not only do they perceive of constituencies that are not defined by the district (as shown in the previous chapter), but they are also actively going "the extra mile" to meet with

constituent groups even when this requires a broader definition of home style activities. In addition, there is also no significant difference between minority women's overall activities and their activities outside of the district ($p>0.70$) meaning that their participation outside of the district is indistinguishable from their behavior inside the district. In comparison, white men engaged with groups significantly less outside of their district than they do inside the district ($p <0.01$ and $p<0.02$ respectively). That said, an important point to be made is that all legislators do meet with groups outside of the district at least on a rare occasion. These data support Hypothesis 4.2, and show that social marginalization does affect legislative behavior in terms of meeting with groups in and outside of the district.

To further examine Hypothesis 4.2, which posits that marginalized legislators meet with a larger number of groups frequently than legislators who are not marginalized, I present data from the count variable of number of groups in Table 4.11. This variable allows for a test of additive pressures in a way that tests for Hypothesis 4.1 cannot. Tests for Hypothesis 4.1 only show that minority women meet with race/ethnic minority groups and women's groups, it could be the case that this is due to a shift in focus, rather than an added focus. The next analysis allows for a test of the number of groups legislators meet with; again, I expect that minority women are more likely to meet with more groups on a frequent basis than white men. I found that on average minority women meet with 3.9 groups of the nine groups asked about in the survey, compared to 2.7 groups, on average, for white men, a significant difference of -1.2 groups ($p<0.05$). Minority women also meet with more groups outside of the district; 2.7 groups compared to 1.5 groups for white men, also a significant difference of -1.2 groups ($p<0.01$), again lending support to

Hypothesis 4.2 which suggests that minority women engage with more groups than white men.

Table 4.11 Meeting with Groups by Social Marginalization

	Minority women (n=16-20)	White men (n=126-133)	Difference
How frequently do you participate in activities (rallies, celebrations, conferences, etc.) sponsored by the following groups? (Index of: Business associations, Community associations, Educational groups, Environmental groups, Professional associations, Racial/Ethnic minority groups, Religious groups, Student or Youth groups, Women's groups) [1=never 2=rarely 3=sometimes 4=frequently 5=very frequently]	**3.5**	**2.7**	**-0.8*** **
How frequently do you participate in activities sponsored by the following groups OUTSIDE your district?	**3.3**	**2.6**	**-0.7*** **
Count of number of groups met with "frequently"	**3.9**	**2.7**	**-1.2***
Count of number of groups met with outside the district "frequently"	**2.7**	**1.5**	**-1.2*** **

† $p<0.10$ * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$

The results for the relationship between group proportion and meeting with groups, presented in Table 4.12 echoes the results for identity. Tokens, as minority women, meet with groups more frequently, both in and outside the district, as presented by the index variable. The survey results suggest that tokens meet with groups more frequently overall. In terms of overall group meetings tokens score 3.3 on the five-point frequency scale, whereas members of the dominant group only reach 2.7, a statistically significant difference of -0.7 ($p<0.001$). Tokens also frequently meet with groups outside of the district, with a score of 3.1 on the five-point scale, whereas dominant group members place at 2.6, again this -0.5 difference is statistically significant ($p<0.01$). For tokens there was no difference in the frequency of meeting groups in general in comparison to meeting them outside the district ($p>0.40$), suggesting that there are no

differences in these behaviors. These data support Hypothesis 4.2 and also show that institutional marginalization is at least as good of an explanatory variable as social marginalization, and that being a token in a legislature does affect legislative behavior in terms of meeting with groups in and outside of the district.

According to Hypothesis 4.2, I expect that tokens should be more likely than dominant group members to meet with more groups. The results for this analysis are also presented in Table 4.12. As for the number of groups that legislators indicated they meet with "frequently", the results show that tokens meet, on average, with 4.5 groups out of the presented nine groups (community, education, business, professional, students, women, environment, religion, and race). The results show that tokens frequently meet with a significantly higher average number of groups (4.5) than dominant group members do, who only meet with 2.4 groups on average, the -2.1 difference in the number of groups is statistically significant ($p<0.001$). Looking back to the identity variable I showed that minority women, while frequently meeting with more groups than other identity groups, only meet with 3.9 groups, compared to 4.5 for tokens. This is strong support for the notion that institutional marginalization performs at least as well, if not better than the social marginalization variable. Tokens also frequently meet with more groups outside of the district than dominant group members do, Tokens meet with 2.5 groups outside the district compared to 1.2 for legislators who hold a dominant position in the legislature, the 1.3 difference in the number of groups is statistically significant ($p<0.001$).

Table 4.12 Meeting with Groups by Institutional Marginalization

	Tokens (n=32-40)	Dominant (n=126-148)	Difference
How frequently do you participate in activities (rallies, celebrations, conferences, etc.) sponsored by the following groups? (Index of: Business associations, Community associations, Educational groups, Environmental groups, Professional associations, Racial/Ethnic minority groups, Religious groups, Student or Youth groups, Women's groups) [1=never 2=rarely 3=sometimes 4=frequently 5=very frequently]	**3.3**	**2.7**	**-0.6*** **
How frequently do you participate in activities sponsored by the following groups OUTSIDE your district?	**3.1**	**2.6**	**-0.5*** **
Count of number of groups met with "frequently"	**4.5**	**2.4**	**-2.1*** **
Count of number of groups met with outside the district "frequently"	**2.5**	**1.2**	**-1.3*** **

† p<0.10 * p < 0.05, ** p < 0.01, *** p < 0.001

4.4.3 Amount of Work

I use three separate measures for amount of work legislators engage in, proportion of a full-time position, hours per week, and number of bills written. These results are shown in Table 4.13. In terms of proportion of full-time position, white men, on average, score just below the "51-70%" category at 1.9. Minority women on the other hand registered a 3.0, fully in the next category, "71-90%". In comparison to white men, the results show that indeed minority women at least perceive that they work more than white men report to perceive ($p<0.01$). The t-test showed that there was a significant difference between these two identity groups ($p< 0.01$).

The results reveal that minority women work more hours than white men, and work more in each specific category than white men, as presented in Table 4.13. On average, legislators report spending about 26 hours on the activities I specifically asked about. The total average number of hours minority women reported spending on these

particular activities overall is nearly 36 hours. They report spending about nine hours on service, 14 hours studying legislation, nine hours developing legislation, and four hours campaigning in a typical week while the legislature is in session. Comparably, white men report spending seven hours on service, 12 hours studying legislation, five hours developing legislation, and 1.5 hours campaigning while in session. The total number of hours for white men was about 25. These results show that minority women report spending 11 hours more per week on these activities than the average white male, a difference of 44%, a significant difference ($p<0.01$). T-tests conducted on each activity examining the differences in means between minority women and white men reveal that any differences in terms of constituency service and studying legislation are insignificant. However, both developing legislation and campaigning were significantly different ($p<0.01$; $p<0.05$). In terms of the sheer amount of hours worked across all activities, the hypothesis is supported, though with varying results depending on the specific activity. There is mixed results for Hypothesis 4.3 in terms of this measure; in terms of the overall workload, developing new legislation and campaigning & fundraising, Hypothesis 4.3 is supported, though this is not the case for "meeting with constituents" and "studying proposed legislation".

Continuing in Table 4.13, I present results for the number of bills written by legislators as another measure of the amount of work legislators do. When disaggregating the means based on identity, no clear pattern emerges; and indeed the t-test shows no significant differences in the means between white men and minority women. There was a difference in the modal category which was "0-5 bills" for white men (43.9%) and "6-10 bills" for minority women (47.6%). These results might suggest that this is a relatively

difficult test, and that there is a need for disaggregating the scale into actual bills written since a majority of legislators fell into just one category, in the future a similar survey question might consider either smaller categories or an open ended response. At this point, there is no support for Hypothesis 4.3 in terms of number of bills written.

Table 4.13 Amount Worked by Social Marginalization

	Minority Women (n=16-20)	**White men (n=126-133)**	**Difference**
Averaged over an entire year and taking into account session time, interim work, constituent service, and campaigning, what proportion of a full-time job is your legislative work? [0="less than 30%" 1="31-50%" 2="51-70%" 3="71-90%" 4="91% or more"]			
	3.0	**1.9**	**-1.1****
How many hours do you spend per week (consider the average week) on the following: [open ended]			
Total	**35.7**	**24.7**	**-11.0****
Meeting with Constituents	**9.0**	**7.2**	**-1.8**
Studying Proposed Legislation	**13.9**	**11.8**	**-2.1**
Developing New Legislation	**8.9**	**5.3**	**-3.6*****
Campaigning and Fundraising	**3.9**	**1.5**	**-2.4***
How many bills do you write in the average session? [0= "0-5", 1= "6-10", 2="11-20", 3="20+"]			
	1.0	**0.9**	**-0.1**

† p<0.10 * p < 0.05, ** p < 0.01, *** p < 0.001

The analyses for workload by institutional marginalization are presented in Table 4.14. According to Hypothesis 4.3, I expect token members, who are the most marginalized and the most likely to feel additional pressures from the desire to represent multiple constituencies, to report working more than members of the dominant group who are the least marginalized in the legislature. A t-test showed that in terms of the proportion of a fulltime job being a legislator takes up, the differences in the means

between the various groups are much smaller than they were for the identity groups. Dominant group members score just at 2 on the scale from 0-4, which is the marking point for the "51-70%" category, while the overall average rests slightly above (2.1). Token group members score slightly higher at 2.6, just past the halfway point between the "51-70%" category and the "71-90%" category. The hypothesis is supported by the data and shows that tokens perceive of their position as a greater proportion of a full-time position than members of the dominant group.

The results reveal that tokens work substantially more hours than members of the dominant group, and in each specific category in comparison to those in the dominant group. On average, tokens report spending about ten hours on service, 15 hours on studying legislation, nine hours on developing legislation, and seven hours on campaigning in a typical week while the legislature is in session. Notably, these numbers are greater than the numbers for minority women, except in the case of developing legislation where the numbers are equal. The total number of hours tokens reported spending on these particular activities is over 40 hours, a full three hours more than minority women reported. Comparably, dominant group members report spending about seven hours on service, 12 hours studying legislation, five hours developing legislation, and one-hour campaigning while in session. The total number of hours for members of the dominant group was only 23.5 hours, nearly half of the number of hours reported by members of the token group.

To examine the differences in means of each activity between tokens and dominant members, I conducted a series of t-tests which revealed the differences in the hours spent on constituency service and studying legislation were significant ($p<0.01$;

$p<0.05$), unlike the relationships between minority women and white men for the same activities. Hours spent campaigning was also significantly different for tokens and dominant members. However, there was no statistical difference between tokens and dominant group members for developing legislation. Hypothesis 4.3, positing that tokens spend more hours working, was largely supported, and was more consistently supported in examining group proportion in comparison to identity. In addition, the differences, particularly for number of hours worked, presented more stark differences between groups.

In terms of the number of bills written, also presented in Table 4.14, the average score for token members was 1.3 which reaches beyond the "6-10 bills" per session category. In comparison the average member was just below this category (at 0.9), and minority women were solidly in this category (at 1.0), the average for dominant members was 0.8. The t-test to compare tokens and dominant members was significant ($p<0.02$) indicating that tokens write significantly more bills than dominant group members. In comparison to the identity variable, the group proportion variable performed much better and was able to lend support to Hypothesis 4.3. This suggests that the number of bills written may be more of a function of marginalization than a gendered or racialized style as may be the case with perception of amount of work.

Table 4.14 Amount Worked by Institutional Marginalization

	Tokens (n=32-37)	Dominant (n=117-126)	Difference
Averaged over an entire year and taking into account session time, interim work, constituent service, and campaigning, what proportion of a full-time job is your legislative work? [1="less than 30%" 2="30-50%" 3="50-70%" 4="70-90%" 5="90% or more"]			
	2.6	**2.0**	**-0.6***
How many hours do you spend per week (consider the average week) on the following: [open- ended]			
Overall	**40.3**	**23.6**	**-16.7****
Meeting with Constituents	**9.6**	**6.7**	**-2.9***
Studying Proposed Legislation	**15.4**	**11.6**	**-3.8**
Developing New Legislation	**8.6**	**5.0**	**-3.6****
Campaigning and Fundraising	**6.9**	**1.3**	**-5.6***
How many bills do you write in the average session?			
	1.3	**0.8**	**-0.4***

† $p<0.10$ * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$

4.4.4 Surrogate Constituency Service

The results in Table 4.15 show that most legislators report that they provide surrogate constituency service at least "sometimes", around the midpoint of the scale. Again, I examined the differences between minority women and white men, and conducted t-tests for each activity. These tests did not yield significant results. To explore these results further, I examined all identity groups (minority women and men, and white women and men) to each other, and to the mean legislator through a series of ANOVA and t-tests, and found some marginally significant, and interesting, differences. These results are presented in Table 4.16. Minority women were found to engage in surrogate constituency service more frequently than others; in contrast white women report engaging in this activity significantly less frequently than all others. This is another interesting finding as the behavior of the minority women generating some mixed support

for Hypothesis 4.4.

