

Axes of Profession: The Effects of Professionalization and Intersectionality on the Presence of Minority Women in State Legislatures

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Abstract: Squire's work (1992) on how professionalization affects state legislative diversity seemed to give us mixed results, professionalization increased the number of black state legislators but had a negative effect on women. Bejarano (2013) contends that the fastest growing group of elected officials in the US are women of color so that leave us with questions as to how professionalization might affect minority women's presence in state legislatures. Our paper updates Squire's work on professionalization using data on state legislatures from 2016 to ask again how the level of legislative professionalization affects state legislative diversity, this time centering women of color in the analysis. Minority women, situated at the nexus of race/ethnicity and gender are not well served by analyzing only along the axis of race or gender and as indicated by Squire's results are faced with contradictory results. Will women of color more closely resemble the conclusions for women or people of color from Squire's analysis or will an intersectional analysis reveal that minority women operate differently than their peers? This paper will help fill in the gaps in state legislative research while also adding to a growing body of literature on the ways in which women of color are affected differently by institutional rules than either their gender or racial/ethnic peers.

The midterm elections of 2018 saw historic advances for women's representation at the national and state level. Gains at the state level are especially historic as women currently hold 28% of state legislative seats in the US, more than the number of women sitting in Congress. Nevada's legislature is at the moment the only majority female state house in the country. Recent years have seen numerous advancements in the number of

women running and winning elected offices across the country. A story that receives less attention is the way minority women fit into these historic elections.

Our research narratives often suffer from this same issue. Looking at how something affects “women” often leaves out that not all women experience gender the same, most often because they are also a racial minority. Racial scholarship also faces this problem as theorizing on the minority experience can leave out how gender bias works in concert with racial obstacles. This analysis delves into the space between race and gender research to examine how women of color do not necessarily adhere to either our understanding of how minorities or women political life (Brown 2014). By approaching the question of institutional arrangements from an intersectional perspective, we can shed light on a population left out by focusing on singular identity narratives (Hancock 2007).

Women of color make up an increasingly large portion of elected officials at all levels of government. Despite this, we still question as to the conditions that best enable their election and presence in government. This study examines the role of institutional mechanisms on membership diversity focusing on women of color and how the Squire index on professionalization may have differing effects on women depending on their racial identification. We also look at the effect of legislative turnover on descriptive representation. Both of these questions ultimately speak to broader concerns about how institutions impact the election of women of color to state legislatures?

Institutional Variations

State legislatures in the United States vary in almost every aspect like the number of legislators, the length and frequency of sessions, the salaries of legislators, and other resources made accessible to legislators, and in one case, the presence of a single, nonpartisan chamber (Nebraska Government, 2018). To adequately illustrate the degree of variance, we turn to the extremes of the spectrum: California and New Hampshire. California's legislature has 80 members in the lower house and 40 members in the upper house; the body meets year-round, members are subject to a 12-year term-limit; and members receive a \$104,118 yearly salary with a \$183 per diem. New Hampshire's legislature has 400 members in its lower house and 24 in its upper house; the body meets yearly for around 150 days; members are not subject to term-limits; and they are paid \$200 for a two-year term without a per diem pay. The more commonly used index of legislative professionalism combines member salaries, staff members per legislator, and total days in session to measure how closely state legislatures reflect Congress (Squire 1992). With these criteria, scholars have been able to measure the effect of professionalism on descriptive representation (Casellas 2009; Gerber et al. 1998; Squire 1992), careerism (Berry et al. 2000; Rosenthal 1996), and progressive ambition (Maddox 2003; Squire 1988). This is not to say that this index of professionalization is has been accepted by all legislative scholars.

Rosenthal argued that the concept of professionalism should be restricted to the legislature alone and not extend it to the members who comprise it (1996). While he concedes that time demands and staffing levels are institutional characteristics of the legislature, salaries represent a characteristic of legislators as individuals and are more

related to careerism than professionalism. His warnings of conceptual stretching do not appear to hold as Maddox takes this concept even further as he argues that legislators who maintain outside careers while in office should be incorporated into this measure of professionalism (2004). This method requires that scholars measure legislative professionalism on the basis of legislative behavior instead of institutional characteristics or legislative attitudes.

