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Congressional Enactments of Race–Gender: Toward a Theory of Raced–Gendered Institutions

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Investigating reports of marginalization from Congresswomen of color, I examine legislative practices in the 103rd and 104th Congresses to illuminate dynamics that structure hierarchies on the basis of race and gender. I advance an account of racing–gendering as a political process that silences, stereotypes, enforces invisibility, excludes, and challenges the epistemic authority of Congresswomen of color. Racing–gendering constitutes a form of interested bias operating in Congress, which has important implications for understandings of the internal operations of political institutions, the policy priorities of Congresswomen of color, the substantive representation of historically underrepresented groups, and the practice of democracy in the United States.

Political democracy depends not only on economic and social conditions but also on the design of political institutions. Bureaucratic agencies, legislative committees, and appellate courts are arenas for contending social forces, but they are also collections of standard operating procedures and structures that define and defend values, norms, interests, identities, and beliefs.

March and Olsen (1989)

Our understanding of institutions is inextricably bound to the dominant individuals who populate them.

Simon Rosenthal (2000)

Being a woman in Congress is like being a fragile goldfish among the barracuda.

Griffiths (1996)

Actually, these years [1995–1996] are pretty typical of my political career. Racism has always been there, gender bias has always been there. The mean-spirited debate is probably the only thing that changed. But that didn't change the fundamentals of racism and sexism. That has always been a constant.

Johnson (1997)

In their path-breaking work, *A Portrait of Marginality*, Marianne Githens and Jewel Prestage (1977, 339) noted that from its inception American politics has been “man’s business” (i.e., it has been “gendered”) and “white folks’ business” (i.e., it has been “raced”). “As a consequence, black women have been doubly excluded from the political arena.” The form of exclusion that Githens and Prestage sought to illuminate

was the pervasive and persistent underrepresentation of women of color in elective offices. In 1977, when *Portrait of Marginality* was published, women of color held 3% of the elected offices in the United States and five seats in the U.S. Congress (King 1977, 347).¹ A quarter century later, women of color hold 3.7% of the seats in the U.S. Congress, 3.6% of the seats in state legislatures, and 3.09% of the mayoral and council offices at the municipal level (Center for American Women and Politics 2002; National League of Cities 2002). In addition to underrepresentation, studies of elected women of color consistently document forms of marginalization including stereotyping complemented by a policy of invisibility, exclusion of women of color from leadership positions within legislatures, and lack of institutional responsiveness to the policies women of color champion (Bryce and Warwick 1977; Bratton and Haynie 1989; Swain 2000).

Hedge, Button, and Spear (1996) found that black women are more likely to experience discrimination within state legislatures than are their male counterparts: 76% of the African American women legislators reported encountering discrimination, compared to 60% of African American male legislators. In a recent study of African American women state legislators, Smooth (2001a, 2001b) has demonstrated that experiences of marginalization are not mitigated by seniority or leadership positions. On the contrary, the longer black women have served in office and the more powerful the positions they hold within legislative institutions, the stronger are their feelings of exclusion. “The more success black women have enjoyed in passing legislation, the less likely they are to feel they are full members of the institution” (Smooth 2001b, 12).

There is little in the scholarly literature on legislatures that might explain such reports of marginalization. Indeed certain legislative rules and operating procedures are designed to secure equal inclusion of members. The “legislative egalitarianism” (Hall 1996, 55, 108) institutionalized in the one-person, one-vote

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¹ King notes that the preponderance of these elected officials held positions on local school boards. Congresswomen of color included Patsy Mink [D-HI], Shirley Chisholm [D-NY], Barbara Jordan [D-TX], Yvonne Braithwaite Burke [D-CA], and Cardiss Collins [D-IL].

rule in committees and on the floor and the considerable latitude members enjoy in hiring and organizing their staffs, fixing their schedules, and setting priorities should lay the groundwork for inclusive participation. While numerous scholars have pointed out that legislatures are not as egalitarian as they might first appear, the explanations for inequalities in participation emphasize partisan organization within the legislature (Aldrich 1995; Cox and McCubbin 1993; Fenno 1997; Rohde 1991), divisions of labor and specialization within committees (Fenno 1973), institutional norms such as hard work and seniority (Fenno 1962, 1966), “folkways” (Matthews 1960), or rational choices by members about how to invest their time and energy (Hall 1996). Race and gender do not figure in these explanatory accounts.

With the exception of the studies that survey African American legislators noted above (Hedge et al. 1996; Smooth 2001a, 2001b), studies of race in legislatures have typically focused on roll call analysis and have concluded that once party, region, and percentage of African Americans in the constituency are controlled for, race carries little explanatory power (Swain 1993; Taylor 1996). Beyond roll call analysis, a number of studies have suggested that legislators of color are governed largely by the same concerns as are white members (Fenno 1978; Hall 1996; Swain 1993), but these accounts do not disaggregate by gender and as such can provide no insights into the experience of marginalization reported by African American women legislators.

Within the women and politics literature, far more attention has been directed toward the differences between male and female legislators than to differences among women legislators. Women and politics scholars have devoted their attention to documenting “gender difference” and to investigating how that difference plays out within political institutions (Rosenthal 2002; Swers 2002). Numerous studies have demonstrated that women legislators not only give higher priority than male legislators to issues such as women’s rights, education, health care, families and children, the environment, and gun control, but are willing to devote considerable effort in committee and on the floor to securing passage of progressive legislation in these areas (e.g., Dodson and Carroll 1991; Kathlene 1989; Thomas 1994). Women and politics scholars have also investigated women’s legislative and leadership styles, suggesting that women pursue cooperative legislative strategies, while men prefer competitive, zero-sum tactics, and women are more oriented toward consensus, preferring less hierarchical, more participatory, and more collaborative approaches than their male counterparts, but race and ethnic differences among women legislators have not figured prominently in these analyses (Thomas 1994; Jewell and Whicker 1994; Rosenthal 2000). Several scholars have investigated the tensions that arise between the preferred legislative and leadership strategies of women and the institutional norms that conflate male behavioral preferences with “professionalism” and “political savvy” (Kathlene 1994; Kenney 1996; Jeydel and Taylor 2003; Simon Rosenthal 2000). This scholarship has made it clear that neither

legislative priorities nor the standard operating procedures of legislative institutions are either gender inclusive or gender neutral. But they have been less attuned to the possibility that genders are raced, that institutional norms and practices may be raced and gendered, or that political institutions may play a critical role in producing, maintaining, and reproducing raced and gendered experiences within and through their organizational routines and practices.

When women legislators of color report persistent marginalization within legislative institutions despite years of seniority and impressive legislative accomplishments, they offer political scientists a clue that there is more going on in legislative institutions than has yet been captured in the literature. This article explores the experiences of marginalization reported by Congresswomen of color in the 103rd and 104th Congresses in an effort to make visible power relations that have profound effects, constructing raced and gendered hierarchies that structure interactions among members as well as institutional practices, while also shaping public policies.

Toward that end, I first develop a conception of racing–gendering as an active process that differs significantly from the conceptions of race and sex as individual attributes or demographic characteristics. I then suggest that investigating the processes of racing–gendering requires methodological innovation to make visible that which traditional methodologies have rendered invisible. I provide examples of racing–gendering in Congress and indicate how these marginalizing experiences of Congresswomen of color challenge a number of received views in Congress studies. I explore the persistence of racing–gendering across two Congresses, the Democratic-controlled 103rd and the Republican-controlled 104th, to demonstrate that Congresswomen of color perceive racing–gendering to be ongoing processes regardless of the party in power. In the final sections of the article, I identify new explanatory possibilities created by the theory of racing–gendering in Congress and consider some of the implications of this account for understandings of the internal operations of political institutions, the substantive representation of the interests of historically marginalized groups, and the quality of democracy in the United States.

FROM RACE AND SEX TO RACING–GENDERING

Political scientists have tended to treat race and sex as biological or physical characteristics rather than as political constructs. According to this “primordial view” (Taylor 1996), race and sex precede politics. As part of the “natural” or “given” aspects of human existence, race and sex are apolitical, unless intentionally mobilized for political purposes. The effects of race or sex upon politics, then, are matters for empirical investigation but there is no reason to believe that politics plays any role in shaping the physical characteristics of individuals or the demographic characteristics of populations.

Within the past few decades, critical race theorists and feminist theorists have challenged the primordial view of race and sex, calling attention to processes of racialization and gendering through which relations of power and forms of inequality are constructed, shaping the identities of individuals. Through detailed studies of laws, norms, and organizational practices that enforced racial segregation and separate spheres for men and women, scholars have excavated the political processes through which hierarchies of difference have been produced and maintained. They have demonstrated that the imputed “natural” interests and abilities of women and men of various races are the result of state-prescribed limitations in education, occupation, immigration, citizenship, and office-holding (e.g., Connell 1987; Flammang 1997; Haney Lopez 1996; Siltanen 1994). Politics has produced race and gender not only by creating and maintaining raced and gendered divisions within the population but by defining race and gender characteristics and according differential rights on the basis of those definitions (Yanow 2002). In *White by Law*, for example, Haney Lopez (1996, 19) has demonstrated that through the direct control of human behavior and by shaping public understanding, “law translates ideas about race into material and societal conditions that entrench those ideas.” Thus immigration and miscegenation laws have produced the physical appearance of the nation’s population by constraining reproductive choices. Laws, court decisions, and census categories defining who is “white” and who is “nonwhite” have ascribed racialized meanings to physical features and ancestry (Haney Lopez 1996, 14–15; Yanow 2002). Law has also produced certain behaviors and attitudes associated with women of multiple races and men of color through exclusions from citizenship and office holding, the legalization of unequal treatment, and differential access to social benefits (Fraser 1989; Haney Lopez 1996; G. Mink 1995).

Developing a “theory of gendered institutions,” feminist scholars have begun to map the manifold ways in which gender power and disadvantage are created and maintained not only through law but also through institutional processes, practices, images, ideologies, and distributional mechanisms (Acker 1989, 1992; Kenney 1996; Steinberg 1992). They have shown how organizational practices play a central role in recreating and entrenching gender hierarchies, gender symbols, and gendered identities (Duerst-Lahti and Kelly 1995). The theory of gendered institutions has been important in drawing attention to the structuring practices, standard operating procedures, rules, and regulations that disadvantage women within contemporary organizations. But the theory of gendered institutions has not yet engaged the implications of arguments of feminists of color that gender is inseparable from race, class, ethnicity, nationality, sexual orientation and other socially constructed hierarchies of difference.

Feminist scholars of color have coined the term, *intersectionality*, to capture the intricate interplay of social forces that produce particular women and men as members of particular races, classes, ethnicities and nationalities (Crenshaw 1989, 1997). Intersectionality

suggests that the processes of racialization and gendering are specific yet interrelated. Racialization may produce marked commonalities of privilege between men and women of the dominant race/ethnic groups and of disadvantage among men and women of the subordinate racial/ethnic groups. Gendering may produce particular commonalities (deportment, adornment, stylizations of the body, voice intonations and inflections, skilling or deskilling, interests, aspirations) among women across race and ethnic groups and among men across race and ethnic groups.

The term, *racing-gendering*, attempts to foreground the intricate interactions of racialization and gendering in the political production of distinctive groups of men and women. Racing-gendering involves the production of difference, political asymmetries, and social hierarchies that simultaneously create the dominant and the subordinate. To investigate racing-gendering, then, it is crucial to attend to specifics and to interrelationships. The processes that produce a white male, for example, will differ from, while being fully implicated in, the processes that produce a black man, a Latino, a Native American man, a white woman, a black woman, a Latina, an Asian American woman, or a Native American woman.

