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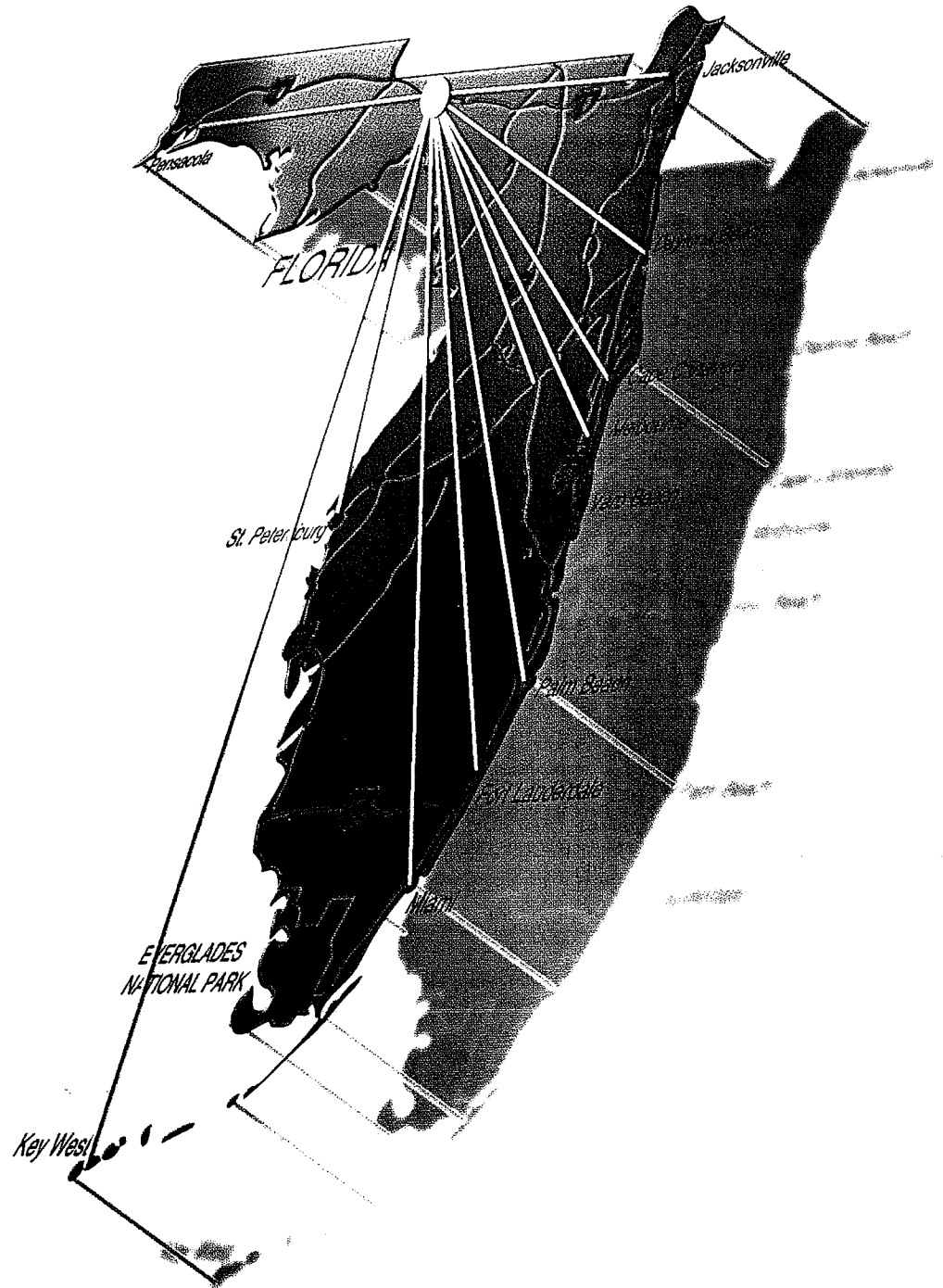




Table of Contents

- 01 Wallace and the 1972 Florida Democratic Presidential Primary:
Examining Racial Threat with Individual-Level and Aggregate-
Level Data
Lynsey Morris, Jocelyn Jones Evans and Ronald Keith Gaddie
- 13 The Provision of Traditional, Municipal-Type, and Urban-Type Services
in Florida: The Role of Counties, Municipalities, and Special Districts
J. Edwin Benton
- 27 The Influence of Campaign Finance on Trial Judges' Decision Making
Steven Tauber

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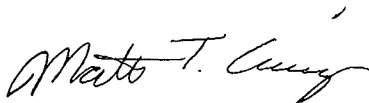
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Dear Reader,

This edition of the *Florida Political Chronicle* is noteworthy for its emphasis on different research topics concerning the state of Florida. Voting trends, county expenditures and court decisions are all examined in following pages. I thank the authors for their patience during the review process and for their quality of work.