More recently, Squire responds to the questions raised about the overlap of careerism in professionalism and acknowledges that higher salaries are related to higher levels of careerism, but also argues that they have more subtle, relevant consequences (2007). Higher salaries allow legislators to focus their energies exclusively on their legislative activities instead of having to manage them with the demands of extra-legislative careers (Rosenthal 1996; Squire 2007). His defense of including member salaries in the measure of professionalism also addresses the arguments for using outside careers as a better measure because conventional wisdom would argue that these higher salaries and higher time demands inhibit the possibility of maintaining them (Maddox 2004). Despite these disagreements in the literature, the Squire index continues to be the more prevalent measure in studies of professionalism.

Descriptive representation

Proponents of descriptive representation have faced opposition as scholars have argued it does not guarantee any form of substantive representation for constituents. Conversely, those who support it argue that descriptive representation is beneficial for members of the group being represented in that the interests of marginalized groups are

more likely to be represented by a member of the group (Mansbridge 1999). While these groups are enjoying higher rates of attaining office, they are still largely underrepresented. This is partially due to the institutional mechanisms which might make running for office less appealing to individuals. The socioeconomic diversity of a state might lead to a greater variation in the sorts of people who run for election; similarly, the political culture of a state might encourage or inhibit campaigns by candidates of marginalized groups.

As professionalization began to spread in legislatures, questions of its effect on descriptive representation began to emerge. After introducing his index of professionalization, Squire analyzes the impact of this development on the number of women and Blacks in state legislatures (1992). He finds that women were more likely to serve in less professional legislatures in northern, liberal states. The number of Black members in the legislature increases as the state population of Blacks increase; this is later seen in Casella's study of Latinos in legislatures. Blacks were more likely to serve in more professional legislatures and neither region nor ideology were statistically significant. The difference in these findings might be related to the benefits of geographic concentration, but this conclusion requires further study.

The impact of geographic concentration can be seen further in Casellas' study, where he analyzes the effects of professionalization, term limits, and Latino population on Latino representation (2009). Casellas argues that being political newcomers inhibits the viability of Latino candidates in professional legislatures while the high turnover rates of citizen legislatures will be more likely to be associated with higher levels of

Latino representation. Unlike Squire's findings for African Americans, Casellas finds that states with a larger Latino population and with less-professional legislatures were associated with a higher number of Latino legislators. The argument that legislative professionalism is negatively related to Latino descriptive representation does not sufficiently tease out the possibility that the degree of the Latino population in these states might be mitigating any effects of professionalism. What we can see from Casellas' study is that among different marginalized groups, the value of professionalization varies, even when we take into account things like demographic concentration. This is further proof that we need a broader understanding of how we apply the Squire index to the question of minority legislator presence in state houses. Using data from 2010, Scola (2014) finds that states with higher percentages of minority populations have lower percentages of white female legislators and higher percentages of women of color legislators. We use data from state legislatures and contribute to extant literature by bringing an intersectional framework to the institutional question and highlight the effects of professionalization on women of color.

King uses Squire's index of professionalism but modifies the third component by replacing the number of staff members each legislator has with the expenditures for staff and support services (2000). He finds a positive though not always significant relationship between population heterogeneity and changes in the professionalism of state legislatures (King 2000). As minorities continue to drive the population growth of some states, there may be more professionalization of legislatures and greater levels of descriptive representation. Squire also finds that over time, legislatures have become

even more professionalized (2007), this implies that there is not a cap on the level of professionalization of these legislatures, which means that as our legislatures diversify we must continually revisit how changes in institutional configuration affect minority participation in state houses.

A Byproduct of Professionalism: Increasing the Incumbent Advantage

Maddox argues that the additional resources made available in professionalized legislatures enhance legislators' ability to achieve policy goals in a more amenable work environment (2003). In short, though professionalization does not directly call for the growth of incumbency, this is a seemingly inevitable byproduct of the phenomenon. More generally though, higher levels of professionalism have been found to increase the probability of winning reelection than those running for less professionalized legislatures (Berry et al. 2000). An unintentional consequence of highly professionalized legislatures is the protection it offers incumbents from extra-legislative political actors and the state of the nation's economy (Berry et al. 2000). Any institutional condition which increases incumbent advantages then makes Casellas' term limit findings more valuable for minority challengers. This tendency to increase incumbency adversely affect the election of political newcomers (Casellas 2009). The general argument is that since the turnover rate in citizen legislatures is much higher than in their counterparts, these institutions are more attainable for candidates with less political experience, less public visibility, and fewer resources (Casellas 2009). The viability for newcomers is not entirely pessimistic when the nuance provided by Squire is considered (1988). If

turnover is not exclusively related to the degree of professionalism, newcomers might be presented with opportunities for serving in these highly professional institutions.