Racing and gendering are active processes with palpable effects. Racing-gendering occurs through the actions of individuals, as well as through laws, policies, and organizational norms and practices. The identities of women of color are constituted through an amalgam of practices that construct them as “other” (to white men, men of color, and white women), challenging their individuality and their status as fully human. The manifold practices through which racing-gendering are generated and sustained are complex and many-layered. They surface epistemically in the particular knowledges ascribed to women of color and in the forms of knowledge alleged to lie beyond their grasp. They surface contradictorily as in the opposing phenomena of invisibility (when whites consistently fail to see or ignore women of color; confuse them because “they all look alike;” deny them recognition) and hypervisibility (any woman of color stands for all women of color; one or two women of color in a room is somehow too many). Silencing, excluding, marginalizing, segregating, discrediting, dismissing, discounting, insulting, stereotyping, and patronizing are used singly and in combination to fix women of color “in their place.”

Tokenism has been a talisman of racing-gendering. As tokens, some women of color are admitted to membership in elite institutions but their inclusion carries an expectation that they accept the agenda of the dominant members (Hurtado 1996; Lorde 1984). Their talents are recognized only on the condition that they are used to support the status quo. Any attempt to expand the agenda or change the operating procedures by a token produces quite different racing-gendering tactics by those dominant within the institution. Hurtado (1996, 135, 166) has suggested that women of color who act in accordance with their own agendas confront “topic extinctions” and the “*pendejo* game.” Topic extinctions refer to the total silence that greets substantive

suggestions and policy agendas advanced by women of color. Whether fueled by willed indifference, evidence blindness, or a refusal to hear, such silence ensures that women of color fail to achieve their objectives. In the *pendejo* game, white men and white women in positions of power “play dumb,” pretending that they do not understand the policy suggestions or substantive arguments of women of color and requesting further explication and deeper elaboration. While women of color devote time and energy trying to educate members of the dominant group about the issues, those in power pretend to listen but do not hear; hence, everything remains the same. The demand for additional information is simply a delaying tactic that ensures that the agenda advanced by women of color is deferred.

Racing–gendering can also involve certain “Catch 22s:” Women of color are simultaneously pressured to assimilate to the dominant norms of the institution and denied the possibility of assimilation. They are not allowed to assume the position of the unmarked (white/male) member because racing–gendering practices continue to set them off as different. Indeed, racing–gendering involves asymmetrical power relations that simultaneously constitute the marked and unmarked members. Whites and men constitute themselves as the unmarked norm in the very process of constructing people of color and women as marked, different. Whether deployed intentionally or unwittingly,² racing–gendering practices produce relations of power that alter the conditions of work and the conditions of life for women of color in subtle and not so subtle ways. They ensure that the playing field is not equal.

In addition to a variety of direct effects, racing–gendering practices also produce unintended consequences: anger and resistance. In Hurtado’s (1996, 21) words, “To be a woman of color is to live with fury.” In response to racing–gendering, women of color mobilize anger for purposes of social change. Locke (1997, 378) has argued that women of color have “struggled since our nation’s founding against peripheral status and the consequences of exclusion.” Within the institutions in which they work and within their communities, a “central tactic of resistance is to use anger effectively” (Hurtado 1996, 21). In the struggle against exclusion and marginalization, women of color in electoral politics have envisioned themselves as social change agents “trying to achieve the visibility and recognition that were symbolically reserved for white men” (Darling 1998, 157). In exploring the dynamics of racing–gendering in the U.S. Congress, it is important to consider that the identities of Congresswomen of

color may be constituted not only through the racing–gendering practices that silence, marginalize, and constrain but also through resistance and the political mobilization of anger that racing–gendering engenders. Indeed, I argue that the anger and resistance engendered by Congresswomen of color’s experiences of racing–gendering in the halls of Congress help explain certain of their policy preferences and the intensity with which they pursue legislation that they know to be doomed.

METHODOLOGY

For the past half century, congressional studies have been conducted largely within the framework of behavioral analysis. Whether informed by the assumptions of structural functionalism, which foregrounds norms and sanctions related to party organization and committee structure in Congress, or by the rational actor model’s alternative emphasis on the explanatory power of the rational, purposive decisions of individual members, congressional scholars have agreed that their goal is to study the political behavior of individuals in order to formulate and test hypotheses concerning uniformities of behavior within the institutional context. While the specific methods adopted to achieve these purposes have included participant observation, historical analysis, survey research, roll call analysis, structured interviews, and systematic investigation of committee and subcommittee deliberations, none of these methods have identified “scientific laws of race or gender” operating within Congress. Indeed several scholars have pointed out that quantitative methods are peculiarly unsuited to study historically underrepresented groups in Congress. Put simply, there have been too few women and people of color in Congress to generate statistically significant results (Hall 1996, 192; Tamerius 1995, 143–55). The problem of “small *n*” is further complicated by the concept of intersectionality. Standard social science methodological techniques that attempt to isolate the effects of gender by controlling for race/ethnicity or to isolate the effects of race/ethnicity by controlling for gender are at odds with any effort to trace the complex interactions of race–gender in an organization, a point made cogently by Spellman (1988, 103). Sophisticated statistical models designed to investigate interaction effects of race, gender, class, region, constituency type, etc., require large data sets that restrict legislative studies to roll call analysis, which has only limited value in explaining certain aspects of congressional operations and dynamics. Moreover, quantitative techniques devised to reveal uniformities of behavior are by design insensitive to difference, treating anything that deviates from the norm as an outlier or an anomaly.

To probe the meaning of reports of marginalization by elected women of color, an alternative approach is necessary. Hermeneutics or interpretive theory has long vied with behavioralism in the social sciences, perhaps not for supremacy, but at least for accreditation as a legitimate method for social science inquiry. Hermeneutics aspires to explain social and political experiences by situating the claims of individuals or

² In her study of state legislators, Thomas (1994, 37) found that male legislators routinely deny that they engage in stereotyping and sexist behavior or that women legislators are in any way limited in their legislative roles by stereotypes or sexism. Yet when asked to compare women’s and men’s performance in the legislature, the male legislators tended to identify certain “deficiencies” that impaired women’s legislative effectiveness. The imputed deficiencies conformed to sexist stereotypes. For the purposes of my argument, it does not matter whether the racing–gendering is done intentionally or unintentionally. My goal is simply to demonstrate that these practices exist and have effects within legislatures.

groups within a larger interpretive framework. Treating individual statements as texts, interpretive theorists probe the meaning of those texts by analyzing them in relation to cultural and linguistic practices, historical traditions, and philosophical frameworks in order to provide an enhanced explanation consistent with the meaning of the experience to the agent.

To illuminate factors that contribute to Congresswomen of color's experience of marginalization, I interpret interview data from Congresswomen in the 103rd and 104th Congresses in light of recent scholarship in critical race theory, feminist theory, and African American history. I draw upon the concept of intersectionality and the theory of gendered institutions to investigate racing-gendering in the U.S. Congress, identifying interpersonal interactions and institutional practices that situate and constrain Congresswomen of color differently from white Congressmen and women, and differently from Congressmen of color.

While this study is informed by hermeneutics, it also employs a multimethod approach, combining textual analysis of interview data with a case-study of welfare reform the 103rd and 104th Congresses. The interview data are drawn from a long-term study of women in Congress conducted by the Center for American Women and Politics.³ My textual analysis is based upon transcripts from interviews with 81 Congresswomen, including 15 Congresswomen of color who served in the 103rd and 104th Congresses (11 African American women, 3 Latinas, and 1 Asian American woman),⁴ supplemented by certain policy debates recorded in the *Congressional Record*. The interviews, which ranged from 20 to 90 min, were taped and "on the record;" transcripts were made from the tapes of each of the interviews. During the interviews Congresswomen were asked about their legislative priorities and accomplishments, their efforts to represent women, and their relationship to the Congressional Caucus for Women's

Issues, as well as their role in passing legislation in the areas of crime, health, health care reform, reproductive rights, violence against women, welfare, and international trade.

There were many similarities in the responses of white Congresswomen and Congresswomen of color. All agreed that they felt an obligation to represent women, although they differed in their understanding of what constituted a women's issue, which women they sought to represent, and how they thought it best to represent those women. They also agreed that they were willing to work across party lines to achieve legislation they thought would help women, and they agreed that the Congressional Caucus for Women's Issues played an important role in coordinating bipartisan coalitions in support of particular pieces of legislation.

The interview transcripts also revealed a range of differences in the responses of white Congresswomen and Congresswomen of color. In discussing their legislative priorities and in identifying their specific roles in support of or in opposition to particular bills, Congresswomen of color provided narratives that differed markedly from those of their white counterparts. African American Congresswomen, in particular, related tales of insult, humiliation, frustration, and anger that distinguished their responses from those of their white counterparts. These tales provide concrete examples of racing-gendering in Congress that form the core of the analysis in the next two sections. But to provide an institutional context for the interpretation of these narratives, more was needed.

Several scholars have argued that special methods are required to uncover *how* institutions are raced-gendered. Steinberg (1992, 580) has suggested that "the feminist approach to developing organizational theory has a methodological corollary: it calls for heavy reliance on intensive case studies of well-selected organizations to uncover systemic patterns of social behavior." Qualitative studies are required to map concrete practices and processes that disadvantage women of color in organizations (Acker 1989, 1992; Cockburn 1991; Siltanen 1994). While quantitative studies can document the persistence of white male dominance in public and private sectors, only detailed case studies can identify the mechanisms through which raced-gendered power is maintained and recreated in changing organizations.

The U.S. Congress is a particularly appropriate institution for a case study. As the premier decision-making body in the federal system, it has been thoroughly studied by political scientists and its formal and informal operating procedures are believed to be well known. Although extensive literature documents the role of political parties, the committee system, congressional member organizations, institutional norms, constituency interests, professional lobbies, campaign contributors, and friendship in structuring the operations of Congress, as noted above, race-gender dynamics are not typically believed to play any role in the operations of this institution. Thus, tales of racing and gendering told by Congresswomen of color in the 103rd and 104th Congresses raise a number of challenges to

³ Under the auspices of grants from the Charles H. Revson Foundation and the Ford Foundation, the Center for American Women and Politics conducted a comprehensive review of written sources and documents pertaining to the 103rd and 104th Congresses, as well as multiple in-depth interviews with women members of Congress, congressional staff, and lobbyists involved with the 103rd and 104th Congresses. Between June and October 1995, CAWP staff interviewed 43 of the 54 women who had served in the 103rd Congress (39 Representatives, 4 Senators; 32 Democrats, 11 Republicans). Between October 1997 and March 1998, CAWP staff interviewed 38 of the 58 women who served in the 104th Congress (36 Representatives, 2 Senators; 26 Democrats, 12 Republicans). The transcripts from these interviews provide rich resources that have informed the following argument. I am grateful to the Center for American Women and Politics for allowing me to use these interview transcripts. The arguments and conclusions drawn from these interviews are my own, however, and do not reflect the views of the Center for American Women and Politics.

⁴ The Congresswomen of color who served in the 103rd and 104th Congresses include Representatives Corrinne Brown [D-FL], Eva Clayton [D-NC], Barbara Rose Collins [D-MI], Cardiss Collins [D-IL], Sheila Jackson Lee [D-TX], Eddie Bernice Johnson [D-TX], Cynthia McKinney [D-GA], Carrie Meek [D-FL], Patsy Mink [D-HI], Ileana Ros-Lehtinen [R-FL], Lucille Roybal Allard [D-CA], Nydia Velasquez [D-NY], and Maxine Waters [D-CA]; Delegate Eleanor Holmes Norton [D-DC]; and Senator Carol Moseley-Braun [D-IL].

the received view of Congress. To illuminate these challenges, the following section contrasts the narratives of Congresswomen of color with accepted hypotheses about how Congress works.