Table 4.15 Surrogate Constituency Service by Minority Women and White Men

Do you provide constituency service on behalf of citizens who do NOT live in your district? [1=never 5=often]

Minority Women (n=19-20)	White men (n=134)	Difference
3.5	3.1	-0.4

† p<0.10 * p < 0.05, ** p < 0.01, *** p < 0.001

Table 4.16 Surrogate Service by Social Marginalization

Identity	Mean
Minority female	3.5 †
White female	2.8**
Minority male	3.0
White male	3.0
Total	3.0
ANOVA: 0.10	

As in the previous test for the role of identity, I found that there were no statistically significant differences between tokens and dominant group members. The results for this series of analysis is presented in Table 4.17. Again, it is notable that while the hypothesis is not supported, this is not because tokens do not feel an obligation or moral, intrinsic, motivation to work on behalf of citizens who do not reside in the district, but rather, other legislators unexpectedly are equally likely to engage in surrogate representation in these ways.

Table 4.17 Surrogate Activities by Tokens and Dominant Group Members

Do you provide constituency service on behalf of citizens who do NOT live in your district? [1=never 5=often]

Tokens (n=36-37)	Dominant (n=127)	Difference
3.3	3.0	-0.3

† p<0.10 * p < 0.05, ** p < 0.01, *** p < 0.001

The difference of means tests between each group and the average member did reveal some marginally significant results, presented in Table 4.18. The results show that members of token groups provide more constituency service to citizens beyond the district than the average member. In comparison to the analysis on social marginalization this model appears to perform better.

Table 4.18 Surrogate Service by Institutional Marginalization

Groups	mean	
Token	3.3	†
Minority	2.8	
Balanced	2.9	
Dominant	3.1	
Total	3.0	

ANOVA: 0.13

4.5 Discussion & Conclusion

The data from the 2015 "Representation in U.S. State Legislatures" produced results with mixed support for the hypotheses, depending on the data source and independent variable in question. Hypothesis 4.1 and Hypothesis 4.2 are supported in all cases, both in terms of social and institutional marginalization, and both in terms of in and outside of the district. Hypothesis 4.3 is mostly supported, though not in the case of

bill sponsorship, and the number of hours spent on some specific activities of socially marginalized legislators, or in the case of studying legislation for institutionally marginalized legislators. Hypothesis 4.4 was not supported; however extended analysis revealed that some differences appear in comparing highly marginalized legislators to the mean legislator though not to non-marginalized legislators. In all, three of four hypotheses were largely supported by the data.

The data on meeting with groups produced results which were very interesting and lent strong support to the hypotheses. First off, the data show that indeed marginalized legislators, such as minorities and women, meet with their identity based groups, both within and outside the district, lending support for the notion that marginalized legislators perceive of salient identity constituencies. The data also showed that minority women, but especially tokens, meet rather frequently with many groups. Not only did respondents say that they meet with groups in general, but they also specifically stated that, at least some of the time, they will leave their district to meet with groups. These results also lent support to the Hypothesis 4.2 in showing that indeed minority women, but especially tokens frequently meet with significantly more groups. These findings suggest that marginalized legislators don't merely shift focus to the salient identity constituency, but that those are additive pressures to which marginalized legislators respond. Hypothesis 4.3 regarding the amount of work legislators engage in were largely supported, and indeed showed that minority women, but especially token group members, are significantly different in their work load and productivity. Though Hypothesis 4.4 was not supported by these data, the results show some differences between marginalized legislators and the mean legislator indicating opportunities for

further research.

In comparing the results between the social marginalization and institutional marginalization, I find that the institutional marginalization variable performs at least as well, if not better in finding support for the hypotheses. The data show that token members of legislators, regardless of race/ethnicity or gender, are put in a position of additive pressures which has several consequences for the amount of work they engage in, the number of groups they meet with, their view of "home" and surrogate constituency needs, and the amount of constituency service they provide.

The goal of this chapter was to examine the legislative behavior of state legislators. I asked and provided some answers to questions about individual and group variations in legislative behavior and external motivations for their behaviors. I built on the previous chapter which suggested that legislators who are socially or institutionally marginalized should be more likely to perceive of multiple constituencies which may not be geographically and electorally bound. In this chapter, I generated hypotheses on the basis that having salient identity constituencies should put additional pressure on marginalized legislators because they feel morally obligated to represent those groups. I suggested that being a part of a minority identity group, such as being a minority woman, and especially belonging to a minority identity and being one of very few representing the same identity group in the legislature should lead to a moral incentive for surrogate representation. I argued that legislators who are more likely to be surrogate representatives should be more likely to perceive of their position as closer to a full-time job, that they should work more hours, write more bills, meet with more groups including outside of the district, and that they should provide more constituency service on behalf

of constituents who do not live in the district. Finally, I also argued that institutional marginalization, as a compounding motivation for surrogate representation, should have stronger predictive power than social marginalization alone.

This chapter represents an early attempt to quantitatively measure and test surrogate representation. There are certainly questions left unanswered, but some questions about how marginalization in two different forms affect legislative behavior have been answered, and new questions have arisen as a result of this chapter. This chapter contributes to the literature on representation broadly by providing an empirical assessment of representation without electoral accountability. It furthers our understanding of what the goals of representation are and how legislators attempt to achieve those goals. It also contributes to the literature on the behavior of gender and race/ethnicity and politics in understanding the behavior of minorities and women at the highest level of political inclusion. We are just reaching a point where we can empirically examine the behavior of minority women vis-a-vis white women, and white and minority men, and while there are still insufficient numbers for more powerful multivariate analysis, the bivariate results here present a wealth of data on the behavior of minority women representatives. Finally, this chapter contributes to the literature on legislative behavior, while an enormous literature has examined institutional behavior through the lenses of partisan effects, institutional effects, regional effects, gendered effects, and racialized effects, few studies have examined legislative behavior through a lens of institutional marginalization invoking the effects of group proportion on legislative behavior.

Chapter 5: Additive Pressures of Marginalization and the Effects on Committee Membership

Legislators who belong to marginalized identity groups, such as racial and ethnic minorities and women, have a sense of moral obligation to represent their group members broadly speaking, while also representing the interests of their districts. When individuals, in this case legislators, are marginalized, they are more likely to become aware of their identity and have a sense of belonging with other members of the group, in other words, their personal identity salience is heightened (Crenshaw 1993; Gurin and Townsend 1986; Mehra, Kilduff, and Brass 1998b). Because of their position as legislators, this increased identity salience will cause them to feel representationally responsible for members of their group, both in and outside of their district. They will come to perceive of their group members as an additional constituency to their district and display an increased interest in identity policy preferences. I expect this unique perspective to have implications for the legislative behavior of members of marginalized groups. As seen in the previous chapters, the view of salient identity constituencies has implications for both hill (activities in the legislature) and home (constituency service) style behaviors. In this analysis, I concentrate on the implications for hill style behaviors, and in particular, I ask if marginalized legislators display differences in policy preferences from other members through their legislative committee memberships. Using data of committee membership for over 4,000 lower house state legislators across 13 states, I show that marginalized legislators do show preferences for committees that deal with identity-based issues areas.

Large bodies of literature have shown that there are distinct differences in policy priorities between white legislators and minority legislators, and between male legislators

and female legislators (Branton 2007; Brown 2014; Michele Swers 2001, 2002; Minta 2009, 2012a; Swain 1995; Swers 2005, 2013). I look specifically at how both social marginalization and institutional marginalization affect the committee membership decisions of state representatives. I argue that marginalized legislators, just as other legislators, seek to represent their electoral, geographically bound, district but that these legislators have the additional pressure to represent an identity-based constituency (the salient identity constituency). The additive pressures marginalized legislators are likely to perceive in seeking to represent both their district constituencies and identity group members create incentives to prioritize policy preferences through committee membership. I argue that the additive pressure is the result of an internal moral obligation to represent members of a salient identity constituency, itself a function of the awareness of the marginalization of the group members (Dawson 1994; Mansbridge 2003; Whitby 1997). I argue further that this moral obligation and awareness of the salient identity constituency is heightened when the legislator is institutionally marginalized by belonging to a group that holds only a small share of seats in the legislature (as tokens). Under these conditions, when a legislator serves as one of a very small number of representatives, s/he is especially likely to have a heightened awareness of identity and marginalization and feel a sense of responsibility and obligation to carry out legislation on behalf of the socially underserved group and this is best done in committee (S. J. Carroll 2002b; Kanter 1977; Mansbridge 2003; Saint-Germain 1989).

Committees are a good avenue to examine policy preferences, because so much of the legislative work is done in committees. Committee work affects bill development in more ways than sponsorship and roll-call voting alone (which are common avenues for

similar studies), because it also covers the deliberation of the bill and ultimately has a very large role in the fate of bills. In addition, committees are useful to look at because everyone has to sit on committees, so we see some constraint in choices. This constraint is useful for understanding prioritization because we can get a ratio among a specific set of preferences.

5.1 Representing Interests on the Hill

Traditional theories of mainstream legislative behavior (theories driven by analysis of white, male representatives) fall short of being able to explain the different, or at least additional, behaviors exhibited by marginalized legislators. (Duerst-Lahti 2002; Marin Hellwege and Sierra 2016; Robert R Preuhs 2006a). I have argued that marginalization leads to implications for legislators' prioritization of identity-based issues, which has implications for hill and home style legislative behaviors (Chapter 2 this volume). I have already shown that marginalized legislators' heightened awareness of identity leads to a perception of group members as a salient identity constituency (Chapter 3 this volume) and a broader, even a surrogate, sense of "home" in representing an identity-based constituency (Chapter 4 this volume). I will argue in this chapter that there are also implications for marginalized legislators' hill style behavior, in that marginalized legislators will seek to represent the interests of their salient identity constituencies through their committee memberships.

I use state legislative committee membership to examine hill style behavior because committees are considered the "workhorses" of any legislative body (Pelissero and Krebs 1997; A. Rosenthal 1990). As such, the type of committee a legislator sits on becomes vitally important to the legislative record a legislator compiles. Because time is

the scarcest resource a state legislator possesses, and the committee structure claims much of that resource, state legislators choose to spend their time on committees that align with existing policy goals. Therefore, committee membership may serve as a proxy for legislator policy preferences. I expect that given marginalized legislators' perception of a salient identity constituency, they should make committee membership choices that are markedly different from that of non-marginalized legislators.

Committee membership is important to legislators because it helps them fulfill multiple goals including, achieving policy goals, providing constituency service, establishing a reelection record, and attaining institutional power. I expect that although marginalized legislators have the same rational goals as non-marginalized legislators, their moral obligation to serve their salient identity constituency and the awareness of the under-representation of the salient identity constituency leads to a more limited, or concentrated, set of committees on which these legislators choose to sit. Several studies have shown that women and minorities tend to hold a different set of policy preferences from white males (Crenshaw 1993; Dawson 1994, 2001; Foster 2008; Masuoka and Junn 2013; G. R. Sanchez 2006; Wolbrecht, Beckwith, and Baldez 2008), and that legislators who identify with these groups are more likely to represent those interests in the legislature (Cowell-Meyers and Langbein 2009; Haynie 2001; Minta 2009, 2011, 2012a; Reingold and Haynie 2013; Michael S Rocca and Sanchez 2008; Whitby 1997). Theoretically, marginalized legislators should seek opportunities to work on issues related to their salient identity constituency; which in many cases involves addressing the marginalization of these vulnerable populations.

Scholars have shown that women and minorities are more likely to bring previously "uncrystallized", or new, issue areas to the table, ostensibly because white men have not previously prioritized the same issues (S. J. Carroll, Dodson, and Mandel 1991; S. J. Carroll 1989; Dodson 2006; Mansbridge 1999; Mendelberg, Karpowitz, and Goedert 2014a; Minta 2011). Thomas and Welch (1991) argue that "women's priorities will be somewhat, though not dramatically, different from men's" (Thomas and Welch 1991, 452). Thomas theorizes that legislative behavior is solely (or at least primarily) based on a woman's own life experience (Sue Thomas 1991b). Consistent with this perspective, scholars have found that there is a gender gap in the types of activities that male and female legislators engage in, including which activities they engage in more or less frequently, the types of bills they sponsor and co-sponsor, and the types of committees they sit on (Swers 2002, 2005, 2013). For example, in a survey of state legislators, Thomas and Welch (1991) ask members of lower houses in twelve states to create a list of their top policy priorities. They find that women are more likely than men to prioritize policies dealing with children, the family and welfare (Sue Thomas and Welch 1991). In addition, scholars have consistently noted that women are overrepresented as members and chairs on health and social and human services committees (S. J. Carroll 2002b; Dodson 1998, 2006; Reingold and Swers 2011; Sue Thomas 1991b).

