

Milligan v. Allen

Caster v. Allen

Singleton v. Allen

N.D. Alabama

Expert Report of Adam M. Carrington, Ph.D.

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Qualifications

I am an Associate Professor of Politics at Hillsdale College where I have taught since 2014. I received my M.A. and Ph.D. from Baylor University in that same year. At Hillsdale, I hold the William and Patricia LaMothe Chair in the U.S. Constitution. I also hold an appointment and teach regularly in the Van Andel Graduate School of Statesmanship at Hillsdale. My scholarship has focused on American political institutions in their historical context, including the judiciary, the presidency, and political parties. I have published work concerning these topics focused on the American South as well. Along these lines, I have had scholarly articles published on Southern judicial history in *Southern Legal History* and *Journal of American Legal History*.¹ These pieces focused on the Reconstruction Era. I also have an article on Congressional attempts to curb the Supreme Court through proposing Constitutional amendments, which links those efforts to changing political party dynamics in the latter half of the 20th century.² Moreover, I have taught courses on political parties, the presidency, the U.S. Constitution, and Constitutional law throughout my time at Hillsdale College.

For my work on this report, I was compensated at the rate of \$300 an hour. I was not directed to come to any particular result but to submit my findings based on my own research and conclusions.

Findings and Conclusions

In this report, I analyze the historical development of party affiliations among Alabama voters from comprising the core of the Democratic “Solid South” to becoming a dependably Republican-voting state. I give special focus to the shifting patterns of Southern white voters from reliably Democrat to dependably Republican. This development will reach back to the 1920s, though particular attention will be given to the region’s and state’s histories since the 1950s.

As I will recount, many explain the historical partisan shift with a decided if not entire focus on race: The end of legal segregation and the gains made by the Civil Rights movement in the 1960s caused racially-focused Democrats to abandon the party of Jefferson Davis. They then moved to the Republican camp because the GOP, no longer the party of Lincoln, had adopted the race-conscious, even white-supremacist views once the commitment of the Democratic Party. In short: the two parties switched and Southern whites, unchanged in their views, switched parties in response.

¹ Adam M. Carrington, “Running the Robed Gauntlet: Southern State Courts’ Interpretation of the Emancipation Proclamation” *Journal of American Legal History* 57(4)(December 2017): 556-584; Adam M. Carrington, “Equality, Prejudice, and the Rule of Law: Alabama Supreme Court Justice Thomas M. Peters’ Protection of African-American Rights During Reconstruction” *Journal of Southern Legal History* 25(2017): 205-234.

² See Curt Nichols, David Bridge, and Adam M. Carrington, “Court Curbing via Attempt to Amend the Constitution” *Justice Systems Journal* 35(4)(2014): 331-343.

So the story goes. But I will discuss how this focus fails to tell the full tale. A singular or even dominant focus on race is insufficient in explaining the development of the current partisan landscape in the broader American South generally and in Alabama specifically. This report will seek to give a fuller picture of the development of political parties in the 20th century and into the 21st century that describes other, crucial factors that contributed to the partisan shift in the South from Democrat to Republican.

First, I will set up the concept of American political parties, examining how the history and scholarship regarding them points toward parties as voter coalitions with significant fluidity. Voters in most cases are not defined by one issue or identity in their electoral choices. Second, I apply this theory to Southern partisan voting patterns since the 1920s, with special attention paid to the post-1950 history. In that examination, I do note how pervasive the issue of race was during the post-Civil War and early 20th century periods. However, as other scholars argue, too, I will describe how the post-Civil Rights era marked the South's transition toward acting more in line with the scholarly theories of parties and thus closer to the rest of the country. Historically, this story moves from the New Deal Democratic Coalition to the rise of the New Left within the Democratic Party and the rise of Modern Conservatism within the Republican Party. Those developments in the parties in the 1950s and 1960s inaugurated a slow but definite partisan shift. On a host of non-racial issues—economic, foreign policy, and social—Democrats moved away from the preferences of a majority of Southern voters, making the Republican Party, especially its Modern Conservative element, more attractive. Moreover, the South itself evolved in ways that aligned it more naturally with the GOP, especially on economic policy.

This analysis is relevant to the totality of circumstances test required by §2 of the Voting Rights Act of 1965. Specifically, it appears to touch on the issue of redistricting in relation to at least three of the factors put forth by the Senate Judiciary Committee in its 1982 amendment of §2. The first Senate factor considers the “extent of any history of official discrimination in the state or political subdivision that touched the right of the members of the minority group to register, to vote, or otherwise to participate in the democratic process.” While not focused on particular laws, executive orders, or like public policy actions (though some will receive direct attention), this report will discuss the matters that precede and often underly government action. Government actions result from those holding office who obtain those offices either directly or indirectly by elections. Election results stem from the actions of voters taken in relation to their political views. These views closely relate to the political parties and other coalitions with which they align. Understanding the significant roles played by issues other than race in Southern and Alabama party affiliations can help to understand whether racial discrimination features in Alabama's political processes.

This report also comments on redistricting in relation to the second factor, which concerns the “extent to which voting in the elections of the state or political subdivision is racially polarized.” By this factor, I understand polarization to involve more than simply the question of whether whites and blacks generally vote for different political parties and candidates. That African-American and white voters tend to vote more for Democrats or Republicans nationally, regionally, and in Alabama particularly is largely true. However, just because racial polarization might technically or statistically exist does not mean that it *substantively* exists. Statistical racial polarization in itself reveals nothing about the motivations underlying voter behavior. I understand substantive racial polarization to mean that race, rather than other factors like political partisanship, predominantly explain voting patterns. My report will give evidence that partisanship fueled by political issues not directly tied to nor driven by racial

views better explains the statistical racial polarization seen in Alabama. In other words, the evidence suggests that party politics, not race, explains why Alabama voters vote the way they do.

Finally, this report bears on the sixth factor, which confronts the question of whether or not, “political campaigns have been characterized by overt or subtle racial appeals.”³ While some attention will be paid to particular comments made by public persons, this report will focus on the deeper and broader coalitional developments among Southern voters that have helped shift the South, including Alabama, from reliably Democratic in voting patterns to generally Republican. These developments will examine a combination of policies, platforms, and public perceptions related to the two major political parties. Here, the report will contend, again, that the appeals that have effectively shifted partisan leanings in the South include appeals to economic, foreign policy, and social issues not focused on race.

Ultimately, the broader story of the partisan shift in the South, including Alabama, speaks to race as not the exclusive or even dominant factor in enduring voting changes. Instead, the success of the Civil Rights Movement helped in the ability for other political matters to come to prominence. Those other matters then took on a significant role in the partisan changes among Southern voters, including voters in Alabama.

Methodology

I have taken an approach that is both theoretical and historical. I begin with theory, discussing the concept of political parties in the scholarly literature. I then turn to history, using the theory as a lens through which to see the historical development of parties with a special comparative focus on the South. My focus will predominately be on Southern white voters, whose shift in voting tendencies formed the main statistical reason for the change in expected partisan election results. My analysis also will tend to focus on the South generally and the Deep South in particular, though specific instances and data related to Alabama will be noted. In this approach, I agree with the general scholarly view that Alabama is not an outlier within the Deep South in significant ways on the issues this report addresses.⁴

To construct this analysis, I draw heavily on historical scholarship and also draw on primary documents such as speeches at national conventions, party platforms, national legislation, presidential executive orders, and state ballot initiatives. Given the party and coalitional lens, prominence will be given to party-related documents.

The Nature of American Political Parties

In 1942, E.E. Schattschneider wrote that “democracy is unthinkable save in terms of [political] parties.”⁵ Historically, political parties have formed the basic structure by which Americans organize themselves around principle and policy commitments. In this light, they structure their choices for public offices — national, state, and local. Political parties also aid in the functioning of government, providing

³ United States Senate, 97th Congress, 2nd Session, Report No. 97-417, 28-29.

⁴ Placing Alabama as a generally typical state within the Deep South is longstanding. See Donald R. Matthews and James W. Prothro, *Negroes and the New Southern Politics* (New York: Harcourt, Brace, and World, Inc., 1966); Seth C. McKee and Melanie J. Springer, “A Tale of ‘Two Souths’” *Social Science Quarterly* 96(2)(June 2015): 588-607.

⁵ E. E. Schattschneider, *Party Government: American Government in Action* (New York: Routledge, 2003[1942]), 1.

an institution and an identity that facilitates cooperation between Constitutional offices such as the House and the Senate, Congress and the President, as well as state and national governments.⁶

John Aldrich, in his 1995 work, *Why Parties?*, points up that, “[a]ll democracies that are Madisonian, extended republics, which is to say all democratic nations, have political parties.”⁷ By speaking of James Madison and an extended republic, Aldrich grounds the study of American political parties in that Framers’ possibly most famous written work, *Federalist 10*.

In 1787-1788, the Anti-Federalists who opposed ratification of the then-proposed Constitution argued that America already was too large to operate as a functioning republic. Taking a cue from the French philosopher Montesquieu, these Anti-Federalists argued that republics must be small in size. When they grew too large, they morphed into empire and went from a government of, by, and for the people into a despotism either of one person or of a few elites. *Brutus*, one of the leading Anti-Federalists, made this argument in his first paper critiquing the proposed constitution. He wrote “that a free republic cannot succeed over a country of such immense extent, containing such a high number of inhabitants...as that of the whole United States.”⁸ He recounted how the republics of ancient Greece and Rome, having “extended their conquests over large territories of country” that “the consequence was, that their governments were changed from that of free governments to those of the most tyrannical that ever existed in the world.”⁹

In *Federalist 10*, James Madison responded to this and like critiques as part of a broader argument to ratify the Constitution. He did so first by bringing up a different problem that plagued popular governments. This problem was so dangerous it proved to have “been the mortal diseases under which popular governments everywhere have perished.”¹⁰ This hideous monster he called faction. It consisted of either “a majority or a minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community.”¹¹ These factions were driven not by cool, thoughtful reflection on the common good but by impulsive, emotional prejudices to oppress others or to do some other kind of public harm. Factions caused instability and injustice to seize the political process, often sending the republic in a tumultuous pendulum swinging between anarchy and tyranny, ending in the regime’s demise.

By his own account, Madison’s most important solution for the problem of faction was an extended or large republic—the very set-up the Anti-Federalists feared. However, Madison argued that an extended or large republic would contain significant advantages over a small one in addressing faction’s pernicious effects. Small republics tended to have a very homogenous population with super-majorities sharing a wide swath of characteristics, principles, and policy positions. This homogeneity allowed for majority factions to organize and to act on their disordered, oppressive injustice with relative ease.

⁶ See Harry V. Jaffa, *A New Birth of Freedom: Abraham Lincoln and the Coming of the Civil War* (Lanham, MD: Rowman & Littlefield, 2000), 434.

⁷ John H. Aldrich, *Why Parties?: The Origin and Transformation of Political Parties in America* (Chicago: University of Chicago Press, 1995), 3.

⁸ *Brutus*, “No. 1,” *The Anti-Federalist*, edited by Hebert J. Storing, Selected by Murray Dry from *The Complete Anti-Federalist* (Chicago: University of Chicago Press, 1985[1981]), 113.

⁹ *Ibid.*

¹⁰ *Ibid.*, 42.

¹¹ *Publius* (Alexander Hamilton, James Madison, John Jay), *The Federalist, Gideon Edition* (Indianapolis: Liberty Fund, 2001), 43.

A large republic countered this problem. It did so by subverting factions' ability to organize and to act as majorities. The logic was fairly common-sense. A large republic meant more people involved in politics across a wider expanse of territory. Usually, that enlarging of the population introduced much greater diversity within the people regarding their characteristics, their principles, and their preferences. Doing so undermined the ability of homogenous majorities to realize their existence and organize politically around it. Even more important, though, this diversity then restricted if not eliminated the existence of broad and deep majorities in the first place.

This heterogeneous population held two important ramifications for this report's purposes. First, majorities usually needed to be created by means of forming coalitions. In other words, persons not exactly alike must agree to work together to reach the needed vote threshold to win elections. On religion, for example, no one sect tended to garner over 50% of the vote. Thus, Baptists might need to make common cause with Lutherans or Presbyterians or Roman Catholics or other faiths (or no faith) to achieve the majority needed to enact principles and policies. Doing so tended to keep the majorities from agreeing to the plans of oppressive factions. Instead, they had to find common ground more on basic human rights and the common good of the general public.

Second, the coalitional nature of majorities made those majorities much more fragile and fluid than they would be in a small republic with a largely homogeneous population. Persons or groups did not tend to have only one issue that drove them. Various matters could ignite their interest and influence their vote at the same or at different times. Thus, these persons or groups may unite on one issue or set of issues but not on others. Views on taxes or foreign policy might be the main point holding the coalition together, for instance. But if other issues became primary, ones on which the coalition did not agree, they could split the coalition and make way for new majorities formed by other primary points of agreement.

As Aldrich implied, much of the modern political science literature on American political parties traces its theory, whether consciously or not, back to Madison's observations in *Federalist 10*. For political parties are seeking majorities in the House, Senate, state legislatures, governorships, and in the Electoral College that selects the president. Given our extended (and ever more extending) republic, competitive American political parties must be coalitional. They cannot rely on one region, one subgroup, or one issue to win and maintain majorities. Thus, parties act like coalitions as described above. They form around basic like characteristics and on agreement regarding a set of issues. In fact, recent party literature has focused on the claim that, "groups of organized policy demanders are the basic units of our theory of parties."¹² Therefore, parties consist of "coalitions of interest groups and activists seeking to capture and use government for their particular goals."¹³ The party usually tries to focus its stances on issues that accentuate its unity. However, new issues arise and secondary matters become primary. Parties, then, whether as a whole or in regard to particular members, may be forced to take other stances that threatens to undermine its unity.¹⁴ The 19th century Whig Party, for example, formed around common views about internal improvements and tariffs (known as the "American System"), legislative supremacy within the elected branches of government, and opposition to President

¹² Kathleen Bawn, Martin Cohen, David Karol, Seth Masket, Hans Noel, and Johnny Zaller, "A Theory of Political Parties: Groups, Policy Demands and Nominations in American Politics" *Perspectives on Politics* 10(3)(August 2012): 575.

¹³ *Ibid.*, 571.

¹⁴ Gary Miller and Norman Schofield, "The Transformation of the Republican and Democratic Party Coalitions in the U.S." *Perspectives on Politics* 6(3)(2008): 433.

Andrew Jackson. Yet in the 1850s, the party was ripped into pieces and ceased to exist when slavery, an issue it tried to relegate to secondary status, rose to a place where it no longer could be avoided.¹⁵

This background brings us to the focus of this report. In discussing voting patterns and coalitional arrangements in the South, including Alabama, race has been exalted as the dominant factor influencing voters up to the present.¹⁶ And race did play an out-sized part through a significant portion of Southern political history. In fact, this matter showed the explanatory limits of the extended republic as Madison described it in *Federalist 10*. Sometimes, though rarely, one issue or identity could overwhelm the others. In this instance, race and its institutionalization in slavery or, later, in segregation, overwhelmed other factors that might have undermined this majority faction and created fluid coalitions. Economic class, for instance, did not have the explanatory power that *Federalist 10* and other theories held for it in defining party alignments and developments.¹⁷ A 1958 article noted, “[t]he emphasis on unity among the ‘whites’ in the south’s one-party system de-emphasizes class differences or issues involving conflict within the white group.”¹⁸ Glen Feldmen observed the longstanding tendency “to put race regularity and white supremacy above all other competing factors.”¹⁹ Moreover, the predominance of race and slavery over all other issues in the 1850s helped lead to the American Civil War. The issue of race was perpetuated by voter suppression and Jim Crow segregation in the post-Reconstruction South as well. There was some white dissent in the South even during these periods, especially in the mountain regions of Eastern Tennessee and Western North Carolina that had opposed secession and, post-war, clung to Republican Party loyalty, despite finding little statewide electoral success.²⁰ But these were exceptions, not the rule. Therefore, the preceding points must be seen and acknowledged as deeply influential on Southern politics in the 19th and early to mid-20th centuries.

Yet, as introduced earlier, this focus on race does not tell the whole story of Southern coalitions and voting patterns, especially since the middle of the 20th century. Instead, that history shows the South moving toward and finally realizing the more diversity and fluidity in coalitions that marked the logic of *Federalist 10* and the theory of political parties as coalitions that occur within extended republics. It was a turn toward the normalized politics Madison envisioned and that usually occurred within other parts of the country. Thus, Byron Schafer and Richard Johnston titled their book, one giving non-racial factors as the dominant reasons for partisan re-alignment in the South, *The End of Southern Exceptionalism*.²¹

Other scholars also admit, even if grudgingly, that the partisan shift in the South involved much more than race. Carmines and Stanley wrote that, “[w]hile racial conflict may have precipitated, in part,

¹⁵ See Michael F. Holt, *The Rise and Fall of the Whig Party: Jacksonian Politics and the Onset of the Civil War* (New York: Oxford University Press, 1999).

¹⁶ Gerald R. Webster, “Demise of the Solid South” *Geographical Review* 82(1)(Jan. 1992): 43-55.