I also would like to thank Dean David Jaffee and Associate Dean Peter Braza of the University of North Florida for their support of the journal. The Executive Council of the Florida Political Science Association has also provided vital support for the journal. Special thanks go to Donna Cobis. Her dedication and perseverance to the publication process has made this edition a reality.

Thank you for your interest in the *Florida Political Chronicle*.



Matthew T. Corrigan
Managing Editor

Wallace and the 1972 Florida Democratic Presidential Primary: Examining Racial Threat with Individual-Level and Aggregate-Level Data

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Jocelyn Jones Evans, University of West Florida
Ronald Keith Gaddie, University of Oklahoma

An earlier version of this paper was presented at the annual meeting of the Southern Political Science Association, Atlanta, GA, November 9-11 2000.

Abstract

Multiple explanations have been advanced to explain racially conservative voting by white Americans. In this paper we test the impact of black population proximity, racially divisive issues, and economic and social variables thought to be related to socially-conservative issue positions on white voter support for George Wallace in the 1972 Florida Presidential Preference Primary. Using exit poll data and aggregate results at the county level, our analysis indicates that the busing issue, individual socioeconomic indicators, and geographic context affected individual vote choice by whites in the 1972 Florida Democratic Party Presidential Primary. Our comparison of aggregate- and individual-level analysis also indicate that aggregate-level measures capture differential, contextual and individual-level preferences that influence individual voter choice, and that contextual geographic measures of racially divisive issues like busing may not capture the independent influence of attitudes toward busing held by individual voters.

Race and politics in the South have been intermingled for centuries. At mid-century, just before the beginning of the end of the reign of the black-belt bourbons in Southern politics, V. O. Key observed that "in its grand outlines, the politics of the South revolves around the position of the Negro" (Key 1949: 5). The legal structure of racial segregation and the formal enforcement of racial division have been largely dismantled by Supreme Court decisions and federal law. In the wake of these efforts, however, racial division and racial influences are still evident in the voting behavior of Southern whites.

Efforts to deal with racially-structured voting behavior

by Southern whites typically derive from the "black belt thesis," posited by Key to explain how race affected white voter choices and the campaign style of Southern politicians. Key argued that, as the proportion of blacks in some county increased, white Southerners would correspondingly act in greater concert to prevent black empowerment. The greater the concentration of blacks in an area—Key suggested a threshold of forty percent—the more likely local whites would support strict segregationist candidates, who would preserve the status quo and stridently oppose black empowerment. The concentration of majority black counties (black-belt counties) in the Deep South colored the politics of those states and made them far more receptive to state and national candidates who were racially conservative (c.f. Black and Black, 1992). Rim South states were less likely to have their politics structured solely by segregationist influences, but neither were those states exempt from racial politics.

Subsequent to the enactment of the Voting Rights Act and the dramatic mobilization of black voters in the South, political science has explored the influence of the emergence of the black vote on Southern elections and the reaction of white voters to black political empowerment. In hand with this exploration has been a renewed discussion of the influence of racial threat on white voter behavior. Much of this research has focused on Louisiana, where data availability and the presence of a racially divisive candidate (David Duke) focused attention on white voter behavior (Giles and Buckner, 1993). More recent scholarship has focused on extending tests of the black belt hypothesis to other venues, and questioned the utility of aggregated vote data versus survey data to determine the validity of the threat hypothesis (see, for example, Buchanan, 1999;

Knuckey and Orey, 2000; Voss, 2000). In this paper we take a slightly different approach, and go back to the past to focus on the 1972 Florida Democratic Presidential Primary vote, the first of the Southern primaries that year. We test a multivariate model of white voting that considers whether physical proximity, indicators of social conservatism, or racially-charged issues structure the vote choice of white voters. This allows us to consider the consistency of results between survey data and aggregate data in a venue where racial differences are sufficiently heightened to expect some form of threat voting.