In terms of race and ethnicity, scholars have similarly found that minority legislators' preferences often echo those of women in addressing the social issues facing marginalized and vulnerable populations. Race and ethnicity scholars have proposed that minority legislators have different policy priorities than their white counterparts, which

leads to differences in legislative behavior, including pursuit of specific types of committee assignments and leadership positions (Barrett 1995; Haynie 2001; Orey, Overby, and Larimer 2007; Whitby 1997). Studies have shown that African Americans are more likely than white legislators to prioritize, and be members of committees dealing with health and social services regardless of gender (Barrett 1995, Bratton, Haynie, and Reingold 2006, Sanchez & Marin Hellwege 2014). Research on health and welfare committee leadership has shown that attaining leadership positions on these committees allows black legislators to provide greater substantive representation to black communities (Browning, Rogers, and Tabb 1984).

Similarly, Fraga et al. (2006) show that Latinos, and especially Latinas, use their position to further a Latino policy agenda. They show that both Latino and Latina legislators are predominantly concerned about representing their district, but that they also have an interest in representing the broader population of Latinos. They also show that Latino/a legislators, in general, show a particular interest in children's policy, as well as policy affecting immigrants and other minority groups (Fraga et al. 2006). Bratton (2007) examines legislative behavior in six states and finds limited support for the notion that Latino legislators have different policy preferences than non-Latino legislators. Also, she finds that Latino legislators do not exhibit significantly different patterns of committee membership than non-Latino legislators. Instead, she argues that "the two most powerful and consistent influences on committee membership across committees are gender and profession" (Bratton 2007, 1150). Sanchez and Marin Hellwege (2014), however, do find a difference between Latinos and non-Latinos in their 13 state study of

state legislators' committee membership suggesting a possible change in dynamics in the years since Bratton's study.

So far I have focused the discussion of marginalization along single dimensions, either race/ethnicity *or* gender; however recent literature has challenged this view of marginalization and argued for the need to consider identity along the lines of both, as well as an identity at the intersection (Crenshaw 1993; Garcia Bedolla 2007; Hancock 2007; Smooth 2006). Legislators who are marginalized along the lines of *both* race/ethnicity and gender, i.e. minority women, are likely to perceive of a dual, or even triple, identity, and in turn feel representationally responsible for at least two separate salient identity constituencies as well as their district. Fraga et al. (2006) find that minority women legislators are able to use their multi-faceted identity to build coalitions and to generate a more fluid policy agenda. In other words, their intersecting identities provide these legislators with multiple options for constituency building and policy responsiveness in appealing to both women and Latinos. Recent work on minority women's legislative behavior finds that minority women tend to behave in ways predicted by theories of both female and minority legislative behavior (Brown, 2014). Carroll (2002) argues that female African American members of Congress successfully advocate for women's issues while simultaneously incorporating policy priorities of interest to the black community.

Barrett (1995) argues that African American women are among the most cohesive group of legislators and that these legislators "seem to share a strong consensus on which policy areas should receive priority" and that these policy areas deal predominantly with the welfare of vulnerable populations, such as health and education as well as economic

development and unemployment. Takash (1993) makes a similar argument in her study of Latina politicians in the California state legislature. She finds that they express interest in furthering women's issues but also emphasize a need to further Latino interests, such as education and public safety (Takash 1993). Marin Hellwege and Sierra (2016) also show that Latinas use their intersectional identity as both Latinas and women to appeal to constituents from these two different communities. I expect that minority women's dual marginalization leads to a perception of two salient identity constituencies; they will feel representationally responsible for both minorities and women. Dual marginalization through intersectionality will lead minority women to be the most likely to display behaviors consistent with the preferences of the salient identity constituencies, such as education, health, welfare, children and families.

Mansbridge (2003) suggests that legislators are more likely to engage in surrogate (beyond district) representation when there is a strong common bond between the representative and the group that is to be represented. She argues that the creation of a moral obligation for the representative stems from an awareness of the needs of this population and the responsibility the legislator has as one of few legislators to represent this constituency. I argue that this suggests that identity is not the only impetus for identity-based representation, but that more fundamentally, such representation stems from a legislator's sense of marginalization. As such, we should expect that not only will minority women be especially likely to engage in identity-based representation, but those legislators who are particularly marginalized in the legislature as tokens (belonging to a group with fewer than 15% of seats) should also engage in such representation. A marginalized position in the legislature is likely to further raise the awareness of a

legislator's own identity and the needs of the salient identity constituency (S. J. Carroll 2002b; Gurin 1985; Kanter 1977; Mehra, Kilduff, and Brass 1998a). I expect a heightened awareness of identity will result in a particular set of policy preferences for marginalized legislators, which will be evident in their choices of committee membership.

5.2 Expectations for Committee behavior

Committee membership is influenced by multiple factors including: constituency and district interests (Fenno 1973; Matthews 1960; Ray 1980; Bullock 1972; Rhode and Shepsle 1972; Smith and Deering 1984), seniority (Matthews 1960; Shepsle 1978; Masters 1961), previous occupation (Matthews 1960), party loyalty (Coker and Crain, 1994), and reelection (Masters 1961; Clapp 1964; Smith and Ray 1983; but see Bullock 1972 and Smith and Deering 1984). For state legislative committee membership, specifically, research falls generally into four explanatory categories: (1) reelection, (2) party loyalty, (3) seniority, and (4) ideology. This chapter serves to focus on a fifth dimension, which is less frequently heralded in mainstream scholarship: personal characteristics activated by social and institutional marginalization. Research by Hedlund and Patterson (1992) bears the closest resemblance to the present research. They test the reelection hypothesis common to the congressional literature in the 1960's and 70's. The reelection hypothesis (see, for example Masters 1960 and Clapp 1961), proffers that legislators seek membership on committees that ensure their successful reelection. Though they find little evidence to confirm the reelection hypothesis, they do find that the legislators engage in highly strategic behavior to gain a preferable assignment. They also take into account demographic characteristics of the legislators, but find no evidence

to support the idea that age and gender significantly impact the assignment process. Hedlund and Patterson are the only researchers to consider the impact of personal characteristics on membership, however, they deal with it in a cursory manner.

The committee assignment process is technically a back and forth between party leaders and party members as the party tries to place legislators on committee that will help them with their reelection goals (Mayhew 1974). The accommodation of committee requests is in the best interest of both the member and the party (Hedlund 1989; Kanthak 2009). Kanthak (2009) suggests that committee assignment is used by party leadership to promote partisan loyalty among legislators. This, however, is not to suggest that certain partisans tend toward a certain type of committee, as committees are specifically designed to be balanced in terms of partisanship. Any skewness is the result of a highly unbalanced legislature, rather than a partisan preference. Instead, these results should be interpreted as the degree of preference state legislators actually have in their committee assignments. In other words, we can expect that committee membership is not the result of party alone, though consideration should be made for being a member of the controlling party. At the state level, Hedlund (1989) finds evidence that the committee assignment process is a powerful tool wielded by party leadership to encourage party loyalty and partisan behavior. Using committee request data from six legislative sessions in the Wisconsin state legislature, he finds a remarkable correlation between committee request and committee assignment. This point is particularly important to the present study in which request data was unavailable. Committee membership as an outward proxy for the request process is a valuable measure absent request data; in light of present data limitations, it still bears strong empirical and theoretical power.

I expect that marginalized legislators will have strong preferences for a specific set of committees because they feel a moral obligation to represent their salient identity constituency. Given the limited resources state legislators have, marginalized legislators will seek to capitalize on their committee membership to focus on issues that are pertinent to their salient identity constituencies. Most often, these will be social welfare committees which focus on issues related to vulnerable populations. While I expect marginalized legislators to have the same basic, rational, interests as the mainstream literature describes, I argue that when legislators are marginalized other preferences are de-prioritized in favor of identity-based issues. I further expect that adding more layers of marginalization, such as dual social marginalization (intersectionality) and tokenism (less than 15% group proportion) will produce the strongest effects. In other words, minority women, who represent multiple salient identity constituencies, and, especially, tokens, who are one of few representatives for a salient identity constituency, will be especially likely to seek avenues, such as committee membership, to represent salient identity constituencies.

5.2.1 A Typology of State Legislative Committees

The rich variance in committees at the state level provides both an opportunity and a challenge. There is no common rule among the legislatures of the 50 state legislatures that guides the structure, number, substance, or naming of committees. Moreover, committees at the state level change with greater frequency than those at the federal level. Therefore, before broad comparative analysis of state legislative committees can take place, a mechanism of comparison is required. Though the congressional literature puts forth a typology of standing committees (see, for example,

Adler and Lapinski 1997), the state literature has been weak on identifying a similar categorization scheme. Instead, studies tend to compare across a small set of committees that are constant across states such as education, judiciary, and insurance (see for example Hamm, Hedlund, and Post 2011). Many lessons can be borrowed from the Congressional literature to inform state level studies, but in terms of committees, the state and federal levels require an independent schema.

In this analysis, I use a five-category classification scheme based on committee functions and policy jurisdictions initially created by Sanchez and Marin Hellwege (2014), but further developed here. This committee scheme allows for comparison of about 92-96% of total committee assignments for the sample of legislatures. Table 1 displays the five committee types: control, workhorse, caretaker, private goods, and public utility.

Table 5.1 State Legislative Committee Typology

Committee Type	Primary Motive	Examples
Control	General	Appropriations, Budget, Judiciary, Rules, Ways and Means
Workhorse	General	Federal-state Relations, Government Oversight, Legislative Effectiveness and Administration
Caretaker	Specialization	Aging, Education, Health & Human Services, Poverty, Public Safety, Social Services, Veterans
Private Goods	Specialization	Banking & Financial Services, Business & Commerce, Consumer Affairs, Insurance
Public Utility	Specialization	Arts, Infrastructure, Library, Museums, Parks and Wildlife, Tourism, Transportation

General committees deal with a high variation of substantive issue areas, and are better considered as high or low power committees. High power committees wield the

most legislative control and prestige in the legislative body; legislators can boast membership on these committees to further their own ambitious goals- these are called control committees. Control committees can be conceived of as the most prestigious and therefore the most powerful committees in state legislatures. Each type of power committee has distinguishing characteristics. By way of definition, control committees are committees that deal with legislative budgets and rules. Control committees are often called prestige committees because legislators with intra-institutional ambition tend to use these committees to facilitate their goals (e.g. Fenno 1973, Bullock 1976). Control committees are powerful because they hold the purse strings while simultaneously enjoying the broadest jurisdictions compared to other legislative committees. In other words, control committees have to deal with nearly every piece of legislation at some point regardless of the policy substance. Therefore, they are in a position to shape most policies considered by the legislative body in any given session.

Workhorse committees, on the other hand, are less about prestige and control and more about engaging in the "grunt work" of the legislative body (e.g. Hall 1996). They can be conceived of as a stepping stone to control committee membership.[16] They have low visibility, but are essential to the workings of the legislative body and the government. Workhorse committees allow legislators to earn "the respect of their colleagues" (Matthews 1973, 1967, see also Payne 1980) and eventually gain individual power. In state legislatures, these committees perform administrative functions including ensuring efficiency, inter-government relations, and government oversight. I expect that

[16] Bullock (1970) alludes to this idea through his research on the norm of apprenticeship for freshmen committee assignments in the House of Representatives.

all legislators are interested in being members of exclusive control committees, and that experience and legislative leadership should be the most likely predictors of membership. Conversely, I expect legislators should be equally likely to sit on workhorse committees as it is unlikely anyone would have a strong preference for these committees but will join them as necessary. As discussed previously, I expect that marginalized legislators have the same instrumental goals as any other legislator, though I expect that they have additive pressures to represent their salient identity constituencies. As such there should be no differences between marginalized and non-marginalized legislators on either of these committee types, which are defined by power rather than policy.

Policy specialization committees allow members to establish a record of policy initiatives that give voice to a particular interest. Policy specialization committees are "those typically considered to have close relationships with high demand interest groups" (Kollman 1997, 529). These specialized committees are of particular importance to legislators when they are corresponding to a strong component of a legislator's district and/or reelection constituency. The present typology distinguishes between three types of specialized committees: caretaker, private goods, and public utility. The three types are distinguished by the nature of the population served and the nature (public or private) of the goods and services in which they deal. Unlike the expectations for general committees, I expect differences in preferences for the policy specialization committees. In other words, I expect all legislators to share instrumental goals, but that marginalization affects how they shift their focus when it comes to policy.