¹⁷ Madison said in *Federalist 10* that, “the most common and durable source of factions has been the various and unequal distribution of property.” See Hamilton, Madison, Jay, 44.

¹⁸ James W. Prothro, Ernest Q. Campbell, and Charles M. Griff, “Two-Party Voting in the South: Class vs. Party Identification” *American Political Science Review* 52(1)(March 1958): 131.

¹⁹ Bruce Feldmen, *The Irony of the Solid South: Democrats, Republicans, and Race, 1865-1944* (Tuscaloosa: University of Alabama Press, 2013), xii. The time period of Feldmen’s book is particularly helpful since his report argued that politics in the covered period (1865-1944) was mostly defined by race with changes coming in subsequent decades.

²⁰ Sundquist, 103. Gordon B. McKinney, “Southern Mountain Republicans and the Negro” *Journal of Southern History* 41(4)(Nov. 1975): 493-516.

²¹ Byron E. Schafer and Richard Johnston, *The End of Southern Exceptionalism: Class, Race, and Partisan Change in the Postwar South* (Cambridge, MA: Harvard University Press, 2006).

conservative movement away from the Democratic Party, the transformation has been sustained by other issues.”²² In fact, the same influential political party scholars wrote in 1990 that, “Southern political conservatives are now out of tune with the Democratic party on a wide range of issues.”²³ In 2001, Aubrey Jewett concluded his study of increased GOP strength in Southern state legislatures between 1946-1995 by writing that, “the evidence supporting many other explanations of Republican legislative growth suggests that scholars who emphasize only race to the exclusion of other causal factors are being overly simplistic.”²⁴ Along the same lines, Earl and Merle Black in the 2002 book, *The Rise of Southern Republicans*, noted that, “modern southern politics involves more than its obvious racial divisions.”²⁵ By 2004, David Lublin declared about Southern politics, “I find little evidence of continuing white backlash” to the rise of full participation by African-Americans in the political process.²⁶ While still giving a significant place for race, Matthew D. Lassiter’s *Silent Majority* (2006) argued against “race reductionist” readings of American history that failed to account for how Southern metropolitan areas came to operate much like Northern counterparts and the place that social and economic class played in conscious political motivations of voters and policy-makers.²⁷

This report accepts as true that race once played a predominant role in Southern politics, including Alabama as part of the Deep South. But it will examine reasons to question the claim that race continues to possess the dominant explanatory power often given to it in this story. In so doing, it will look to other factors beyond race which made significant contributions to partisan re-alignment in the American South, including the state of Alabama, especially starting in the second half of the 20th century. This report, then, will argue that explaining the status of partisan politics in 2024 solely or predominately in racial terms leaves out too much of the backstory and too much other, reasonable explanations for current party alignment and voting patterns. For some time, a wide range of other issues have played a significant role. Those issues arose out of a broader, national ideological change within both parties to which we turn next.

Party Change—The Rise of the New Left and Modern Conservatism

1) *The Rise of the New Left*

The story of partisan alignment in the South, including Alabama, must begin with the Democratic Party. The South had been the base for the Jeffersonian Democratic-Republicans, the precursor to the modern Democratic Party. It continued to be the stronghold for the Democratic Party that formed under Andrew Jackson’s leadership in the 1820s and 1830s.²⁸ The Democratic Party’s base

²² Edward G. Carmines and Harold W. Stanley, “Ideological Re-Alignment in the Contemporary South: Where Have All the Conservatives Gone?” in *The Disappearing South*, edited by Robert P. Steed, Laurence W. Moreland, and Tod A. Baker (Tuscaloosa: University of Alabama Press, 1990), 32.

²³ *Ibid.*

²⁴ Aubrey W. Jewett, “Partisan Changes in Southern Legislatures, 1946-1995” *Legislative Studies Quarterly* 26(3)(August 2001): 479.

²⁵ Earle Black and Merle Black, *The Rise of Southern Republicans* (Cambridge, MA: Harvard University Press, 2002), 4.

²⁶ Lublin, 28.

²⁷ Matthew D. Lassiter, *The Silent Majority: Suburban Politics in the Sunbelt South* (Princeton, NJ: Princeton University Press, 2006).

²⁸ Aldrich, 107-119.

remained in the South after the Civil War, too, intensified by the Republican Party's connection to the Union cause. Some attempts were made during Reconstruction to make the GOP competitive in the South but such efforts failed, especially once federal troops were withdrawn.²⁹ Still, the Republican Party became the national majority party after the end of the Civil War. Periods of closely contested elections and of divided government existed, especially at the end of Reconstruction in the latter 1870s and throughout the 1880s. However, the GOP reigned as the majority party through the greater portion of the years spanning 1865-1932.

The Great Depression opened up the potential for a new majority coalition. The Republican Party under President Herbert Hoover was thoroughly discredited in light of the economic collapse that shook the country and then settled into a new and harsh reality far different from the heady days of the "Roaring '20s." The Democratic landslide of 1932, under the leadership of Franklin Delano Roosevelt, railed against the GOP's failures as part of asserting their own ascent to political power.³⁰

The consequent New Deal coalition established the Democrats as the country's majority party for the first time since before the American Civil War. The Democratic Party built on the New Deal focused on economic issues. FDR's program sought much greater government involvement in regulating as well as participating in the economy. Thus, the coalition was defined predominately in economic terms, with working class or "blue-collar" Americans identifying decidedly with Democrats in their attempt to alleviate the hardships the Great Depression involved. This link we can see in President Franklin Delano Roosevelt's rhetoric in the period. In his First Inaugural, Roosevelt had lambasted, "the unscrupulous money changers" who "know only the rules of a generation of self-seekers."³¹ On the eve of his decisive re-election in 1936, FDR said, "I should like to have it said of my first Administration that in it the forces of selfishness and of lust for power met their match. I should like to have it said of my second Administration that in it these forces met their master."³² This placement of the Democratic Party with the working class, and against the wealthy, had a long pedigree going back to the original party system between the Jeffersonian Democratic-Republicans and the Hamiltonian Federalists and then to Andrew Jackson railing against the "monied interests" that he equated with the Whig Party. However, the New Deal did more than renew that old distinction; it intensified it to a degree not seen since before the Civil War, if ever.

This coalition crossed racial bounds. A majority of African-Americans first began voting for the Democratic Party nationwide during the Great Depression.³³ This meant that Southern segregationists and African-Americans voted for decades for the same party.³⁴ Such a broad coalition wielded dominant results at the national and state levels with massive margins of victory for FDR in 1932 and 1936 as well

²⁹ Gordon B. McKinney, "Southern Mountain Republicans and the Negro" *Journal of Southern History* 41(4)(Nov. 1975): 493-516.

³⁰ Skowronek, *The Politics Presidents Make*, 288-289. See also H.W. Brands, *Traitor to His Class: The Privileged Life and Radical Presidency of Franklin Delano Roosevelt* (New York: Anchor Books, 2009), 238-239, 264-265.

³¹ Franklin Delano Roosevelt, "Inaugural Address" *The Public Papers and Addresses of Franklin D. Roosevelt* (New York: Random House, 1938), 2: 12.

³² Franklin Delano Roosevelt, "Address at Madison Square Garden, New York City" *The Public Papers and Addresses of Franklin D. Roosevelt* (New York: Random House, 1938), 5: 568-569.

³³ See Nancy Joan Weiss, *Farewell to the Party of Lincoln: Black Politics in the Age of F.D.R.* (Princeton: Princeton University Press, 1984). See also Sidney M. Milkis, "Ideas, Institutions, and the New Deal Political Order" *American Political Thought* 3(1)(Spring 2014): 172.

³⁴ James C. Cobb, *South Atlantic Urban Studies* 1(1977): 255.

as huge majorities in Congress, governorships, and state legislatures. The GOP had been reduced to a rump party with little chance of contesting for a national majority.

However, the Madisonian-based theory of parties says that coalitions can be tenuous and fluid, especially when in the majority. New issues arise, both from competing parties but also from within the coalition itself. The New Deal coalition that had made the Democrats the dominant majority party began to show serious, enduring signs of strain in the early 1960s. The strain came internally when that period saw the rise of the self-defined “New Left.” Prominent intellectual C. Wright Mills penned “A Letter to the New Left” in 1960 working out how this form of liberalism distinguished itself from the now decades-dominant Old Left.³⁵

Mills argued that the Left’s primary focus on economic class no longer worked in the effort to pursue social justice. In the past, “the historic agency [of change] has been the working class...also parties and unions variously composed of members of the working class.”³⁶ But that no longer was true; the working class had become part of the problem of oppression, not the central means for finding new solutions to it. Instead, Mills pointed toward a new coalition that looked at the world as involving oppressors and oppressed but in relationships beyond labor versus capital. This perspective paved the way for a liberalism that focused on issues of racial justice and which began to discuss matters of women’s rights and LGBTQ rights. It also opened the door to expressing frustrations with American Cold War policy, especially on the nuclear arms race,³⁷ as well as a concern for environmental matters such as water and air pollution.³⁸ Taken together, the New Left was more willing to criticize American policy but, even more radical for the time, to also condemn America itself as inherently unjust, something that the much more patriotic-speaking New Deal Democrats did not do and would not have done.

Given the shift away from a focus on economic class, the New Left’s intellectual center would not be the union hall. Instead, its foundation would build from the college campus and include those with college degrees—itsself a growing population among the Baby Boomers. “It is with this problem of agency in mind,” Mills wrote, “that I have been studying, for several years now, the cultural apparatus, the intellectuals — as a possible, immediate, radial agency of change.”³⁹ Thus, the “Port Huron Statement” presented one of the most famous declarations of this new ideology’s views. Published on June 15, 1962, the document was written by Tom Hayden on behalf of the group “Students for a Democratic Society.”⁴⁰ The document claimed the perspective of a new generation, “housed now in universities, looking uncomfortably to the world we inherit.” That document further spoke of “the Southern struggle against racial bigotry.” The “Port Huron Statement” further observed the fear many had at the threat of nuclear war with the Soviet Union.⁴¹ It stated that “tarnish appear[ed] on our image

³⁵ C. Wright Mills, *The Politics of Truth: Selected Writings of C. Wright Mills*, edited by John H. Summers (New York: Oxford University Press, 2008), 255-266.

³⁶ *Ibid.*, 262.

³⁷ Paul Boyer, “From Activism to Apathy: The American People and Nuclear Weapons, 1963-1980” *Journal of American History* 70(4)(1984): 837-844.

³⁸ Keith M. Woodhouse, “The Politics of Ecology: Environmentalism and Liberalism in the 1960s” *Journal for the Study of Radicalism* 2(2)(Fall 2008): 53-84.

³⁹ Mills, 264.

⁴⁰ Jim Miller, *Democracy is in the Streets: From Port Huron to the Siege of Chicago* (Cambridge, MA: Harvard University Press, 1987); See also *The Port Huron Statement: Sources and Legacies of the New Left’s Founding Manifesto*, edited by Richard Flacks and Nelson Lichtenstein (Philadelphia: University of Pennsylvania Press, 2015).

⁴¹ “Port Huron Statement,” 3.

of American virtue” and it spoke of “the hypocrisy of American ideals.”⁴² As the movement developed, these critiques also extended to the working class that had formed the backbone of the Democratic New Deal coalition. In a 1980 article, Sidney M. Wilhelm noted that, “working-class racism” challenged the Marxist economic paradigm which itself had sought to explain racism as the product of capitalism. Though he attempted to re-configure an economic underlying basis, he had to admit that working class Americans could take the side of oppressors.⁴³ As time would go on, certain intellectuals on the Left would make harsher critiques of working-class voters on their views regarding the issues on which the New Left now gave greater focus. They would more and more be seen as part of the problem rather than a full partner in the solution.

The rise of the New Left created a rift within the Democratic Party. Perhaps the best-known and most dramatic manifestation of this rift came during the 1968 Democratic National Convention in Chicago. The New Left subset sought renewed focus on civil rights and an end to the Vietnam War. Nicolas Proctor, in his book on the 1968 Convention, noted that, “conservative Democrats—particularly those from the South—argued the opposite.”⁴⁴ They gave much greater support to American foreign policy and much less support to civil rights efforts. Chicago’s Democratic Mayor, Richard Daley, sent police in to violently break-up these protesters in the streets, using clubs and tear-gas. Doing so did not result in restored peace and harmony within the Democratic Party, however. Subsequent changes in presidential selection strengthened the New Left within the Democratic Party as well. A mixed system had existed that permitted some say by voters in primaries but left substantial nominating power to the party itself regarding presidential candidates. In response to the McGovern-Fraiser Commission, the Democratic Party moved to a system where the voters took effective control of the nomination-making through a process dominated by primaries or caucuses.⁴⁵ Nicol C. Rae noted that, starting in the 1970s, the new nomination process, “was structurally biased in favor of candidates from the party’s neoliberal and New Left factions, with little appeal to most southern white voters.”⁴⁶

In 1972, the New Left got one of their own nominated on the Democratic ticket for president: George McGovern.⁴⁷ He went on to a crushing defeat against sitting president Richard Nixon, winning only Massachusetts and D.C. for meagre 17 electoral votes to Nixon’s 520. But the New Left would continue to exert a serious and growing influence over the Democratic Party. Bruce Miroff declared that, after McGovern, “the party would never again look like the urban-labor coalition of the New Deal era.”⁴⁸ The New Left would move the Democratic Party’s coalition to include more college-educated voters and to focus more on non-economic issues of gender, race, the environment, gun regulation, and other matters. Working Class voters would remain in the coalition but with increasing unease and decreasing

⁴² *Ibid.*, 4.

⁴³ Sidney M. Wilhelm, “Can Marxism Explain America’s Racism?” *Social Problems* 28(2)(December 1980): 98-112.

⁴⁴ Nicolas Proctor, *Chicago, 1968: Policy and Protest at the Democratic National Convention* (Chapel Hill: University of North Carolina Press, 2020).

⁴⁵ See Adam Hilton, *True Blues: The Contentious Transformation of the Democratic Party* (Philadelphia: University of Pennsylvania Press, 2021), 66-87; James W. Ceaser, *Presidential Selection: Theory and Development* (Princeton: Princeton University Press, 1979), 260-303.

⁴⁶ Nicol C. Rae, *Southern Democrats* (New York: Oxford University Press, 1994), 46.

⁴⁷ Bruce Miroff, *The Liberals’ Moment: The McGovern Insurgency and the Identity Crisis of the Democratic Party* (Leavenworth University of Kansas Press, 2007).

⁴⁸ *Ibid.*, 1.

numbers.⁴⁹ For, in these developments, a growing section of the Democratic Party would expand on C. Wright Mills' implicit critique of the working class, arguing in more explicit terms that it perpetuated the forces of oppression on issues sex, sexuality, and race.

As time went on, the rise of the New Left bore fruit for the Democratic Party in some regions while hurting its electoral prospects in others. Jonathan Bell described how the new liberalism helped turn California into a reliably Democratic and Progressive state.⁵⁰ States like Massachusetts and others in the Northeast also became increasingly Democratic, despite for a long time being the regional electoral base for Republicans. But in the South, including Alabama, this turn in the Democratic Party bode ill for its long-term electoral viability, for reasons we will turn to soon.

2) *The Rise of Modern Conservatism*

The Republican Party developed during this time as well. In the 1920s, the party had been defined by policies of lower taxes, fiscal responsibility, and limited government linked to leaders like President Calvin Coolidge.⁵¹ This approach gained significant popularity during the economic boom of the 1920s but fell into disrepute, as noted above, during the Great Depression and in response to FDR's critiques. The Republican party did not regain any majority in Congress from 1932 until 1946. They did not recapture the White House until Dwight D. Eisenhower, hero of World War II, won the office in 1952. During the 1950s, the GOP had largely followed the "New Republicanism" of Eisenhower.⁵² This view sought moderation, arguing it would follow the New Deal consensus and manage its governmental programs in a restrained and efficient manner. It also looked to contain, not roll back, the forces of Communism led by the Soviet Union and China.⁵³

But portions of the Republican Party chafed under this new approach.⁵⁴ These men included Robert Taft, an Ohio Senator who was the main rival to Eisenhower for the GOP presidential nomination in 1952. First, this group sought to renew the GOP's pre-New Deal economic philosophy, critiquing FDR's policies as undermining American liberty. Second, many of the same Republicans wished to take a hard line against global Communism, defeating it outright rather than merely limiting its expansion. Third, they began to emphasize federalism on the level of governmental structure against an ever-growing national government. Fourth and finally, this group wished to emphasize traditional views on issues of religion and morality.

One can see this synthesis encapsulated in William F. Buckley's editorial announcing the first issue of *National Review*, published in November of 1955. Buckley wrote of "Conservatives" as those

⁴⁹ White working-class voters saw some limited success nationally, such as with the presidential candidacies of Jimmy Carter and Bill Clinton. These national victories tended to need special circumstances, such as Watergate for Carter and the crushing defeats suffered by more New Left-aligned candidates preceding Carter's (McGovern) and Clinton's (Mondale, Dukakis) candidacies.