Conversely, in legislatures which are highly professionalized yet lack the incentives of seniority like California's legislature, members will be more likely to leave for the sake of attaining higher office (Squire 1988). The differences in the career paths made available to members add more complexity to the role of professionalization on incumbency and turnover. In other words, the presence of seniority systems could serve as another cost factor in strategic career moves in that members of a legislature with a strong seniority system may be less inclined to give their status as senior members up. Should these theories be replicated, there is the possibility that more minority descriptive representation could be seen in highly professionalized legislatures which do not promote the same careerism Squire observes in New York (1988). These legislatures might also serve as career launching pads for minorities in that the high turnover rates in professionalized legislatures should also apply to them, but this requires further study.

There is not much research on the effect of levels of professionalism on descriptive representation at the state level, and the available research does not seem to agree on the direction of its effects. This might be explained by the reality of geographic concentrations or some other institutional mechanism. Nonetheless, this study will rely on the extant literature to complete an updated analysis of the status of racial and ethnic minorities in state legislatures. The Squire index for professionalization has withstood the criticism of multiple scholars and remains the most appropriate measure of

professionalism. Using the approach Squire took in his revisiting of the 1992 index, an analysis of descriptive representation in the lower houses of Arizona, California, Maryland, New York, New Mexico, and Texas allow for the comparison of highly professional, middle of the road, and citizen legislatures (2007). These cases also allow for the comparison of legislatures in states which also have high populations of Latinos.

Theory and Hypotheses

Part of what may be driving the conflicting results of previous work is the way in which minority groups are treated as homogenous entities. While previous work concerns itself with how institutional arrangements affect either racialized communities or women, the fastest growing group of state legislators are both racial minorities and women (Bejarao 2013). This work joins the conversation of how institutional structure specifically affects women of color by looking at professionalization. The interplay of race and gender significantly condition the ways in which marginalized legislators benefit from the rules of the political game. Troustine and Valdini's (2008) analysis of single-member versus at-large districts in city council elections shows that African American women and Latinas do not electorally benefit from either single-member districts, which can benefit racial minorities, nor from at-large districts which help the election of women. We also borrow from and join a growing literature which demonstrates ways in which phenomenon act differently on women of color than they do on white women. Silva and Skulley (2018) compare white and minority women in terms of the current theories of female candidate emergence. They find that minority

female candidates are not motivated by the same factors that white women are in terms of deciding to run for office.

H1: The percentage of women of color in a state legislature will go down as the professionalization of the chamber rises.

H2: The percentage of white women will go up as a legislature's professionalization score goes up.

H3: Term limits will help increase the percentage of women of color in state legislatures.

Our first hypothesis follows from Troustine and Valdini's findings that women of color do not benefit from institutional arrangements that benefit either minorities or women.

H1 then argues that the percentage of women of color in a state legislature will go down as the professionalization level of the chamber rises. Though Squire finds that the level of professionalization does not increase the amount of women in state legislatures, we argue that this effect is due to the mixing of white and minority women in this category.

Much of what we know about women in politics suffers from this same issue. By combining women of different racial groups together, we cloud the possible effects of gender by inadvertently combining it with the effects of race. It is only once we apply an intersectional framework to our research that we begin to disentangle these very different effects of these factors in political life. Once we separate the groups, we expect to find that in truth, white women will benefit from the increase in professionalization in much the same way that Squire found minorities benefited. This expectation is represented by hypothesis 2. The third and final hypothesis tackles Casellas' findings on term limits and brings it into this broader analysis of institutional arrangements. While we use term limits as a proxy for high turnover legislatures, we nevertheless expect that a continual stream of open seats at the state level will cut down on the incumbent

advantage by forcing people to relinquish their seats. This turnover should, in theory, create more opportunities for women of color to run for state legislative office.

Data and Methods

The race or ethnicity of legislators is not available through the member profiles in each legislature nor is it available through the legislatures' main websites. Using names and/or images of legislators is also not a sufficiently reliable method of categorization. Data were collected using caucus lists in each legislature and by contacting the offices of these lawmakers via E-mail. The racial and ethnic makeup of all 99 chambers is included in this dataset. We use the Squire index for the extent of legislatures' professionalism (2007). Professionalism is coded on a 1 through 3 scale, where 1 indicates a citizen-legislature 2 a hybrid, and 3 a highly professionalized legislature. The variable term-limit is a 0-1 variable, where 0 indicates there are no term-limits in effect and 1 that there are term-limits in effect. The dependent variables in this study are the proportions of women of color and of white women in the state legislatures. Our women of color variable is an aggregate variable of the percentage of Black, Latina, Asian American, and Native American in each chamber of the legislatures.