The first type of policy specialization committee is the caretaker committee. This committee type serves the interest of needy and vulnerable populations such as children,

the elderly, and infirm. They serve a range of social welfare issues such as health, poverty, aging, human service, and social services. Legislators are likely to request service on caretaker committees when their constituency ranks low on indicators of socio-economic status such as median income and education level. The second type of policy specialization committee is Private Goods. These committees deal in commercial, profitable, and private economic issues. They are likely to include issues of banking, small business, consumer protection, insurance, finance, labor, and commerce. Conversely, Public Utility committees, the third type, concern the provision of public goods with widespread use and ownership. Publicly funded and/or distributed goods and services fall into the domain of these types of committees. Examples include parks, wildlife, arts, museums, and libraries.

I expect that marginalized legislators, whose salient identity constituencies are likely to suffer from social welfare inequity in comparison to white male constituents, should be more likely to display an interest in caretaker issues at the cost of having decreased membership in the other two policy specialization committees. Marginalized legislators are more likely to have a heightened identity salience which turns their focus to their marginalized, vulnerable constituents. Salient identity constituencies include populations who are, by definition, marginalized and vulnerable in comparison to white men. As such, I expect that marginalized legislators will sit on caretaker committees that specialize in areas dealing with vulnerable populations, such as families & children, health care, education, and public safety. Consequently, I expect they will be less likely than non-marginalized legislators to sit on private and public utility committees.

One of the benefits of this study is the constraint of committee choices, and particularly the parsimony of the typology of committees. This typology allows for a broad sense of the types of committees legislators gravitate towards. Examining legislative activities that include less restrictive choices, such as bill sponsorship, can include a much larger assortment of topics. For example, such studies could reveal differences between African Americans and Latinos and look specifically toward issues such as civil rights and immigration. However, such studies would not be as effective in establishing a parsimonious comparison between several issues and groups. The typology I provide here is able to provide a parsimonious study of nearly all (more than 90%) committees. While some of the rich details may be lost for the sake of parsimony, those issues are not excluded but rather subsumed within the typology. Several issues associated with particular groups, such as abortion access, police brutality, and DREAMers' access to education are likely to fall under "Caretaker" committees. The defining factor for caretaker committees is that they include committees that are likely to deal with issues of vulnerable, marginalized populations including women and race/ethnic minority populations who are vulnerable by definition. These populations are more likely experience inequities in terms of issues such as health, welfare, and public safety.

5.3 Hypotheses

Formally stated, I test the following hypotheses:

Hypothesis 5.1: Marginalized legislators sit on a proportionally equal number of control and workhorse committees as non-marginalized legislators (white men and dominant group members)

Hypothesis 5.2: Marginalized legislators are more likely to be members of caretaker committees than legislators who are not marginalized

Hypothesis 5.3: Marginalized legislators sit on a proportionally fewer number of private and public committees than non-marginalized legislators (white men and dominant group members)

5.4 Data and Methods

To test my hypotheses, I use an original data set that includes the committee assignment, demographics and institutional characteristics of state legislators. The data were collected from 13 states for 3 separate years, for a total of 4,251 assembly (House) level state legislators. The states included are: Arizona, California, Florida, Georgia, Illinois, Maryland, Missouri, Mississippi, New Jersey, New Mexico, New York, Tennessee, and Virginia. The states were selected based on the current number of minority women serving to ensure a sufficient number in the dataset.[17] Despite the larger amount of data than in Chapter 4, there is still insufficient institutional variation of identity groups to examine the interaction of marginalization, and instead I will offer two separate analyses. The period of study is 1998-2010, with data for three time points: 1998, 2004 and 2010. I use more recent state legislatures to maximize the number of minority women in the analysis. These data were collected directly from each state's legislative journals. These records, usually kept by the clerk of the House, include information on legislator race and ethnicity[18], committee membership and leadership, party affiliation and legislator tenure information for each legislative session. Each legislator was coded for both personal characteristics, such as race/ethnicity and gender,

[17] Texas is not currently included because its legislature does not meet in the years included in the study. Hawaii was not included as the collection was based on the two major sub-sets of minority women, Latinas and African Americans.

[18] In some cases, the data on legislators' race and ethnicity was supplemented by the National Conference of State Legislators (NCSL), National Association of Latino Elected Officials (NALEO), or by membership in a national or state level caucus for racial/ethnic minority groups.

and institutional characteristics such as seniority, leadership positions, and committee assignments.

Table 5.2 Summary Statistics

Variable	Observations	Format	Frequency	Mean	Min	Max
Control Comm.	4059	Ratio	28.2%		0	1
Workhorse Comm.	4059	Ratio	13.8%		0	1
Caretaker Comm.	4059	Ratio	21.3%		0	1
Private Goods Comm.	4059	Ratio	24.6%		0	1
Public Utilities Comm.	4059	Ratio	10.2%		0	1
Minority women	4059	Categorical	7.4% (300)		0	1
Minority men	4059	Categorical	13.8% (560)		0	1
White women	4059	Categorical	16.7% (674)		0	1
White men	4059	Categorical	62.1% (2,525)		0	1
Token members	4059	Categorical	17.6% (715)		0	1
Minority members	4059	Categorical	19.2% (779)		0	1
Balanced members	4059	Categorical	22.9% (930)		0	1
Dominant members	4059	Categorical	40.3% (1,636)		0	1
Years in Office	4059	Continuous	---	7.8	0	48
Party Leader	4059	Dichotomous	8.8%		0	1
Comm. Leader	4059	Dichotomous	22.6%		0	1
Committee Variety	4059	Count	---	2.5	0	5
Republican (minority)	4059	Categorical	24.7%		0	1
Republican (majority)	4059	Categorical	21.9%		0	1
Democrat (minority)	4059	Categorical	20.2%		0	1
Democrat (majority)	4059	Categorical	33.2%		0	1
1998	4059	Dichotomous	34.1%		0	1
2004	4059	Dichotomous	34.3%		0	1
2010	4059	Dichotomous	31.6%		0	1
Total # Committees[19]	4059	Count	---	3.6	0	10

There are five separate dependent variables, each representing a different committee type. The dependent variables were created through a multi-step process. First, once all committee assignments for each legislator were collected, I generated a list of all

[19] Variable not included

unique committees in the data. This produced a total of 450 unique committees. Second, using the NCSL committee system as a framework and guide, I grouped the 450 committees into 27 committee clusters[20]. To create a more manageable and parsimonious categorization, I grouped the 27 clusters into the five categories discussed above: Control, Workhorse, Caretaker, Private Goods, and Public Goods. Appendix F shows the breakdown of the 27 committees in the final categorization. The dependent variables are the proportion of the count of one type of committee to the total committee count. This results in a total of five dependent variables that I test using OLS regression models. Thus, coefficients should be interpreted as the percentage point increase over the comparison group of the total share of committees devoted to the committee type in question in comparison to all other committee types.[21]

The key independent variables are dichotomous measures of marginalization. I analyze two sets of models (with five models each), testing both social and institutional marginalization[22]. In the first set of models, I examine the role of social marginalization with a series of dummy variables for minority men, white women, and minority women, using white men as the comparison group for each. In the second set of models, I

[20] Committee Groupings: Agriculture, Energy, Environment, and Natural Resources; Banking, Insurance, and Financial Services; Budget, Revenue, Taxation, Finance and Appropriations
Business and Commerce; Children, Seniors and Family; Consumer Affairs; Economic Development; Education; Election Administration; Fish and Wildlife; Government Oversight; Health and Human Services; Judiciary and Ethics; Labor; Law, Criminal Justice, Corrections and Public Safety; Legislative Effectiveness/Administration; Government Relations; Military Affairs; Miscellaneous/ Can't fit; Public Employees and Pensions; Public Utilities, Infrastructure, and Transportation; Regulated Industries and Professions; Rules; Science and Technology; Tourism and Cultural Affairs; Veterans Affairs; Ways and Means

[21] The data does not include some miscellaneous committees that were not placed in a category (examples include committees entitled "Miscellaneous"), as such the constant coefficients across all models will not equal .100, but rather amount to about .92-.96. In other words, the models collectively measure 92-96 percent of total committee membership.

[22] See Appendix G for an overview of how identity groups fall into different group proportion categories in U.S. state legislatures in 2015.

introduce a measure of institutional marginalization through group proportions, comparing "tokens" (less than 14.9%), "minority" (15-29.9%), "balanced" (30-59.9%) group members to those who belong to a dominant group holding more than 60% of the seats. This allows me to examine how different degrees of marginalization affect the proportion of a particular type of committee a legislator sits on, and whether these are reflective of the preferences of women and minority salient identity constituencies.

I include several individual level control variables reflective of findings from the literature. I control for the number of years in office because it is likely that legislators with more years in the legislature are more likely to be allowed a higher degree of preference in type of committee. However, seniority is likely to have a smaller effect in state legislatures than is expected in Congress since there is a high degree of variation on the institutional norms of the importance of seniority (Squire 1988). Even so, I expect legislators with more seniority to prefer control committees.

I include dichotomous measures for whether the legislator is a party leader and/or committee leader as I expect that leadership positions, such as being a party leader or committee chair, should lead to sitting on more control committees. These are highly prestigious committees, and so I expect legislators with several years of experience and/or prestigious leadership positions to prefer powerful committee assignments. With more "power" there is also more opportunity to sit on control committees, and thus a lower likelihood to sit on workhorse committees in particular, but specialization committees in general. I also expect that holding a party leadership position involves a high time commitment and so such a member is likely to sit on a smaller number of committees.

I also control for whether the legislator is a member of the majority party. This variable (included as a series of dummy variables) specifies if the member is in the Democratic majority or minority, or the Republican majority or minority, using Republican majority as the comparison group. This variable combines party control and party since all members are given committee assignments but the chambers are unbalanced between the two parties' share of the chamber. Using only party control, or only party, would not measure individual behavior but rather chamber behavior, given that chambers are often unbalanced even though the committee system is created with the goal of equal party representation on committees (Kanthak 2009). For example, if majority members are significantly more likely to sit on control committees, this could likely be a function of the fact that there are more majority members and seats need to be filled. Including both control and party allows me to compare behaviors of Democrats when in control or not to Republicans when they are not in control. This allows for an interesting comparison of the two major parties' behavior while in control, though I don't have any expectations that one party should behave differently from another when in the majority.[23] I also control for the variety of committee types the member sits on, in other words, the number of different types of committees. The variety variable measures the number of different types of committees the legislator sits on; as such, the range of this variable is 1-5. If a legislator sits on several different types of committees, then the

[23] Because I use Republicans in the majority as the comparison group, this analysis does not allow me to compare the behavior of Democrats in the majority to Democrats in the minority or Republicans in the minority; however additional analysis in the case of Caretaker committees (which is arguably the primary model of interest) found that there were no statistically significant differences between these three groups, but that only Republicans in the majority behaved differently from all three other groups.

likelihood that s/he sits on any one type of committee will be higher adding a bias to this legislator over a legislator who sits on several of the same types of committees.

5.5 Results

5.5.1 Social Marginalization & Committee Types

Table 5.3 provides the results for five separate models, one for each committee type, using the social marginalization independent variables. Table 5.4 provides the related calculations for the proportion of committee type by social marginalization. I discuss all the five models and related calculations for the social marginalization first, followed by the institutional marginalization models. The results broadly reveal differences in committee membership when comparing minority women, minority men and white women to white men, for some types of committees, but not all. As expected, the null findings show that there are no differences between state legislators' tendency to sit on control committees based on identity, lending support for Hypothesis 5.1. The proportion of control committees in comparison to other types of committees is about 35-37% for all groups, as shown in Table 5.4. As expected, on high prestige committees, which are highly sought after, the strongest predictors include seniority and holding a leadership position. Those who sit on control committees tend to have fewer assignments overall, again something to be expected for legislative leaders. While I did not expect any differences regarding the party-control variable, the data suggest that when Democrats are in power they hold fewer control committee positions than Republicans, when they are in power. Further, the data show that Democrats in the minority hold more control committee positions than Republicans in the majority. This is very interesting as it

suggests that the surplus of Republicans sit on committees other than the powerful control committees.

Continuing in Table 5.3, the results show that in terms of workhorse committees, there is a marginally statistically significant difference between minority men and white men; however, not between either white or minority women and white men. The data show that minority women and white women are not significantly different from white men. For each of these groups the proportion of workhorse committees was about 2%, as shown in Table 5.4. Minority men are significantly different from white men and have an increase of nearly 3 percentage points, more than double, in their proportion of workhorse committees than that of white men. This is an unexpected finding which suggests that minority men are may have an interest in administration and legislative oversight—a finding which should be examined further in future research. The evidence for Hypothesis 5.1 is mixed, but the hypothesis is supported in the case of the most marginalized group— minority women. The evidence also points to support for Hypothesis 5.1 in the case of white women, but is rejected for minority men. There are no differences in terms of seniority of leadership positions on workhorse committees, indicating that even more senior and powerful legislators are unable to avoid workhorse assignments in state legislatures, contrary to my expectation. Democrats in the majority are better able to avoid these committees than their Republican counterparts. Overall, the results seem to suggest that legislators are somewhat equally distributed in these low-power committees; it appears that workhorse committees are committees that ultimately everyone needs to participate in.