A case study of the 103rd and 104th Congresses makes it possible to compare insights about racing–gendering drawn from the narratives of Congresswomen of color with paradigmatic accounts of Congress, thereby opening new questions for further research. But even in the absence of additional research, Congresswomen’s accounts of racing–gendering raise important questions about the quality of democratic practices in the United States. Congress is a unique institution. Elected directly by the people and owing their seats to electoral support in their constituencies, members of Congress possess a measure of independence that distinguishes them from their counterparts within disciplined parties in parliamentary systems. With equal salaries and autonomy to hire and fire their staffs and set their own schedules, members of Congress enter into the legislative process on the basis of considerable equality, far more equality than exists in most organizations and worksites. In the following analysis, I hope to show that despite such formal equality, racing–gendering operates in the Congress in ways that ensure that Congresswomen of color do equal work within the institution, but not on equal terms. If racing–gendering can be shown to create power differentials among peers within a collegial institution, then it raises questions about fundamental fairness in the operations of the nation’s premier legislative institution.

RACING–GENDERING ENACTMENTS IN CONGRESS

Claims about racing in Congress are not altogether new. In his account of the experiences of the first African Americans to serve in Congress during the Reconstruction era, Foner (1988) noted that most of the bills introduced by black Congressmen languished in committee and that the black legislators attributed their failure to accomplish their legislative objectives to the attitudes of their white counterparts. Similarly, Swain (1993, 220) has noted that not only must black legislators fight hard for the respect of their white colleagues, but many find that such respect eludes them regardless of the intensity of their efforts. Sam Rayburn’s advice to “go along to get along” may lead black legislators to mute “militant impulses or radical views,” but it will not necessarily afford them power and respect within the halls of the legislature (Swain 1993, 222). Research on gendering in legislatures has also demonstrated that women confront forms of obstruction and demoralization that can hinder their legislative achievements (Kathlene 1989, 1994; Thomas 1994). What happens when racing and gendering intersect?

Hammonds (1997, 182) has suggested that for African American women, intersectionality is often manifested in invisibility, otherness, and stigma produced and reproduced on black women’s bodies.

Accounts black Congresswomen provide about their daily experiences in Congress corroborate Hammonds’s view. Consider, for example, the report of Congresswoman Cynthia McKinney [D-GA] that she routinely encounters difficulty getting into the House of Representatives. Security guards, it seems, “just don’t think about people of color as members of Congress” (McKinney 1997). While routine demands for proof of her congressional membership credentials may seem a small matter, it is the kind of daily nuisance that marks a black Congresswoman as “other,” as a perpetual outsider.

In his poignant “phenomenology of blackness,” Fanon ([1952] 1968) indicated that racialization involves a particular kind of stigmatization that eclipses individuality. History freezes the black’s identity on the epidermis. Thus the black cannot assert individuality or subjectivity because he or she is thought of in the collective—as former slave. Another episode recounted by Representative Cynthia McKinney demonstrates the currency of Fanon’s insight, while simultaneously challenging Herb Asher’s claim that one of the fundamental norms of Congress is “to maintain friendly relationships” (1973, 243). According to McKinney, several of her white colleagues raise the topic of slavery when they encounter her. “When Helen Chenoweth tells me that I’m lucky to have survived slavery, I think I have a problem with her. When Linda Smith thinks about slavery because I happen to be on an elevator with her, then I think I have a problem with her. . . . I don’t have anything to say or do with people who still think of me as a slave” (McKinney 1997). There is no relation at greater remove from friendship and equality than that between a master and a slave. Rather than interacting on the basis of collegiality, when white members of Congress situate a black Congresswoman in the context of slavery, they call into question not only her status as an equal member of the House of Representatives, but her status as a human being. Invoking constitutional doctrines concerning their subhuman status (three-fifths of a person) and Supreme Court decisions affirming their status as property, “possessing no rights a white man was bound to respect” (*Dred Scott v. Sandford* 1857), any discursive imposition of slave status upon a contemporary African American is fraught with insult and degradation. But a rhetorical frame that demands gratitude such as that implicit in a claim that contemporary blacks are “lucky to have survived slavery,” adds to insult by erasing white responsibility for the institution of slavery and by assuming that whites may legitimately instruct blacks about the appropriate emotional response to the end of brutal oppression. Such racist communication between colleagues demonstrates how racing–gendering works in at least two directions simultaneously, constituting white women as those with authority to set the terms in which slavery is discussed, while constituting a black woman as an imagined slave, lacking sufficient gratitude to whites for emancipation. Such conversational references to slavery might be isolated incidents, but as Representative McKinney’s response makes clear, they have profound consequences for subsequent

interactions. Such instances of racing produce Congresswoman McKinney's warranted anger and wariness while undermining the possibility that she would seek out such colleagues for collaborative efforts in Congress. Having colleagues (mis)take one for a slave may be the most blatant form of racing Congresswomen of color encounter in the House, but it is certainly not the only form.

Invisibility can mean markedly different things in Congress, depending on the context and depending on whether it is deployed tactically by a member or imposed unwillingly upon a member. When one is a member of the minority party, working with and through members of the majority party may be the only tactic possible to accomplish a legislative end. Thus Delegate Eleanor Holmes Norton (1997) [D-DC] notes that even in the minority, it is possible to "have a lot of success. . . . I get things in bills all the time because I look around for somebody to work with." To illustrate the strategy, Delegate Holmes Norton recounted the legislative history of a bill that she authored to make tax exempt the benefits awarded to widows of District of Columbia police officers killed in the line of duty. Working with Republicans on the House Ways and Means Committee, she had the bill brought to the attention of committee chair, Bill Archer [R-TX] who added it to the Budget bill. The cost of such a legislative tactic is invisibility. Officially, committee chair Archer takes credit for authoring the legislation. Consistent with the "workhorse" account of effective legislative strategies, legislators intent on attaining their policy objectives are willing to accept invisibility as a trade-off for effectiveness (Clapp 1963; Matthews 1959; Payne 1980). In principle, such tactical invisibility is race and gender neutral.⁵

But even tactical invisibility may produce outcomes that vary from those predicted by the Congressional workhorse account when deployed by a black Congresswoman. An incident reported by Representative Barbara Rose Collins [D-MI] (1998) suggests that tactical invisibility may generate punitive sanctions rather than legislative effectiveness. Alerted to the problem of environmental racism by a University of Michigan study, which documented that most toxic waste plants were located in African American communities, Representative Collins used her position on the House Transportation and Infrastructure Committee in the 103rd Congress to draft legislation and organize hearings on an "Environmental Equity Act" (H.R. 1925, The Environmental Response, Compensation,

and Liability Act). The bill stipulated that construction of hazardous waste plants could not be authorized without first ascertaining the possible damage to minorities living in the vicinity. Despite her persistent efforts on its behalf, in the 103rd Congress, the bill died in committee. As a member of the minority party in the 104th Congress, Representative Collins knew she would not be able to make headway on the environmental equity bill on her own. So she approached a Republican friend in the Michigan delegation, Representative Vernon Ehlers, who also served on the Transportation and Infrastructure Committee and asked him to introduce the environmental equity bill. Ehlers agreed to introduce the bill as an amendment to the Federal Water Pollution Control Act, which was pending before the committee. During a markup session, Ehlers' amendment was easily passed by the committee.

Immediately prior to the committee vote, Representative Collins was lobbied by Republican colleagues to support the proposal. In her words (B. R. Collins 1998), "I imprudently said, well of course I'll vote for it, it's my amendment." Her inadvertent reference to her role in authoring the legislation was not allowed to go unnoticed. It was reported back to committee chair, Bud Shuster [R-PA]. The following day, Shuster rescinded the committee vote. Representative Collins' request that the committee reconsider the legislation was denied. Although she framed the issue as a matter of water safety of concern to all residents in areas targeted for hazardous waste plants, the committee chair refused to allow the amendment to be reconsidered. Representative Bill Emerson [R-MO], who had gotten to know Collins as part of a congressional delegation to Somalia, offered to try to mediate the dispute. Although Emerson presented both the scientific evidence that warranted the legislation and a political rationale beneficial to Republicans for its approval, he was unable to persuade the committee chair to allow the committee to reconsider the legislation.

Within the explanatory framework provided by the "theory of purposive behavior in an institutional context" (Hall 1996), Representative Shuster's decision is puzzling in a number of respects. Within committee markups, there are no procedural rules to prevent minority members of the committee from offering amendments. Although committee chairmen enjoy considerable latitude in conducting markups, they regularly "insert special provisions in legislation to win members' support. . . . Because the chairman is likely to be responsible for managing the bill on the floor, he or she will try throughout the markup to gather as much support within the committee as possible (Oleszek 2001, 96). Indeed, it is standard operating procedure within House markups for the chair to "alternate between the majority and minority side in recognizing members to offer amendments or to debate pending proposals" (98). According to normal procedures, then, Representative Collins and/or Representative Emerson should have been allowed to reintroduce the amendment. Given that the committee majority had already voted in support of the amendment and that Representative Collins was willing to accept strategic invisibility, the theory of

⁵ Although tactical invisibility may be race-gender neutral in the context of members of the minority party trying to work through members of the majority, Delegate Holmes Norton (1997) suggested that there may be a gendered dimension to tactical invisibility when adopted by Democratic women trying to get things done within their own party when it is in the majority. "Democrats did not have any women who were heads of major committees. If we depended on that to have influence, we never would have had any. We wouldn't have gotten the Pregnancy Discrimination Act. We wouldn't have gotten the Family and Medical Leave Act. We have always done it . . . by zealous advocacy and by finding our ways into bills. . . . I don't think our influence is any less . . . [but] it's harder to get legislation passed."

purposive behavior would predict that the chair would support the measure to secure committee cohesion and political leverage or as conducive to “district-endearing credit claiming” (Hall 1996, 156), especially since Republicans on the committee were lobbying the chair to support it. According to Hall’s economic account of Congress, then, Representative Shuster’s strategic agenda manipulation in this case counts as an anomaly.⁶

What combination of factors explains Representative Shuster’s behavior? While many might wish to interpret this episode solely in terms of the heightened partisanship of the 104th Congress, in Congresswoman Barbara Collins’s (1998) view, “It wasn’t just partisan.” She interprets this experience as a form of punitive racing–gendering. In thwarting a piece of legislation that had the Committee’s bipartisan support, Shuster departed from norms of congressional courtesy and rejected the advice of senior Republicans on the Committee in order to punish a black Congresswoman for having manifested political skill in attempting to work the system. Regardless of his intentions, the chairman humiliated Representative Barbara Collins and undermined her effort to move legislation designed to protect the interests of African Americans. Exercising his power as committee chair, Shuster indulged the political equivalent of a “topic extinction.” For the duration of the 104th Congress, Representative Collins’s environmental equity legislation was effectively extinguished.

Congresswomen of color can be rendered invisible even when they are not deploying tactical invisibility to accomplish their legislative goals. In the 104th Congress, Representative Cardiss Collins [D-IL], with more than 20 years’ seniority, was the ranking minority member of the Government Reform and Oversight Committee, which has a highly fragmented jurisdiction (Deering and Smith 1997) that combines broad legislative, investigative, and oversight responsibilities.⁷ The rules of the Committee on Government Reform require collaboration between the committee chair and the ranking minority member with respect to calling witnesses, scheduling and establishing the format of hearings, issuing investigative reports, and preparing the committee budget. The committee rules also stipulate that when determining the order of questioning witnesses, “the chairman shall, so far as practicable, recognize alternately based on seniority those majority and minority members present at the time the hearing was called to order and others based on their arrival at

the hearing” (Rules of the Committee on Government Reform 14[1]). In contrast to the carefully delineated rules governing committee hearings, the norms governing legislative operations of the committee are far less formal. As ranking minority member, Cardiss Collins (2000) expected the collaborative relations characteristic of the investigative and oversight activities of the committee to carry over into legislative practices, but that is not what she encountered in the 104th Congress. Rather than being granted a measure of respect by the chair and allowed to amend legislation before the committee, Representative Cardiss Collins was thwarted in every effort she made to shape legislation. According to fellow committee member, Representative Carrie Meek [D-FL] (1997), Cardiss Collins “was not allowed to get anything passed, nothing. And many times, she and I were not even recognized to speak.” Rather than being able to use her position on the committee to articulate an alternative view, Representative Collins was silenced by the chair’s gavel, subjected to what she perceived as a form of humiliation as a part of the committee’s routine operation throughout the 104th Congress.