The independent variables are the level of professionalism of the legislatures and the presence of term-limits, which is used to measure turnover. Other explanatory variables which are included in the model are region- South or not- and chamber level. To address the issue of the role of geographic concentration in the election of descriptive representatives, a variable for the proportion of majority-minority districts in states was included in the model. We use ordinary least squares regressions to conduct our

analyses. One of our models tests the effect of professionalization on the proportion of women of color in state legislatures and a second model runs the same independent variables on the proportion of white women. Finally, we interact the level of professionalization and our term limits variable.

Results and Discussion

In both of our models, professionalism has a positive effect on the proportion of women in state legislatures. Table 1 displays how as they become more professionalized, state legislatures an increase of .011 in the proportion of women of color. This is a substantively small but significant effect. An increase in the professionalization of state legislatures results in a .025 increase in the proportion of white women in these institutions. This effect also reaches statistical significance, and we note that the professionalization of state legislatures increases the election of white women more than it does women of color. In terms of our hypotheses, these results are both confirming and contradictory. Where in H1 we expected women of color to be hurt by increases in professionalization, they receive a bump from increases in that variable. For white women, our second hypothesis is confirmed. While both groups of women the effect of professionalization is positive, the difference in effect size points to a possible racialized difference between these groups of women.

Table 1. Ordinary Least Squares Regression: Women in State Legislatures

Variables	<i>Women of Color</i>			<i>White Women</i>		
	<i>b</i>	<i>Std. Err.</i>	<i>Sig.</i>	<i>b</i>	<i>Std. Err.</i>	<i>Sig.</i>
<i>Professionalism</i>	.011	.005	*	.025	.011	**
<i>Term-Limits</i>	-.009	.013		.059	.027	**
<i>Majority-Minority</i>	.128	.016	***	-.090	.032	**
<i>South</i>	.019	.008	**	-.083	.017	***
<i>Chamber</i>	-.011	.007		-.014	.014	
<i>Professionalism X Term-Limits</i>						
<i>Hybrid Term Lim</i>	.016	.021		-.065	.041	*
<i>High Prof. Term Lim</i>	.016	.018		-.067	.036	
<i>Constant</i>	.026	.017		.177	.034	***
N		99			99	
Adj. R ²		.5116			.3477	
F		13.83			7.53	

***0.001, **0.01, *0.05

The presence of term limits in state legislatures is used as a proxy for high turnover rates. Term limits have a negative effect on the proportion of women of color, but the effect does not reach significance. Conversely, the presence of term limits has a positive and significant impact on the proportion of women (an increase of .059). This comes as a surprise as based on the literature, our expectation in H3 was that women of color would be aided by the increased turnover of term-limited legislatures.

The proportion of women of color in state legislatures is most significantly impacted by the racial and ethnic makeup of districts. As the proportion of majority-minority districts in states increases, there is a 0.128 increase in the proportion of women of color; this is a statistically significant effect. However, as the proportion of majority-minority districts increases, there is a substantive and significant (0.090) decrease in the proportion of white women in state legislatures. Being in the South also increases the proportion of women of color (0.019) and decreases the proportion of white women (-0.083); both are statistically significant effects. We only observe a significant effect of the interaction of professionalization and term limits in the proportion of white women in hybrid legislatures with term limits.

Conclusion

This study seeks first to update previous findings on the effect of professionalism levels of state legislatures on descriptive representation and second to expand the breadth of this literature. We depart from prior work by examining the consequences of professionalism particularly focusing on the effects of professionalism on women of color, a group that falls between the findings of Squire's previous work. Additionally, by including a measure of term-limits, we address the effect of turnover on descriptive representation.

In terms of minority women, our results are generally promising. An important institutional variable that we thought would hurt minority women's presence in state legislative chambers has a small positive effect. Part of our critique of earlier work is that grouping women of various racial groups together obfuscates the racial dynamics of

being a woman of color in elected office, and it adds noise to the understanding of how gender works across political phenomenon. This disparate effects of professionalization and term limits for white women and minority women provide further evidence that not all women experience gender the same; especially when we take into account racial and ethnic identifications.