Florida, Wallace and Threat

Why Florida in 1972? Even by 1972, Florida is, one of the most urban and least black states in the South. In-migration and urbanization changed the politics of the state. Like other states, however, Florida confronted the issue of school integration, and the issue would prove to be highly contentious. After the decision in *Brown vs. the Board of Education* (1954), *de facto* segregation was still very much a part of the Southern reality, as the Southern jurisdictions acted with "all deliberate speed." Political science research reveals that substantial policy levers were required to compel even the most superficial forms of integration, such as eliminating dual systems. In counties where black populations were substantial and school officials were elected, the resistance was greatest (Rodgers and Bullock, 1976). After the Supreme Court's decision in *Green vs. New Kent County* (1968), the South was faced with the possibility of forced busing, requiring the counties to bus students to different schools in order to further the integration process (Bullock and Lamb, 1984). According to a recently aired PBS documentary titled *George Wallace: Settin' the Woods on Fire* (1), Wallace concentrated his campaigning efforts in Florida with an emphasis on the busing issue. His effort was apparently well spent. Wallace carried every single county in the primary, a cumulative 41.6 percent of the total vote in the state (Hubert Humphrey came in second with 18.6 percent). And, as one might expect, Wallace's support was greatest in the parts of the state that were more rural, more heavily black, and most resistant to political change.

Issues and the Political Career of George Wallace

Unlike the politics of the 1950s, several salient issues were at work in the 1968 election. Some have addressed the role of Vietnam in differentiating the candidates in 1968. Most concede, however, that race was *the* central issue defining the politics of the late sixties (Declercq, Hurley, and Luttbeg 1977; Carmines and Stimson 1982; Black and Black 1973). As Black and Black (1973) indicate, Wallace's racial rhetoric was his primary source of strength in his most successful campaigns of 1966-1970. Even after the intense political atmosphere of the sixties, race continued to be a powerful source of ideological constraint. Carmines and

Stimson (1982) suggest that race was crystallized through the politics of this era and embedded in mass belief systems. It consequently remains a permanent feature of partisan and ideological difference.

Earl and Merle Black (1973) argue that racial voting explains the swelling support Wallace gained in Alabama during his two runs for governor (1966, 1970), as well as his first presidential bid (1968). He won several counties during these races that had not previously supported him in his other runs for governor. Black and Black suggest that the dramatic increase in support enjoyed by Wallace between 1966 and 1968 was primarily due to the increasing threat posed by a newly-activated black electorate. By establishing himself as the anti-integration candidate in all three of these campaigns, Wallace mobilized growing support in Southern counties with large black populations.

In the end, the Wallace candidacy of 1968 was one of the most significant political events of the 20th century. As a third-party candidate in 1968, he received a larger share of the vote than any other third-party candidate since 1924 and more electoral college votes than any candidate since 1860 (Converse, Miller, Rusk, and Wolfe 1969). Beniger's (1976) analysis of presidential Gallup poll data reminds us that the Wallace candidacy forced a popular stalemate for party presidential nominees. In one of the very few instances of party nominations unreflective of popular sentiment, the third ranking candidate in the final pre-convention poll was nominated over the more popular candidates, Humphrey and Wallace.

As a candidate for the Democratic presidential nomination in 1972, Wallace was influential in creating the ideologically diverse Democratic coalition of the 1970s. As Lamis (1984) suggests, the Democratic coalition of this era is best characterized as a "redneck-blackneck coalition" battling more well-to-do conservative forces. Wallace built a powerful electoral coalition based on both liberal New Deal economic policies and conservative Dixiecrat racial policies (Barnard 1974); it was, however, a coalition that did not transcend race.

Political and Social Context: Florida and the Busing Issue

Many students of Southern politics have suggested that social context, above and beyond racial and occupational structure, is integrally related to voting behavior (Black and Black 1973). Huckfeldt (1984), for example, suggests that social context is the link between individuals and the political loyalties that permeate social class. The contextual effect of race, according to Wright (1977), is evident at the state as well as the community level. Wright (1977) also suggests that not only are primary group processes important contextual influences on vote choice, but also issue proximity. For example, a contextual effect is evident not only in the South, but also in Wallace's strong support in white areas of Southern cities that had experienced racial riots (Mitofsky 1969). Although by 1972 even militant

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segregationists such as Wallace were no longer running
explicitly on the race issue, the racial contours of their
candidacies had been so crystallized that their stance was
embedded in the minds of Southern voters (Carmines and
Stimson 1982). Because the Wallace campaigns were as
much expressions of a way of life as they were of programs
(Weinstein 1992), desegregation was perhaps the most
proximate issue to Southern white voters in the 1972
presidential primary. So, is Wallace support just about racial
threat, or can racial issues activate threat-like white voter
behavior in the absence of a physically-proximate, large
black population (see also Knuckey and Orey, 2000)?

