

When Black and Republican Interests Coincide, Does the Democratic Party Lose?

Though there aren't any black Republicans in the N.C. General Assembly, and though blacks and Republicans usually vote on different sides in the N.C. General Assembly, and though they normally don't cast their legislative lots together, blacks and Republicans have helped each other enormously in the legislature and in the courts—to the point that the face of politics is changing dramatically in North Carolina. In the early 1980s, blacks and Republicans teamed up to force the General Assembly to adopt single-member legislative districts where there were concentrations of black voters.¹ In 1989, the groups teamed up again to pass legislation that will eliminate many runoff primaries.² The changes help both groups, and state Rep. H.M. "Mickey Michaux (D-Durham) says he has no illusions about this paradox.

"I'm convinced that Republicans voted for the party primary bill because they feel if more black candidates get to general elections, Republicans can win more legislative seats at our expense," says Michaux, a veteran legislator who feels blacks are caught between a rock and a hard place on such issues. Michaux has good reason to feel that way. So far, the winners of the uneasy alliance between Republicans and blacks are Republican legislators and black legislators. The losers are white Democratic legislators, whose numbers are dwindling in the General Assembly—94, down from 146 a decade ago and from 134 in 1983, just before the big redistricting changes began.³

It's "the untold story" of North Carolina politics in the 1980s, says J. Brad Hayes, Gov. Jim Martin's chief political guru. "When you take all the things combined that helped our

legislative gains, it is not the coattails of the Governor or senators or presidents," Hayes told *The News and Observer*. "It is redistricting."⁴

The big legislative change came in 1985, after the landmark redistricting court case *Gingles v. Thornburg* resulted in creation of a number of single-member districts designed to allow black voters to elect black legislators.⁵ In 1983, there were 12 black legislators and 24 Republican legislators, and 134 white Democratic legislators. In 1985, with the new single-member districts in place, there were 16 black legislators, 50 Republicans, and 104 white Democrats. The blacks and Republicans have continued to gain since 1985, while white Democrats have continued to decline.

How has this change come about? First, the U.S. Voting Rights Act prohibits redistricting plans that dilute minority voting strength, and in fact requires states covered by the act to draw districts that would allow black voters to choose a black legislator if they wished.⁶ That means that in certain districts, blacks can and do elect black legislators—but it also means that white Democrats, who once could have counted on black support, no longer are winning as frequently without that support. And it means that white Republicans, who once could count on blacks voting against them, no longer have that disadvantage. Thus, in many new urban districts, Republicans are beating Democrats regularly, in areas where they used to have trouble running county-wide in multi-member districts.

The Washington Monthly took note of the effects of the alliance between the GOP and

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blacks in 1987.⁷ "In the last few years," the magazine reported, "many of the nation's most prominent civil rights groups, joined by local Republicans, have used provisions of the Voting Rights Act to overturn existing electoral plans. For blacks, creating black majority districts is a simple way of ensuring the election of black representatives. For Republicans, packing blacks into a few districts means that the surrounding districts become whiter, less Democratic, and fertile soil for GOP candidates."

In similar fashion, the runoff primary bill may benefit Republicans and blacks—though the GOP may be the ultimate victor. By eliminating runoff primaries in many races, blacks should be able to win more Democratic nominations—as Michaux would have in the 1982 2nd Congressional District race. Under old law, a candidate must have received one vote more than 50 percent to win a nomination. Some blacks, like Michaux, led the first primary, but were overwhelmed in a runoff. Under the new law, a candidate in a primary with more than two candidates can win the nomination if that candidate draws at least 40 percent of the vote. Had the law been in effect in 1982, Michaux would have been the Democratic nominee—but he might not have won the election. Some political observers say—and Michaux fears—that Republican chances for victory in the general election may have been enhanced by the likelihood that blacks will win the Democratic nomination. Voters then may opt for the white candidate in a general election when faced with a choice between a black and a white.

While the alliance does improve election prospects for blacks, said *The Washington Monthly*, "civil rights groups may ultimately harm their own cause One way to judge an idea is by the company it keeps. The Republican connection ought to disturb those who carry the banner for civil rights. Racial districting may have become a clarion call for the civil rights movement, but it is also a cause célèbre for the conservatives who cheer the

willingness of blacks to separate."⁸

For some observers, the supreme irony is that after all the gains in knocking down segregation in education, in employment, in housing, and in other arenas, the net effect of single-member districts is to re-segregate the races—making some districts blacker and some districts whiter.

But those who have fought for opportunities for blacks reject that notion. Charlotte attorney Leslie Winner says that while the changes may have hurt the Democratic Party, that's a wound that the party will have to bear. "In the end," she told *The News and Observer*, "my answer is that white Democrats are not entitled to save their own necks at the expense of black representation, even if that is the net effect."⁹

—Jack Betts

FOOTNOTES

¹The first redistricting plans following the 1980 census passed the legislature as Chapters 800 and 1130 of the 1981 Session Laws for House districts and Chapter 821 of the 1981 Session Laws for Senate districts. These redistricting plans were successfully challenged under the federal Voting Rights Act in a landmark national case, *Gingles v. Edmisten*, 590 F Supp. 345 (E.D.N.C. 1984), affirmed in part, reversed in part, *sub nom.*, *Gingles v. Thornburg*, 418 U.S. 30, 106 Su. Ct. 2752, 92 L.Ed. 2d 25 (1986). Single-member districts finally were adopted in the 1984 General Assembly, in Chapters 4 and 5 of the 1983 Session Laws (Extra Session 1984) for Senate districts, and in Chapters 1, 6, and 7 of the 1983 Session Laws (Extra Session 1984) for House Districts.

²Chapter 549 of the 1989 Session Laws, now codified as G.S. 163-111.

³For more information on legislative demographics, see Lori Ann Harris and Marianne M. Kersey, *Article II: A Guide to the 1989-90 N.C. Legislature*, by the N.C. Center for Public Policy Research (1989), pp. 236-7.

⁴As quoted in Rob Christensen, "Ranks of urban, white Democrats thinning in legislature," *The News and Observer* of Raleigh, April 16, 1989, p. 1A.

⁵See footnote 1, above.

⁶Section 2 of the U.S. Voting Rights Act of 1965, as amended June 29, 1982, and codified in 42 U.S. Code 1973.

⁷Mathew Cooper, "Beware of Republicans Bearing Voting Rights Suits," *The Washington Monthly*, February 1987, p. 11.

⁸*Ibid.*, pp. 11 and 15.

⁹As quoted in Christensen, p. 10A.