The example of racing–gendering in the House Government Reform and Oversight Committee recounted by Cardiss Collins and Carrie Meek challenges respected accounts of the role of minority party members in congressional committee deliberations. In his meticulous study of participation in subcommittee and committee deliberations in Congress, Hall (1996, 141–42) argues that

full-committee markups, however, provide full-committee members fully guaranteed opportunities to participate. . . . Official barriers to entry into the legislative game are proscribed at this stage. All committee members enjoy full, formal eligibility. Parliamentary rules are in force. There is no equivalent of a restrictive rule to delimit the ability of some committee members—however mischievous their intentions—to speak to the merits of the bill, speak to the merits of individual amendments, propose amendments of their own, exploit procedural options, or engage in dilatory tactics.⁸

Indeed Hall suggests that minority party participation is central to the “practice of democratic consent” (238). For expression of minority opinions within the deliberative process is precisely “what obligates minorities to outcomes they do not like” (238; Herzog 1989). In contrast to an inclusive process limited only by the strategic choices of the individual participants, Cardiss Collins and Carrie Meek, like Barbara Collins, experienced recurrent exclusion in committee markups. While some might argue that the committee chairs’ strategic manipulation of the agenda in the 104th Congress should be attributed to the confrontational politics of an

⁶ Long known for his “pork barrel” politics, Bud Shuster has described himself as politically adept at coalition-building on the Transportation and Infrastructure Committee. “He talks with pride about having the biggest committee in the House, with 66 members. He says that will enable him to solicit many viewpoints when writing legislation, and give him more clout in the House. ‘When we go to the floor, I’ve got 66 votes to start with,’ he said” (Hosansky 1996).

⁷ The legislative jurisdiction of the committee includes federal civil service, municipal affairs of the District of Columbia, federal paper-work reduction, government management and accounting measures, efficiency of government operations and activities, holidays and celebrations, national archives, the Census, the postal service, public information and records, intergovernmental relations, and reorganizations of the executive branch.

⁸ Other congressional scholars have noted that there is considerable variation in the observance of parliamentary procedure in the conduct of markup sessions. Oleszek (2001, 96–97) points out that while some committee chairs adhere scrupulously to parliamentary procedure, others prefer a much less formal mode of operation. Neither the House nor the Senate assigns official parliamentarians to assist committees in interpreting rules of procedure. And it is very rare for points of order to be made on the floor against a bill’s consideration on the grounds of defective committee procedure.

inexperienced Republican majority under the leadership of Newt Gingrich (Fenno 1997), neither the Transportation and Infrastructure Committee nor the Government Reform and Oversight Committee conforms straightforwardly to the ideological operations of the “Contract Congress” (Deering and Smith 1997, 48).⁹ Moreover, it is important to note that the African American Congresswomen immediately involved in these exchanges were unwilling to reduce their experiences to partisan politics.

Topic extinctions and silencing can undermine the legislative efforts of Congresswomen of color contributing to a form of invisibility accompanied by ineffectiveness. Congresswomen of color have also been rendered invisible, however, in instances of significant legislative achievement. The role of Congresswomen of color in pressing for minimum wage legislation in the 104th Congress is well documented in the *Congressional Record*. The demand for a “livable wage” was a recurrent motif in their floor statements during the debates over welfare reform.¹⁰ Arguing that poverty could be eliminated for the working poor only if the minimum wage were increased sufficiently to lift those who worked full-time above the federal poverty level, Congresswomen of color organized to put minimum wage legislation on the agenda. In the tradition of legislative entrepreneurs (Kingdon 1984) and coalition leaders (Arnold 1990), Democratic Congresswomen of color wrote to the Minority Leader to press him to put a minimum wage bill at the top of his priorities. They wrote multiple “Dear Colleague” letters to all members of Congress in an effort to persuade Democrats and Republicans of the importance of an increase in the minimum wage for working women, who constitute over 60% of minimum wage workers. They circulated evidence generated by economists that an increase in the minimum wage was correlated with an increase in business activity rather than a decrease as opponents of the measure suggested (Clayton 1997). When the Republican House leadership was reluctant to schedule a vote on the proposed legislation, Representative Ileana Ros Lehtinen [R-FL], who was a cosponsor of HR 3265, the Minimum Wage Increase Act of 1996,

⁹ In a study of House committee support for the “conservative coalition” in the 104th Congress, Ornstein, Mann, and Malbin (1996) found these two committees among the most moderate in the House. Eschewing both the conservative and the liberal ends of the voting spectrum, these committees hovered at the chamber’s political center in the 104th Congress, as they had consistently since 1959.

¹⁰ See, for example, the statement of Representative Patsy Mink [D-HI] (1995):

Over 60% of the people who are working today for minimum wage or less are women. There are 4 million persons in America that work for \$4.25/hour or less; and of that number 2,603,000 are women; 1,000,078 of these women are wives or single-parent heads of families. . . . Mr. Speaker, of the total number of women who work for minimum wage or less, 80% are white women, 12% are black women, and 8% are Hispanic women. Contrary to the myths . . . the families that would be most benefited by an increase in the minimum wage are the white, Caucasian families in this country. . . . Increasing the minimum wage by 90 cents over a 2-year period will help tremendously the women and children of these families.

worked with Jack Quinn [R-NY] to pressure the leadership to hold a straight up or down vote. When the vote was held, the legislation passed. Despite the activism of Congresswomen of color on both sides of the aisle in support of the Minimum Wage Increase Act, when the press conference was called to announce the enactment of the legislation, all the spokespersons for the Administration and for the Congress were male.

Representative Patsy Mink [D-HI] (1997) reported that the all-male delegation taking credit for the legislation was not inadvertent. On the contrary, she had lobbied the Secretary of Labor without success to include some women in the press conference. Thus Republican men who had been most opposed to the legislation while it was under consideration in Congress, claimed full credit in public for its passage. In casting themselves as the real representatives of women’s interests in Congress, these white men effectively rendered invisible the intensive labor of Congresswomen of color to advance the interests of the nation’s working poor.

While some analysts might interpret this imposition of invisibility strictly in terms of partisan politics, with the Republican majority in the House claiming credit for legislation passed on their watch; in a period of divided government, the story is more complicated: for it was in part the decision of a Democratic Secretary of Labor that excluded Democratic Congresswomen of color from credible claims of credit (Mayhew 1974) in this instance. Moreover, partisan politics cannot explain why the Republican House leadership excluded Ileana Ros Lehtinen, a Republican cosponsor of the bill from visible credit-claiming. Nor, given the trenchant opposition to an increase in the minimum wage among significant sectors of the Republican Party’s attentive public, is it altogether clear why white, male Republicans would want to claim credit for this legislation. The “blame avoidance hypothesis” advanced by Hall (1996, 63) would predict that rational optimizing Republicans would shun public credit-claiming to avoid incurring the wrath of their primary constituency. In this instance, then, the racing–gendering account of the imposition of invisibility may make sense of a puzzle that alternative accounts cannot explain adequately.

To speak of an institution as raced–gendered is to suggest that race-specific constructions of masculinity and femininity are intertwined in the daily culture of the institution (Kenney 1996). Rather than preexisting the institution and being imported into it, raced–gendered identities are negotiated within the operating practices and professional roles of the organization. To accomplish their legislative goals, Congresswomen of color must attend to the cues they receive from their white colleagues and make decisions about how best to work within the institution. In contrast to decisions concerning tactical invisibility in committee negotiations, efforts to garner votes in support of their legislative priorities in committees and on the floor pose different challenges for Congresswomen of color. Members of Congress routinely lobby one another for support of preferred legislation, but the permissible tactics of bargaining, negotiating, and conciliating may be race–gender specific. In describing her successful effort to

include funding for lupus research in the appropriations bill passed by the 103rd Congress even in the absence of authorizing legislation, Representative Carrie Meek [D-FL] (1995) provides insight into an interpersonal dynamic she deems it helpful to adopt to achieve her legislative ends.

I call it groveling. . . . I have a technique of getting people to do things many times when they don't want to do it. I don't do it by being contentious or combative. But I do it by trying to tell the facts and then telling them how I know that they don't mean to overlook this, that they were not aware of the situation or of the seriousness of the situation, of the incidence of lupus and how it causes so many deaths and so much sterility. That's the way I do things, not by blasting out in front of a lot of people, but behind the scenes in talking to them and appealing to them.

Representative Meek's account of her tactics of persuasion carries a particular resonance in the history of U.S. race relations. By describing her mode of soliciting her colleagues' voting support as "groveling," she links her tactics to a form of subservience far too familiar to women and racial minorities. Within systems of racial and gender power, when subordinates "tell the facts," they must do so in a way that assuages the egos of their superiors. Within such a hierarchical frame, it just will not do for women and people of color to inform a white male that he is mistaken; they must also acknowledge and appeal to his noble nature, in accordance with which he would have done the right thing if only he had been in command of full information. In contrast to communicative modes of self-assertion (to demand, insist, argue, demonstrate, convince, etc.), groveling suggests that the speaker humble or abase himself or herself, muting an indication that he or she has superior knowledge or equal power. That Carrie Meek understands that "groveling" can be an effective means to accomplish her legislative objectives does not imply that she will choose to deploy that tactic in all circumstances in the House, or that all Congresswomen of color must follow suit, but it does indicate a power dynamic that Congresswomen of color must take into account in devising their legislative strategies. To the extent that such racing–gendering dynamics are operative in interpersonal interactions in Congress, they suggest that, in contrast to the affirmation of self that accompanies men's legislative victories, women of color may experience a loss of dignity even in victory.¹¹ Rather than glorying in their legislative accomplishment, they may have to grapple with the personal cost of such success.

One tactic underrepresented groups in Congress developed to try to minimize the personal costs of raced–gendered interactions was the creation of legislative

service organizations (LSOs), such as the Congressional Black Caucus and the Congressional Caucus for Women's Issues, which could not only serve as support networks for members, but also provide a mechanism for collective action outside of party structures. Funded by contributions from members' staff allowances, the legislative service organizations hired staff to conduct research, draft legislation, and help the members devise successful legislative strategies to advance shared interests.

In the opening days of the 104th Congress, House Speaker Newt Gingrich [R-GA] introduced a number of structural changes to streamline House operations. The abolition of 28 legislative service organizations including the Congressional Black Caucus (CBC) and the Congressional Caucus for Women's Issues (CCWI) is of particular interest in the context of racing–gendering practices: for Gingrich's decision to eliminate the LSOs was perceived by many as an effort to mute the organized voice of blacks and the organized voice of women within the halls of Congress. The withdrawal of office space, furnishings, and equipment and the edict prohibiting members from using their staff allowances to support such collective endeavors were perceived as an assault motivated by racism and sexism. In the words of Representative Barbara Collins (1998),

They abolished the caucuses because of the Black Caucus. We were a force to be reckoned with. When our members swelled, they really took steps. . . . They confiscated our money. They said it was Congressional money anyway, because we paid our CBC dues from our operating budgets. Our staff was coming to work unpaid and then they took the furniture, including our typewriters and Xerox machines, and auctioned it off to anybody who wanted it. And the staff still came, and then they changed the locks on the doors and said the staff could not meet on government property. That is what they did to us. . . . we were under siege.