⁵⁰ See Jonathan Bell, *California Crucible: The Forging of Modern American Liberalism* (Philadelphia: University of Pennsylvania Press, 2012).

⁵¹ See Amity Shlaes, *Coolidge* (New York: Harper Collins, 2013).

⁵² Randall Bennett Woods, *Quest for Identity: America Since 1945* (New York: Cambridge University Press, 2005), 73-98.

⁵³ John Micklethwait and Adrian Wooldridge, *The Right Nation: Conservative Power in America* (New York: The Penguin Press, 2004), 41-43.

⁵⁴ John Andrew, "The Struggle for the Republican Party in 1960" *The Historian* 59(3)(Spring 1997): 613-631.

“who have not made their peace with the New Deal.”⁵⁵ Buckley decried a “relativism” that downplayed belief in God and would doubt, “the superiority of capitalism to socialism, of republicanism to centralism.”⁵⁶ Anticipating Mills, he saw this view as growing on college campuses in particular.⁵⁷ In similar fashion, the Sharon Statement, put together in 1960 by young conservatives, with Buckley’s help, praised the U.S. Constitution in that it, “reserves primacy to the several states, or to the people, in those spheres not specifically delegated to the Federal government.” The document also lauded the “market economy,” and declared that, “the forces of international Communism are, at present, the greatest single threat to these liberties.”⁵⁸

These views would begin to cause tensions within the Republican Party at a similar time as the New Left threatened the cohesion and peace of the Democratic Party. Republicans’ base had been in the North, especially New England. That was the home of what became known as “Rockefeller Republicans” after Nelson Rockefeller, long-time governor of New York and Vice-President under Gerald Ford. These Republicans held more moderate views, especially on social but also on economic issues, and were out-of-step with the emerging conservatism.⁵⁹ This upstart conservatism seemed more at home in the Western states instead. Thus, in 1964, Arizona Senator Barry Goldwater captured the GOP presidential nomination. Goldwater represented the emerging conservatism Buckley had articulated nearly a decade prior. In his acceptance speech, given in San Francisco, Goldwater declared that Republicans would act toward, “encouraging a free and a competitive economy” while also upholding “law and order.” Goldwater spoke of a philosophy of limited government where the best place for its exercise was, “closest to the people involved.” And he railed against the Soviet threat, saying, “communism and the governments it now controls are enemies of every man on earth who is or wants to be free.”⁶⁰

Goldwater lost in decisive fashion to Lyndon Johnson in the Fall of 1964. He won only five states—his home state of Arizona and five states within the Deep South, including Alabama. But, as with the New Left in the Democratic Party, this emerging conservatism would not go away. It did suffer from the 1964 electoral setback. Richard Nixon would win the 1968 and 1972 presidential elections for the Republican Party. He rejected significant elements of Modern Conservatism, and, among other acts that frustrated conservatives, he instituted wage and price controls,⁶¹ created the Environmental Protection

⁵⁵ William F. Buckley, “Publisher’s Statement” *National Review* November 19, 1955, 5. For a helpful discussion of Buckley’s shift on race from the 1950s to the 1960s, one that included a rejection of southern segregation, see Alvin Felzenberg, *A Man and His Presidents: The Political Odyssey of William F. Buckley, Jr.* (New Haven: Yale University Press, 2017).

⁵⁶ *Ibid.*

⁵⁷ See also William F. Buckley, *God and Man at Yale: The Superstitions of Academic Freedom* (Chicago: Henry Regnery Company, 1951).

⁵⁸ See Greg L. Schneider, *Cadres for Conservatism: Young Americans for Freedom and the Rise of the Contemporary Right* (New York: New York University Press, 1999), 34.

⁵⁹ Gary Miller and Norman Schofield, “Activists and Partisan Realignment in American Politics” *The American Political Science Review* 97(2)(May 2003): 257.

⁶⁰ Barry Goldwater, “Address Accepting the Presidential Nomination at the Republican National Convention in San Francisco” July 16, 1964. <https://www.presidency.ucsb.edu/documents/address-accepting-the-presidential-nomination-the-republican-national-convention-san>. Retrieved 3/18/2024.

⁶¹ Executive Order 11615 of August 15, 1971, Providing for Stabilization of Prices, Rents, Wages, and Salaries, 36 FR 17813; Executive Order 11627 of October 15, 1971, Further Providing for the Stabilization of the Economy, 36 FR 20139.

Agency,⁶² and signed both the National Environmental Policy Act⁶³ and the Clean Water Act.⁶⁴ In fact, a conservative Ohio Congressman, John Ashbrook, primaried the sitting president with the campaign slogan, “No Left Turns.”⁶⁵ However, with Ronald Reagan’s election in 1980, a Buckley-Goldwater kind of conservatism had gone mainstream, becoming the driving force within the Republican Party. Reagan had been a Goldwater supporter, giving one of the 1964 campaign’s most famous speeches in his favor, “A Time for Choosing.”⁶⁶ Then and in the 1980 campaign, Reagan spoke of limited government, private enterprise, deep opposition to communism, and traditional moral values. While some of these views continued to keep a significant portion of white-collar, highly educated voters in the GOP, working-class voters began to see elements of the GOP’s conservative positions as attractive, too. The decisive shift in the GOP thus had ramifications for partisan alignments around the country, including the South.

In the pages that follow, this report will detail how the above developments in the Democratic and Republican parties participated in the South’s slow-motion move from solidly Democratic to solidly Republican.

Civil Rights and voting patterns within the South

We begin with the focus for most discussions of Southern voting patterns: race and the Civil Rights Movement. The narrative states that Southern Democrats became frustrated with the national party over its embrace of African-American civil rights, first in 1948 and then again in 1964. The story of GOP gains in the South tends to focus especially on the 1964 election. There, Republican Presidential candidate Barry Goldwater won the Deep South for the GOP for the first time since Reconstruction. Alabama not only voted for Goldwater but gave him a massive 71% of the vote even though the state had not gone Republican since the Reconstruction era election of 1872. The story goes that the South broke with the Democratic Party over President Johnson shepherding through the Civil Rights Act of 1964. Southern white voters abandoned Democrats and ran to Republicans to maintain their race-based partisanship in a new political party, ironically the party formerly (but no more) of Abraham Lincoln, emancipation, Northern aggression, and Reconstruction.⁶⁷

The focus on 1964 applies one influential strain of the broader political party literature. This strain focused on critical elections that marked a significant and lasting shift in the composition of party coalitions as well as which of the major parties held lasting majority status. V. O. Key, a giant in the field of political parties’ scholarship, was an early and influential articulator of this perspective.⁶⁸ A number of other scholars followed suit, pointing to elections such as 1800, 1832, 1860, possibly 1896, 1932, and

⁶² See “Reorganization Plan Nos. 3 of 1970.” July 9, 1970. U.S. Code, Congressional and Administrative News, 91st Congress--2nd Session, Vol. 3, 1970.

⁶³ National Environmental Policy Act of 1969, 83 Stat. 852 (1970).

⁶⁴ An Act to amend the Federal Water Pollution Control Act, 86 Stat. 816 (1972).

⁶⁵ Alfred S. Regnery, *Upstream: The Ascendancy of American Conservatism* (New York: Simon and Schuster, 2008), 141. Ashbrook would receive less than 10% of the vote in the primaries in which he participated before dropping out.

⁶⁶ *The Reagan Manifesto: A Time for Choosing and Its Influence*, edited by Eric D. Patterson and Jeffrey H. Morrison (New York: Palgrave Macmillan, 2016); H.W. Brands, *Reagan: The Life* (New York: Doubleday, 2015), 137-138.

⁶⁷ Angie Maxwell and Todd Shields, *The Long Southern Strategy: How Chasing White Voters in the South Changed American Politics* (New York: Oxford University Press, 2019).

⁶⁸ See V. O. Key, “A Theory of Critical Elections” *Journal of Politics* 17(1955): 3-18; Key, “Secular Re-alignment and the Party System” *Journal of Politics* 21(1959): 3-18.

1980 as examples that inaugurated new, dominant party coalitions in American politics. In his influential work on the presidency, Stephen Skowronek placed American presidents within “political time,” which concerns cycles of political coalitions that ascend to power, struggle to maintain that dominance, and eventually get disrupted by a new ascendant coalition.⁶⁹ He also used a theory of critical or realigning elections to help explain his “political time.” In much of this scholarship, 1964 can mark a critical election that did not create a new electoral majority but did shift the South to the GOP.⁷⁰

Other scholars rightly pushed back against this theory as not fully explaining the historical development of political parties. One strain argued that some realignments occur more slowly, across multiple elections, spanning even decades before coming to some form of completion.⁷¹ While some have tried to explain the South’s move from predominately Democratic-leaning to Republican through the critical election theory (mostly focused on 1964), others have committed to a more gradual model that says the racial component slowly worked its way toward the partisan shift.

This report will challenge both those narratives. One cannot reduce the shift in political loyalties in the South either to one election or to one issue set like race. As noted above, the fuller story spans close to a century of American history.

Potential GOP prospects in the South arose as early as 1928. At the presidential level, Republicans won what is known in scholarship as the “peripheral South.” This sub-region included Texas, Tennessee, Virginia, North Carolina, and Florida. But that election had notable results even in the Deep South, defined as Louisiana, Mississippi, Alabama, Georgia, and South Carolina.⁷² In Alabama, for example, Democrat Al Smith won with only 51% of the vote and over 43% in Georgia. Some attribute this outcome to race-based issues, since Smith was more open than most Democrats of the time to African-American civil rights.⁷³ But the bigger issue in 1928, other than economic prosperity of the “Roaring 20s” being credited to Republicans, was that Al Smith was Roman Catholic. This point caused consternation in the very Protestant Southern portion of the Democratic Party, where centuries-old views questioning Roman Catholic loyalty and capacity to adapt to non-authoritarian regimes.

Moreover, this report must note where within those states the GOP did well. Republican gains were focused in urban or metropolitan centers, not rural areas, both in the Peripheral and the Deep South.⁷⁴ V. O. Key pointed out as early as 1949 that Republican strength in that earlier election was higher in urban as opposed to rural portions of the South.⁷⁵ This trend continued in subsequent electoral contests. Even in the wipeout election of 1932, Herbert Hoover performed better in Southern cities like Charlotte, Richmond, and Dallas than Republican candidates had in their decisive national victories

⁶⁹ See Stephen Skowronek, *The Politics Presidents Make*

⁷⁰ Black & Black, 4, 28; James E. Campbell, “Party Systems and Realignment in the United States, 1868-2004” *Social Science History* 30(3)(Fall 2006): 370.

⁷¹ See Edward G. Carmines and James A. Simpson, “Issue Evolution, Population Replacement, and Normal Partisan Change” *American Political Science Review* 75(1981): 107-118.

⁷² Earle Black and Merle Black, *Politics and Society in the South* (Cambridge, MA: Harvard University Press, 1987), 14

⁷³ At the same time, Herbert Hoover garnered a paltry 18% of the vote in Mississippi and under 9% in South Carolina.

⁷⁴ The Deep South included Louisiana, Mississippi, Alabama, Georgia, and South Carolina. M.V. Hood III and Seth C. McKee, *Rural Republican Realignment in the Modern South: The Untold Story* (Columbia, SC: University of South Carolina Press, 2022), 12.

⁷⁵ Key, 328.

throughout the 1920s.⁷⁶ In the 1950s, Dwight D. Eisenhower's victories in the Peripheral South as well as his improved percentages in the Deep South came overwhelmingly from urban or metropolitan areas. For example, Donald Strong pointed out that, in the 1950 census, Mountain Brook, Alabama had the highest median income of any city in the state. In 1952, it voted for Republican Eisenhower over Democrat Adlai Stevens by a margin of nearly 4-1.⁷⁷ The three counties that contained Birmingham, Mobile, and Montgomery all voted by margins notably above the state average of 35% for Eisenhower. Strong would find a similar urban, upper-class strength in the Deep South, including Alabama, for Eisenhower in his 1956 re-election. Bernard Cosman then continued the examination in 1960, finding Richard Nixon, though in a losing national effort, garnered strong margins in the urban South comparable to Ike.⁷⁸

Scholars see this as the start of what has been called, "Metropolitan Republicanism" in the South. The Republican Party's revived prospects came not just in the South's periphery. It also developed *within* Southern states in particular areas, not others. Most notably, as the phrase, "Metropolitan Republicanism" relates, the GOP gained not in rural but in urban portions of the states. As these areas grew in population, so would Republican prospects. Therefore, James C. Cobb in 1977 noted that, "[t]he South's cities seem to be the logical place to begin further analyses of southern Republicanism."⁷⁹ These cities, especially in what later came to be distinguished as "suburbs," proved the base for the rising GOP successes.

The main point to consider here is that, as Sundquist noted, these gains were "durable."⁸⁰ Slow and steady, they formed a definite and consistent trend in Southern voting patterns. Contrast these gains with two elections which some point to as hard moves away from Democrats and toward Republicans in the South. The first was in 1948. The Democratic Party experienced a temporary revolt from its Southern ranks in the form of Dixiecrats who were angry at President Truman and the national party's stance on African-American civil rights. Led by Senator Strom Thurmond, this contingent won Louisiana, Alabama, Mississippi, South Carolina, and one electoral vote from the state of Tennessee.⁸¹ Yet these disgruntled Democrats did not move into the Republican ranks.⁸² In fact, Thurmond won those states in part because he was made the official Democratic nominee on the ballot within them. After the election, these voters mostly returned to the Democratic fold; they did not join the Republican party.⁸³ Moreover, Thurmond's best voting regions were not predominately from groups and areas trending toward Republicans but from regions of continued Democratic strength.⁸⁴ Thurmond would switch to

⁷⁶ Phillips, *Emerging Republican Majority*, 161.

⁷⁷ Donald S. Strong, "The Presidential Election in the South, 1952" *Journal of Politics* 17(3)(August 1955): 343.

⁷⁸ Bernard Cosman, "Presidential Republicanism in the South, 1960" *Journal of Politics* 24(2)(May 1962): 303-322. See also Black & Black, *Politics and Society in the South*, 265.

⁷⁹ James C. Cobb, "Urbanization and the Changing South: A Review of the Literature" *South Atlantic Urban Studies* 1(1977): 263.

⁸⁰ Sundquist, 279.

⁸¹ Micklethwait and Wooldridge, 52-53.

⁸² Sundquist, 275.

⁸³ Black and Black, *Rise of Southern Republicanism*, 208.

⁸⁴ *Ibid.*, 276. Thurmond would switch to the Republican Party but not until September of 1964. See Nadine Cohodas, *Strom Thurmond and the Politics of Southern Change* (Macon, GA: Mercer University Press, 1993), 450-452.

the GOP though not until 1964—16 years later. Even then, as Dr. Kari Frederickson notes in her report, “Strom Thurmond’s party-switching remained a singular act”⁸⁵ with very few politicians following suit.

The other election—1964—is where many scholars focus the narrative of Republican ascendancy in the South. As noted above, that election saw a sudden rise in GOP support, most of it concentrated in the presidential candidacy of Barry Goldwater. Goldwater did very well in the Deep South and the rural portions of it, the opposite of the trends for the GOP up to that point. Republicans did make some gains below the presidential ticket, including gaining five seats in United States House delegation from Alabama. However, Republicans gave back a significant portion of these gains. In the next congressional election, Alabama’s house delegation reverted to majority Democratic, not to change back again until 1996. In 1968, Richard Nixon received just shy of 14% of the state’s vote, coming in third place behind avowed segregationist and Alabama Governor George Wallace as well as Democratic nominee Hubert Humphrey. Governor Wallace did especially well in rural areas, not those where GOP strength had been growing slowly in previous decades.⁸⁶

Thus, the GOP’s lasting growth occurred in the metropolitan and suburban areas during this period, not rural. Rural areas, with the exception of 1964, remained the bedrock group voting for Democrats or for splinter Democratic candidates like George Wallace. This observation matters in assessing the growth of the GOP among white voters in Southern states like Alabama. Rural areas were considered the most committed to maintaining the old ways and most resistant to reform, especially on matters of race.⁸⁷ Those areas, more than urban ones, would seem more likely to seek party change in response to Democrat deviation from racial orthodoxy as the voting patterns in most of these elections support. Metropolitan areas tended to be more diverse in population and open to reform, including on matters related to race. Moreover, the metropolitan areas during these decades saw an influx of persons immigrating from other parts of the country, including the Midwest, bringing with them more GOP votes and less segregationist attitudes. In fact, by 2009 about 1/3 of those living in the South were born in other regions of the country. And most transplants were to urban/suburban areas where Republicans did increasingly well electorally and who fit well within traditionally Republican-friendly constituencies.⁸⁸ Thus, Key observed that, even in the deep South, it was true that at times “urbanism apparently outweighed racial restraints.”⁸⁹

After 1968, the South showed greater willingness to vote Republican at the presidential level. It voted for Nixon in 1972 and for Reagan and George H.W. Bush in the 1980s. However, these all were landslide elections where the Republican candidate dominated across the country. It also did not translate elsewhere down the ticket: the region remained dominantly, stubbornly Democrat in every other electoral sphere. Lublin noted that a shift in the South to a Republican majority anywhere below

⁸⁵ Kari Frederickson, “Race and Politics in Twentieth-Century Alabama,” Initial Report, 25.