In Hypothesis 5.2, I state that socially marginalized legislators sit on a higher proportion of caretaker committees than white men, as seen in tables 5.3 and 5.4. The starkest differences in committee membership should appear in the caretaker committees because the policy issues involved in caretaker committees are ones that the literature has shown are of high priority to both women and to racial/ethnic minorities. The results show a significant and positive difference between all socially marginalized groups in comparison to white men, with the largest substantive effects for minority women. Whereas white men's committee memberships include about 24% caretaker committees, 36% of minority women's committee memberships are caretaker committees. The results are significant for minority men and white women as well with 26% and 31% caretaker committees, respectively. These calculations are shown in Table 5.4. In addition, when examining these ratios across types of committees, caretaker committees make up the largest proportion of types of committees for minority women, also supporting Hypothesis 5.2. In comparison, white men sit on vastly more control and public committees than caretaker committees. In terms of social marginalization there is strong empirical support for Hypothesis 5.2. Seniority and holding a leadership position, all associated with more prestige, decrease the proportion of caretaker committees. Republicans in the minority, as well as Democrats in any position, also sit on fewer caretaker committees than Republicans who are in the majority.

In terms of the other two specialization committee types, the findings are mixed, shown in the last two columns of tables 5.3 and 5.4. I did not present hypotheses specifically for these committees, because there is so far no reason to expect differences for these committee types, and further they serve to establish a comparison group to

caretaker committees. Thus, the analysis for these committees is largely exploratory. That said, the data yield interesting results. There are significant differences between minority women and white men for private goods committees, with minority women sitting on fewer such committees, but no differences appear between white women and minority men.

There are also negative and significant effects for more senior members and those holding a leadership position, which is to be expected as these legislators' share of committees include mostly control committees. The ratio of private committees for white men and women, as well as minority men, rests around 28-29% of all committee types. Minority women sit on fewer such committees, with only 23% private committees, as presented in Table 5.4. Minority women sit on a smaller proportion of public committees than white men do, yet white men sit on only 2.7% public utilities committees. Substantive differences here are relatively small, minority men sit on 1.7% public utility committees, white and minority women sit on significantly fewer such committees in comparison to white men with 1.4% and 0.3% such committees respectively. More senior legislators and those who hold party leadership positions hold a significantly smaller share of both of these committees than rank and file members do.

Table 5.3 OLS- Ratio of Committees by Social Marginalization

	Control	Workhorse	Caretaker	Private	Public
Minority man	-0.009	0.028**	0.019+	-0.012	-0.013
	(0.013)	(0.009)	(0.012)	(0.012)	(0.008)
White woman	-0.017	-0.008	0.076***	-0.010	-0.030***
	(0.011)	(0.008)	(0.010)	(0.010)	(0.007)
Minority woman	-0.017	-0.005	0.122***	-0.062***	-0.024*
	(0.016)	(0.011)	(0.015)	(0.015)	(0.011)
Seniority	0.004***	-0.000	-0.002**	-0.001*	-0.001**
	(0.001)	(0.000)	(0.001)	(0.001)	(0.000)
Party leader	0.291***	0.001	-0.117***	-0.123***	-0.043***
	(0.015)	(0.011)	(0.014)	(0.014)	(0.010)
Comm. leader	0.070***	0.009	-0.028**	-0.050***	0.005
	(0.011)	(0.008)	(0.010)	(0.010)	(0.007)
Comm. variety	-0.054***	0.046***	0.008+	-0.014***	0.032***
	(0.005)	(0.003)	(0.004)	(0.004)	(0.003)
(R), min. party member	0.0183	-0.001	-0.056***	0.026*	0.027***
	(0.013)	(0.009)	(0.011)	(0.01)	(0.008)
(D), min. party member	0.039**	-0.010	-0.038**	0.002	0.016+
	(0.013)	(0.009)	(0.012)	(0.013)	(0.009)
(D), maj. party member	-0.028*	-0.018*	-0.041***	0.065***	0.024**
	(0.012)	(0.009)	(0.011)	(0.011)	(0.008)
1998	-0.012	0.024***	0.003	0.002	-0.015*
	(0.010)	(0.007)	(0.009)	(0.010)	(0.007)
2004	0.004	-0.005	-0.014	0.010	0.007
	(0.010)	(0.007)	(0.009)	(0.009)	(0.006)
Constant	0.353***	0.020+	0.238***	0.292***	0.027**
	(0.016)	(0.011)	(0.014)	(0.015)	(0.010)
Observations	4059	4059	4059	4059	4059
R^2	0.189	0.063	0.059	0.047	0.056

Standard errors in parentheses

+ $p < 0.1$, * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$

Table 5.4 Proportion of Committee Type by Social Marginalization

	Control	Workhorse	Caretaker	Private	Public	Total
White men	35.3%	2.0%	23.8%	29.2%	2.7%	**93.0%**
Minority men	34.4%	4.8%	25.7%	28.0%	1.4%	**94.3%**
White women	33.6%	1.2%	31.4%	28.2%	1.7%	**96.1%**
Minority women	33.6%	1.5%	36.0%	23.0%	0.3%	**94.4%**

5.5.2 Institutional Marginalization & Committee Types

As expected the models for institutional marginalization largely echo the results of the social marginalization models, the results for these next five models and their related calculations are presented in tables 5.5 and 5.6. The similarities in results are important because they show that using the theoretically stronger concept of marginalization performs just as well as previous empirical studies. More importantly, considering institutional marginalization will become increasingly important as the proportion of minority and women legislators grows and provides for even greater variation in state legislatures. These results show that legislators who are marginalized in the institution are more likely to represent their salient identity constituencies than those legislators who are less marginalized as minority group members, or those who are in balanced groups.

In terms of the proportion of control committees, the results, in Table 5.5, show that there are no differences between legislators who are highly marginalized in the legislature as tokens or minority members and those who hold a dominant position. Members of each of these groups sit on about 32-34% control committees, as presented in Table 5.6. In comparison, balanced group members sit on about 38% such committees of their total committee memberships. All of the seniority and leadership variables are positive and significant as expected. This is a very normatively good result as it suggests that these prestigious committees are reserved for those representatives who are held in

high esteem in the legislature through their seniority and/or leadership positions, and those legislators who are marginalized are no less able to gain membership on these committees. As for the low prestige committees, the workhorse committees, again I find no significant results in Table 5.5 for marginalized legislators in comparison to white members, showing that both high and low prestige committees are somewhat equally distributed. These findings again support Hypothesis 5.1. The data, in Table 5.6, show that the proportion of workhorse committees to all other committees for dominant, minority and token group members is 2.4-3.5%; only balanced group members avoid these committees with a 0.5% membership ratio.

The salient identity constituency theory I have presented argues that while socially marginalized (identity) groups should hold certain preferences, those individuals who are institutionally marginalized are also likely to prioritize the interests of the salient identity constituencies s/he seeks to represent. In other words, we should see a strong and positive effect for legislators who are tokens in their legislatures in determining the share of their caretaker committee membership. Indeed, Hypothesis 5.2 is supported showing a statistically significant difference between token and dominant group members. While the proportion of caretaker committees is only about 24.1% for dominant group members, over a third of a token member's committees are caretaker committees. Minority members also hold a larger proportion of caretaker committees than white men with 28.3% such committees. Balanced members were not significantly different from white men. These findings lend support to Hypotheses 5.3 and 5.4. Senior members and those with leadership positions have a smaller proportion of caretaker committees, again this is the expected result as leaders are likely to prioritize control committees.

Table 5.5 shows that there are significant differences found between token and dominant group members in terms of the share of committees that are private goods and those that are public utility committees. The results show that token members are less likely than dominant group members to be members of private or public goods committees, which is not surprising given their focus on caretaker committees. Whereas dominant group members' proportion of private committee membership amounts to about 29.1%, tokens only sit on 24.7% of such committees, as shown in Table 5.6. Neither minority nor balanced members are significantly different from dominant members. In the case of public committees, both token and minority members are found to be significantly different from dominant group members. As for the control variables, more senior legislators and those who hold leadership positions are less likely to sit on these committees (except for committee leaders on public committees), even at the expense of important policy specialization committees.

Again, taken as a whole the results of the institutional marginalization or group proportion set of models are quite similar to those for social marginalization. These data show that marginalization, broadly speaking, has an effect on committee membership. The data also show that marginalized legislators are able to prioritize the issues of their salient identity constituencies on the hill through membership on caretaker committees.

Table 5.5 OLS- Ratio of Committees by Institutional Marginalization

	Control	Workhorse	Caretaker	Private	Public
Token member	-0.000	-0.011	0.101***	-0.044***	-0.032***
	(0.012)	(0.008)	(0.011)	(0.011)	(0.008)
Minority member	0.013	-0.006	0.042***	-0.005	-0.020**
	(0.011)	(0.008)	(0.010)	(0.011)	(0.007)
Balanced Member	0.060***	-0.030***	-0.002	0.001	-0.007
	(0.011)	(0.008)	(0.010)	(0.010)	(0.007)
Seniority	0.004***	-0.000	-0.002***	-0.001*	-0.001**
	(0.002)	(0.000)	(0.001)	(0.001)	(0.000)
Party Leader	0.283***	0.004	-0.115***	-0.124***	-0.042***
	(0.015)	(0.011)	(0.014)	(0.014)	(0.010)
Comm. Leader	0.064***	0.011	-0.027**	-0.051***	0.005
	(0.011)	(0.008)	(0.010)	(0.010)	(0.007)
Comm. Variety	-0.054***	0.045***	0.008+	-0.014***	0.032***
	(0.004)	(0.003)	(0.004)	(0.004)	(0.003)
(R), min. party member	0.015	-0.001	-0.053***	0.024*	0.027**
	(0.012)	(0.009)	(0.011)	(0.012)	(0.008)
(D), min. party member	0.039**	-0.007	-0.041***	0.000	0.018*
	(0.013)	(0.009)	(0.012)	(0.012)	(0.009)
(D), maj. party member	-0.026*	-0.014+	-0.047***	0.063***	0.026**
	(0.012)	(0.008)	(0.011)	(0.011)	(0.008)
1998	-0.001	0.019*	0.000	0.004	-0.016*
	(0.011)	(0.007)	(0.010)	(0.010)	(0.007)
2004	0.012	-0.009	-0.018+	0.012	0.007
	(0.010)	(0.007)	(0.009)	(0.009)	(0.007)
Constant	0.323***	0.035**	0.241***	0.291***	0.029**
	(0.017)	(0.012)	(0.015)	(0.016)	(0.011)
Observations	4059	4059	4059	4059	4059
R^2	0.195	0.064	0.057	0.047	0.056

Standard errors in parentheses

+ $p < 0.1$, * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$

Table 5.6 Proportion of Committee Type by Institutional Marginalization

	Control	Workhorse	Caretaker	Private	Public	Total
Token	32.3%	3.5%	24.1%	29.1%	2.9%	**91.9%**
Minority	38.3%	0.5%	23.9%	29.0%	2.2%	**93.9%**
Balanced	33.6%	2.9%	28.3%	28.6%	0.9%	**94.3%**
Dominant	32.3%	2.4%	34.2%	24.7%	0.0%	**93.6%**

5.6 Implications

This chapter broadly contributes to both the literature of state legislative committees and to the study of the legislative behavior of women and minority representatives. I ask how marginalized legislators' perception of salient identity constituencies leads to hill style behavior as manifested in one particular legislative activity, committee membership. In particular, this chapter sheds light on the legislative behavior of marginalized legislators who are understudied due to their still relatively small numbers. The models serve to both reinforce previous findings about minority preferences, but also show how minority and women's preferences are captured in social welfare, i.e. caretaker, committees. In particular, the results show that dual marginalization, in the case of minority women, and being highly institutionally marginalized, in the case of tokens, has a strong effect on these legislators' preferences, adding support for the notion that these legislators have added pressures to represent their salient identity constituents. This, importantly, suggests heterogeneity of preferences based on identity. In other words, we can see clear differences in policy preferences between marginalized and non-marginalized legislators. These findings suggest that there is no one-size-fits-all model of legislative behavior and that the degree to which a legislator is marginalized both in society and also institutionally in their legislature are important factors in how s/he chooses to allocate time on legislative activities.

Ultimately, the question deals with the representation of minority constituents, and the data suggest that marginalized constituents are differently represented on state legislative committees.