Confiscation, dispossession, physical removal, and lockouts are not tactics typically deployed between equals. Nor do such draconian measures make much sense in terms of rational power maximization. Since almost all of the members of the CBC were Democrats, the tactics they had attempted to employ as a voting bloc to gain leverage within the Democratic party would not have worked with the new Republican majority. For this reason, they posed little threat to the Republican leadership of the House. Within the context of racing–gendering, however, the demarcation of government property as off-limits for the CBC staff takes on ominous meaning: for it racializes congressional space, constructing the black members of the House as somehow not fully part of the government, not entitled to use their resources to advance black interests. To physically bar black staff working without pay from House office buildings is to send a message about the Majority Leader's preference for the House as a white enclave. Thus the forcible eviction of the CBC staff from the Capitol was taken by Congresswomen of color as a particularly egregious example of institutional racism.

¹¹ In her study of state legislators, Simon Rosenthal (2000, 37) found that one of the factors that distinguished male legislators' characterizations of their conduct in the legislature from women's was the degree of assertiveness in pursuing their goals and priorities. In the words of one male committee chair: "There are committee chairs who come to you and ask: 'You want a bill through my committee, you better take care of mine.' That kind of thing. I found women less willing to do that." None of the male legislators manifested any understanding that they might be sending gendered cues about appropriate conduct to their female counterparts.

Virtually all the Congresswomen of color described the Speaker's institutional reforms in terms of a frontal assault on their persons, their status in Congress, and their power that went well beyond partisan politics. "Black women were forced into a defensive posture" (Jackson Lee 1998). "We had to fight a rear-guard defensive battle" (Holmes Norton 1997). "We were disemboweled during that time" (Meek 1997). Another of the institutional changes introduced by the House Speaker as part of the rules package, House Resolution 6, adopted January 5, 1995, helps explain why Congresswomen of color took these changes so personally. Among the changes in floor procedure mandated by Newt Gingrich was a restriction on voting rights for Congressional delegates. The delegates for the District of Columbia, the Virgin Islands, and American Samoa and the resident commissioner of Puerto Rico—all people of color—could no longer vote in or preside over the Committee of the Whole, into which the House dissolves when debating and amending legislation on the floor.

For Congresswomen of color, eliminating rights of participation, hampering efforts to devise collective strategies, and dampening the organized voice of underrepresented groups constituted unmistakably raced and gendered politics. While the institutional rules changes that sustained this politics of exclusion were neutral on their face, they were experienced by Congresswomen of color as race-gender specific in their effects. As such, they engendered new strategies for collective action. In the words of Representative Corinne Brown [D-FL] (1998),

We just had to figure out a new way for us to caucus and meet. We weren't going to let men tell us we can't meet. Come on now . . . I don't think I have to ask a white man whether I need to meet. I wanted to go into my own personal pocket and pay. We can't meet on Capitol Hill, but we're going to meet. In fact, that made me feel that we needed to be meeting every day.

Within Congress, the CBC and the CCWI reorganized as Congressional Members Organizations (CMOs), a form of organization that was not prohibited by Gingrich's institutional restructuring, and continued to meet to devise strategies to provide substantive representation for what they perceived as their national constituencies, women and people of color. CBC and CCWI staff excluded from the Capitol reorganized and continued their policy research within the private sector through the CBC Foundation and Women's Policy, Inc., respectively.

EXPLANATORY POSSIBILITIES OF A THEORY OF RACING-GENDERING

To this point, most of the examples of racing-gendering have been drawn from the 104th Congress. Some might then claim that what appears to be racing-gendering is really a matter of partisan politics. I have noted that such a reductive move is incompatible with the views of Congresswomen of color themselves. To support further the claim that racing-gendering is distinctive from

partisan maneuvers, I want to expand the analysis to compare instances of racing-gendering in the Democratically controlled 103rd Congress with those in the Republican-controlled 104th Congress in one policy area, welfare reform. Welfare policy is a particularly appropriate case for the examination of racing-gendering for a number of reasons.

Since its inception, U.S. welfare policy has reinforced structural inequalities rooted in race-gender (Fraser 1989; G. Mink 1995). Restricted primarily to women recipients deemed morally worthy by the state bureaucrats, welfare has been "dispensed in a disparate and racially unequal manner not just in the Jim Crow era, but since the Voting Rights Act" (Darling 1998, 161). Racial bias in determinations of eligibility insured that "African American and Latinos remained underrepresented on the welfare rolls, despite high levels of need" (Mettler 2000, 12). Although racial disparities in the allocation of benefits have typified welfare policy, and the majority of welfare recipients are white, cultural stereotypes of the typical welfare recipient are highly racialized. Several studies have demonstrated that the racist attitudes fueling the misperception of welfare recipients as overwhelmingly black influence white opposition to welfare (Gilens 1995, 1996). There is also evidence that entrenched racism has shaped decades of policymakers' efforts to reform welfare (Lieberman 1995; Quadagno 1994).

Welfare reform is also an appropriate focus for it helps to illuminate the explanatory possibilities of the theory of racing-gendering in Congress. I will argue that the theory of racing-gendering provides a better explanation of the motivations and intensity of involvement of Congresswomen of color in welfare reform legislation than other accounts of congressional behavior. According to studies of constituency influence in Congress, welfare recipients are not a constituency likely to receive strong representation in the halls of Congress. As Hall (1996, 201) has pointed out, "The proposition that lower-class interests will suffer from relatively weak representation in the American political system dates at least back to E. E. Schattschneider's *The Semi-Sovereign People* (1960)." While welfare recipients are concentrated in the geographic constituencies of legislators representing inner cities, they are neither an attentive public nor the "primary constituency" (i.e., strongest supporters) of urban representatives (Fenno 1978). They do not donate time or money to campaigns and often they do not vote. They do not tend to be well informed about legislation pending in Congress. And with the exception of the activism mobilized by the National Welfare Rights Organization in the early 1970s (Sparks 2000), they tend to be unorganized. Why then did Congresswomen of color devote such time and energy to the representation of an unorganized majority-white underclass?

According to the view of legislators as rational optimizers (Hall 1996, 252), it would have been rational for Congresswomen of color to "abdicate," i.e., to refrain from investing substantial time, energy, and legislative capital in welfare reform legislation. For the most part they lacked positions on key subcommittees,

committees, and task forces shaping the legislation. Drafting alternative legislation involved high information costs. Their intensive efforts behind the scenes and on the floor involved exceptionally high transaction costs. In the 103rd Congress, their advocacy of an alternative approach to welfare reform pitted them against the President and the leadership of the Democratic majority in the House. In the 104th Congress, with the exception of Republican Ileana Ros Lehtinen, the Congresswomen of color were members of the minority party. Working against the Republican majority and in opposition to the wishes of the Democratic President for a cause they knew was doomed makes little sense in terms of rational actor accounts of Congress. For those who construe legislators as “rational calculators of advantage” (Jacobsen and Kernall, 1981) or “strategic politicians” (Gerzog 2002), Congresswomen of color’s opposition to the welfare reform legislation must be characterized as either too risky, providing insufficient benefits given the costs, or irrational.

If we are to avoid characterizing 15 talented Congresswomen as “irrational,” how can we explain their intensive attacks on the President’s and the Republican majority’s proposals for welfare reform? Noting that the “behavioral importance of race and ethnicity in Congress requires more systematic evidence, Hall (1996, 192) advances a conception of “group identification” to supplement rational optimizing accounts of legislators of color. “Underrepresented in the House, women, blacks, and Hispanics appear motivated to take compensatory action, pursuing issues that are more likely to appear relevant to members of their group. In this way, they transcend district boundaries and represent the interests of a historically underrepresented constituency” (Hall 1996, 209; see also Canon 1999 and Cramer Walsh 2002). While the concept of group identification offers a welcome respite from the charge of irrational legislative behavior, it leaves many questions unasked and unanswered. When and in what circumstances does group identification emerge? Given the membership in multiple groups highlighted by the concept of intersectionality, how does a legislator decide which group with which to identify? Given the diversity of interests among blacks and among women, which interests will a black Congresswoman choose to represent? Why did Congresswomen of color maintain a united front in opposition to welfare proposals promoted by the President and by the Republican majority, while white women and black men in the Democratic and the Republican parties split in their responses to each of these proposals?

The theory of racing–gendering can offer some insights into such questions. Through the following case-study, I attempt to show that the intense involvement of Congresswomen of color in welfare reform legislation over the course of the 103rd and 104th Congresses can best be understood as an instance of resistance engendered in response to racing–gendering in Congress. I argue that as white Democrats and Republicans shifted the terrain of welfare debates from poverty alleviation to pathologizing and racializing the poor, Congresswomen of color mobilized at

considerable political cost to make a public stand on the issue. In addition to the political harms of going against their own party and their President in the 103rd Congress and against the Republican majority in the 104th, the costs Congresswomen of color paid for their resistance was subjection to intensified forms of racing–gendering in Congress. Their willingness to incur those costs can be understood as a political manifestation of willed resistance to racing–gendering. In the case of welfare reform, to live with anger is to legislate against the grain. The theory of racing–gendering in Congress thus illuminates a form of minority participation at great remove from the “expression of minority opinion central to the practice of democratic consent” (Hall 1996, 238). Far from legitimating the legislative process and the policy it produces, legislating against the grain provides a trenchant indictment of the system.

A Case Study of Welfare Reform

In the 103rd Congress when welfare reform was placed on the political agenda by President Clinton and by the Republican minority, Congresswomen of color were fully supportive of the prospect of reforming the welfare system. The reforms they sought, however, placed them at odds with dominant forces in the Democratic and Republican parties. The Congresswomen of color sought a welfare reform that would eliminate poverty. Thus, they sought legislation that would address the structural causes of poverty, such as low wages and unemployment. They also sought strategies to address the needs of welfare recipients, such as lack of training, lack of transportation, and lack of child care, which constituted major barriers to workforce participation.

In 1993 President Clinton appointed a multiagency task force to hold hearings and develop a welfare reform strategy for the White House. Congresswomen of color tried to work within the task force and from outside the task force to influence the proposed welfare legislation. Representative Patsy Mink [D-HI] (1997) served on the Democratic task force and worked tirelessly to represent the interests of “poor women who have no representation in Congress . . . and who are left out in much of this debate.” By her own account, she was largely unsuccessful.

I was on the task force for the Democrats and tried to argue my point of view in all of the meetings. Then I introduced my own substitute so they could clearly see where I differed from the Administration and from many of the mainstream attitudes . . . the reason why we formulated our own bill was because we were just going around and around in circles, arguing to the Administration to change, clarify, amend, alter, and they wouldn’t budge. (P. Mink 1997)

Mink’s experience stands in marked contrast to Hall’s claim that among policy insiders, participation in shaping policy is largely a matter of self-selection. “Even with only a modest staff, the lowliest member whose interest in an issue is sufficiently intense will find none of the barriers to entry insurmountable” (Hall 1996, 108). As a member of the President’s task force, Mink was an insider. And although she supplemented her

staff resources with research provided by the Institute for Women's Policy Research, the NOW Legal Defense Fund, the National Women's Law Center, MANNA (an organization working for pay equity), Wider Opportunities for Women, and the Coalition of Presidents (a coalition of Presidents of 100 women's organizations), she was not able to move the draft legislation in a more progressive direction.

Congresswomen of color who tried to influence the Democratic task force from the outside reported similar frustration. In the words of Representative Barbara Rose Collins (1998),

I felt very ineffective. I had my own ideas about welfare reform and nobody was interested in listening to what I had to say. This is one reason I cast against the Democrats. In the Democratic Party, if you're not in the inner circle with a lot of seniority, chairing a powerful committee, one of the 'good old boys,' you can just forget it. All you can do is throw a bomb in the workings, you can't work to fix things. I had my own ideas about welfare reform because I lived among welfare people. I sent a letter to Senator Moynihan who was doing a task force on it. I wanted to sit down and talk with him. He never responded to the letter or to telephone calls. I thought I had something I could help the President with but I didn't have the means to get to him on that. So all I could do was fight against the parts I thought were detrimental.