⁸⁶ David Knoke and Constance Henry, “The Political Structure of Rural America” *The Annals of the American Academy of Political and Social Science* 429(January 1977): 56.

⁸⁷ Louis Wirth, “Urbanism as a Way of Life,” *American Journal of Sociology* 64 (July 1938): 1-24; 5 Charles O. Lerche, *The Uncertain South* (Chicago: Quadrangle Books, 1964), 236.

⁸⁸ Irwin L. Morris, *Movers and Stayers: The Partisan Transformation of 21st Century Politics* (New York: Oxford University Press, 2021). See also Richard K. Scher, *Politics in the New South: Republicanism, Race and Leadership in the Twentieth Century*, 2nd Ed. (New York: M.E. Sharpe, 1997). In the 21st century, this in-migration tended to help Democrats more, though that shift came well after the GOP became not just competitive but favored in the region. See Hood, McKee, *Rural Republican Realignment*, 251-253.

⁸⁹ Key, 321.

the presidential level seemed to be a political version of “waiting for Godot.”⁹⁰ For thirty years after the Civil Rights Movement supposedly drove the South into the arms of the GOP, Democrats “held the preponderance of governorships as well as congressional seats” while “Democratic dominance appeared even greater at the state legislative and local levels.”⁹¹ For instance, as late as 1991 Democrats held a 77 to 39 advantage over the GOP—essentially 2-1—among Congressional delegations.⁹²

It was not until 1994 that Republicans won a majority of House districts in the South—thirty years after the passage of the Civil Rights Act of 1964 and twenty-nine after the enactment of the Voting Rights Act of 1965. Republicans also won a majority in the North in that election, a double-feat not accomplished since 1872.⁹³ Even crossing this threshold did not result in the immediate collapse of the Democratic Party in the South, which gained some seats in Congress, governorships, and state legislatures back in subsequent elections during the rest of the 1990s and ceded the ground it did in the South only begrudgingly.⁹⁴ It took till the 2000 presidential election for a Republican to win the entire South in a non-blowout contest.

The slowness of this change matters considering the actual voters involved. By 1994, a significant generational shift in voting population from 1964 had taken place. This shift only becomes more pronounced in the 2020s. The most recent census data showed that only 18% of Alabama residents are over the age of 65.⁹⁵ The voters that revolted against the Democrats in 1948 and 1964, then generally returned, comprise a small and shrinking portion of the electorate. The rise of Republican strength in the region in the post-Civil Rights era coincided with not only migration from other parts of the country but also new generations accounting for an increasing segment of the voting public. In fact, research has pointed to “replacement” of older, native voters as one notable contributor to the GOP’s ascendancy in the late 20th and early 21st centuries. From the 1980s till 2000, for instance, the average rural Southerner who identified as a Republican was ten years younger than his Democratic-affiliated counterpart.⁹⁶ Green, Palmquist, and Schickler claim that as much as half of white Southern voters’ migration to the GOP was generational replacement.⁹⁷

Moreover, this story includes a further normalization of Southern voting patterns. Consider the slow-motion change in rural partisan preferences between North and South. For most post-Civil War history, the Republican Party’s Northern base was rural with Democrats doing better among the more Roman Catholic, immigrant populations of cities. In the South, as noted before, Republicans did better in cities, though not that well, while Democrats dominated among that region’s rural voters. However, that began to change after the era of Civil Rights. Rural voting patterns began to converge between North and South. Thus, Southern rural voters began to vote more like their counterparts across the country. By 2004, southern rural voters were slightly more Republican in voting patterns than their corresponding

⁹⁰ David Lublin, *The Republican South: Democratization and Partisan Change* (Princeton: Princeton University Press, 2004S), 1.

⁹¹ *Ibid.*

⁹² Black & Black, 13.

⁹³ Black & Black, 2.

⁹⁴ Lublin, 2.

⁹⁵ “Quick Facts: Alabama,” United States Census Bureau.

<https://www.census.gov/quickfacts/fact/table/AL/PST045223>. Accessed 3/27/2024.

⁹⁶ Hood, McKee, *Rural Republican Realignment*, 28.

⁹⁷ Donald Green, Bradley Palmquist, and Eric Schickler, *Partisan Hearts and Minds: Political Parties and the Social Identities of Voters* (New Haven: Yale University Press, 2002).

Northern rural voters.⁹⁸ It marked the South becoming more like the rest of the country in its voting patterns rather than maintaining a distinctiveness that before more comported with voting in a dominantly race-conscious manner. Not until the 2010s did rural Southerner whites align with the GOP more than urban whites.⁹⁹

In sum, this move from Democrat to Republican in the South hardly seems explainable predominantly by race. Beyond the statistics, we also have evidence that the Republican Party did not seek to go to the segregationists who had supported Strom Thurmond in 1948 and George Wallace in 1968. Some have argued that Republicans made sustained racial appeals but in more subdued or cloaked terms. Black and Black, for instance, argue in their 2002 book that Republicans from Nixon onward took this route with Goldwater as an earlier set-up.¹⁰⁰ This theory became known as the GOP's "Southern Strategy," which, some insist, continues to this day. For example, Dr. Frederickson opines that "white identity politics occup[ies] the center of Republican politics"¹⁰¹ now and since at least the Civil Rights Movement of the mid-20th century. She relies heavily on the GOP's "Southern Strategy" as inherently and perpetually grounded in white supremacy to make this argument. There are a number of concerns with her interpretation of the relevant history and with that of others who accept race as dominant in this tale.

For one, consider the case of Barry Goldwater. Goldwater had opposed the Civil Rights Act of 1964 and campaigned vigorously in the South in the Fall of 1964, downplaying the civil rights issue there for the sake of getting votes. But he was far from a model segregationist. He had voted for the 1957 and 1960 civil rights bills, desegregated his own family business, integrated the Arizona Air National Guard and U.S. Senate cafeteria.¹⁰² And his opposition to the 1964 Civil Rights Act rested on grounds that the law, while moral in intent, violated the Constitutional distribution of powers, especially between state and national governments.¹⁰³

For another, take the campaigns and presidency of Richard Nixon. Frederickson admits that Nixon was no George Wallace. She says, though, that Nixon wooed Southern white segregationists in that he, "established a politically safe terrain by simultaneously affirming his belief in the principles of equality while opposing the use of federal intervention to enforce compliance."¹⁰⁴

Nixon indeed consistently affirmed his belief in racial equality before the law. In his first inaugural address, Nixon declared:

No man can be fully free while his neighbor is not. To go forward at all is to go forward together. This means black and white together, as one nation, not two. The laws have caught up with our conscience. What remains is to give life to what is in the law: to

⁹⁸ Seth E. McKee, "Rural Voters and Polarization of American Presidential Elections" *PS: Political Science and Politics* 41(1)(January 2008): 102.

⁹⁹ Hood, McKee, *Rural Republican Realignment*, 24.

¹⁰⁰ Black & Black, *Rise of Southern Republicans*, 216, 277.

¹⁰¹ Frederickson, 4.

¹⁰² See "Where Barry Stands" *Time* August 2, 1963. <https://time.com/archive/6807933/nation-where-barry-stands/>. Accessed August 11, 2024; Lee Edwards, *Goldwater: The Man Who Made a Revolution* (Regnery: 1995).

¹⁰³ See Jeffrey K. Tulis and Nicole Mellow, *Legacies of Losing in American Politics* (Chicago: University of Chicago Press, 2018), 110.

¹⁰⁴ Frederickson, 24.

insure at last that as all are born equal in dignity before God, all are born equal in dignity before man.¹⁰⁵

Statements of this kind were not atypical for Nixon nor new in his political career. In fact, Richard Nixon hardly fit the bill for the person to morph the GOP into the party of white supremacy. He held a long record of support for civil rights, including *Brown v. Board of Education* and the civil rights acts of 1957 and 1960. Unlike Barry Goldwater, Nixon also had endorsed the Civil Rights Act of 1964 and efforts leading to the Voting Rights Act of 1965.¹⁰⁶ In 1967, Nixon granted an interview with the *New York Times* where he said, “people in the ghetto have to have more than an equal chance. They should be given a dividend” in response to the history they had experienced of discrimination.¹⁰⁷

Frederickson argues Nixon’s policies regarding civil rights supports the racial element of the “Southern Strategy.” The Nixon Administration did pursue a moderate approach to enforcing civil rights. As president, Nixon opted for fewer hard deadlines for desegregation, moving much of its enforcement from the executive branch to the judiciary as well as supporting more cooperative efforts to get Southern schools to integrate.¹⁰⁸ Moreover, he opposed school busing as the means to integrate public schools.

But hanging the hat of white supremacy on these factors does not hold up well in light of the broader history. While making an argument for a Southern Strategy, Black & Black note that, “Nixon positioned himself to southern voters as opposed to segregation but favoring only voluntary integration.”¹⁰⁹ Such a position would be quite the concession for white supremacists to take in their voting preferences. But even that description does not fairly describe Nixon’s policies. Nixon’s desegregation plan still included substantial Justice Department-initiated litigation, which Dean Kotlowski notes, “offended many white southerners” and thus made “questionable whether Nixon had swapped civil rights enforcement for southern votes as his critics complained.”¹¹⁰ After these executive branch lawsuits began, a record number of African-American school children went to integrated schools in the Fall of 1969.

The school busing policies, moreover, were not the only method or necessarily considered the best method for pursuing integration. They also were deeply unpopular, not merely the scourge of Southern segregationists. A Harris Poll from 1975 found that Americans supported desegregation by a 56%-35% margin while the same sample opposed busing 75%-20%.¹¹¹ Thus, a number of voters did not

¹⁰⁵ Richard Nixon, “Inaugural Address” *Public Papers of the Presidents of the United States: Richard Nixon, Containing the Public Messages, Speeches, and States of the President: 1969* (Washington, D.C.: United States Government Printing Office, 1971), 3.

¹⁰⁶ Ronald Sullivan, “Back Rights Bill, Nixon Urges” *New York Times* June 16, 1964, 22. Joseph A. Loftus, “Senate’s Leaders Seek Voting Bill: Mansfield and Dirksen Say They Want a Simple Plan” *New York Times* March 11, 1965, 19.

¹⁰⁷ “Nixon Gives Views on Aid to Negroes and to the Poor” *New York Times*, December 20, 1967, 22.

¹⁰⁸ Hugh Davis Graham, “Richard Nixon and Civil Rights: Explaining an Enigma” *Presidential Studies Quarterly* 26(1)(Winter 1996): 94.

¹⁰⁹ Black & Black, *Rise of Southern Republicans*, 210.

¹¹⁰ Kotlowski, 24.

¹¹¹ *New York Times*, October 5, 1975, pg. 59. A Washington Post poll in 1978 found that only 25% of Americans agreed with the statement that ““racial integration of the schools should be achieved even if it requires busing.” See Laura Meckler, “Effective But Never Popular, Court-Ordered Busing is a Relic Few Would Revive” *Washington Post*, July 7, 2019. https://www.washingtonpost.com/national/effective-but-never-popular-court-ordered-busing-is-a-relic-few-would-revive/2019/07/07/dce439c8-9d40-11e9-b27f-ed2942f73d70_story.html. Retrieved 6/3/2024.

see busing as essential to achieving the goal of desegregation, a goal with which they agreed. Importantly, these statistics also revealed far from boisterous support from African-Americans. In a 1973 Gallup poll, for example, only 9% of African-Americans rated school busing at the top of their list of the best means for integration.¹¹²

Dr. Frederickson quotes an Alabama newspaper from the time heralding that “Nixon Keeps His Word.” But if Nixon was trying to signal subtly to white supremacists that he was on their side, he sold them a false bill of goods. His rhetoric hardly gave much to them in the first place, extolling racial equality. And his policies did not deliver on segregationist priorities. Simply put, Nixon failed to stop desegregation, instead helping bear considerable fruit on that front. In 1968, 68% of black children in the South attended single-race schools. That number had plummeted to 8% by 1972, the year Nixon ran for re-election. Far from coming despite Nixon, these welcome results happened in part due to his administration’s efforts.

In addition, Nixon compiled a number of other concrete policy accomplishments on civil rights. His budget proposals to Congress asked to increase funding for enforcing civil rights from \$75 million to \$2.6 billion between 1969 and 1972.¹¹³ In 1970, he approved a new IRS policy denying tax exempt status to all-white private schools, a move that especially went after institutions in the South trying to avoid public school integration.¹¹⁴ Nixon privately declared the move would not help him politically but made the call regardless.¹¹⁵ Nixon also played a significant part in the development of affirmative action programs. His “Revised Philadelphia Plan” built upon existing policies requiring those receiving federal funds to show some kind of affirmative action in their procedures. Rather than gut this program, he revived and enhanced it. In particular, the Revised Philadelphia Plan” focused on government contracts for construction jobs. Nixon did not take this route for political ease. He faced significant pressure from Congress to end all affirmative action requirements within the bureaucracy with Elmer P. Staats, the Comptroller General, declaring such plans illegal in November of 1968, the same month Nixon was elected president.¹¹⁶ This opposition included Southern politicians, among them Democratic Senators John McClellan of Arkansas and Sam Earvin of North Carolina.¹¹⁷ But Nixon forged ahead, doing something the Johnson Administration had not on this issue: establishing numerical requirements for minority hiring among those entities eligible for government contracts with concrete timetables attached.¹¹⁸ This policy, far from a new attempt to woo Southern segregationists, went beyond Nixon’s former position in favor of persuasion over coercion when he was Vice-President under Eisenhower.¹¹⁹

¹¹² “Gallup Finds Few Favor Busing for Integration” *New York Times*, September 9, 1973, 55.

<https://www.nytimes.com/1973/09/09/archives/gallup-finds-few-favor-busing-for-integration.html>. Retrieved 6/4/2024.

¹¹³ Graham, 95.

¹¹⁴ Eileen Shanahan, “Private Schools that Bar Blacks to Lose Tax Aid” *New York Times* July 11, 1970, 1.

<https://www.nytimes.com/1970/07/11/archives/private-schools-that-bar-blacks-to-lose-tax-aid-irs-policy-is.html>. Retrieved 6/4/2024.

¹¹⁵ Kotlowski, 25.

¹¹⁶ J. Larry Hood, “The Nixon Administration and the Revised Philadelphia Plan for Affirmative Action: A Study in Expanding Presidential Power and Divided Government” *Presidential Studies Quarterly* 23(1)(Winter 1993): 147-150.

¹¹⁷ *Ibid.*, 150.

¹¹⁸ Dean J. Kotlowski, “Richard Nixon and the Origins of Affirmative Action,” *The Historian* 60(3)(Spring 1998): 528-530.

¹¹⁹ See also Kotlowski, “Richard Nixon and the Origins of Affirmative Action,” 533.

In fact, Joan Hoff has argued that Nixon has received too little credit for his advancement of civil rights during his career, including his presidency.¹²⁰ Any assessment of his so-called “Southern Strategy” that is based in alleged subtle racial language must account for the above (and additional) explicit words and deeds promoting the advancement of civil rights. Thus, while Nixon’s less-aggressive approach to civil rights might have been more attractive to segregationist elements in the South than Humphrey in 1968 or McGovern in 1972, Nixon’s policies nevertheless seriously undermined the segregationist and white supremacist agenda. White supremacists’ choice came down more on how to lose the legal and political battle, not whether they would lose.

One point sometimes lost in these discussions is the weak position Southern segregationists were in as the Civil Rights Movement won out and how the Republican Party itself understood this weakness. In 1968, Nixon won the presidency without the votes of the Southerners who cast ballots in droves for the Southern segregationist.¹²¹ Though the margin was narrow, the GOP still could win without the Deep South. In 1969, Kevin Phillips, who then worked in the Nixon Administration, published his famous book, *The Emerging Republican Majority*. In summing up trends toward the GOP in the South, Phillips emphasized the incapacity of segregationists to continue as a relevant factor in American politics. He wrote that “For national political reasons, the Republican Party cannot go to the Deep South, but...the Deep South must soon go to the GOP.”¹²² In other words, the South’s move to the GOP would be more on the latter’s terms, not the former’s. And these terms would have less to do with race and more to do with a combination of economic, foreign policy, and social issues then percolating within the parties and across the country due to the New Left and Modern Conservatism.

Studies bore this point out at least as early as the 1980s. In an examination of voter attitudes between 1980-1988, Alan Abramowitz found that the claim of the centrality of race in explaining partisan behavior was “quite limited,” despite so many scholars assuming its truth.¹²³ He critiqued the findings focused on race for the same basic reason this report questions them: failure to account for other issues, events, and developments that have as much or more explanatory power. The narrow view obscured the broader story.