While these differences are important, it is also important to recognize instances when marginalized legislators are not significantly different from white males or dominant group members. Such results indicate that membership on some committee types is better explained by institutional position variables, such as seniority and leadership. This means that there are occasions when gender and race/ethnicity do not necessarily matter for membership, and also that there are instances when minority women are not "disadvantaged" or "advantaged" in their legislative activities. This is important, especially in terms of control committees, because it shows that there is no evidence of a systematic bias against racial/ethnic minorities or women when it comes to membership on higher prestige committees, nor a difference in their ambition for high prestige committees. In other words, all legislators appear to have an equal interest in being a member of control committees. Indeed, all legislators, regardless of race/ethnicity, gender or institutional marginalization, hold a statistically equal proportion of this committee type.

Given that there are some types of committees in which marginalization produces a significant effect and some in which it does not appear to have an effect, this means that the answer to the looming question "do descriptive features such as race/ethnic identity and gender have an effect on legislative committee membership?" is "it depends". In terms of the substantively defined committees, I find variation by both social and institutional marginalization for caretaker committees. Unlike the committees defined by

power, we should expect differences among legislators' preferences for substantively different committees. The literature has long shown minority and women legislators' focus on issues dealing with social welfare, and this work further supports this finding.

This study is also important because of its theoretical richness in considering the foundations of identity-based representation as being grounded in marginalization, and goes further to test this by looking at institutional marginalization. The study also allows for simultaneous comparisons of several groups to non-marginalized legislators. Thus, it provides also an empirical richness that some previous literature has been lacking. One of the limitations of the empirical methods used here is in isolating salient identities as the casual mechanism as opposed to the results revealing legislators' personal preferences. This is a common challenge in observational data, which speaks to the strength of the use of multi-methods approach of the full dissertation. While the causal mechanism may be more difficult to pin-point with these data, the richness of the complimentary qualitative data, particularly in Chapter 3, suggests that legislators use their legislative activities to tend to the needs of their constituents, including salient identity constituents.

The salient identity theory provides a framework for the continued study of marginalized legislators as the number of minority and women legislators grows. I anticipate that with a growth in minority population in the United States this will also create openings for further cleavages within groups, and also opportunities for a focus on a larger variety of issues for "minority" legislators. I expect with such a shift that the role of institutional marginalization will expand. I expect that the continued study of the role of institutional marginalization under varying conditions will be imperative to the examination of the legislative behavior of identity groups.

Chapter 6: Conclusions

The old, tired perception of legislators as old, white, males has been fading over the past few decades. More so than ever, our members of Congress and state legislators include women and racial/ethnic minorities. This is a reflection of both the changing demographics of the country and the degree of political inclusion for these historically marginalized groups. As the number of legislators who are women and minorities increases, so too does our understanding of legislative behavior expand. Traditional theories of legislative behavior have been limited as they have largely examined the behavior of white men. In response, scholars of gender, race, and ethnicity have examined how these groups might behave differently from traditional expectations, particularly in terms of their preferences and leadership styles. Even so, much of this scholarship has still been limited to thinking about representation in terms of electoral gains or ambition. A fundamental goal of this dissertation has been to push readers to think "outside the box", as the saying goes, or more concretely, as the title implies—thinking about representation beyond the constraints of the district.

What I have presented in this dissertation is a holistic theory which not only pushes the reader to think about representation which is defined by identity, rather than by geography, but also to consider how both social marginalization (identity) and institutional marginalization (group proportion) affect legislative behavior. I show that context matters, and I argue that studying legislative behavior through the lens of only race/ethnicity *or* gender and without considering the degree of institutional marginalization may lead to biased results. I show that when legislators' group proportions are very small, there is a higher degree of awareness and attention to identity-

based issues and representation. Conversely, differences between groups are likely to diminish as the groups grow, because there is a larger collective effort, less perceived need, and thereby less *individual* attention to identity-based issues. I expect that as the number of women and minority legislators grow, so too will the need to examine contextual variables, such as group proportion.

The salient identity theory presented in Chapter 2 is more holistic than much of the previous literature on elite identity politics because it examines two separate trajectories of the foundation of marginalization, and examines the implications of these conditions on both hill (policy development) and home (constituency service) style behaviors. I argued that a high degree of social and institutional marginalization activates legislators' awareness of identity and identity-based issues, thereby having implications for their perceptions of constituency and ultimately their legislative behavior. I suggested that more highly marginalized legislators perceive of identity group members as a salient identity constituency that is to be represented. I also argued that this constituency transcends geographical boundaries because it is defined by identity and its representation fueled by an intrinsic moral obligation. I then suggested two avenues of implications for legislative behavior, as I theorized that legislators should be likely to represent these salient identity constituencies through substantive policies as well as constituency service. Finally, I contended that the implications of the salient identity constituency theory would be best examined by using a multi-methods approach and presented a research design for the dissertation to do so.

In the first substantive chapter, Chapter 3, I sought to test some of the fundamental implications of the salient identity constituency theory—the existence of an

identity-based constituency and the possibility of extra-district representation. This chapter sought to answer how marginalized legislators think about representation, including who they represent, why they represent and how they represent. The chapter drew on the richness of qualitative data gathered through face-to-face interviews with state legislators and observations and found marginalized legislators have additive pressures to represent both their district as well as at least one salient identity constituency. This chapter showed that traditional theories of legislative behavior were not necessarily "wrong", even about minority or women's behavior, as much as they are *limited.* Marginalized legislators do not necessarily perceive of constituency differently from non-marginalized legislators, but rather marginalized legislators perceive of more constituencies and have a stronger moral obligation to represent them.

In Chapter 4, I tested the implications of the salient identity theory on home style legislative behaviors. I examined how the additive pressures of marginalized legislators, who represent multiple constituencies, leads to a heavier workload and an increased likelihood of engaging in home-style activities outside the district. This chapter served to lend evidence to an expanded view of legislative behavior, one that is not confined to district boundaries. The chapter also offers a more specific test of surrogate representation than previously found in the literature by distinguishing between in-district and extra-district behaviors (but see Broockman 2013). In addition, this study is the first to use a survey of legislative behavior to test the implications of surrogate representation. For this chapter, I tested four hypotheses, three of four were strongly supported by the data, while the final one saw mixed results. In the first I stated that socially and institutionally marginalized legislators will meet with identity-based groups, both in

general, and outside the district, more frequently than legislators who are not marginalized. This hypothesis was supported by data that showed that minority women and token legislators meet with more race/ethnic minority based groups and women's groups than legislators who are white males or dominant group members. In Hypothesis 4.2, I stated that socially and institutionally marginalized legislators will meet with a larger number of types of groups, both in general, and outside the district, than legislators who are not marginalized. The results showed that indeed, both minority women and tokens meet with more groups than white males and dominant group members, both within and outside the district. In particular, this test showed strong support for tokens' motivations to meet with several groups. This data revealed not only that marginalized legislators meet with identity groups, but also that the implication of doing so is not a shift in focus, but rather an additive one, in comparison to non-marginalized legislators.

Based on the implications of the expected additive pressures resulting from a desire to represent both a district constituency and a salient identity constituency, I expected that socially and institutionally marginalized legislators will work more than legislators who are not marginalized, as stated in Hypothesis 4.3. The vast majority of the seven dependent variables used to test this hypothesis were significant and in the expected direction, for both social and institutional marginalization. In comparing the predictive power of the different independent variables, once again the institutional marginalization variable performed somewhat better than the social marginalization variable.

Hypothesis 4.4 stated that socially and institutionally marginalized legislators will provide constituency service on behalf of an extra-district constituency more frequently

than legislators who are not marginalized. This hypothesis was not supported by the restricted sample of the most marginalized and least marginalized legislators. Although based on some additional tests with the full sample, there was some support that the most marginalized legislators, minority women and tokens, behave differently from the mean legislator. The results of this measure were somewhat counter-intuitive based on the literature. The literature has suggested that constituency service is a costly activity with rewards only at the electoral margins (Cain, Ferejohn, and Fiorina 1979, 1984; Norris 1997). Note that these studies of constituency service adhered to the traditional, dyadic view of representation. In other words, if constituency service is high cost, low reward, we can reasonably expect that surrogate constituency service is very high cost, and virtually no reward.

The only electoral reward for legislators in surrogate constituency service must be indirect, through for example extra-district campaign donations. It was based on this logic that I theorized that it should be unlikely for legislators to engage in such behavior, but that the moral obligation of representing a salient identity constituency should be sufficient to motivate marginalized legislators to go beyond their district boundaries. However, the hypothesis was rejected, not because marginalized legislators do not provide surrogate constituency service, but rather that, unexpectedly, *everyone* does. This is an important finding as it suggests that the representative reach of our state legislators may be more expansive than previously theorized. In terms of the test for the salient identity theory, these results suggest that further research is needed to understand why, and for whom, legislators engage in surrogate constituency service.

The final substantive chapter examined the salient identity theory's implications for hill style behaviors. In particular, I used committee membership to measure legislative preferences. This chapter used a third source of data relying on aggregate data of state legislators' committee assignments for 13 different states for the years 1998, 2004, and 2010. One of the important contributions of this chapter is a typology of state legislative committees which encompasses 450 different committees, and over 90% of state legislators' committee assignments for this sample. I examined the ratio of membership on five committee types; control and workhorse committees, which I call general committees, and three policy specialization committees, caretaker, private goods, and public utility. In examining degree of both social and institutional marginalization for all state legislators in the sample, this study was thus able to compare across states, committees, and groups.

I tested three hypotheses related to this data. I expected that because marginalized legislators have the same instrumental goals as non-marginalized legislators they should hold an equal proportion of both control and workhorse assignments. This hypothesis was supported in the case of both social and institutional marginalization. This is also an important finding for scholarship that has argued that because of their marginalization, minority and women legislators are less likely to hold positions on powerful committees, as this data finds it not to be the case. In response to the literature, which has suggested that marginalized legislators have distinct preferences related to vulnerable populations, I expected that these legislators should concentrate their policy specialization efforts on caretaker committees. I find this to be the case as marginalized legislators are more likely to sit on caretaker committees, and also less likely to sit on either private goods or public

utility committees. Albeit, the data showed the strongest support was for the most marginalized legislators with other groups seeing weaker or no support for the hypothesis.

One of the predominant findings of this dissertation is in its analysis of the current state of political representation. This dissertation suggests that while the state of dyadic and collective descriptive representation in U.S. state legislatures may be low, the state of our representation may be subjectively "better" than we might expect. Allowing for theories that go beyond the confines of geographic representation pushes us to think outside the box, and reveals that even though citizens may not have a dyadic descriptive representative, they are still likely to be able to, and apparently do, reach out to a surrogate representative. On the flip side, this dissertation also reveals the challenges associated with marginalization for women and minority state legislators. This dissertation adds to this scholarship in suggesting that marginalized legislators face heavier workloads than their non-marginalized legislators. While much of this workload may be self-imposed because of a moral obligation, it exists nonetheless. This dissertation has also shed light on how marginalization acts as a fundamental catalyst for minority and women behavior, as such I expect that similar behaviors are likely among other legislators who belong to marginalized groups, such as LGBT legislators, or legislators from religious minority groups. In addition, I expect the salient identity constituency theory to translate to other dyadic systems of representation, where there are one or several minority groups.

APPENDIX A

A. 1: NCSL WLN 2014 Agenda

WOMEN'S LEGISLATIVE NETWORK 2014

LEGISLATIVE SUMMIT AGENDA

MONDAY, AUG. 18	
4-5:30 p.m. *Hilton Minneapolis, Level 3 Rochester*	**Women's Legislative Network Board Meeting** All are welcome at the Summer meeting of the Network board. We will share highlights from 2014, brainstorm future program ideas, and discuss fundraising for the Network's 30th anniversary year.
TUESDAY, AUG. 19	
8:30 a.m.-1 p.m. *Convention Center, M101 AB*	**Women's Legislative Network Leadership Training** Advance registration is required. Contact Katie Ziegler for more information. 8:30 a.m. Welcome and Coffee 8:45-9:45 a.m. Women in Legislative Leadership Roundtable Discussion Hear from female legislative leaders about their experiences moving up the ladder. Panelists: Senator Pam Jochum, Senate President, Iowa Speaker Becky Lockhart, Speaker of the House, Utah Mary Panzer, former Senate Majority Leader, Wisconsin Senator Sandra Pappas, Senate President, Minnesota 9:45-10 a.m. Break

	10 a.m. – 1 p.m. Driving Engagement through Strengths, Emotional Intelligence, and Energy (*lunch will be served)* Trainers: Carol Granis and Tami Evans, Leading Edge Coaching and Development Even in the best of times, it can be stressful working in a state government environment. With endless budget challenges, partisan bickering and significant state issues, it can be hard to lift colleagues, staffers and even ourselves out of the funk. That's why it's critical to drive engagement throughout your agency and office. Part One of this session is about maximizing engagement through strengths-based leadership. Part Two focuses on your emotional impact on others and what you can do to connect and move ahead with colleagues and constituents. Part Three is about energizing yourself through four critical wellsprings. All three parts are delivered with the unique blend of research, best practices, and improvisational comedy that Leading Edge is known for. By the end of the day, you will leave renewed, taking critical tools and skills you'll need to lift yourselves and others up.
6-7:30 p.m.	**Social Event: Mill City Museum** Meet with colleagues old and new at the historic Mill City Museum located on the bank of the beautiful Mississippi river, whose power was harnessed for one of the state's first industries – flour milling. Experience the pioneering spirit of Minnesota with local food, musical acts, log rolling and wood carving in one of the city's most treasured locations. The Mill City Museum is a spectacular venue to showcase a proud state considered one of the most innovative in the country.