Applications of Racial Threat

Key's seminal study was followed by numerous
applications to the Southern electoral success of
segregationist politicians of the 1950s and 1960s. Several
studies specifically address the nature of Wallace's support
throughout the late 1960s and early 1970s, particularly his
presidential bid in 1968 (Lipset and Raab 1969; Mitofsky
1969; Schoenberger and Segal 1971; Crespi 1971; Black
and Black 1973; Wasserman and Segal 1973; Wrinkle and
Polinard 1973; Wright 1977). Despite the legal and
electoral reforms addressing civil rights in the 1950s and
1960s, there is substantial evidence to suggest that increases
in black population density led to increased vote shares for
Wallace in 1968 (Lipset and Rabb 1969; Crespi 1971;
Schoenberger and Segal 1971; Black and Black 1973;
Wasserman and Segal 1973; Wrinkle and Polinard 1973;
Wright 1977). Schoenberger and Segal (1971) conclude
that the contextual effect of the black population mattered
just as much in Southern politics in 1971 as it did in 1951.

Since Wallace's presidential bid in 1968, the political
landscape of the South has transformed. As a result of the
Civil Rights Act of 1965, increasing numbers of Southern
blacks registered to vote and entered the Democratic Party
which was seen as the champion of civil rights at the national
level. With the growth of Republican and Independent
identification among Southern whites in the 1970s and
1980s, the black vote has become an essential component
of the electoral coalition of many successful Democratic
candidates in the region (Petrocik 1987).

The best-known application of the racial threat
hypothesis has been Giles and Buckner's (1993) look at the
candidacy of David Duke in Louisiana. Their parish-level
analysis of Duke's efforts to win U.S. Senate and
gubernatorial offices find that increased percentages of
blacks in a parish is related to an increase in white voter
registration after he announced he would seek office. The
authors find that the rural hypothesis holds true, namely
that urban areas are negatively associated with racial threat
voting. They suggest, however, that factors such as black
electoral empowerment, increases in income, education,
urbanism, in-migration, and younger age cohorts are
diminishing the dynamic of racial threat in Southern

politics. In 1990, although still a factor, racial threat voting
is no longer the central impulse behind Southern
political behavior.

In a challenge to Giles and Buckner's interpretation,
Voss (1996) argued that racial threat is no longer a defining
characteristic of Southern politics. Specifically, he posited
that the model of Giles and Buckner contained
measurement error and suffered from omitted variable bias.
He also argued that the authors misused OLS regression
techniques on grouped data and suggests the use of GLS
techniques instead. A subsequent application of the GLS
technique by Giles and Buckner (1996) revealed significant
threat influences, but differences between the authors
regarding variable specification remain. Those differences
are most relevant to the Louisiana case, however, and are
not directly relevant to our discussion. Knuckey and Orey
(2000) use survey data of white voters to find that, in the
1995 Louisiana gubernatorial election, the perceptions of
blacks by white voters were the prevailing indicator of threat
voting, rather than physical proximity. Buchanan (1999)
similarly finds mixed evidence of physical versus issue-
based threat voting among whites in Georgia and South
Carolina in the 1990s.

Data and Methods

Some fruitful studies of the Wallace vote have been
conducted at the state level, indicating the local and state
contours of racial threat in both the Deep and Rim South
(Wrinkle and Polinard 1973; Black and Black 1973; Carlson
1981). Studies at this level are important to furthering our
understanding of racial threat because contextual conditions
are often specific to individual states. Voters from different
states are subjected to different types of appeals, campaigns,
and political leadership (Wright 1977).