Dr. Frederickson also claims the race-based “Southern Strategy” continued with Reagan. Her very quick assessment, as with Nixon, makes claims that unnoted evidence points against. To give one example: in 1982, President Reagan signed an extension of the Voting Rights Act of 1965. In doing so, he agreed to amendments strengthening the law’s power by replacing §2’s discriminatory intent requirement with an effects test. In fact, African-American civil rights leaders declared that Reagan had given them “everything we wanted.”¹²⁴

Though her short analysis effectively ends with the end of the 20th century, Frederickson concludes that the Republican Party continues to this day to be the “white party” and that it has, “adopted a host of conservative policy positions that had race at their core.”¹²⁵ In fact, she asserts that basically all major conservative and Republican positions, including, “taxes, spending, education, crime,

¹²⁰ Joan Hoff, *Nixon Reconsidered* (New York: Basic Books, 1994).

¹²¹ Gerard Alexander, “The Myth of Racist Republicans,” *Claremont Review of Books* IV(2)(Spring 2004).

¹²² Phillips, 233.

¹²³ Alan I. Abramowitz, “Issue Evolution Reconsidered: Racial Attitudes and Partisanship in the U.S. Electorate” *American Journal of Political Science* 38(1)(February 1994) :2.

¹²⁴ “Voting Rights Act Extension by the Senate Seen Likely as Dole Engineers Compromise,” *Wall Street Journal*, May 4, 1982.

¹²⁵ Frederickson, 29.

and welfare, as well as the promotion of what came to be known as ‘family values’ issues” all really were driven by racial attitudes.¹²⁶

This broad-brush claim shows serious difficulties with the narrative of a race-dominant Southern Strategy. It often falls back on what Dr. Joseph Bagley calls “colormasking”—subtle appeals to racial anxiety or animosity hidden underneath overt language of racial equality.¹²⁷ Thereby, as Frederickson claims, nearly all if not all Republican and conservative appeals ultimately are racial in origin and intent, regardless of what is explicitly stated.

Likely for support on this claim, she ends with a quote from Maxwell and Fields’ book, *The Long Southern Strategy*. That work demonstrates wider problems with the attempt to make race so central to Southern politics in particular and even to American politics more generally. It attempts to place alleged racial appeals within a broader strategy by the GOP regarding sex, sexuality, and religion. It paints a picture of a GOP committed to oppression across most cultural and political questions with race as only one element. But whatever the merits of that argument, it undermines the dominance of race as an explanatory factor by admitting that many other issues distinct from race contributed to the South’s move to the GOP. It attributes increasing prominence to questions regarding women’s rights and economics. At least one of its author’s even emphasizes a religious basis underlying and thus cohering many of these views.¹²⁸

Moreover, a related issue is the problem of deciphering the masked motivation undergirding a particular view or policy as dominated by race. As noted above, it is not clear that opposition to busing was due primarily to racist attitudes, since some did oppose these policies while still supporting integration. Affirmative action is another example. Does the evidence show that Republicans by and large oppose affirmative action and other race-conscious policies because they desire to discriminate against blacks or because they believe in a “color-blind” Constitution, the very argument raised by Justice John Marshall Harlan in his dissent against legalized segregation in *Plessy v. Ferguson*?¹²⁹ Similarly, some, like Dr. Bagley, interpret advocacy for “school choice” along with opposition to the teaching of critical race theory in primary schools as racially motivated rather than coming from a commitment to bettering education for all children¹³⁰ But that cannot be reconciled with the fact that school choice, for example, continues to garner significant and increasing backing from members of all races.¹³¹ Non-racial reasons certainly can explain policy preferences on these issues. Likewise, a belief in greater border security regarding immigration is seen by Dr. Bagley and others as signaling racial

¹²⁶ Frederickson, 29.

¹²⁷ Joseph Bagley, Declaration, *Milligan v. Merrill*, December 10, 2021, at 1, 3, 26; Bagley, Third Expert Report, *Milligan v. Allen*, May 17, 2024, at 1, 24.

¹²⁸ “[T]he [Republican] party worked to reframe its positions on a host of domestic issues, ranging from health care to foreign policy, into matters of religious belief.” See Angie Maxwell, “What We Get Wrong About the Southern Strategy” *Washington Post*, July 26, 2019. <https://www.washingtonpost.com/outlook/2019/07/26/what-we-get-wrong-about-southern-strategy/>. Retrieved 6/5/2014.

¹²⁹ Compare Richard Johnson, “The 1982 Voting Rights Act Extension as a ‘Critical Juncture’: Ronald Reagan, Bob Dole, and Republican Party-Building” *Studies in American Political Development* 35(2)(October 2021): 224; with Matthew Lassiter, *The Silent Majority*, and Abramowitz, *supra* note 123.

¹³⁰ Bagley, Third Expert Report, at 30-31

¹³¹ See Mike McShane, “A Decade of Public Polling on Education” *Forbes*. <https://www.forbes.com/sites/mikemcshane/2022/09/30/a-decade-of-public-opinion-on-education/>. Retrieved 6/27/2024; Denisha Allen, “School Choice Really is the Civil Rights Issue of Our Time” *The Hill* February 14, 2024. <https://thehill.com/opinion/education/4465271-school-choice-really-is-the-civil-rights-issue-of-our-time/>. Retrieved 6/27/2024.

animosity, even when substantial numbers of Latino and African-American voters support such policies.¹³²

This practice of casting each and every conservative policy as containing some element of white supremacy paints a simplistic picture and inappropriately diminishes non-racial reasons explaining voter behavior. Unfortunately, this continues to infect the scholarship.¹³³ But it has also gained new traction in the public arena. For example, former attorney general Eric Holder recently claimed that Alabama's redistricting actions in this case "mirrored the sordid history of the Jim Crow era."¹³⁴ And President Biden described Georgia's attempts to regulate its elections as "Jim Crow 2.0."¹³⁵ And his questioning whether a "real" black person could vote for Republicans suffered from the same problem of assuming rather than showing racial animus.¹³⁶

In what follows, we will look beyond the numbers at the ways that the South came to the GOP and moved away from the Democratic Party. Shifts in all three—the South, GOP, and Democrats—contributed to these changes.

Economics and Role of Government

First, this report will discuss the issue of economic development. In 2008, Gary Miller and Normal Schofield pegged the Republican Party's unity to being "pro-business."¹³⁷ The American public held this view of the GOP going back into the 19th century, when post-Civil War Republicans sought to protect American business through tariffs and spent significant government dollars helping develop railroads and other infrastructure. In the North, this power stretched to rural areas, in part due to the

¹³² Bagley, Third Expert Report, at 30. An April poll found that 42% of Latinos in the US supported a border wall with significant support for deportation (38%) and majority (64%) for shutting down the Southern border as a potential policy tool. See Russell Contreras, "Exclusive Poll: Latino support for border wall, deportation jumps" *Axios* April 11, 2024. <https://www.axios.com/2024/04/11/poll-latino-support-border-wall-deportations-jumps>. Retrieved June 10, 2024. In a Pew poll this Spring, 33% of surveyed Latinos said that increasing deportations of those here against the law would make the current situation "better" while 26% said "worse" (with 19% saying it would not make much of a difference). See, "Latino's Views on the Migrant Situation at the U.S.-Mexico Border" Pew Research Center, March 4, 2024. <https://www.pewresearch.org/race-and-ethnicity/2024/03/04/latinos-views-on-the-migrant-situation-at-the-us-mexico-border/>. Retrieved 6/10/2024.

¹³³ One academic example would be Alan Abramowitz, whose 1990s work was cited earlier. His later work also tends to code certain issues, like opposition to affirmative action, school busing, and greater restrictions on immigration, as inherently racial in nature. See Alan I. Abramowitz, *The Great Realignment: Race, Party Transformation, and the Rise of Donald Trump* (New Haven: Yale University Press, 2018). On this point, see also Larry M. Bartels, "Ethnic Antagonism Erodes Republicans' Commitment to Democracy" *Proceedings of the National Academy of Sciences of the United States of America* 117(37)(September 15, 2020).

¹³⁴ Quoted in Joseph D. Bryant, "Supreme Court Ruling 1 Year Ago Today Changed Alabama's Congressional Map" *AL.com* June 8, 2024. <https://www.al.com/news/2024/06/supreme-court-ruling-1-year-ago-today-changed-alabamas-congressional-map.html>. Accessed June 11, 2024.

¹³⁵ See Joseph Biden, "Remarks by President Biden on Protecting the Right to Vote" *The White House* <https://www.whitehouse.gov/briefing-room/speeches-remarks/2022/01/11/remarks-by-president-biden-on-protecting-the-right-to-vote/>. Retrieved June 11, 2024.

¹³⁶ Quote by President Biden in Eric Bradner, Sarah Mucha, and Arlette Saenz, "Biden: 'If You Have a Problem Figuring Out Whether You're for Me or Trump, then You Ain't Black'" *CNN.com*. <https://www.cnn.com/2020/05/22/politics/biden-charlamagne-tha-god-you-aint-black/index.html>. Retrieved June 11, 2024.

¹³⁷ Miller and Schofield, 433-436.

GOP expanding its protective tariffs to certain agricultural products. While Democrats had electoral strength in Northern cities due to immigration and Roman Catholic voters, the Southern wing was more aligned with agriculture, making the agrarians a natural base for that portion of the Democratic Party.

Republicans had tried in the post-Reconstruction era to make inroads into the South on economic grounds. President Rutherford B. Hayes sought to attract Southern whites through providing government funding for internal improvements, especially the development of railroad systems.¹³⁸ These efforts failed to make significant change to a South still traditional in culture, agricultural in economy, and embittered by the memory of the Civil War. However, changes in both major parties, as well as economic developments in the South, later caused the region to see its interests as fulfilled more in the GOP than in the Democratic Party.

Since the times of Andrew Jackson, if not even Thomas Jefferson, the Democratic Party had a significant component that desired a government limited in size and scope. This included circumscribed government involvement in the economy, exemplified by Jefferson's and Jackson's opposition to the national bank. The Progressives of the late 19th and early 20th centuries sought to change that philosophy, desiring to reorient the Democrats (and Republicans) toward a more expansive view of governmental powers. Yet this effort only changed portions of the Democratic Party, making little inroads in its Southern portion.

FDR's election and subsequent implementation of the New Deal brought decisive change for the view of government and the economy within the Democratic Party. The New Deal included a massive expansion of governmental regulation, especially of banks. It also involved significant government involvement in the economy with the many programs the Democratic President and Congress put in place to employ American workers.¹³⁹

Though quite popular within the party and across the country, the Democratic Party had its own opponents to the New Deal. Carter Glass and Harry F. Byrd, Democratic Senators from Virginia, both criticized it publicly.¹⁴⁰ Georgia Governor Gene Talmadge won his 1932 race calling for lower taxes and limiting government's size. He later called the New Deal "a combination of wet nursin', frenzied finance, downright Communism and plain dam-foolish."¹⁴¹ By 1938, a discernable and substantial (though certainly minority) group of these Democrats existed and vocally so. Regionally, the highest concentration of them resided in the South. That year, President Franklin Roosevelt attempted a purge of New Deal opponents from the Democratic Party.¹⁴² He did so by pushing more liberal challengers to defeat these anti-New Deal Democrats in the 1938 primaries. He failed miserably in this effort. A strain of Southern Democratic thought, one believing in more limited government and state authority, continued to wield significant power and often aligned with Northern Republicans on matters of common cause. This alliance with Northern Republicans was not built on support for segregation but in

¹³⁸ Vincent P. de Santis, "Republican Efforts to 'Crack' the Democratic South" *Review of Politics* 14(2)(April 1952):248.

¹³⁹ Amity Schlaes, *The Forgotten Man: A New History of the Great Depression* (New York: Harper Collins, 2007).

¹⁴⁰ See A. Cash Koeniger, "The New Deal and the States: Roosevelt Versus the Byrd Organization in Virginia" *The Journal of American History* 68(4)(March 1982): 876-896.

¹⁴¹ Quoted in Howard N. Mead, "Russell v. Talmadge: Southern Politics and the New Deal" *The Georgia Historical Quarterly* 65(1)(Spring 1981): 31.

¹⁴² See Susan Dunn, *Roosevelt's Purge: How FDR Fought to Change the Democratic Party* (Cambridge, MA: Harvard University Press, 2010).

a continued rejection of the economic philosophy that retooled the 1920s *laissez faire* GOP for modern conservatism.¹⁴³

Moreover, as an economic program of free markets and a political philosophy of smaller government took hold within the GOP, certain developments in the South made those positions even more attractive to voters in the region. The South had been considered economically backward and thus besieged by poverty and slow growth from Antebellum times into the middle of the 20th century. In 1937, the South's per capita income barely attained half the level in the rest of the country, a fact which was blamed mostly on the South's continued agrarian base and thus lack of industrial development.¹⁴⁴ That began to change in the second half of the 20th century. The South began a period of sustained economic growth that continues to this day. A new, vibrant middle class arose. In fact, in the 1940s, 30% of Southerners were considered middle class. That number had doubled to 60% by the 1980s.¹⁴⁵ This economic growth came disproportionately in the suburbs, a category of community that did not exist in the political science literature on Southern politics in the 1950s but was a strength electorally for Republicans for decades prior.

This growth in jobs and other opportunities accelerated migration from other parts of the country to the South. These new Southerners overwhelmingly consisted of white-collar workers who already formed a foundational component of the GOP elsewhere.¹⁴⁶ Economic development of a rising middle class continued to accelerate GOP gains in the South in the 1980s during the presidency of Ronald Reagan.¹⁴⁷ Reagan had argued in his First Inaugural that, "Government is not the solution to our problem, government is the problem."¹⁴⁸ He had cut taxes and spoke of the need to restrain federal spending, though that latter goal would prove a failing effort. The GOP continued to be identified with those positions, which became increasingly attractive to the growing, upwardly mobile suburban sections of the South.

Since that time, the growth in the South has continued to be urban and suburban, with nearly 90% of job growth coming in those portions of the South between 1987 and 2007.¹⁴⁹ Those changes continued to benefit the GOP. Thus, in the 1990s, the base of the Republican Party in Congress had not only moved to the South, with Georgia's Newt Gingrich as Speaker of the House and Texans Dick Armey and Tom Delay serving as majority leader and majority whip, but its base came to a great degree from the region's growing suburbs.¹⁵⁰ Gingrich's 1995 book, *To Renew America*, preached an economic gospel of free trade, low regulation, restored federalism, and a market economy dynamic in wealth creation

¹⁴³ Hood & McKee, 14. See also Erick Schickler, *Racial Realignment: The Transformation of American Liberalism 1932-1965* (Princeton, NJ: Princeton University Press, 2016).

¹⁴⁴ Bruce J. Schulman, *From Cotton Belt to Sun Belt: Federalist Policy, Economic Development, 1938-1980* (Durham: Duke University Press, 1994), 3-4.

¹⁴⁵ Joseph A. Aistrup, *The Southern Strategy Revisited: Republican Top-Down Advancement in the South* (Lexington, KY: University Press of Kentucky, 1996). See also James C. Cobb, *Redefining Southern Culture: Mind and Identity in the Modern South* (Athens, GA: University of Georgia Press, 1999).

¹⁴⁶ Dan Balz and Ronald Brownstein, *Storming the Gates: Protest Politics and the Republican Revival* (Boston: Little, Brown, & Co., 1996).

¹⁴⁷ Ferrel Guillory, "The South in Red and Purple: Southernized Republicans, Diverse Democrats" *Southern Cultures* 18(3)(Fall 2012): 9.

¹⁴⁸ Ronald Reagan, "First Inaugural Address" *Ronald Reagan Presidential Library and Museum*. <https://www.reaganlibrary.gov/archives/speech/inaugural-address-1981>. Retrieved 3/17/2024.

¹⁴⁹ Guillory, 13.

¹⁵⁰ Matthew D. Lassiter and Kevin M. Kruse, "The Bulldozer Revolution: Suburbs and Southern History Since World War II" *The Journal of Southern History* 75(3)(August 2009): 693.

and uplifting to hardworking Americans.¹⁵¹ It thereby continued basically to follow the blueprint articulated by Buckley in the 1950s, Goldwater in the 1960s, and Reagan in the 1980s. Dr. Bagley tries to cast Gingrich's conservative politics, especially his attempts to reform entitlements, as dominated by disparaging racial views of African-Americans.¹⁵² His accusation would have to strain history to find credible support. Gingrich's views showed the decidedly suburban, middle-class focus of the GOP at the time not a subliminal attempt to play racial politics.

The scholarship has noted these components helping the GOP to slowly gain strength in the South below the presidential level. Lublin found that "economic issues most quickly began to differentiate Republicans and Democrats after passage of the Voting Rights Act of 1965."¹⁵³ Richard Nadeau and Harold W. Stanley found that, since the mid-1970s, economic class has become the defining line for partisan preferences between Democrats and Republicans.¹⁵⁴ Even works emphasizing the racial answers to Southern re-alignment admit the existence and even the importance of a "free-market" economic philosophy in the development of Republican prospects in the 1940s and 1950s South. Challenging that thesis directly, Byron E. Shafer and Richard Johnston declared that economic change was the "first and foremost" driver of the partisan shift in the South from Democrat to Republican.¹⁵⁵

The combination of Southern economic development, Democratic movement to the left on economic issues, and the GOP embrace of and emphasis on free markets, lower regulation, and limiting government's size and scope, all aided a shift in voter identification toward the Republican party and away from the Democrats. Increasingly numbers of Southerners began to see the national Democratic party as the party of high taxes, irresponsible spending, and thereby the party whose policies stifled individual economic liberty and the economic pursuit of the American Dream.