Central to the concerns of Congresswomen of color was the circulation of racialized stereotypes about welfare recipients, particularly the construction of welfare recipients as women of color—too lazy to work—who sought to cheat the system. To counteract the “stereotypes that were alive and well” (McKinney 1997), Congresswomen of color tried to inject social science research into the debate. On October 23, 1993, Representatives Patsy Mink [D-HI] and Maxine Waters [D-CA] joined their colleagues Ed Pastor [D-AZ] and Lynn Woolsey [D-CA] in cochairing a conference on Women and Welfare Reform: Women's Opportunities and Women's Welfare. Sponsored by the Institute for Women's Policy Research in Washington, DC, the conference brought together academics and policymakers in an effort to “break myths and create solutions.” The elements of progressive welfare reform outlined at this conference became the basis for the alternative welfare reform legislation introduced by Patsy Mink and supported by all the Congresswomen of color. The alternative welfare reform included a proposal for a living wage (i.e., increases in minimum wages to ensure that full-time workers earned income adequate to meet their basic financial obligations), education and training opportunities to equip welfare recipients for jobs that would enable them to escape poverty, job creation to counteract unemployment, child care to meet the needs of working parents, and transportation allowances to make remote worksites accessible. The Congresswomen of color supported enhanced entitlements to eradicate poverty, but their policy recommendations remained far more progressive than the proposals endorsed by the Democratic task force, which were announced by President Clinton in June 1994. Introduced immediately prior to Congress' summer recess

and the fall congressional elections, the Clinton proposal to “end welfare as we know it” died with the 103rd Congress.

The experiences of the Democratic women of color in the 103rd Congress as the Democratic majority crafted welfare legislation exemplify marginalization. Many reported that they could not gain access to key white male decision makers and, as such, could not influence the shape of the legislation. Despite repeated efforts to shift the terms of debate away from erroneous perceptions of welfare cheats and cycles of dependency, neither the social science knowledge they circulated nor the personal experiences they related were taken as authoritative or compelling. Even Representative Patsy Mink's substitute proposal, which garnered 90 Democrats' votes in the House, was dismissed rather than selectively incorporated into the President's plan.

Welfare Reform in the 104th Congress

In contrast to the concern with structural causes of poverty, which lay at the heart of the approach to welfare reform taken by Congresswomen of color, the Republican proposals for welfare reform framed poverty as a matter of personal responsibility, particularly in relation to marriage and responsible fatherhood and motherhood. Asserting that the nation confronted a “crisis of out-of-wedlock births,” the Republicans proposed legislation designed to “ensure that the responsibility of having a child belongs to the mother and father, rather than to the mother and the U.S. taxpayer” (Meyers 1993).¹² Several of the key provisions of the Republican welfare reform targeted teen pregnancy in particular and out-of-wedlock births more generally on the assumption that “the increase in the number of children receiving public assistance is closely related to the increase in births to unmarried women” (The Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, 42 USC 601, Sec. 101 [5]C). In the words of Dick Armey [R-TX] (1995), “We need to understand . . . that it is illegitimacy and child-birth, fatherless children, that is so much at the heart of the distress that seems to be unending and growing worse and larger each year. So we insist that we must have a new approach that brings down illegitimacy, and quite rightly so many of us say, yes, bring down illegitimacy, but not through increased abortions.”

Both H.R. 4, The Personal Responsibility Act, which was passed by the 104th Congress and vetoed by President Clinton, and H.R. 3734, which was enacted as The Personal Responsibility and Work Opportunity Reconciliation Act of 1996, denied welfare benefits to unwed teenaged mothers, allowed states to impose a benefits cap to encourage limits on recipients' family

¹² Representative Jan Meyers [R-KS] was one of the first Republicans to frame welfare reform in terms of personal responsibility. This quote was taken from a floor speech accompanying her introduction of welfare reform legislation in early 1993. Although this bill died in Committee during the 103rd Congress, many of its provisions were incorporated in the 1994 Republican welfare reform.

size, and required that paternity be established as a condition of welfare eligibility. The Republican-sponsored welfare reform also eliminated the federal entitlement program, Aid to Families with Dependent Children (AFDC), and replaced it with a block grant for Temporary Assistance for Needy Families, which required work as a condition for receipt of benefits and set a lifetime limit of five years for welfare eligibility. Additional provisions of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) reduced federal expenditures for welfare and for Supplemental Security Insurance and eliminated legal immigrants from eligibility for Supplemental Security Income, Food Stamps, and a range of social services.

Congresswomen of color perceived the attack on single mothers at the heart of welfare reform proposals as an attack on the black family, an attack that resurrected pathological theories of poverty, which had circulated in policy circles since the Moynihan Report in the 1960s. To counter Republican claims about the causes of poverty, Congresswomen of color turned to social science. To engage the mistaken notion that single-parent families are the cause of increasing poverty in the United States, Representative Patsy Mink (1997) circulated to all members of the House and Senate copies of a 1995 study (Brown 1995) conducted by the Center on Hunger, Poverty and Nutritional Policy at Tufts University. Drawing upon the research of 76 scholars who specialize in the areas of poverty and welfare, Mink contested the conflation of single-motherhood with poverty and presented an alternative account.

Fact No. 1: Growth in the number of single-parent families has been primarily among the non-poor. From 1970 to 1990, the number of female-headed households increased from 6 million to 11 million, mostly among the non-poor. Sixty-five percent of the increase in single-parent families were not living in poverty.

Fact No. 2: The Census Bureau found that economic factors such as low-wage jobs accounted for approximately 85% of the child poverty rate. A 1993 Census Bureau study showed that the poverty rate was due mainly to changes in the labor market and the structure of the economy. (P. Mink 1995)

Despite Representative Mink's attempt to invoke the authority of the social science community and the U.S. Census Bureau to shift the terms of the welfare debate, the empirical evidence did nothing to dispel the correlation mistaken for causation at the heart of PRWORA.

Congresswomen of color were deeply concerned that the Republican focus on out-of-wedlock births, unwed mothers, and single-women heads-of-household was a thinly veiled attack upon poor women of color. During a number of increasingly vitriolic floor debates the legitimacy of their concern became apparent as even the pretense of using race-neutral language to characterize the poor disappeared and Republican legislators denounced illegitimacy in the black community. For example, in his floor speech Representative Cunningham [R-CA] (1995) linked illegitimacy in the black community not only with welfare, but with crime

and drug addiction.¹³ Representatives Patsy Mink [D-HI] (1995), Sheila Jackson Lee [D-TX] (1995a, b), Maxine Waters [D-CA] (1996), Eva Clayton [D-NC] (1995a–c), and Nydia Velazquez [D-NY] (1995) repeatedly emphasized in floor debate that the majority of welfare recipients were white, but their factual claims failed to dispel racialized welfare myths. In the words of Representative Barbara Collins [D-MI] (1998), “The Congress unfortunately had the image of a welfare recipient as an urban black woman, who irresponsibly had children, was lazy, refused to work, was uneducated. Whereas the truth of the matter was that the majority of welfare recipients were white, white women and white families.”¹⁴

As a white woman and the only member of Congress to have once been a welfare recipient, Representative Lynn Woolsey [D-CA] (1998) also took to the House floor to tell her colleagues that most welfare recipients were white. “My strategy was to be out there, to take the heat and show people . . . that welfare moms were like me, that I was the typical welfare mom. They had to see that. Then I'd hear on the other side of the aisle, ‘Yeah, but you're different.’ The racialization of the poor had conflated welfare recipient and black women so powerfully in the minds of some members of the House that they refused to accept that the typical welfare recipient is a white woman who resorts to welfare for a short time after a divorce in order to support her kids while she gets back on her feet. Facts that did not conform to raced–gendered stereotypes about welfare recipients were simply dismissed.

Since argument rooted in personal experience was not carrying much weight in welfare reform debates, Congresswomen of color relied heavily on social science research in their efforts to dispel other erroneous and damaging myths about welfare. In floor debates, Republicans constructed welfare recipients as “welfare addicts who will do anything to stay on the public dole” (Vucanovich 1995) and as people who need “tough love” to free “a whole class of people that have been held in bondage for generation after generation and cannot get out of bondage” (Chenoweth 1995).¹⁵ In

¹³ The Personal Responsibility and Work Opportunity Reconciliation Act also strings together a series of claims about children of single-parent families and failure in and expulsion from schools and rates of violent crime (42 USC 601, Sec. 101 [9]I-M).

¹⁴ The bipartisan reference to the Congress in this statement is intentional, since many white Democrats as well as Republicans were articulating racialized claims about welfare recipients.

¹⁵ The bondage metaphor, which implicitly compares welfare with slavery, was made explicit in the floor speech of Representative Gary Franks (1995), a black Republican from Connecticut.

I rise in strong support of H.R. 4. Since my election to Congress in 1990, I have fought hard to address a system that to me is akin to one of the most oppressive systems and periods in our country's history, slavery. There are strong similarities between our current welfare system and slavery. Like slavery, welfare recipients feel trapped, they have low hope, and depend on the system as well. The welfare recipients receive food, shelter, and health care, so did slaves. There are some differences. Slaves were black; most welfare recipients are white, though a disproportionate number of blacks are on welfare. Slaves worked but were not paid. Welfare recipients do not work but are paid. Both practices are wrong.

contrast to this image of perpetual dependency, Patsy Mink (1995) repeatedly emphasized that the majority of welfare recipients resort to welfare when beset by crises such as illness, unemployment, domestic violence, and divorce and remain on welfare for less than a year; indeed 80% of recipients rely on welfare for less than 2 years. Representative Lucille Roybal-Allard [D-CA] (1996) emphasized domestic violence as the reason that many women resort to welfare for short periods of time. “A recent study by the Taylor Institute of Chicago . . . found that 50–80% of women on AFDC are current or past victims of domestic violence. . . . For victims of abuse, the welfare system is often the only hope they have for escape and survival.” As in the case of causal claims about poverty and empirical claims about the demographic characteristics of welfare recipients, social scientific evidence about welfare use made no impact on the terms of Congressional debate. Reflecting upon these frustrating floor debates, Representative Eva Clayton [D-NC] (1997) said, “I was trying to speak out for reason. I’m not sure I succeeded in that. . . . I would like to think that my role was to present common sense. Again I don’t think I succeeded in that.”

In addition to empirical arguments based upon social science research, Congresswomen of color raised constitutional arguments about the permissibility of discriminating against legal immigrants, punishing children for actions of their parents, and violating the rights of poor women to privacy in reproductive decision making (Meek 1995b; Velazquez 1995). They also tried to humanize welfare recipients, to depict welfare recipients as mothers struggling against adversity to meet the needs of their children and as children who themselves are grappling with material deprivation that marginalizes them from the mainstream. Challenging the stereotype of the welfare cheat who gets pregnant to qualify for or to increase welfare benefits, Representative Sheila Jackson Lee [D-TX] (1995a) asserted unequivocally on the basis of her own interactions with welfare recipients and on the basis of social science evidence that “women do not get pregnant to get welfare.” Representative Patsy Mink also quoted evidence from the Census Bureau and the Department of Health and Human Services to prove that there is no causal relationship between the availability of welfare benefits and the size or structure of poor families. To illustrate the absurdity of the notion that women have babies to get welfare, she fleshed out the claim:

The suggestion that welfare mothers will be encouraged to have another child because they can increase their cash benefit is ridiculous, because the average additional cash assistance ranges from \$45 to \$65 across the States. I cannot imagine any person deliberately deciding they should have another baby for that amount of money. In point of fact, that does not occur. (P. Mink 1995)

Providing information about benefit levels in their states, Congresswomen of color asked their colleagues

One system would kill you with pain via the whip, while the other system would kill you with kindness. Both have the same result, they control people’s lives.

to try to imagine raising a child on \$184/month, the prevailing rate for a mother with one child in Texas in 1995 (Jackson Lee 1995a). They pointed out that the proposed block grants would allow states to cut funding for the program by 20%, slashing already inadequate benefits and further impoverishing children, the majority of welfare beneficiaries (Clayton 1995a). Indeed, Representative Eva Clayton (1995b) pointed out that “the best welfare reform is a job at a livable wage. This bill as it is currently written by the majority, requires as much as 80 hours of work for as little as \$69 worth of benefits, the smallest amount of benefit they will get under food stamps. One amendment would increase work requirements to 120 hours for the same \$69 benefit, which is equivalent to a pay rate of about 20 cents/hour” (Clayton 1995c).