WEDNESDAY, AUG. 20

4-5 p.m. *Convention Center, 200 C*	**Women's Legislative Network Roundtables** Join us for informal roundtable discussions about women in politics, leadership, hot topics, and anything else on your mind!
5-6 p.m. *Convention Center, Lounge A Level 2*	**Women's Legislative Network Reception** Join the Women's Legislative Network for a reception honoring the incoming president, New Mexico Representative Jane Powdrell-Culbert, the Network executive board, and women in politics around the world.

THURSDAY, AUG. 21

12:30-2 p.m. *Convention Center, 200 ABIJ*	**Women's Legislative Network Lunch and Business Meeting** Join the Women's Legislative Network for our annual elections and a keynote address about women and small business in Minnesota. Panelists: Senator Vicki Jensen, Minnesota Representative Marion O'Neill, Minnesota Laura Ooley, CEO, Appmosphere, Minnesota
6:30-9 p.m.	**Nicollet Island Social Event** Experience the beauty of Nicollet Island, smack dab in the middle of the Mississippi River with its historic St. Anthony Falls, just north of the birthplace of Minneapolis. Delight in the creative, cultural and innovative spirit that makes Minnesota unique. Local musical acts, runway shows, an exciting chef challenge and a biergarten will delight your senses with all that makes Minnesota unique.

FRIDAY, AUG. 22

12:30-2 p.m. *Convention Center, Ballroom AB*	**General Session: Seattle Kick-Off Luncheon** The Insiders' View: Politics Today: Smart, perceptive and the ultimate political insiders, Mark Halperin and John Heilemann share their unrivaled insights on the interplay among the economy, Wall Street and Washington and the forces that shape American politics. Managing editors of Bloomberg Politics and best-selling authors of *Game Change* and *Double Down*, their keen analysis and lively observations make them two of the top political observers today. Find out what's ahead for Democrats and Republicans in the upcoming election from two of the best political pros.

A.2 NCSL WLN 2015 Agenda

WOMEN'S LEGISLATIVE NETWORK 2015

LEGISLATIVE SUMMIT AGENDA

8/10/2015
The Women's Legislative Network celebrated its 30th anniversary at the NCSL Legislative Summit in Seattle

SUNDAY, AUGUST 2, 2015	
Time	**Sessions**
4 -5:30 p.m. *Sheraton Ballard Room*	**Women's Legislative Network Board Meeting** Participants at the summer board meeting reviewed the year's activities, discussed the Network's 30th anniversary, and planned for the future.
MONDAY, AUGUST 3	
9 a.m.-Noon *Sheraton Redwood B*	**Courageous Conversations: Digging Deep for Success** This workshop explored one important factor that often holds women back from being the most effective leaders we could be: ourselves. Using humor and examples, we explored how closely tied our success is with our ability to initiate and navigate courageous (aka. difficult!) conversations. We discussed how to give feedback to a colleague, address the seemingly intractable challenge within your caucus, propose the bold idea you've been sitting on, or acknowledge the "elephant in the subcommittee" that everyone has been avoiding. In this lively, thought-provoking session, participants learned how to: • Identify the factors that are holding you back from speaking up • Increase your skills and confidence in how to identify and prepare for important conversations • Articulate strategies to navigate high-stakes conversations effectively

	• Connect with your peers to access the collective wisdom in the room, sharing success stories and lessons learned *Facilitator:* Sara Lawson, Shorthand Consulting
Noon-1:30 p.m. *Sheraton Aspen Room*	**States Support Female Veterans** *With the Task Force on Military and Veterans' Affairs* This session examined how states are addressing the unique needs of female veterans regarding education, employment and reintegration. Read the recently-released report from Easter Seals about community supports for female veterans. *Speaker:* Col. David W. Sutherland (U.S. Army Ret.), Chairman and Co-Founder, Easter Seals Dixon Center for Military and Veterans Services, Washington, D.C. Kimberly Mitchell (Former U.S. Navy), President and Co-Founder, Easter Seals Dixon Center for Military and Veterans Services *Sponsored by***:** NCSL gratefully acknowledges the Easter Seals for sponsoring the lunch.
5:30-7 p.m.	**Social Event: A Taste of Washington**

TUESDAY, AUGUST 4

2-3:15 p.m. *Convention Center 304*	**Economic Engines: Women-Owned Businesses Keep the American Dream Alive** Firms owned by women grew at 1.5 times the national average in the past 15 plus years. This session featured a discussion about strategies to ensure women have access to financing they need to become business owners, improve employment and gain a foothold in industries such as construction and transportation. *Panelists and Resources:* • NCSL Blog post about the session • Connie Evans, Association for Enterprise Opportunity • Policy Resources • Jennifer Teehan, Washington Women's Business Center • Kristina Trujillo, Exovita Biosciences • Julie Weeks, Womenable • Womenable's Reference Library • Links to relevant women's entrepreneurship web sites

	• The 2015 State of Women-Owned Businesses report, with executive report and summary tables with data by state
4-5 p.m. *Convention Center* *304*	**Women's Legislative Network Roundtable Policy Discussions** Women legislators and friends gathered for informal roundtable discussions about women in politics, human trafficking, domestic violence and campus sexual assault, women in the workforce and wage issues, and women's health.
5-6 p.m. *Convention Center* *3ab Lobby, North Galleria*	**Women's Legislative Network 30th Anniversary Gala Reception** The Network celebrated its 30th anniversary and women in politics.
7-10 p.m.	**State Dinner: New Mexico** Dinner with New Mexico delegation including State Legislators, Staff and Lobbyists

WEDNESDAY, AUGUST 5

12:30 p.m. *Convention Center* *Ballroom 6ABC*	**Women's Legislative Network Group Photo** All female state legislators were invited to the stage following the Robert Gates session for a commemorative group photo to mark the Network's 30th anniversary.
12:30-2 p.m. *Convention Center* *2AB*	**Women's Legislative Network 30th Anniversary Lunch** Participants celebrated the Network's history, women in state legislatures and politics at the luncheon and participated in the business meeting and elections. *Moderator*: Debbie Walsh, Center for American Women and Politics *Panelist*: Chancellor Lisa Brown, WSU Spokane, former Washington senate majority leader *Panelist*: Shirley Hankins, Washington, former Washington state representative and Network chair *Panelist*: Louise Miller, Washington, former Washington state representative and Network chair
6:30-10 p.m.	**Social Event:** Washington Block Party, Seattle Space needle

THURSDAY, AUGUST 6

12:15-1:45 p.m.	**General Session Luncheon**

Convention Center Ballroom 6AB	Thomas Jefferson embodied the aspirations of a young nation in ways that reverberate still today. The New York Times best-selling author Jon Meacham paints a portrait of Jefferson as a flawed, contradictory, elusive man who embodies an eternal drama—and one we confront today: The struggle of leadership to achieve greatness in a difficult and confounding world.

APPENDIX B

Email Interview Invitations

Dear Representative [last name of state legislator],

Quality governance depends upon the policy efforts of elected representatives. I am conducting an academic study to better understand the process of representation through legislative activities in state legislatures, and I need your help to complete this research.

For my research I hope to interview state legislators, such as yourself, about your constituency and the activities you participate in as part of your role as representative. **Interviews will be conducted during the 2014 Legislative Summit of the NCSL, August 19-22 in Minneapolis, MN.**

The interview should take no more than 30 minutes of your time and its purpose is purely academic. The goal of the study is to increase our knowledge of the perception of constituency and legislative activities of state legislators. The findings of the study will benefit state governance as a whole as we learn more about the factors that contribute to the state legislative process. I cannot complete this research without your insights, so I hope that you will take the short time needed to fill out the survey.

Your participation is, of course, completely voluntary, and there is no penalty if you choose not to meet with me.

I hope you find that this research question merits your valuable time. **If you are able to meet with me for this short interview during the Legislative Summit please reply to this email, or contact me via e-mail at** jhellweg@unm.edu **so that I may schedule an appointment with you**. If you are not attending the Legislative Summit but would like to participate I would be happy to schedule a phone interview with you at your convenience.

Please contact me for any questions, or if you have other concerns you may contact the University of New Mexico Human Subjects Review office at IRBMainCampus@unm.edu. Again, thank you for your assistance.

Sincerely,

APPENDIX C

Semi-Structured Interview Instrument

I. Intro

a. I know that running for, and holding, public office is a very big commitment; why did you decide to run for the first time?

i.Probe: Were you recruited/ supported by the party?

II. Representation- These next couple of questions are about your role as representative

2. Tell me about your constituency; whom do you represent?

[if other than district] What kinds of activities do you engage in to represent [group]? (Floor speeches, bill sponsoring, constituency service, committee selection?)

Do you feel you are better able than most other legislators to represent [group's] concerns?

3. What are the major issues and concerns in your district?

i.Is your district competitive?

4. What makes you a good representative for your district?

5. Has there ever been an issue in which you felt strongly one way and a majority of your district felt strongly another way?

[if yes] What did you end up doing? How did you handle it? Was it a difficult decision for you to make?

[if no] Do you see any possibility of an issue such as this arising in the future?

[if yes] What issue is that? What will you do if that issue comes up in the legislature or in a campaign?

III. Goals and Priorities

To start I'm going to ask you some questions about your goals and priorities that you have as a public official.

6. What are your policy goals as an elected official?

i. Are you term limited?

[if yes] When will your term end? Would you do something different with unlimited terms?

7. We know that prestige is a major factor for committee preferences in the U.S. Congress; is it the same case in your legislature that some committee assignments are seen as more prestigious than others?

i. [if yes] which committees are the most? Do you sit on any of these committees?

ii. What are the benefits of sitting on these more prestigious committees?

iii. Do you have as one of your goals to sit on a prestigious committee, if you do not already?

IV. **Women and Minorities in Legislative Politics-** Women and minorities have yet to reach parity in any U.S. legislature, I'd like to ask you some questions that specifically address this-

8. Your state has <%> of women legislators; what do you think about this number?

[if sufficient] What impact, if any, do you think this has on legislative activities?

[if insufficient] What impact, if any, do you think having a small number of women in your legislature has on the institution and on policy outcomes?

Do you have as a goal to increase this percentage? How do you do that?

9. Sometimes we talk about a set of concerns as "women's issues"; do you think that women as a group have particular political concerns?

[if no] Why not?

[if yes] What are some of those concerns?

i. Do you feel that [you and] your female colleagues are better able than your male colleagues to represent such concerns?

[if yes] Why?

10. Do [you and] your female colleagues seem to be more willing than your male colleagues to represent such concerns?

[if necessary] Have you personally done any work on any of these issues?

[if yes] What is the most recent women's issue you've worked on? What did you do?

[if no] Why not?

i. What about minority women? Would you say that there are a fair number of minority women?

ii. Do you think that minority women have particular issues that affect them or that they are concerned about that are different from other women?

V. **Collegiality in the Legislature –**The next set of questions are about the collegiality in you legislature and among legislators-

11. Would you say that the legislature is collegial? Why/ Why not?

i. When disagreements and conflicts [do] occur, what are they usually about?

ii. [if necessary] Are the disagreements mostly personal or ideological in nature?

12. Would you say that you meet with other legislators outside of officially scheduled hours, or when the legislature is not in session, to accomplish your goals as legislator?

[if yes] About how often? A few times a year/session? Every month? Every week? Every day?

i. Are you a member of any caucuses?

ii. What is the purpose of the caucus(es)?

iii. Has there ever been a time when you felt you were being excluded from a social gathering (or a series of gatherings, caucuses, etc.)?

[if yes] Why do you think you were being excluded?

iv. In your legislature, is informal or semi-formal socializing necessary, or important in getting bills passed?

[if no] What if a legislator is trying to get a leadership position?

Finally, as an experienced state legislator, what advice would you give to new, incoming, legislators?

APPENDIX D

Survey Instrument

1. How important are each of the following in terms of your job as a legislator?

	Very important	Moderately important	Somewhat important	Not very important
Working in committees	O	O	O	O
Listening to debate on the floor	O	O	O	O
Speaking on the floor	O	O	O	O
Giving public speeches	O	O	O	O
Developing legislation	O	O	O	O
Constituency service	O	O	O	O
Coalition-building	O	O	O	O
Working with your party	O	O	O	O

2. Please rank these issue areas in order of importance (1- highest priority 10- lower priority)

_____ Agriculture
_____ Business and Industry
_____ Crime & Corrections
_____ Education
_____ Environment
_____ Gun Rights
_____ Healthcare
_____ Poverty
_____ Race relations
_____ Women's issues

3. On which committee(s) do you serve? ***(if more than 5 please indicate the 5 that you spend the most time on)***

3b. Did you request this committee?