Foreign Policy: Communism and the Cold War

Next, I turn to the development of the parties regarding the dominant foreign policy issue from 1945-1990: the Cold War against the forces of communism, especially Soviet Russia.

President Roosevelt officially recognized the Soviet Union in 1933, despite the Revolution of 1917 having brought the communists to power sixteen years prior.¹⁵⁶ However, the issue of America's response to national and international communism did not rise to a primary concern until after the end of World War II, when the defeat of Nazi Germany and Imperial Japan shifted international sphere toward the developing Cold War conflict between Soviet Communism and Western capitalist democracies.

Both parties generically opposed communism and saw it as a significant threat to the United States. President Harry Truman had initiated the foreign policy approach known as "Containment,"

¹⁵¹ Newt Gingrich, *To Renew America* (New York: Harper Collins, 1995).

¹⁵² See Bagley, *Third Expert Report*, 30.

¹⁵³ Lublin, 30.

¹⁵⁴ Richard Nadeau and Harold W. Stanley, "Class Polarization and Partisanship Among Native Southern Whites, 1952-90" *American Journal of Political Science* 37(3)(1993): 900-919.

¹⁵⁵ See Schafer and Johnston, *The End of Southern Exceptionalism: Class, Race, and Partisan Change in the Post-War South* (Cambridge, MA: Harvard University Press, 2009).

¹⁵⁶ Alonzo Hamby, *For the Survival of Democracy: Franklin Roosevelt and the World Crisis of the 1930s* (New York: Press Press, 2004), 152-153.

which sought to stop further Soviet territorial expansion.¹⁵⁷ Eisenhower essentially continued that policy during his presidency even if he tried to place some rhetorical distance between himself and his predecessor.¹⁵⁸ But the GOP as a whole tended to articulate a more antagonistic opposition than the Democrats. Wisconsin Republican Senator Joseph McCarthy, for example, infamously pushed the issue of communism to the forefront of American politics in the 1950s. GOP leadership proved more cautious. However, Robert Taft and Dwight Eisenhower, leaders of the more conservative and moderate wings of the party, were as careful to not fully repudiate McCarthy as they were not to fully embrace him. Moreover, in 1952 and 1956, Eisenhower picked Richard Nixon as his running mate.¹⁵⁹ Nixon had risen to prominence in large part due to his large participation in the hearings between Alger Hiss and Whittaker Chambers, where the latter accused the former of acting within the national government as a communist spy.¹⁶⁰ In 1948, Nixon campaigned tirelessly for Republican Presidential candidate Thomas Dewey in his presidential campaign against sitting president Harry Truman, focusing on the communist threat within the national government.¹⁶¹ The critiques Nixon made of Truman went beyond Democrat inability to find and oust Soviet infiltrators. International developments like the loss of China in 1949 and the war in Korea all opened up attacks on the Democratic Party as soft on our communist enemies.

As Sundquist notes, McCarthy's strident and often erratic anti-communism crusade had surprising popularity with a segment of the population decidedly outside the GOP coalition: Roman Catholics. The Roman Catholic church, however, already had engaged in significant efforts internationally against the rising Red menace.¹⁶² Though it did not result in immediate lasting gains, the move by the GOP to become the more unapologetically anti-Communist would aid in later efforts, mostly through social issues like abortion, to bring Roman Catholics into the party's fold.¹⁶³

The modern conservative movement that began to develop in the 1950s, the movement that became the base of the GOP, defined itself in large part by its anti-communism.¹⁶⁴ We saw this before in William F. Buckley's opening salvo in *National Review*, when he said we must seek the defeat of this foe. Goldwater's acceptance speech at the Republican National Convention in 1964 minced no words about his antipathy toward communism, an antagonism Lyndon Johnson used to great effect to paint Goldwater as an extremist who might lead us into nuclear war.¹⁶⁵

The approach to the Soviet Union and to the broader communist threat solidified as a significant party issue with the Vietnam War. America's participation in the conflict was largely escalated by

¹⁵⁷ Elizabeth Spaulding discusses the critiques leveled at Truman's policy during the time which included claims of being too soft on the Soviets as well as too provocative. See Elizabeth Edwards Spaulding, *The First Cold Warrior: Harry Truman, Containment, and the Remaking of Liberal Internationalism* (Lexington, KY: University of Kentucky Press, 2006).

¹⁵⁸ John Lewis Gaddis, *Strategies of Containment: A Critical Appraisal of Postwar American National Security Policy* (New York: Oxford University Press, 1982), 127-128.

¹⁵⁹ Sundquist, 338-339.

¹⁶⁰ Irwin F. Gellman, *The Contender: Richard Nixon, the Congress Years, 1946-1952* (Yale University Press, 2017 [originally The Free Press, 1999]), 196-224.

¹⁶¹ *Ibid.*, 255-261.

¹⁶² Sundquist, 339.

¹⁶³ This report does not focus on the movement of Roman Catholics into the GOP due to the small number of self-identified Catholics in Alabama and other portions of the Deep South historically, except for Louisiana.

¹⁶⁴ Donald T. Critchlow, *The Conservative Ascendancy: How the Republican Right Rose to Power in Modern America* (Leavenworth: University of Kansas Press, 2011), 1; Jeffrey D. Howinson, *The 1980 Presidential Election: Ronald Reagan and the Shaping of the American Conservative Movement* (New York: Routledge, 2014), 13-16.

¹⁶⁵ Stephen Skowronek, 340.

Democratic presidents, namely John F. Kennedy and LBJ, even as the rising New Left not only questioned our approach toward the Soviet Union but deeply opposed our involvement in Vietnam. The clashes in and around the 1968 Democratic National Convention largely concerned Vietnam.

Moving to the 1980s, President Reagan continued and even amplified the GOP antagonism toward the Soviet Union. He famously called the Soviets an “Evil Empire” in March of 1983, speaking in the kind black and white moral language that appealed to traditional voters. Moreover, he did not push for containment of the communist threat. Instead, in 1987, he called on the Russians to tear down the Berlin Wall while speaking in front of the Brandenburg Gate.¹⁶⁶ In addition, Reagan increased defense spending in relation to the Soviet threat, all of which positioned him in the public mind as fulfilling the longstanding conservative hardline toward communism.¹⁶⁷

The above developments in foreign policy had significant effects on partisanship in the South. As elements of the Democratic Party protested the Vietnam War, Southern Democrats found themselves again out of step with the leftward move. On communism, the clear opposition the GOP articulated became increasingly distinct from Democrats and attractive to Southern voters. Southerners held decidedly negative views of communism.¹⁶⁸ They tended to see it as against their economic and religious views. Carmines and Stanley see political import to this point, attributing Reagan’s success in the South in part to his strident anti-communism.¹⁶⁹ Reagan tied his critique of Communist Russia to broader conservative principles such as economic liberty, American patriotism, and to religious faith, telling news anchor Walter Cronkite that “their ideology is without God, without our idea of morality in the religious sense.”¹⁷⁰

Some have tried to tie the South’s anti-communism back to race, arguing that communism and civil rights were considered linked foes.¹⁷¹ However, this view falls prey to the reductionism previously noted. Anti-communism connected with Southern patriotism and religiosity, not to mention the South’s generally free-market economic views.¹⁷² These shifts all point to the Cold War as being one way that the GOP became more attractive to Southerners.

Social issues

Finally, this report turns to social issues. Social issues concern political reaction to cultural and moral matters. As discussed above, the New Deal coalition united around economic policy, differentiating itself with the GOP on those grounds primarily. Social issues were “submerged in the New

¹⁶⁶ See Romesh Ratnesar, *Tear Down This Wall: A City, A President, and the Speech that Ended the Cold War* (New York: Simon & Schuster, 2009).

¹⁶⁷ Robert M. Collins, *Transforming America: Politics and Culture During the Reagan Years* (New York: Colombia University Press, 2007), 193-218.

¹⁶⁸ Joseph A. Fry, *Dixie Looks Abroad: The South and U.S. Foreign Relations, 1789-1973* (Baton Rouge: Louisiana State University Press, 2002), 223.

¹⁶⁹ Edward G. Carmines and Harold W. Stanley, “Ideological Re-Alignment in the Contemporary South: Where Have All the Conservatives Gone?” in *The Disappearing South*, edited by Robert P. Steed, Laurence W. Moreland, and Tod A. Baker (Tuscaloosa: University of Alabama Press, 1990), 23-24.

¹⁷⁰ Quoted in H.W. Brands, *Reagan: The Life* (New York: Doubleday, 2015), 279.

¹⁷¹ See Jeff R. Woods, *Black Struggle, Red Scare: Segregation and Anti-Communism, 1948-1968* (Baton Rouge: Louisiana State University Press, 2004).

¹⁷² James C. Cobb, “World War II and the Mind of the Modern South,” *Remaking Dixie: The Impact of World War II on the American South*, edited by Neil R. McMillen (Jackson, MS: University of Mississippi Press 1997).

Deal years.”¹⁷³ Yet they did not stay so in the 1960s and beyond. In fact, the changes in the two major parties on this front did much to create greater distance between the average Southern voter and the Democrats and to push Southern voters closer to the Republican Party.

As a social issue, race of course came to the forefront in the 1960s in a way that severely tested the Democratic New Deal coalition. However, we have discussed how these intra-party battles did not produce an immediate move to the Republican Party of any durability. Separate from race’s effect on voters, other social issues arose from the 1960s and beyond that contributed mightily to the changing partisan landscape in the South.

1) *Religious Identity*

First, we turn to the issue of religious identity. The South has a reputation for high levels of religious adherence, especially to some iteration of Christianity. It is part of the so-called “Bible Belt” and for good reason. Baptists and Methodists have traditionally been the two largest demographics, as from 1850-1926 they combined for about 70% of Southern residents as a whole.¹⁷⁴ Alabama is no different on this score. In a book chapter released in 2005, Ted Ownby found that over 42% of Alabama residents identified as Baptist alone.¹⁷⁵ In its 2014 “Religious Landscape Study,” Pew Research found that 86% of surveyed Alabamians identified as Christians. Forty nine percent of the population claimed “Evangelical Protestant” as their self-designation.¹⁷⁶ This religious connection goes beyond mere identification. More than half of Alabamians reported going to religious services at least once a week, which is well above the national average.¹⁷⁷

For most of American history, this high religiosity did not matter for partisan alignment. Particular denominations tended toward one political party or the other with mainline Protestants forming the backbone of the GOP. Thus, the joke went that the Episcopal Church was, “the Republican Party at prayer.”¹⁷⁸ Democrats did better among Roman Catholics in the North and Baptists in the South. However, these were far from hard and fast distinctions. FDR, for example, was Episcopalian. Warren G. Harding was a Baptist.¹⁷⁹ Regardless, both parties were seen as homes for religious persons, especially those adhering to some form of Christianity.

However, the alignments within Christianity have changed. At first, the change concerned a divide between more theologically liberalizing denominations and those who retained a theologically traditional set of beliefs. Episcopalians and other mainline Christian denominations who liberalized

¹⁷³ Everett C. Ladd, “Like Waiting for Godot: The Uselessness of Realignment for Understanding Change in Contemporary American Politics” *Polity* 22(3)(Spring 1990): 523.

¹⁷⁴ Roger Finke and Rodney Stark, *The Churching of America, 1776-2005: Winners and Losers in Our Religious Economy* (New Brunswick, NJ: Rutgers University Press, 2006), 157-160.

¹⁷⁵ Ted Ownby, “Evangelical but Differentiated: Religion by the Numbers” *Religion and Public Life in the South*, edited by Charles Wilson Reagan and Mark Silk (Lanham, MD: Rowman and Littlefield, 2005), 41.

¹⁷⁶ “Adults in Alabama” *Religious Landscape Study* <https://www.pewresearch.org/religion/religious-landscape-study/state/alabama/>. Accessed 3/13/2024.

¹⁷⁷ *Ibid.*

¹⁷⁸ Daniel K. Williams, *The Politics of the Cross: A Christian Alternative to Partisanship* (Grand Rapids: Wm. B. Eerdmans, 2021), 19.

¹⁷⁹ Pew Research Center, “The Religious Affiliations of U.S. Presidents” January 15, 2009. <https://www.pewresearch.org/religion/2009/01/15/the-religious-affiliations-of-us-presidents/>. Retrieved 3/20/2024.

theologically now tend to be more aligned with the Democratic Party, though even here laypersons tended to be more Republican than the clergy. Southern Baptists and theologically traditionalist versions of Lutheran, Presbyterian, Pentecostal, and non-denominational churches have moved overwhelmingly into the GOP. The rise of the “Moral Majority” in the 1980s and the “Christian Coalition” in the 1990s further cemented the link between the theologically traditionalist group of churches, political conservatism, and Republican political identity.¹⁸⁰ The “Moral Majority” was formed by Jerry Falwell, founder of Liberty University and founding pastor of Thomas Road Baptist Church, both in Lynchburg, VA. Falwell had been angered by *Roe v. Wade* and by the IRS’s efforts to revoke Bob Jones University’s tax exempt status based on its ban for interracial dating and marriage (though he argued for the latter largely on grounds of religious liberty and limitations on governmental power). Falwell then established the “Moral Majority” in June of 1979 through which Falwell endorsed candidates, raised and donated money to political campaigns, and registered evangelicals to vote. Falwell focused on social issues like prayer, traditional marriage, but also anti-communism, warning of God’s judgment if Americans did not turn back to God.¹⁸¹ The Christian Coalition, formed in the late 1980s, was created by another important figure in the American conservative religious landscape: Pat Robertson. Like Falwell, Robertson also founded a college—Regent University in Virginia Beach. The “Christian Coalition” gave special focus to local elections while also putting out voting guides with “scorecards” for United States Congressmen that rated them based largely on their conformity to conservative values.¹⁸² The identification of Republicans with traditional moral or “family” values also attracted an increasing number of Roman Catholics, once solidly in the Democratic column, especially on issues like abortion and marriage.

These developments also continued to push mainline Protestants out of the GOP and toward the Democratic Party. The Episcopal Church, for example, consecrated its first gay bishop in 2003, approved its first liturgy for same-sex relationships in 2012, and officially permitted same-sex marriages within its churches in 2015. The Presbyterian Church (USA) changed its rules to permit the same unions in 2015 as well. This report will discuss below the movements of the parties on LGBTQ rights. But these liberalizing trends in Mainline Protestantism had significant effects on party affiliation as well.

More importantly for this report, the divide *within* religious adherents has been supplemented by a bigger one *between* religious adherents and those who do not identify with any organized religion at all.¹⁸³ The so-called “nones” have ballooned in size, especially among millennials and Generation Z.¹⁸⁴ These persons, either secular or at least unaffiliated with any organized religion, have become one of

¹⁸⁰ See Daniel K. Williams, *God’s Own Party: The Making of the Christian Right* (New York: Oxford University Press, 2012).

¹⁸¹ Williams, *God’s Own Party*, 171-179.

¹⁸² Mark J. Rozell and Clyde Wilcox, “Second Coming: The Strategies of the New Christian Right” *Political Science Quarterly* 111(2)(Summer 1996): 274-275.

¹⁸³ Louis Bolce and Gerald De Maio, “Secularists, Anti-Fundamentalists, and the New Religious Divide in the American Electorate” *From Pews to Polling Places: Faith and Politics in the American Religious Mosaic*, edited by J. Matthew Wilson (Washington, D.C.: Georgetown University Press, 2008), 251-276.

¹⁸⁴ Gregory A. Smith, “About Three-in-Ten U.S. Adults Are Now Religiously Unaffiliated” *Pew Research Center* December 14, 2021. <https://www.pewresearch.org/religion/2021/12/14/about-three-in-ten-u-s-adults-are-now-religiously-unaffiliated/>. Retrieved 3/21/2024; Jason DeRose, “Religious ‘Nones’ Are Now the Largest Single Group in the United States. NPR, January 24, 2024. <https://www.npr.org/2024/01/24/1226371734/religious-nones-are-now-the-largest-single-group-in-the-u-s>. Retrieved 3/20/2024.

the most reliable constituencies for the Democratic Party in the 21st century.¹⁸⁵ By contrast, those who identify with some form of institutional Christianity, but especially theologically conservative evangelical or Roman Catholic iterations, vote overwhelmingly Republican.¹⁸⁶

Given the continuing high levels of religiosity in the American South, especially in Alabama, it makes sense that these trends would affect partisan affiliations on the political front. Thus, a number of works have shown how the religious-secular divide has had a significant impact on the partisan splits within the voting public.¹⁸⁷ Religious adherence or non-adherence has become a fairly reliable marker for partisan identity as well, this research shows. As the GOP has become identified more exclusively with religious voters and Democrats with more secular, the decidedly religious South would likely feel more at home with the former party.

As this report turns to other social issues that have affected the Southern partisan landscape, religion will play a role in each of them. On abortion and LGBTQ rights, the divide between the parties is in part fueled by a divide between religious conservatives on the GOP side and either religious progressives or secularists anchoring the Democratic Party. We turn next to those issues and their importance to this discussion.