Future studies should consider other factors which might complete the story of descriptive representation in state legislatures as the measures in the models of this study are only partially explaining which kinds of individuals seek political office. The findings discussed here do not address the importance or implications of descriptive representation, and instead limits its scope to the conditions under which more or less individuals of underrepresented groups hold legislative office. While the effects of gender are widely studied across political context, the ways race and gender modify each other are often subsumed in examining “women” or “minorities.” Future research on the effects of institutional arrangements should take care to consider that some people are both racial minorities and women. Expansions of this study should consider the importance of these findings in real-world applications.

References

- About the Legislature [Online]/ auth. Nebraska Government // Nebraska Legislature. - 2018. - February 23, 2018. - <https://nebraskalegislature.gov/about/about.php>.
- Bejarano, Christina E. 2013 *The Latina Advantage: Gender, Race, and Political Success*. Austin: University of Texas Press
- Berry, William D., Michael B. Berkman, and Stuart Schneiderman. 2000. "Legislative Professionalism and Incumbent Reelection: The Development of Institutional Boundaries." *American Political Science Review* 94: 859-74.
- Brown, Nadie E. 2014. "Political Participation of Women of Color: An Intersectional Analysis." *Journal of Women, Politics & Policy* 35(4) 315-348
- Casellas, Jason P. 2009. "The Institutional and Demographic Determinants of Latino Representation." *Legislative Studies Quarterly* 34(3): 399-426.
- Cox, Gary W. and Scott Morgenstern. 1993. "The Increasing Advantage of Incumbency in the U.S. States." *Legislative Studies Quarterly* 18(4): 495-514.
- Hancock, Ange-Marie. 2007. "When Multiplication Doesn't Equal Quick Addition: Examining Intersectionality as a Research Paradigm." *Perspectives on Politics* 5(1): 63-79.
- Hibbing, John R. 1999. "Legislative Careers: Why and How We Study Them." *Legislative Studies Quarterly* 24 (May): 149-71.
- King, James D. 2000. "Changes in Professionalism in U.S. State Legislatures." *Legislative Studies Quarterly* 25:327-43.
- Maddox, H.W. Jerome. 2003. "Should I Stay or Should I Go?: Progressive, Ambition, Legislative Professionalism, and Career Choice in U.S. State Legislatures." Prepared for presentation at the annual meeting of the American Political Science Association, Philadelphia, PA, August 28-31, 2003.
- . 2004. "Working Outside of the State House (and Senate): Outside Careers as an Indicator of Professionalism in American State Legislatures." *State Politics and Policy Quarterly* 4(2): 211-226.
- Mansbridge, Jane. 1999. "Should Blacks Represent Blacks and Women Represent Women? A Contingent 'Yes'." *The Journal of Politics* 61(3): 628-657.
- Rosenthal, Alan. 1996. "State Legislative Development: Observations from Three Perspectives." *Legislative Studies Quarterly* 21: 169-198.
- . 1998. *The Decline of Representative Democracy: Process, Participation, and Power in State Legislatures*. Washington, DC: CQ Press.

Samuels, David. 2003. *Ambition, Federalism, and Legislative Politics in Brazil*. Cambridge: Cambridge University Press.

Schlesinger, Joseph A. 1966. *Ambition and Politics*. Chicago: Rand McNally

Silva, Andrea & Skulley, Carrie. 2018. "Always Running: Candidate Emergence among Women of Color Over Time." *Political Research Quarterly*.

Squire, Peverill. 1988. "Member Career Opportunities and the Internal Organization of Legislatures." *Journal of Politics* 50: 726-744.

— . 1992. "Legislative Professionalization and Membership Diversity in State Legislatures." *Legislative Studies Quarterly* 17: 69-79.

— . 2007. "Measuring State Legislative Professionalism: The Squire Index Revisited." *State Politics & Policy Quarterly* 7(2): 211- 227.

Troustine, Jessica & Valdini Melody E. 2008. "The Context Matters: The Effects of Single-Member versus At-Large Districts on City Council Diversity." *American Journal of Political Science* 52(3) 554-569.

Weber, Ronald E., Harvey J. Tucker, and Paul Brace. 1991. "Vanishing Marginals in State Legislative Elections." *Legislative Politics Quarterly* 16:29-47.