A._____ O Yes O No
B._____ O Yes O No
C._____ O Yes O No
D._____ O Yes O No
E._____ O Yes O No

4. During the legislative session how much time do you spend, on average, *each week*, on the committees you mentioned in question 4?

Committee **A**: _____ hrs
Committee **B**: _____ hrs
Committee **C**: _____ hrs
Committee **D**: _____ hrs
Committee **E**: _____ hrs

5. If you could only choose *one* committee to serve on in your chamber, which one would you choose?

_____

6. Why would you choose this committee?

_____
_____
_____
_____

7. How many staff members are you provided?

O 0 O 1 O 2 O 3+

8. How many hours do you spend *per week* on the following:

	Session	Interim
Legislative business (overall)	_____	_____
Meeting with constituents	_____	_____
Studying proposed legislation	_____	_____
Developing new legislation	_____	_____
Campaigning and fundraising	_____	_____

9. How many bills do you write in the average session?

O 0 or never written a bill O 1-5 O 6-10 O 11-20
O 21-25 O 26-30 O 31+

10. How frequently do you participate in activities (rallies, celebrations, conferences, etc.) sponsored by the following groups?

	Very frequently	Frequently	Sometimes	Rarely	Never
Business associations	O	O	O	O	O
Community associations	O	O	O	O	O
Educational groups	O	O	O	O	O
Environmental groups	O	O	O	O	O
Professional associations	O	O	O	O	O
Racial/Ethnic minority groups	O	O	O	O	O
Religious groups	O	O	O	O	O
Student or Youth groups	O	O	O	O	O
Women's groups	O	O	O	O	O

11. How frequently do you participate in activities sponsored by the following groups OUTSIDE your district?

	Very frequently	Frequently	Sometimes	Rarely	Never
Business associations	O	O	O	O	O
Community associations	O	O	O	O	O
Educational groups	O	O	O	O	O
Environmental groups	O	O	O	O	O
Professional associations	O	O	O	O	O
Racial/Ethnic minority groups	O	O	O	O	O
Religious groups	O	O	O	O	O
Student or Youth groups	O	O	O	O	O
Women's groups	O	O	O	O	O

12. When there is a conflict between what YOU feel is best and what you think the PEOPLE IN YOUR DISTRICT want, do you think you should follow your own conscience or follow your district?

O—O—O—O—O—O—O

Your conscience Your district

13. Do you feel you should primarily be concerned with the needs of your district or the needs of the state as a whole?

O—O—O—O—O—O—O

Your district Your state

14. When there is a conflict between what you feel most members of your racial/ethnic community want and what your district wants, whose direction do you follow?

O—O—O—O—O—O—O

Racial/ethnic community — Your district

15. Do you provide constituency service on behalf of citizens who do NOT live in your district?

O——O——O——O——O

Often — Never

15a. Is this because of your special concern or because of citizen requests?

O Mostly my concern O Citizen requests

16. Do you ever speak on the floor on behalf of citizens who do NOT live in your district?

O——O——O——O——O

Often — Never

16a. Is this because of your special concern or because of citizen requests?

O Mostly my concern O Citizen requests

17. Have you ever developed new legislation on behalf of a group of people or interests who do NOT live in your district?

O——O——O——O——O

Often — Never

17a. Is this because of your special concern or because of citizen requests?

O Mostly my concern O Citizen requests

18. In regards to questions 16, 17, or 18, is this because of your party, gender, race/ethnicity, nationality, religion, sexual orientation, profession, or other characteristic? (MARK ALL THAT APPLY)

[ ] Political party [ ] Gender
[ ] Race/Ethnicity [ ] Nationality
[ ] Religion [ ] Sexual Orientation
[ ] Profession/Occupation
[ ] Other: _____

19. Do you believe that *overall* diversity in the legislature increases constituents' feelings of efficacy in government?

O Yes, for everyone O Yes, for minorities only O No

20. How important are each of the following to your role as a representative:	Very important	Moderately important	Somewhat important	Not very important
Your race or ethnicity	O	O	O	O
Your gender	O	O	O	O
Your occupation	O	O	O	O
Your education	O	O	O	O
District composition	O	O	O	O
Your Religion	O	O	O	O

21. Please indicate the importance of the following organizations and interest groups to your legislative work:	Very important	Moderately important	Somewhat important	Not very important
Business	O	O	O	O
Environmentalists	O	O	O	O
Gun owners	O	O	O	O
Labor/ Unions	O	O	O	O
My political party	O	O	O	O
Racial/Ethnic/minority groups	O	O	O	O
Religious groups	O	O	O	O
Teachers	O	O	O	O
Women's groups	O	O	O	O

For questions 22- 25, please indicate how much you agree with the following statements:

22. Having more women in the legislature changes the issues discussed in the legislature

O—O—O—O—O

Strongly agree — Strongly disagree

23. The legislature is more collaborative when there are more women present

O—O—O—O—O

Strongly agree — Strongly disagree

24. Having more minorities in the legislature changes the issues discussed in the legislature

O—O—O—O—O

Strongly agree — Strongly disagree

25. The legislature is more collaborative when there are more minorities present

O—O—O—O—O

Strongly agree — Strongly disagree

26. How would you describe the racial or ethnic composition of your *district*?
O Mostly white O Majority- Minority

27. Do you believe your *district's* racial/ethnic composition affects your legislative activity?
O Yes O No

28. Do you see yourself as a representative for any of the following groups:	No, not at all	Yes, only in my district	Yes, in and outside my district
Business owners/ Professionals	O	O	O
Women	O	O	O
Members of *your* race/ethnicity	O	O	O
Members of *other* race/ethnic groups	O	O	O
Members of your religious group	O	O	O

29. Please indicate if any of these groups are major donors to your campaign?

Ideological Groups	O Yes	O No
Individual (private) donations	O Yes	O No
Industry/ Business	O Yes	O No
Labor	O Yes	O No
My Political party	O Yes	O No
Professional assoc.	O Yes	O No
Racial/Ethnic/Minority groups	O Yes	O No
Women's groups	O Yes	O No

30. How would you describe YOUR ideological views?

O—O—O—O—O—O—O

Very Liberal Moderate Very Conservative

31. How would you describe your DISTRICT's ideological views?

O—O—O—O—O—O—O

Very Liberal Moderate Very Conservative

32. How would you characterize the diversity in your *chamber* based on:	Very diverse	Moderately diverse	Somewhat diverse	Not diverse
Gender	O	O	O	O
Race/ Ethnicity	O	O	O	O
Religion	O	O	O	O
Occupation	O	O	O	O

33. What other elected political offices have you held?
[ ] Schoolboard [ ] City council [ ] County board
[ ] Mayor [ ] State-wide office
[ ] Other: _____

34. How many terms have you served in your current political office? _____

35. Do you plan on running for reelection in the next election cycle?
O Yes O No O No, my term is limited

36. Do you have aspirations for another elected office?
O Yes, other state office O Yes, federal office
O Yes, local office O No

37. What is your PRIMARY occupation (select one)?
O Legislator O Educator O Lawyer
O Business O Homemaker O Medicine
O Agriculture O Non-business professional
O Retired O Other: _____

38. Averaged over an entire year and taking into account session time, interim work, constituent service, and campaigning, what proportion of a full-time job is your legislative work?

O Less than 30 % O 31-50 % O 51-70 %
O 71-90 % O 91% or more

39. Are you married? O Yes O No

40. How many children do you have? _____

41. Age of your youngest child _____

42. What is your race or ethnicity?
O White O African American
O Latino/Hispanic O American Indian/Alaska Native
O Asian American/Pacific Islander
O Other: _____

43. Where were you born?
O United States O Another country:
_____

44. In what year were you born? _____

45. What is your religious preference?
O Catholic O Protestant O Other Christian
O Jewish O Muslim O Atheist
O Other: _____

46. What is the highest level of education you completed?
O High School graduate
O Some College/Technical School/Associate degree
O College graduate (B.A. /B.S.)
O Professional School (MBA, JD, MD)
O Graduate School (MA, PhD)

Thank You!

APPENDIX E

Email Survey Invitations

Honorable [Legislator Name Here],

Congratulations on a completed or near complete legislative session. As you know quality governance depends upon the policy efforts of elected representatives. To understand better what this means I am conducting an academic study to better understand the process of representation through legislative activities in state legislatures, and I need your help to complete this research. For my research I am surveying state legislators, such as yourself, about your constituency and the activities you participate in as part of your role as representative.

The survey is available here:

Start Survey (or if you cannot see the button above go to: legislator-survey.unm.edu)

The survey should take no more than 20 minutes of your time and its purpose is purely academic. The goal of the study is to increase our knowledge of the perception of constituency and legislative activities of state legislators. The findings of the study will benefit state governance as a whole as we learn more about the factors that contribute to the state legislative process. I cannot complete this research without your insights, so I hope that you will take the short time needed to fill out the survey.
Your participation is, of course, completely voluntary, and there is no penalty if you choose not to complete the survey.

I hope you find that this research question merits your valuable time. You may also contact me at juliahellwege@unm.edu for any questions, or if you have other concerns you may contact the University of New Mexico Human Subjects Review office at IRBMainCampus@unm.edu.

If you have already received this message and do not wish to participate or be contacted again, please send me an email and I will take you off my list.

Again, thank you for your assistance.
Sincerely,

Julia Hellwege, PhD Candidate University of New Mexico

APPENDIX F

Committee Categories within Typology

Control Committees:

Budget, Revenue, Taxation, Finance and Appropriations
Judiciary and Ethics
Rules
Ways and Means

Workhorse Committees:
Election Administration
Government Oversight
Government Relations
Legislative Effectiveness and Admin
Public Employees and Pensions

Caretaker Committees:
Children, Seniors and Family
Education
Health and Human Services
Veterans Affairs
Law, Criminal Justice, Corrections and Public Safety

Private Goods Committees:
Banking, Insurance, and Financial Services
Business and Commerce
Consumer Affairs
Economic Development
Labor
Regulated Industries and Professions
Science and Technology
Agriculture, Energy, Environment, and Natural Resources

Public Utility Committees:
Fish and Wildlife
Military Affairs
Public Utilities, Infrastructure, and Transportation
Tourism and Cultural Affairs

APPENDIX G

Identity groups by Institutional Marginalization in U.S. State Legislatures 2015

STATE	Min. Women	Min. Men	White Women	White Men
Alabama	token	minority	token	dominant
Alaska	token	token	minority	dominant
Arizona	token	token	minority	balanced
Arkansas	token	token	minority	dominant
California	token	token	token	balanced
Colorado	token	token	balanced	balanced
Connecticut	token	token	balanced	dominant
Delaware	token	token	minority	dominant
Florida	token	token	minority	balanced
Georgia	token	token	token	balanced
Hawaii	balanced	token	balanced	minority
Idaho	token	none	minority	dominant
Illinois	token	token	minority	balanced
Indiana	token	token	minority	dominant
Iowa	token	token	minority	dominant
Kansas	token	token	minority	dominant
Kentucky	none	token	minority	dominant
Louisiana	token	minority	token	dominant
Maine	token	token	minority	dominant
Maryland	token	minority	minority	balanced
Massachusetts	none	none	minority	dominant
Michigan	token	token	minority	dominant
Minnesota	token	token	balanced	dominant
Mississippi	token	minority	token	dominant
Missouri	token	token	minority	dominant
Montana	token	token	minority	dominant
Nebraska	token	token	minority	dominant
Nevada	token	token	minority	balanced
New Hampshire	token	token	minority	dominant
New Jersey	token	token	minority	balanced
New Mexico	minority	minority	token	balanced
New York	token	minority	minority	balanced
North Carolina	token	token	minority	dominant
North Dakota	none	none	minority	dominant
Ohio	token	token	minority	dominant
Oklahoma	token	token	token	dominant
Oregon	token	token	balanced	dominant
Pennsylvania	token	token	token	dominant
Rhode Island	token	token	minority	dominant
South Carolina	token	minority	token	dominant
South Dakota	none	token	minority	dominant
Tennessee	token	token	token	dominant
Texas	token	minority	token	balanced
Utah	token	token	token	dominant
Vermont	token	token	balanced	balanced

STATE	Min. Women	Min. Men	White Women	White Men
Virginia	token	token	token	dominant
Washington	token	token	minority	dominant
West Virginia	token	token	minority	dominant
Wisconsin	token	token	minority	dominant
Wyoming	none	token	minority	dominant

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