2) Abortion

Another issue to develop after the Civil Rights and Voting Rights Acts was abortion. Alabama's legislature passed the first statutory ban on terminating pregnancies in 1841. The penalties attached to violating that law were enhanced in 1894. In 1951, however, the legislature reduced the penalties, though evidence points toward this reduction as trying to secure better enforcement through increased likelihood of convictions.¹⁸⁸

On January 22, 1973, the U.S. Supreme Court released its decision in *Roe v. Wade*.¹⁸⁹ By a 7-2 vote, the justices determined that the Constitution protected a right to privacy that included a woman's choice to terminate her pregnancy. This decision voided the laws restricting abortion across the South, including those in place in Alabama.

Though reaction at first was mixed between the parties, the Republicans moved toward affirming the Pro-Life cause with Democrats increasingly siding with the Pro-Choice movement. The 1976 GOP Party platform included an acknowledgment that persons in the party existed across the spectrum of wanting near-total allowance and near-total bans on abortion. But, with language

¹⁸⁵ Peter Smith, "Non-Religious Voters Wield Clout, Tilt Heavily Democratic" December 3, 2022. <https://apnews.com/article/abortion-pennsylvania-reproductive-rights-e5eb366a76995619a2c9bae200f414e6>. Retrieved 3/21/2024.

¹⁸⁶ For a breakdown of Gallup Polling on this issue in the 2020 election, see Frank Newport, "Religious Group Voting and the 2020 Election" November 13, 2020. <https://news.gallup.com/opinion/polling-matters/324410/religious-group-voting-2020-election.aspx>. Accessed 3/20/2024.

¹⁸⁷ David E. Campbell, Geoffrey C. Lehman, John C. Green, and Nathanael G. Sumaktoyo, "Putting Politics First: The Impact of Politics on American Religious and Secular Orientations" *American Journal of Political Science* 62(3)(July 2018): 551-565; William V. D'Antonio, Steven A. Tuch, and Josiah R. Baker, *Religion, Politics, and Polarization: How Religiopolitical Conflict is Changing Congress and American Democracy* (Lanham, MD: Rowman & Littlefield, 2013).

¹⁸⁸ See also Brian Lyman and Evan Mealins, "A History of Abortion Law and Abortion Access in Alabama" *Montgomery Advertiser* June 24, 2022. <https://www.montgomeryadvertiser.com/story/news/2022/06/24/abortion-law-access-alabama-roe-vs-wade-history/7702753001/>. Retrieved 3/14/2024.

¹⁸⁹ 410 U.S. 113 (1973).

introduced by Kansas Senator Bob Dole, the platform said, “[t]he Republican Party favors a continuance of the public dialogue on abortion and supports the efforts of those who seek enactment of a constitutional amendment to restore protection of the right to life for unborn children.”¹⁹⁰ The Democratic Party platform of that year took a less decided stance. It merely said, “[w]e fully recognize the religious and ethical nature of the concerns which many Americans have on the subject of abortion. We feel, however, that it is undesirable to attempt to amend the U.S. Constitution to overturn the Supreme Court decision in this area.”¹⁹¹

In 1980, the GOP platform enhanced its Pro-Life stance. It reiterated support for a Constitutional amendment protecting unborn life, adding, “[w]e also support the Congressional efforts to restrict the use of taxpayers' dollars for abortion.”¹⁹² Democrats that year also moved toward the Pro-Choice position. Their platform restated that some opposed abortion for ethical and moral reasons. However, it added that “[w]e also recognize the belief of many Americans that a woman has a right to choose whether and when to have a child.” Beyond recognizing these competing views, it also declared that, “[t]he Democratic Party supports the 1973 Supreme Court decision on abortion rights as the law of the land and opposes any constitutional amendment to restrict or overturn that decision.”¹⁹³

Moving on to 1984, the differences between the parties became stark. The GOP declared, “[t]he unborn child has a fundamental individual right to life which cannot be infringed.” From that statement, the platform not only reiterated a call for a human life amendment but also “legislation to make clear that the Fourteenth Amendment's protections apply to unborn children.” It restated the party's opposition to government funding for abortion and commended those private organizations that provided alternatives to abortion for pregnant women.¹⁹⁴ The Democrats' 1984 platform, by contrast, spoke of, “the fundamental right of a woman to reproductive freedom” that Reagan's reelection threatened. In 1988, the Democratic Party would add a provision declaring, “that the fundamental right of reproductive choice should be guaranteed regardless of ability to pay,” thus calling for government funding of abortion for those women living in poverty.

The scholarship reveals that voters paid attention to these hardenings in the parties on the issue of abortion. Louis Bolce, in a 1988 study, argued that a significant shift occurred in voter views of how each party approached abortion.¹⁹⁵ Greg Adams displayed how, by 1997, the Republican and Democratic parties had clarified their abortion stances, with the GOP becoming the clear home for Pro-Life advocates and the Democrats more welcoming to the Pro-Choice movement.¹⁹⁶ Second, he showed how a significant number of voters have switched their party identification in response to abortion.

¹⁹⁰ “The Republican Party Platform of 1976” <https://www.presidency.ucsb.edu/documents/republican-party-platform-1976>. Retrieved 3/15/2024.

¹⁹¹ “The Democratic Party Platform of 1976” <https://www.presidency.ucsb.edu/documents/1976-democratic-party-platform>. Retrieved 3/19/2024.

¹⁹² “The Republican Party Platform of 1980” <https://www.presidency.ucsb.edu/documents/republican-party-platform-1980>. Retrieved 3/15/2024.

¹⁹³ “The Democratic Party Platform of 1980” <https://www.presidency.ucsb.edu/documents/1980-democratic-party-platform>. Retrieved 3/15/2024.

¹⁹⁴ “The Republican Party Platform of 1984” <https://www.presidency.ucsb.edu/documents/republican-party-platform-1984>. Retrieved 3/15/2024.

¹⁹⁵ Louis Bolce, “Abortion and Presidential Elections: The Impact of Public Perceptions of Party and Candidate Positions” in *Presidential Studies Quarterly* 18(4)(Fall 1988): 815-829.

¹⁹⁶ Greg D. Adams, “Abortion: Evidence of an Issue Evolution” *American Journal of Political Science* 41(3)(July 1997): 718-737.

Third and finally, he displayed how vocal Pro-life and Pro-choice commitments among party elites has affected the way regular people view major party views on abortion. All of these points direct toward the public, including in the South, seeing the GOP as the Pro-life party.

Moreover, overturning *Roe v. Wade* and then its reaffirmation in *Planned Parenthood v. Casey*¹⁹⁷ became rallying cries for conservatives and many within the GOP. In the 1990s, the Democratic Party's Pro-choice stance did include President Clinton's formulation that abortion should be, "safe, legal, and rare." However, since that time, Progressives and the Democratic Party more broadly have made the case for broader and less apologetic support for abortion rights and the women exercising that right.¹⁹⁸

These movements within the two parties clearly placed the GOP closer to, and the Democratic Party further from, the preferences of Southern voters. The South has opposed legalized abortion by higher margins than the country as a whole. Alabama in particular has taken a much more anti-abortion stance than the average American. In a 2014 Pew Research survey, Alabama had the lowest support for legalized abortion in the entire nation.¹⁹⁹ In 2018, Alabama voters passed an amendment to their state constitution by a 59-41% margin.²⁰⁰ The text read that, "[t]his state acknowledges, declares, and affirms that it is the public policy of this state to recognize and support the sanctity of unborn life and the rights of unborn children, including the right to life" and pledged the state's public policy-making to "the protection of the rights of the unborn child in all manners and measures lawful and appropriate." Then, in 2019, Alabama passed one of the most restrictive abortion laws in the country.²⁰¹ It banned nearly all abortions except for fetuses with a "lethal anomaly" or where continued pregnancy would, "present serious health risk" to the woman.

In addition, we have data showing that a significant number of people vote on the basis of abortion. In the 2016 presidential election, for instance, the next president's capacity to nominate new justices to the Supreme Court proved deeply consequential to the election of Donald Trump. A CNN exit poll found that those who said Supreme Court appointments were "the most important factor" reported voting for Donald Trump by a 56%-41% margin.²⁰² This voter focus on the Supreme Court was concerned predominantly with the prospect of overturning *Roe v. Wade* and *Planned Parenthood v. Casey*.

The motivations for a pro-life or a pro-choice position does not seem to be based in race. In an early study after the Court handed down *Roe*, Donald Granberg found attitudes about abortion most strongly correlated to religious belief, not economic class, geography, or race.²⁰³ One example pertinent to Alabama politics is the Southern Baptist Convention. In 2024, an estimated 1.25 million Alabama residents, or one in four, considered themselves Southern Baptist, whose adherents overwhelmingly

¹⁹⁷ 505 U.S. 833 (1992).

¹⁹⁸ See Katha Pollitt, *Pro: Reclaiming Abortion Rights* (New York: Picador, 2014); *Shout Your Abortion*, edited by Amelia Bonow and Emily Nokes (Oakland, CA: PM Press, 2018); J. Shoshanna Ehrlich and Alesha E. Doan, *Abortion Regret: The New Attack on Reproductive Freedom* (Santa Barbara, Praeger, 2019).

¹⁹⁹ Pew Research Center, "Views About Abortion by State" 2014 U.S. Religious Landscape Study <https://www.pewresearch.org/religion/religious-landscape-study/compare/views-about-abortion/by/state/>. Retrieved 3/15/2024.

²⁰⁰ Alabama Constitution of 1901, Art. I, § 36.06.

²⁰¹ See "Human Life Protection Act" or HB 314.

²⁰² Jane Coaston, "Polling Data Shows Republicans Turned Out for Trump in 2016 because of the Supreme Court" June 29, 2018. <https://www.vox.com/2018/6/29/17511088/scotus-2016-election-poll-trump-republicans-kennedy-retire>. Retrieved 3/15/2024.

²⁰³ Donald Granberg, "Pro-Life or Reflection of Conservative Ideology: An Analysis of Opposition to Legalized Abortion" *Sociology and Social Research* 62(April 1977/1978): 414-429.

oppose abortion.²⁰⁴ That denomination's stated positions on abortion did evolve. It gave its first official position in 1971, before the Supreme Court handed down *Roe v. Wade*. This statement and others in the 1970s gave some opening to permitting abortion for certain reasons. However, the Southern Baptist Convention settled on a decidedly pro-life stance by 1980, when it called for amending the Constitution to ban abortion except for when the life of the mother was at risk.²⁰⁵ Also opposing any government funding for abortion, the SBC has maintained a consistent and strident anti-abortion position to the present day.

Thus, it is reasonable to see that Alabama voters highly motivated by that issue would align with the political party closest to their views on abortion. That party clearly is the GOP, not the Democrats. Given the sensitive, emotional nature of the issue, it also is reasonable that the abortion positions of parties and their candidates would make a significant difference in voter decisions at the polls.

3) LGBTQ Rights

Another issue of importance for Southern partisan identification concerned LGBTQ rights. On the Supreme Court, gay rights began to receive consistent protection in *Romer v. Evans* (1996),²⁰⁶ which struck down a Colorado amendment prohibiting anti-discrimination protections for gay persons. This trend continued with *Lawrence v. Texas* (2003)²⁰⁷ that voided a Texas law banning homosexual sodomy. In *United States v. Windsor* (2013),²⁰⁸ the Court struck down portions of the Defense of Marriage Act (DOMA) that had defined marriage in traditional terms for federal law. These legal efforts culminated in the 2015 Supreme Court decision *Obergefell v. Hodges*²⁰⁹ which recognized a constitutional right to marriage for same-sex couples.

Though neither party officially supported same-sex marriage until the 21st century, the Democratic Party always showed greater openness to and support for the legal and cultural claims of gay persons. As early as 1972, Madeline Davis argued for inclusion of gay rights in the Democratic Party Platform.²¹⁰ Harvey Milk, the first openly gay man elected to office in California, joined the Democratic Party in 1972 before being elected San Francisco Board of Supervisors in 1977.²¹¹ One of the first openly gay members of Congress, Barney Frank from Massachusetts, was a prominent Democrat as well.

Beyond persons, official Democratic Party positions moved toward greater recognition about, and advocacy for, gay rights. The 1992 Democratic Party Platform committed to policies that would "provide civil rights protection for gay men and lesbians and an end to Defense Department

²⁰⁴ See Pew Research Center, "Views About Abortion Among Members of the Southern Baptist Convention" <https://www.pewresearch.org/religion/religious-landscape-study/religious-denomination/southern-baptist-convention/views-about-abortion/>. Retrieved 3/15/2024.

²⁰⁵ See Southern Baptist Convention, "Resolution on Abortion" June 1, 1980. <https://www.sbc.net/resource-library/resolutions/resolution-on-abortion-6/>. Retrieved 3/20/2024.

²⁰⁶ 517 U.S. 620 (1996).

²⁰⁷ 539 U.S. 558 (2003).

²⁰⁸ 570 U.S. 744 (2013).

²⁰⁹ 576 U.S. 644 (2015).

²¹⁰ Madeline Davis, "Address to the Democratic National Convention," *Speaking for Our Lives: Historic Speeches and Rhetoric for Gay and Lesbian Rights, 1892-2000*, edited by Robert B. Ridinger (New York: Harrington Park Press, 2004), 179-180.

²¹¹ Lillian Faderman, *Harvey Milk: His Lives and Death* (New Haven: Yale University Press, 2018), 142-149. Due to his open homosexuality, Milk was murdered after less than a year after taking office on November 27, 1978.

discrimination”²¹² in response to the ban on such persons from serving in the military. Yet this movement was far from smooth. In 1996, Congress passed, and Democratic President Bill Clinton signed, the previously mentioned “Defense of Marriage Act”.²¹³ Again, the law defined marriage for federal government purposes in exclusively heterosexual terms. It also declared that states would not have to recognize marriage between same-sex couples that took place in other states. In Congress, Democratic officeholders voted 118-65 for the bill in the House and 32-14 for it in the Senate. These votes came in addition to nearly unanimous support from the GOP. Yet even here, differences between the parties still existed. Not only did a number of Democrats vote against DOMA, unlike with the GOP; the party platforms for 1996 took very different approaches, with the Republican platform giving full-throated support to the law and the Democratic platform avoiding the issue entirely.

While support for gay rights generally continued to grow within the Democratic Party, it took until 2012 for the Party’s platform to explicitly endorse same-sex marriage.²¹⁴ President Obama, then running for re-election, had stood against legalizing such relationships in his 2008 campaign. But he had announced a change of opinion in the lead-up to the 2012 election,²¹⁵ becoming the first presidential candidate of a major political party to take that stance.

The Republican Party, by contrast, vigorously supported traditional marriage as the exclusive definition of the institution, at least it did through the handing down of *Obergefell*. Some Republicans voiced opposition to this position, including Vice-President Dick Cheney and Ohio Senator Rob Portman.²¹⁶ However, these were decidedly minority views within the party.

For example, in a well-publicized speech at the 1992 Republican National Convention, Pat Buchanan criticized the Democratic ticket of Bill Clinton and Al Gore as “the most pro-lesbian and pro-gay ticket in history.” He also decried, “the amoral idea that gay and lesbian couples should have the same standing in law as married men and women.” He was one of six speakers to advocate for traditional marriage and family structures at the Convention.²¹⁷ In the 2000 presidential election, when Al Gore supported “civil unions” for same-sex couples, George W. Bush strongly opposed them.²¹⁸ The public took notice of these party positions. In a 2003 article, Paul Brewer noted that, “[i]n American politics, support for gay rights has typically been associated with liberalism and the Democratic party, whereas opposition to gay rights has typically been associated with conservatism and the GOP.”²¹⁹

These perceptions were only reinforced by subsequent events. The GOP’s 2004 party platform attacked, “hard-left” judges who, “threaten America’s dearest institutions and our very way of life. In

²¹² “1992 Democratic Party Platform.” <https://www.presidency.ucsb.edu/documents/1992-democratic-party-platform>. Retrieved 3/16/2024.

²¹³ 110 Stat. 2419 (1996).

²¹⁴ “We support marriage equality and support the movement to secure equal treatment under law for same-sex couples.” See “2012 Democratic Party Platform.” <https://www.presidency.ucsb.edu/documents/2012-democratic-party-platform>. Retrieved 3/19/2024.

²¹⁵ Kerry Eleveld, *Don’t Tell Me To Wait: How the Fight for Gay Rights Changed America and Transformed Obama’s Presidency* (New York: Basic Books, 2015), xvi.

²¹⁶ Andrew Reynolds, *The Children of Harvey Milk: How LGBTQ Politicians Changed the World* (New York: Oxford University Press 2019), 239.

²¹⁷ Sean Cahill, “The Anti-Gay Marriage Movement” *The Politics of Same-Sex Marriage*, edited by Craig A. Rimmerman and Clyde Wilcox (Chicago: University of Chicago Press, 2007), 169.

²¹⁸ John Kenneth White, *Barack Obama’s America: How New Conceptions of Race, Family, and Religion Ended the Reagan Era* (Ann Arbor: University of Michigan Press, 2009). 130.