Congresswomen of color were among the most outspoken opponents of welfare reform in congressional debates. Like her Democratic counterparts in the House, Senator Carol Moseley-Braun (D-IL), the only woman of color in the Senate, was an outspoken critic of the welfare reform bills in the Senate. She too tried to persuade her fellow Senators that the legislation under consideration would not address the underlying problem of welfare: poverty.

Mr. President, policy based on rhetoric is wrong. This debate has focused on the stereotypes and it gets in the way of understanding the facts . . . the conference report will push 1.5 million children into poverty. This country already has a higher child poverty rate than any other industrialized nation. Why would this body knowingly exacerbate that already shameful figure? It is clear to me that this plan fails those who need a national safety net the most. (Moseley-Braun 1995)

Like her counterparts in the House, Senator Moseley-Braun tried to use her power on the Senate Finance Committee to alter the welfare reform bill. She drafted a substitute proposal, The Personal Self-Sufficiency Act, which she introduced as an amendment to the draft welfare bill prepared by Committee Chair Bob Packwood. Her amendment was defeated in the Finance Committee by a 12–8 vote. She also tried to amend the welfare reform bill from the Senate floor, but her amendment was again defeated, by a 58–42 vote.

In the House and in the Senate, women of color worked arduously to air an alternative vision of welfare recipients and to advance an alternative version of welfare reform. According to one congressional staffer, “They spoke disproportionate to their seniority” on welfare reform (Hawkesworth et al. 2001). Yet their words seemed to have no effect. The statistical evidence they adduced was discounted. Their cogent arguments were dismissed. Authoritative knowledge was deemed to lie beyond their grasp. Gayatri Spivak (1988) has suggested that the refusal of the dominant to hear the voices of and for the oppressed is a perennial tactic in technologies of race–gender. It is a form of racing–gendering that permeated welfare reform debates in the 103rd and the 104th Congresses, ensnaring Congresswomen of color in a prolonged and painful *pendejo* game.

As the majority in the 104th Congress insisted upon circulating misrepresentations of the poor in the context of welfare reform, Congresswomen of color felt themselves increasingly marginalized. In the words of Representative Barbara Rose Collins (1998),

We more or less commiserated amongst ourselves. We asked, “Don’t they know more white people are on welfare than black?” Then we came to the conclusion that they didn’t care, as long as they hurt black people, they didn’t care if they hurt white people too. There was a lot of hostility and animosity towards blacks in that Congress.

The perception of hostility toward African Americans was heightened by several episodes involving Congresswomen of color. In the midst of her floor speech addressing H.R. 4, The Personal Responsibility Act, Congressional veteran Cardiss Collins [D-IL] was interrupted by laughter from the Republican side of the aisle. Having characterized the Act as a “callous, cold-hearted, and mean-spirited attack on this country’s children” that “punishes Americans for being poor” at the same time Congress was considering tax cuts for the rich, Representative Collins was dismayed by the laughter and all that it betokened. Interrupting her prepared comments, she addressed her colleagues directly.

I see some of the Members on the other side of the aisle laughing. I ask this question: How many of them have ever been hungry. How many of them have ever known what it was not to have a meal? How many of them have known what it was not to have decent shoes, decent clothing, a nice place to live. . . . They do not know about poverty. So I challenge them to come to the Seventh Congressional District of Illinois, my district, and walk in the path of these children that they are cutting off from welfare. Walk in the path of the truly needy people who live by welfare because they have no other means by which to live. (C. Collins 1995)

At this point, Representative Scott McInnis [R-CO], who was presiding over the floor debate, recognized himself on a point of personal privilege. He rebuked Representative Collins for noting the laughter. But in doing so, he made a telling error. “Mr. Speaker, as to the gentlewoman’s comments from the *State of Florida* [emphasis added], I take strong exception to her comments that there is laughter on this side of the aisle. While we may disagree with her point, her comments are taken with respect. I rather suspect that her comment about laughter was probably written into her speech” (McInnis 1995). In rising to challenge Representative Collins’s perceptions of floor activity, impugn her credibility, and accuse her of intentional deceit, even as he insisted that she was being respectfully heard, Representative McInnis demonstrated just how little attention he had been paying to her words: He confused 22-year congressional veteran Cardiss Collins from Illinois with Florida Congresswoman Carrie Meek, who was just beginning her second term. That the two Congresswomen look nothing alike raises interesting questions about how seriously Congresswomen of color are taken. That the very words she was being chastised for uttering included a reference to her home district in Illinois only intensifies the

insult to Representative Collins. Feeling no obligation to know who she was or to hear what she was saying, Representative McInnis nonetheless felt at liberty to instruct her about what she may or may not say on the House floor.

Representative McInnis was not the only Republican to impugn the credibility of Congresswomen of color during welfare floor debates. Representative Jack Kingston [R-GA] dismissed the constitutional arguments and the empirical evidence about welfare recipients advanced by Congresswomen of color as “the same rhetoric that we hear from the same group, from the same people,” advanced to mask their own interest in perpetuating poverty. “They are the poverty brokers in Washington. They keep the poor dependent so bureaucrat after bureaucrat in Washington can benefit from a government poverty program. . . . To my knowledge, we have not heard from one Democrat who has ever supported a welfare reform measure” (Kingston 1996). Objecting to this distortion of the record, Representative Maxine Waters [D-CA] (1996) responded that “every Democrat has voted for a welfare bill. Remember the Deal bill? The gentleman needs to correct the record.” Although Representative Waters requested an apology and a correction of the record multiple times, none was offered.

On several occasions, events outside of the halls of Congress spilled over onto floor debates. Representative Cynthia McKinney (1997) reported a painful incident that she considered emblematic of the racing–gendering practices of her colleagues in the 104th Congress.

I was trying to be bipartisan in my approach, so I was working with Nancy Johnson [R-CT] on a teenage pregnancy bill. Jim Greenwood [R-PA] had invited us to go on his cable television show, so we could talk about what we were doing, which was good I thought. So [during the show] he and Nancy have this entire conversation about teenage pregnancy and the legislation, and he doesn’t direct a single question to me until he decides that he wants to ask “why is it that women have babies so they can get extra money?” That was the question that was directed at me.

The racing–gendering in this episode manifests the same epistemic configuration witnessed in floor debates. A white Congressman refuses to accredit a Congresswoman of color as an authoritative source of knowledge, even about the legislation she had written. A white Congresswoman is complicit in this discrediting by failing to turn some of the questions over to Representative McKinney as a means of inviting her into the conversation. Then, having discounted her as a source of sociological and legislative knowledge, Representative Greenwood turns to a Congresswoman of color for a corroboration of racist stereotypes. She is positioned as the voice of the scheming welfare recipient who is trying to cheat the system.

Incensed by the racism she perceived in the welfare debate on the part of white colleagues and white constituents, Representative McKinney (1995) drew parallels between the values informing the Republican

welfare reform proposals and vicious racism circulating among some segments of the U.S. population:

Mr. Speaker, as the Gingrich Republicans prepare for their blitzkrieg against the poor, and say things I hope they do not mean, I would like to read a letter from one of their supporters, obviously inspired by their rhetoric. The letter reads: "After watching your Negro boss do her jungle act about bringing back the brown shirts, I think we need some color shirts to control these Negro females who pop out [expletive deleted] Negro children like monkeys into the jungle. No, I think the monkeys are more civilized. We real Americans don't intend to support [expletive deleted] Negro children who live like rats in a hole and don't have a chance to become human. The welfare system is the cause. Even whites are becoming trash just like Negroes who pop out all these [expletive deleted] Negro children. Don't you understand that we Americans are trying to civilize you? Why do you fight it so hard. The jungle is in Africa, though you have turned D.C. into an American jungle. Grow up and become an American." Mr. Speaker, the spirit of GOP welfare reform lives in these words.

Rather than contesting racism and race hatred, Representative McKinney suggested that the Congress was reinscribing racism in the welfare reform legislation, intentionally circulating distorted stereotypes of welfare recipients, and reinforcing a long-standing tendency toward racial hatred among some American citizens. Congress was not simply reflecting prevailing views but actively shaping public perceptions of welfare policy's target population.

Representative Maxine Waters [D-CA] (1995) also took exception to the way that certain members of Congress were constructing welfare recipients during their television appearances, suggesting that their gross misrepresentation of welfare recipients was nothing short of irresponsible:

Mr. Speaker, this morning a Republican member of this body, the gentleman from Florida, Clay Shaw, was shown on national TV making a most irresponsible and outrageous statement disparaging welfare mothers by saying, and I quote: "You wouldn't leave your cat with them for the weekend." Clay Shaw owes the welfare mothers of this country an apology. How dare he single out welfare mothers and refer to them in such negative terms. There are responsible people in all segments of our society and there are irresponsible people. Some politicians are responsible and some are irresponsible. Mr. Clay Shaw falls into the category of the irresponsible. There are many solid responsible welfare recipients who love and care for their children, who attend Church on Sunday, who work part-time jobs, who search for jobs, who attend school in an effort to better themselves. Welfare mothers and fathers, it is time to speak up. Call Newt Gingrich at 202-225-0600 and tell him to help you with a job.

Despite Representative Waters call for an apology, none was forthcoming. Instead, the distorted racialized stereotypes of welfare recipients continued to circulate in discussions of welfare reform on the floor and in committees of the House and Senate until the Congress passed The Personal Responsibility and Work Opportunity Reconciliation Act in August 1996. Representative Waters, like many of the Congresswomen of color, transformed her anger at the calumnies against the poor

into efforts to mobilize public opposition to welfare reform.

Mobilization of anger is a tactic that several Congresswomen of color reported deploying in response to the welfare reform legislation. Representative Corrine Brown [D-FL] (1998), for example, said that she felt it was her responsibility "to educate my constituents as to what was going on so they could be enraged and call their Senators. . . . In August I conducted 50 town meetings [to which] anybody could come and listen." In response to the proposal to drastically cut the school lunch program, Representative Eva Clayton [D-NC] (1997) "organized Forums called 'Feed the Folks' down in our district, and we must have received about 1300 different petitions to save the school lunch program."

In addition to their efforts to mobilize the anger of voters in their districts, I would suggest that the intensive and varied participation of Congresswomen of color in welfare reform efforts behind the scenes, in committees, and on the floor be understood as a mode of resistance against racing-gendering. Through a wide array of tactical maneuvers, Congresswomen of color attempted to stem the stigmatization, racialization, and punitive regulation of poor women. They proposed multiple amendments to the welfare reform bills. Although none of the 20 amendments that Representative Carrie Meek [D-FL] introduced as a member of the budget committee passed, two amendments proposed by Congresswomen of color to the House Rules Committee did succeed and were eventually approved by the House.¹⁶ Representative Eva Clayton succeeded in inserting language that required that individuals employed or participating in a work or workfare program be paid at least at the minimum wage. Ileana Ros-Lehtinen [R-FL] secured an exemption for mentally or physically disabled immigrants from provisions excluding legal immigrants from access to state and local public benefits.