The early literature relied heavily on aggregate data
to test the racial threat hypotheses (Key 1949; Keefe 1956).
In the aftermath of such potent criticisms as Robinson's
illumination of the ecological fallacy (1950) and the
emergence of sophisticated survey research methods,
scholars began to employ individual-level analysis of survey
data to uncover determinants of the southern vote. By the
1970s, however, a general attitude concerning data sources
emanated from the racial threat literature. Schoenberger
and Segal (1971) pointed to the weaknesses of survey data
in testing the structural determinants of political behavior,
such as racial threat. They conclude that "Neither aggregate
analysis nor survey analysis can tell the whole story. Rather,
we suggest that files of survey data be matched with census
files that describe the regions within which survey
interviews are taken. While there are unquestionably
problems involved in such data file mixing, we feel that the
potential gains far outweigh the costs" (586). Wright (1977)
similarly argues that although the reliance on aggregate
data leads to ambiguities in research findings, the reliance
on pure survey methods overlooks the influence of

contextual factors. Wright finds such a dichotomization of techniques to be inappropriate. He argues that the essence of racial threat models is "to relate environmental characteristics to individual behavior" (499). For this reason, he concludes that "The integration of aggregate or contextual data with individual-level survey data is a most promising means of bridging the gap and hence resolving many of the substantive inconsistencies between ecological and survey data studies" (508).

In order to address these concerns, we approach the problem of threat voting in the 1972 Florida primary at two levels of analysis, using exit poll data of voters to conduct an individual-level analysis, and aggregate data of white voter behavior at the county level. We then combine county-level data to describe the context in which the voter lives with the exit survey data to control for the physical context of the respondent. Wright (1977) suggests several reasons for conducting such a contextual analysis. The county as a focus of political activity and public office is particularly meaningful in the South. Secondly, the county-level census and electoral data provides us with the closest available measure of our notion of local community. An analysis of county-level behavior permits the greatest degree of comparability with previous research and thus contributes to a broader, more generalized theory of racial threat. And, some have suggested that racial threat is most evident at the county level (Wasserman and Segal 1973).

The survey data are from an exit poll of Florida voters conducted by the Knight Newspaper Syndicate, and are currently archived at the Inter-University Consortium for Political and Social Research at the University of Michigan, Ann Arbor. (2) The data originally contained 1,248 cases or people polled. The elimination of Republican primary voters and black voters from our working data set left 789 white, Democratic cases. (3) Florida has a closed-primary system, which means that voters can only vote in their own party's primary. Deleting Republican respondents is reasonable, since they could not have participated in the Democratic primary under any circumstances and therefore did not have the opportunity to vote for Wallace. This data was supplemented with information provided by the 1960 and 1970 Census, demographic breakdown of population by county, election returns by county for the 1968 Presidential election, and voter registration by race and party for 1972 primary in order to provide an environmental context for analyzing the survey data (complete descriptions of data and sources appear in the appendices at the back of the paper). (4)

Then, to provide a contrast to the results of the survey-based analysis, we gathered data on voter support for Wallace at the county level. Florida does maintain voter registration data by race and party, but the state does not keep voter turnout or votes cast by candidate by race. We cannot, therefore, reliably measure the level of white support for Wallace among voters, because of the presence of black

voters (who vote against Wallace, pulling down his county vote totals) and the reaction of whites to black political empowerment (which heightens his vote in more heavily black counties while presumably pulling it down in predominantly white counties). Our survey data reveal no black votes casting ballots for Wallace (a safe assumption). Therefore, we assume that all Wallace ballots are white ballots. Further, because Wallace is so distant from the other major Democratic candidates on most dimensions (George McGovern, Scoop Jackson, Edmund Muskie, Hubert Humphrey) we assume that the decision for the potential Wallace Democrat is between going to vote for Wallace or voting for no one, rather than deciding among the potential contenders at the ballot booth. Therefore, we measure support for Wallace as Wallace ballots divided by the total number of white registered Democrats. The pattern of Wallace mobilization among whites generally follows the pattern of overall support for Wallace in the primary, in that the intensity of mobilization is greatest in the old black-belt counties of Florida, where Wallace's aggregate vote percentage is muted by black voter participation.

The county-level model incorporates indicators from the prior literature, and variables that should be specific to the 1972 Florida Primary. Early studies employing aggregate data suggest that the strongest predictor of the Wallace vote is the size of the locale's black population. For instance, Schoenberger and Segal (1971) find that the correlation between the Wallace vote and the percent of congressional district populations that were black of 55 percent. They also suggested that their "data demonstrate a contextual effect, viz., the greater the concentration of blacks in a congressional district, the greater the propensity of whites in that district to vote for Wallace. Political processes in the Deep South have not changed notably since Key's study" (585). We adopted Giles and Buckner's (1993) use of racial concentration instead of a simple count of black population. We measured the percent of black registered voters as compared to all registered voters, (5) based on the theory that the more highly empowered blacks are in a county (indicated by their voter registration) the more strongly the whites will feel threatened. (6) The largest proportion of black voters trace the contours of the strong Wallace vote, among non-coastal counties and panhandle reaches that are often called "old Florida."