²¹⁹ Paul R. Brewer, “The Shifting Foundations of Public Opinion on Gay Rights” *Journal of Politics* 65(4)(November 2003): 1210.

some states, activist judges are redefining the institution of marriage.”²²⁰ The same platform also said that President Bush would defend DOMA. In the same section, it said President Bush supported a Constitutional Amendment that “fully protects marriage” and that, “[w]e further believe that legal recognition and the accompanying benefits afforded couples should be preserved for that unique and special union of one man and one woman which has historically been called marriage.”²²¹

Like with abortion, the party development on this issue opened up a significant gap between the majority of Southern voters and the Democratic Party while the GOP better aligned with those voters. In a 2007 survey of Alabama voters, 60% of respondents agreed with the statement that homosexuality “should be discouraged.” In the 2014 survey, that number dipped a little. However, 52% of respondents still agreed with that statement” In the same report, 57% of Alabama respondents opposed the legal recognition of same-sex marriage. Alabama was the state with the least support for legal recognition of same-sex marriage in the entire country according to the Pew study.

These opinion surveys played out in voting patterns. In 2006, Alabama voters approved Amendment 774, also known as the “Sanctity of Marriage Amendment.” Among its provisions, this amendment said, “[m]arriage is inherently a unique relationship between a man and a woman” and therefore, “[a] marriage contracted between individuals of the same sex is invalid in this state.” In addition, the amendment specified that, “The State of Alabama shall not recognize as valid any marriage of parties of the same sex that occurred or was alleged to have occurred as a result of the law of any jurisdiction regardless of whether a marriage license was issued.”²²²

The voters passed this new addition to the state constitution by an overwhelming margin, 81%-19%. This move by Alabama voters participated in a much broader trend. Between 2004 and 2012, thirty states passed referenda defining marriage exclusively in traditional terms. Thirteen did so in 2004 alone.²²³

Again, these trends give a non-racial reason for the voting preferences of a majority of Alabama voters in the 21st century. The conservative argument for more traditional values on matters of sexuality has proven more in-line with voter preferences in the state and the region, even as LGBTQ rights have received increased legislative and judicial protection nationally. As with abortion, those voters placing a high importance on these issues in the state and region would tend to see Republicans as their more natural ally.

Conclusion

In this report, I have sought to provide a fuller context for how Alabamians in 2024 come to identify with and vote for one of the two major political parties. This context came from a broader discussion of political parties in America and a more focused inquiry into party history in the South, of

²²⁰ “2004 Republican Party Platform” <https://www.presidency.ucsb.edu/documents/2004-republican-party-platform>. Retrieved 3/16/2024.

²²¹ *Ibid.*

²²² Alabama Constitution of 1901, Amendment 774. <https://constitutii.files.wordpress.com/2013/02/alabama.pdf>. Retrieved 3/19/2024.

²²³ Haeyoun Park, “Gay Marriage State by State: From a Few States to a Whole Nation” *New York Times*, March 31, 2015. <https://www.nytimes.com/interactive/2015/03/04/us/gay-marriage-state-by-state.html>. Retrieved 3/16/2024; Thomas M. Keck, “Beyond Backlash: Assessing the Impact of Judicial Decisions on LGBT Rights” *Law and Society Review* 43(1)(March 2009): 153-154. See also Cary Franklin, “Marrying Liberty and Equality: The New Jurisprudence of Gay Rights” *Virginia Law Review* 100(5)(September 2014): 845.

which Alabama comprises an important a consistent example of the Deep South. We know that the once solid Democratic South turned from the Democratic Party, now voting reliably Republican at the national and state levels. With the anomaly of 1964 in the Deep South, it did so slowly and incrementally, starting at the presidential level, in the Peripheral South, and through urban and then suburban areas. Democrats remained the clear majority party on nearly all non-presidential offices for decades after the Civil Rights movement triumphed in the region. Only in the mid-1990s did the South really start to turn to a majority Republican region at the Congressional and state government levels, a trend that continued slowly into the 21st century, with Alabama's legislature only turning fully to the GOP in 2010.

Southern voters, including in Alabama, slow-motion forsook the Democrats and gradually embraced the GOP for a variety of reasons. The rise of the New Left within the Democratic Party caused it to diverge sharply from Southern voters' beliefs on a number of issues. At the same time, developments in the GOP, based in the growth of Modern Conservatism, eventually led many in the South to see Republicans as embodying their views better. These issues included economics and the role of government, communism, abortion, and LGBTQ rights. We could add more to the list, including gun control and environmental policy, where the GOP has come to align decidedly with the preferences of a majority of Southern voters. However, the above gives a good amount of evidence to make the same point: race alone does not account for the partisan realignment of the last 60 plus years.

The explanatory dominance of race could come even more into question in the current election cycle. While very preliminary, polling for the 2024 election has consistently shown significant shifts within minority voters toward the GOP.²²⁴ In fact, Democrats in minority communities have expressed alarm on this point.²²⁵ We should not read too much into these polling numbers and political reactions to them yet. However, they give additional evidence that the political alignments at work today are driven by factors other than race such as economics, foreign policy, and moral issues and that social and economic class also plays a significant role in persuasion toward partisan identities.

In conclusion, I should make clear that these observations do not give a moral approval or disapproval of the views held and actions taken on the above matters. I neither defend nor critique Alabama voters on their views about economics, government, communism, religion, abortion, and gay rights. Instead, what the above clearly show are issues distinct from race that significantly influenced Alabama party affiliation and voting patterns. Nor do I deny that race plays any factor whatsoever in the minds of any voters in Alabama in 2024. As noted in the introduction, these other elements do not eliminate race entirely as a factor in how voters, including white voters, cast their ballots. Still, the above history and scholarship gives solid evidence that other factors beyond race have had an important, consequential effect on partisan realignment in the South, including the state of Alabama. That fuller narrative matters for considering the role of race in redistricting. I believe this evidence should be taken

²²⁴ Jeffrey M. Jones and Lydia Saad, "Democrats Lose Ground With Black and Hispanic Adults" *Gallup* February 7, 2024. <https://news.gallup.com/poll/609776/democrats-lose-ground-black-hispanic-adults.aspx>. Retrieved 6/5/2024; Philip Bump and Lenny Bronner, "Another Lens into the Rightward Shift of Black and Hispanic Americans" *Washington Post* March 11, 2024. <https://www.washingtonpost.com/politics/2024/03/11/black-hispanic-republican-votes-polling/>. Retrieved 6/4/2024; Russell Contreras, "Democrats' big vulnerability: Why they're losing Black, Hispanic voters" *Axios* March 13, 2024. <https://www.axios.com/2024/03/13/why-democrats-black-hispanic-vote-republican>. Retrieved 6/4/2024.

²²⁵ Maya King, "Behind the Republican Effort to Win Over Black Men" *New York Times*, June 10, 2024. <https://www.nytimes.com/2024/06/10/us/politics/2024-election-gop-black-men-voters.html>. Retrieved June 10, 2024.

into account by any judicial body considering redistricting plans, including the current one under consideration by this court.

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Education

Ph.D.: Baylor University, Department of Political Science, 2014.
M.A.: Baylor University, Department of Political Science, 2011.
B.A.: Ashland University, Department of Political Science and Department of Religion, 2007.

Books

Liberty in Full: Justice Stephen Field's Cooperative Constitution of Liberty (Lexington Books 2017. Paperback 2019).

Academic Articles/Book Chapters

“Power Struggle: Locke and Montesquieu on Separation of Powers” in collected volume honoring Dr. David Nichols (under contract with Lexington Books).

“Ship as State: the Political Philosophy of *Master and Commander*” in *The Politics of Contemporary Hollywood Films* (forthcoming from Lexington Books).

“Self-Defined, Self-Expressed, Societally-Approved: Justice William J. Brennan’s Jurisprudence of Human Dignity” in *The Catholic Supreme Court Justices* (Forthcoming 2024 from Catholic University of America Press).

“Story Time With Whittington: Judicial Review in *Repugnant Laws and Commentaries on the Constitution*” in *The Georgetown Journal of Law & Public Policy* 19(Summer 2021).

“No ‘Piece of Cake’: Applying Liberty and Equality in *Masterpiece Cakeshop*” in *Society, Law and Ethics*, Edited by David Mackey (Jones & Bartlett 2021).

“Alexander Hamilton and Popular Government: Friendly Defender and Friendly Critic” in *Democracy and the History of Political Thought*. Edited by Patrick Cain, Steve Block, and Stephen Sims (2021 with Lexington Books).

“The Statesmanship of Job: Puritan Joseph Caryl on Job as the Model Magistrate” in *Evangelical Quarterly* 90(3)(2019).

“Running the Robed Gauntlet: Southern State Courts’ Interpretation of the Emancipation Proclamation” *American Journal of Legal History* 57(4)(2017).

“Equality, Prejudice, and the Rule of Law: Alabama Supreme Court Justice Thomas Peters’ Protection of African-Americans’ Rights During Reconstruction” *Journal of Southern Legal History* (2017).

“To Inform and Recommend: Hamilton and the Constitutional Ground for Interaction between Executive Officers and Congress” *Presidential Studies Quarterly* 47(4)(2017).

“Constructed for Liberty: Justice Clarence Thomas’s Understanding of Separation of Powers” *Journal of American Political Thought* 5(4)(2016).

“Free and Happy Bonds: *Loving v. Virginia*’s Nineteenth-Century Precedent on Marriage and the Pursuit of Happiness” in *American Constitutionalism, Marriage, and The Family: Obergefell v. Hodges and U.S. v. Windsor in Context*. Edited by Patrick N. Cain and David Ramsey (Lexington Books: 2016)

“Free and Happy Bonds: *Loving v. Virginia*’s Nineteenth-Century Precedent on Marriage and the Pursuit of Happiness” *Perspectives on Political Science* 45(2)(2016).

“Police the Border: Justice Stephen Field on Immigration as a National Police Power,” *Journal of Supreme Court History* 40(1)(2015).

“Court Curbing via Attempt to Amend the Constitution: An Update of Congressional Attacks on the Supreme Court from 1955–1984” with Curt Nichols and David Bridge in *Justice Systems Journal* (May 2014).

"Liberty and Regulation," *Readings in American Government*, 9th ed. Edited by Mary and David Nichols (Dubuque, Iowa: Kendall/Hunt, 2013).

Book Reviews

“*Anchors of Democracy: A New Division of Powers, Representation, Sense of Limits* by Rocco Pezzimenti” in *Review of Metaphysics* 76(2)(December 2022).

“Shakespeare’s *Coriolanus*: two editions by Jeffrey Kahan and Jan Blits” in *Interpretation* 47(3)Summer 2021).

“Neil Gorsuch: A Judge in Full.” Review of *A Republic If You Can Keep It* by Neil Gorsuch in *American Spectator* 11/6/19. <https://spectator.org/neil-gorsuch-a-judge-in-full/>.

“How ‘We the People’ Can Reclaim Our Constitution,” Book Review of Randy Barnett, *Our Republican Constitution*, in *The Federalist* 4/23/2016.
<http://thefederalist.com/2016/04/23/how-we-the-people-can-reclaim-our-constitution/>.

Review of *California Crucible: The Forging of Modern American Liberalism* by Jonathan Bell in *Political Science Quarterly* (Summer 2013).

Review of *The Agnostic Age: Law, Religion, and the Constitution* by Paul Horwitz in *Journal of Church and State* (Summer 2012).

Conferences and Talks

“*Energy’s Scaffold: Edward Bates on Separation of Powers in the Lincoln Administration*” submitted for “Abraham Lincoln and the American Experiment in Self-Government” Ashland University, 11/17-18/2023.

“Power Struggle: Locke and Montesquieu on Separation of Powers” conference honoring legacy of Dr. David Nichols 10/14-15/2022.

“Songs in the King’s Key: The Political Thought of the Psalms” given at the John M. Ashbrook Center for Public Affairs 10/22/2021.

“Supreme Court Preview: Cases to Keep an Eye on in the Upcoming Term” Webinar for the John M. Ashbrook Center for Public Affairs 9/29/2021.

“The First Amendment and Pornography: Drawing a Line in the Sand.” Talk given at 2019 Love & Fidelity Conference, 11/10/2019.

“Still Imperial? The Presidency and the Constitution” (discussant) APSA 2019, Washington, D.C. (8/31/2019).

“ ‘Full of Fears and Full of Hopes’: Conversations with Tocqueville on the Problems of Democracy in America” at Baylor University (panelist) (6/30-7/1/2019).

James Wilson Institute XVI at the Kirby Center (panelist) (5/3-5/5/2019).

5th Annual Salmon Chase Lecture & Colloquium at Georgetown Law (panelist) (11/30-12/1/2018).

APSA in Boston (chaired panel) (8/30-9/2/2018).

“In Substance, Not Name: Antebellum Court Seeds of the Administrative State.” Talk at Baylor University, 3/16/18.

“The Statesmanship of Job: Joseph Caryl on Job as the Model Magistrate.” Panel at the Southern Political Science Association Annual Meeting, New Orleans, LA, 1/6/18.

Roundtable: The Electoral College: Time to Re-Evaluate? Panel at the American Political Science Association Annual Meeting, San Francisco, CA, 9/3/2017.

Roundtable: Checks on Executive Power Under Obama And Trump. Panel at the American Political Science Association Annual Meeting, San Francisco, CA, 9/2/2017.

“Presidential Opinions, Congressional Recommendations: The Ambivalent Constitutional Status of Treasury Secretary Alexander Hamilton.” Presented at the American Political Science Association Annual Meeting, San Francisco, CA, 9/4/2015.

“Free and Happy Bonds: The Nineteenth Century Courts on Marriage and the Pursuit of Happiness,” at the annual meeting of the Northeastern Political Science Association, Boston, MA, November 2014.

“Author Meets Critics: Nicholas Buccola’s *The Political Thought of Frederick Douglass: In Pursuit of American Liberty*,” at the annual meeting of the Midwestern Political Science Association, Chicago, IL, April 2013 (Discussant).

“Congressional Attacks on the Supreme Court: Court-Curbing from a Regime Politics Perspective,” paper with Curt Nichols and David Bridge, accepted at the (cancelled) *American Political Science Association* meeting, New Orleans, LA, September 2012.

“Western Natural Law Tradition” Alexander Hamilton Institute, Clinton, New York, June, 2012 (Discussant).

“Enforced Satisfaction: Justice Field on Government’s Role in the Pursuit of Happiness” paper presented at the annual meeting of the *Northeastern Political Science Association*, Philadelphia, PA, November, 2011.

“Presidential Success and Failure,” panel at the annual meeting of the *Northeastern Political Science Association*, Philadelphia, PA, November, 2011 (Chair, Discussant).

“The ‘City on a Hill’ Unglued?: John Winthrop and the Problem of Faction” paper presented at the annual meeting of the Southwestern Social Science Association, Houston, TX, 2010.

Other Professional Experience

Provided expert report and gave deposition for the State of Alabama in *Stone v. Allen* (2024).

Awards and Honors

William and Patricia LaMothe Chair in the U.S. Constitution, Hillsdale College

Professor of the Month (April 2019), Kappa Kappa Gamma

Hillsdale College Professor of the Year (2018), Hillsdale College

Teacher of the Month (February 2016), Student Federation, Hillsdale College.

Richard D. Huff Outstanding Graduate Student, Department of Political Science, Baylor University, 2014.

Stormie Schott Award (Graduate Outstanding Church/Community Service), Baylor University, Department of Political Science, 2012.

Presidential Scholar, Baylor University, Graduate School, 2009-Present.

James Madison Award (Outstanding Ashbrook Scholar), Ashland University, 2007.

Charles M. Parton Award (Outstanding Thesis), Ashland University, 2007.

Teaching Experience

Assistant Professor, Hillsdale College, 2014-Present

POL 101: *U.S. Constitution*

POL 301: *American Government*

POL 303: *The American Presidency*

POL 305: *Civil Rights*

POL 306: *Political Parties and Elections*

POL 407: *The Federalist*

POL 412/504: *Politics and Literature*

POL 416: *Montesquieu*

POL 597: *Richard Nixon* (Independent Study)

POL 597: *Political Theory Survey* (Independent Study)

POL 597: *Statesmanship of Lincoln* (Independent Study)

POL 742: *The American Presidency*

POL 743: *Constitutional Law I: Constitutional Powers*

POL 744: *Constitutional Law II: Constitutional Rights*

POL 832: *Teaching Apprenticeship*

Collegiate Scholars 259: *Tocqueville's The Ancien Regime*

Collegiate Scholars 259: *Hamilton: The Man; the Musical*

Collegiate Scholars 259: *Politics in the Bible*

Collegiate Scholars 259: *Fate and the Individual in European Literature* (w/Dr. Eric Hutchinson)

IDS 597.01: *Law and Society*

Teacher of Record, Baylor University, Waco, TX, 2012-2013

American Constitutional Development (2 sections)

Languages

English: Native Language

New Testament Greek: Reading Knowledge

Biblical Hebrew: Reading Knowledge

Associations

American Political Science Association

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