Congresswomen of color also protested parliamentary maneuvers used by the Republican leadership to minimize debate on the welfare legislation. Representative Eva Clayton (1995b) objected to the restrictive rule assigned to H.R. 4 by the House Rules Committee:

I rise in opposition to this rule. More than 150 amendments were filed timely on this rule, but yet there are only 26 Republicans and 5 Democrats who have amendments that were allowed. I must ask, what is the majority afraid of? Why must they deny thoughtful proposals that would improve this bill? Are they trying to muzzle discussion? . . . Perhaps they are afraid because they know that this bill will harm women, infants, and children, and they do not want the American people to know about that.

Despite such protests, the Republicans imposed even more stringent restrictions on H.R. 3734, PRWORA, introducing it as a budget resolution, thereby drastically curtailing the possibilities for amendment.

¹⁶ Eleven other amendments submitted by Congresswomen of color to the Rules Committee were not accepted (*Congressional Record*, 104th Cong., 1st sess., March 21, 1995).

In their efforts to legislate against the grain, Congresswomen of color deployed the full repertoire of strategies available to legislators. In the 103rd Congress, they used their power within the Democratic Party to try to shape the content of President Clinton's welfare reform proposal. They cochaired scholarly conferences to try to shape public perceptions of the poor, as well as the content of welfare legislation. They used their power in committees to try to amend Republican sponsored legislation in the 104th Congress. They drafted one of two Democratic alternative bills to H.R. 4 considered in the House, as well as one of the Democratic alternative bills considered in the Senate during the first session of the 104th Congress. They secured a special order to allow a floor debate of the welfare legislation in the House of Representatives. They used their intellectual and rhetorical power in floor debates to try to alter congressional understandings of poverty. They scheduled press conferences featuring welfare recipients to try to get alternative images of the poor before the Congress and the public. They wrote "Dear Colleague" letters and circulated them with comprehensive social scientific studies in an effort to break the hold of pernicious stereotypes of the poor. They held town meetings across their constituencies to mobilize voters against the pending legislation. Even in the final hours they joined with a bipartisan group of 26 women members from both houses in sending a letter to the Conference Committee to try to shape the compromise bill that would eventually become law. But ultimately they failed to convince their colleagues to move beyond what they perceived to be racist stereotypes and policies that punished the poor. In the end, they used the power of their votes in Congress to oppose both versions of the welfare reform legislation. All 15 Congresswomen of color—14 Democrats and one Republican—voted against The Personal Responsibility Act and The Personal Responsibility and Work Opportunity Reconciliation Act. Their opposition was intense and consistent across two Congresses, but there is no indication that in airing their minority view, they accorded legitimacy to the process or to the bill that resulted from it. On the contrary, their stories of marginalization and thwarted effort, of the silencing of reason and evidence, and of the pervasive racing–gendering of welfare recipients and Congresswomen of color provide a resounding indictment of this form of majority rule.

CONCLUSION

Congresswomen of color are among the most powerful politicians in the United States. Like other politicians, they win some battles and lose others. Should the incidents described in this paper be understood as the typical battle scars accrued by any politician deeply involved in the political fray? Should they be dismissed as isolated incidents, rather than as a pattern of racing–gendering practices within the U.S. Congress?

Although the data presented in this analysis are suggestive rather than definitive, I believe they suggest

ongoing racing–gendering in the institutional practices of Congress and in the interpersonal interactions among members of Congress. Through tactics such as silencing, stereotyping, enforced invisibility, exclusion, marginalization, challenges to epistemic authority, refusals to hear, legislative topic extinctions, and *pen-dejo* games, Congresswomen of color are constituted as "other." In committee operations, floor debates, and interpersonal interactions, they are treated as less than equals in various ways that carry palpable consequences for their identities and their policy priorities. They are forced to deal with institutional dynamics and interpersonal relations that constitute them as subordinate.

The case study of welfare reform makes these institutional dynamics visible within the Democratic-controlled 103rd Congress and the Republican-controlled 104th Congress, suggesting that racing–gendering is distinct from and ought not be reduced to partisanship. While the potent intersection of race, gender, and class in the welfare debate marks this policy terrain as distinctive, the examples of racing–gendering that Congresswomen of color provide across other policy domains (environment, minimum wage, health appropriations) and committee jurisdictions (Transportation and Infrastructure, Government Reform and Operations) caution against the notion that racing–gendering surfaces solely in relation to policies that target the poor. What is unique about the welfare case is the intensity of the racialization, an intensity that I have argued motivated the Congresswomen of color to legislate against the grain, enacting a politics of resistance that ranged from open confrontation on the House and Senate floor to the mobilization of anger in their constituencies. Racing–gendering may not be nearly as pronounced or as visible in other policy areas, but in the words of Representative Eddie Bernice Johnson [D-TX] (1997), "The fundamentals of racism and sexism . . . [have] always been a constant." More research is needed to assess how pervasive racing–gendering practices are in Congress, to map more systematically the factors that contribute to or mitigate their virulence, and to investigate how the intensity of racing–gendering influences the legislative tactics and policy choices of Congresswomen of color.

The examples of racing–gendering included here call into question fundamental stereotypes about gender in decision making. One of the oldest gender stereotypes in the Western tradition—that men are rational and women emotional—has been recurrently incorporated in accounts of political decision making. According to this view, men are the rational policymakers, who ground their decisions in evidence and authoritative expertise, while women ground their decisions more on emotion, whether it be emotions pertaining to an ethics of care structuring policy priorities or a desire to preserve relationships informing transformational conceptions of leadership (Gilligan 1982; Rosenthal 2000). The evidence from the welfare reform debates raises important questions not only about these gendered stereotypes but also about directions of causality in processes that produce raced and gendered subjects.

Over a four-year period that spanned two dramatically different Congresses, the Congresswomen of color came to task force and committee meetings, as well as floor debates, armed with social science studies, Census Bureau data, and Health and Human Services Department statistics to counter the emotional diatribes of some of their male Democratic and Republican counterparts. In their tactics and their demeanor, Congresswomen of color embodied the norm of rational, comprehensive decision makers, while many men in Congress gloried in emotional, racially charged displays.¹⁷ The nature of the racing–gendering to which Congresswomen of color were subjected—being ignored by their colleagues, experiencing others’ willed refusal to hear their views, having their epistemic authority challenged, having their amendments blocked in committee and on the floor, having their positions misrepresented in floor debates, being chastised on the floor of the House, being invited to participate in TV debate only to be systematically ignored, being constructed as the voice of pernicious stereotypes of welfare recipients—pushed them from reason to anger. The emotion alleged to be their “natural” gendered disposition was instead the effect of racing–gendering in the institution of Congress. In this sense, racing–gendering in the Congress has palpable effects on individual Congresswomen of color as well as upon public policies.

Within Democratic Party hierarchies in the 103rd Congress and as members of the minority party in the 104th Congress, Democratic Congresswomen of color, including several with a good deal of seniority, found themselves systematically shut out of key decision-making arenas.¹⁸ Their diverse policy concerns met with topic extinctions, their voices were silenced, their legislative achievements rendered invisible, their judgment impugned, their identities confused, their humanity called into question. In particular cases, they were cued to assume a menial stance in relation to their colleagues in the Congress and punished if they dared to engage in a politics of direct address. Some of their staff were locked out of House office space. A nineteenth century distinction between political equality and social equality, a distinction with a notoriously racist history, haunts these instances of racing–gendering.¹⁹ Individ-

ually and collectively, such racing–gendering practices symbolically situate Congresswomen of color as “outsiders within” the legislative body (Hill Collins 1990; Lorde 1984). Although politically equal, they are not accorded social equality within the halls of Congress. On the contrary, racing–gendering actively subverts social equality. It also violates several putative congressional norms, such as the norm to “maintain friendly relationships” and “to avoid personal attacks during floor debates” (Asher 1973).

Although Congresswomen of color are duly elected representatives of the people, racing–gendering in Congress ensures that they are “with them, but not of them” (Haley 1964, 32). Congresswomen of color experience the limits of their white colleagues’ acceptance as an obstacle they must overcome in the course of their work. It is an obstacle that does not confront white male members of Congress, whose identities and interests structure the operations of the institution and are affirmed by them. Congresswomen of color’s accounts of racing–gendering suggest a form of “interested bias” (Hall 1996, 233) operating in the Congress that has not been previously documented and that is richly deserving of further investigation. To the extent that racing–gendering in Congress undermines social equality, it should be a matter of grave concern: If there is any undisputable lesson from the history of race relations in the U.S., it is that the absence of social equality undermines political equality. In that sense, racing–gendering in Congress compromises a basic principle of democracy.

The theory of racing–gendering also has implications concerning the possibility of substantive representation of minority interests, for it suggests that there are forces working against the legislative success of Congresswomen of color not fully accounted for by majority or minority party membership, subcommittee and committee assignments, and the choices of individual members about the intensity of their involvement on particular issues. Over the past 30 years, black legislators have been advised to adopt a political strategy of “deracialization” to advance the interests of minority constituents (Hamilton 1977). They have been told to concentrate on legislation geared to help low-income people generally (e.g., full employment, improved income-maintenance programs, universal health care), rather than to press for race-based policies that alienate whites (Aberbach and Walker 1973; Wilson 1980). They have been warned to avoid racial polarization at all costs (Swain 1993). The case study of welfare reform calls this political tactic into question. While Congresswomen of color worked diligently to deracialize welfare policy, many of their white counterparts worked equally or more assiduously to racialize welfare recipients and Congresswomen of color. When a white majority in the legislature engages in racial polarization, a small minority of legislators of color cannot succeed in passing deracialized policies.

Finally, the theory of racing–gendering has implications for claims about the role of minority opinion in the process of democratic consent and for the legitimacy of policies produced by majority rule. Airing dissent in

¹⁷ So confounded by this lack of attention to evidence in the welfare debate, Representative Sheila Jackson Lee [D-TX] (1995b) asked her colleagues point blank: “How can we make decisions with no data, no hearings, no experts.” For an account of the substitution of ideology for research in these welfare reform debates, see Zuckerman 2000.

¹⁸ The one Republican Congresswoman of color, Ileana Ros-Lehtinen, a Cuban American, experienced similar frustrations in her efforts to convince her Republican colleagues to reconsider their efforts to bar legal immigrants from welfare and food stamp benefits. But she did not describe systemic experiences of racing–gendering comparable to her Democratic counterparts in either the 103rd or the 104th Congresses. For an argument that affluent Cuban Americans have successfully escaped the racialization that Puerto Ricans, Dominicans, and Chicanos experience in the United States, see Nelson and Tienda 1997.

¹⁹ This distinction was invoked by the Supreme Court in *Plessy v. Ferguson*, 163 U.S. 537 (1896), to legitimate the “separate but equal” doctrine, which provided constitutional sanction to Jim Crow legislation and policies.

the context of recurrent exclusions, topic extinctions, *pendejo* games, and racial polarization does not suffice to convince legislators of color that the process is fair. Nor does it legitimate the policy outcomes that proceed from that process. In contrast to the optimistic view that “consensus decisions are likely to be regarded as fair decisions” (Fenno 1978, 245), the testimony of Congresswomen of color recounted in this analysis suggests that racing–gendering by the majority is recognized as a fundamentally unfair form of dehumanization, whether it is encountered in the legislative process or in the policies generated by that process. And if the analysis in this article is correct, such fundamental unfairness engenders anger and resistance, not acceptance and legitimation.

If racing–gendering in Congress has palpable effects on individual Congresswomen of color, on public policy, and on the basic principles and practice of democracy, then there is good reason for political scientists to begin to theorize raced–gendered institutions and to explore racing–gendering practices within a wider range of political institutions. The comprehensiveness of our analyses, the adequacy of our explanatory accounts, and the prospects for inclusive democracy are equally at stake.

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