Aside from the concentration of blacks in the local population, Schoenberger and Segal (1971) also find that urbanity is negatively associated with racial threat, further supporting Key's speculation. Wright's (1976) analysis further suggests that a rural context is a stronger predictor of Wallace support than similar policy preferences. The primary implication to be drawn from this finding is Key's prediction that black migration away from the rural black-belt would serve to erode racial threat voting. To test the urbanization thesis, we coded a variable, percent urbanized, from the proportion of the local population living

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in this context is a stronger predictor
of similar policy preferences.
The conclusion drawn from this finding is
that migration away from the rural
area of racial threat voting. To test
this we coded a variable, percent
of the local population living

in an urban area (any area with a population greater than
2500, according to the 1970 census).

From the literature on racial threat a picture of the
typical Wallace voter emerges. Several scholars suggest
that support for Wallace is consistently polarized along class
lines. In the early years of Wallace's political career, he gained
most of his support from middle to upper-class whites. After
1964, however, his support base shifted to lower-class
whites, following the general pattern of support afforded
states-rights and segregationist candidates (Bartley and
Graham, 1975). By 1968, Schoenberger and Segal (1971)
find Wallace's greatest support to stem from low-income
voters. These voters feel threatened when they believe that
their potential jobs are being taken by blacks. To more
accurately assess this economic dimension of threat, we
determined a measure of white unemployment, defined as
those who are over the age of 16, are in the labor force but
unemployed.

Converse et al. (1969) suggests that the 1968 vote was
structured by generational conflict with older voters
providing support for Wallace. Schoenberger and Segal
(1971) find the Wallace vote to be highest in areas with
young populations, while Lamare (1975) explains that, "the
political actions of the college young propelled both those
over thirty and the non-college young to vote for the law-
and-order candidate, George Wallace (85). Older voters
were actually inhibited from voting for Wallace because of
their traditional partisan ties. The Wallace vote in 1968,
therefore was a product of both antipathy towards college
activists and internal dissonance between the vote of
Wallace-oriented, less-educated youth and non-Wallace-
oriented youth better-educated, (Schoenberger and Segal
1971 also find support among less-educated youth). We
measure percent youth as those whites who are between the
ages of 20 and 29. (7)

In sum, Wallace voters in the 1968 presidential race
are characterized as young, Southern, white Protestants,
with low levels of education and income, working primarily
in unskilled occupations (Converse, Miller, Rusk, and Wolfe
1969; Lipset and Raab 1969; Schoenberger and Segal 1971;
Lamare 1975).

A number of scholars have suggested that the pervasive
characteristic of Wallace supporters was a general sentiment
of powerlessness in light of the social movements promoting
black empowerment during the 1960s (Krickus 1976;
Carlson 1981). Through populist appeals Wallace mobilized
the traditional liberal concerns of the Southern white
working-class and spoke to their general feelings of
powerlessness and isolation (Metz 1986; Krickus 1976).
This social segment felt isolated from the politics of the
new civil rights-oriented Democratic party. In an analysis
of all of Wallace's campaigns, Carlson (1981) suggests that
"Wallace supporters are distinguishable from others by
their authoritarianism, feelings of political powerlessness,
and racial prejudice (275). Coupled with the salience of the

busing issue, we add an additional variable, coded 1 if the
county confronted the threat of court-ordered busing, 0
otherwise. (8) Several counties in Florida underwent a
voluntary desegregation plan in order to avoid court order,
but many counties refused to concede defeat. By singling
out these counties, we can look at the reality the voters were
facing regarding busing and black empowerment. Glaser
(1994) argues that the political attitudes of this group cannot
be adequately characterized as prejudicial, but must also
be viewed as antagonism toward black political power. He
states that, "Resistance to racial change clearly is more than
an expression of prejudice, overt or veiled in conservative
logic. It is a response to the possibility that whites stand to
lose something valued to blacks" (40). Wallace, perhaps
more than any other Southern politician during this era,
authoritatively and militantly represented white supremacy
and racial segregation (Lipset and Raab 1969; Black 1971;
Black and Black 1973). For this reason, Lipset and Raab
(1969) conclude that Wallace's 1968 presidential bid was
perhaps the most ambitious right-wing extremist political
quest in this century.

The dependent variable in the exit poll analysis is
dichotomous as either a vote for Wallace, or for another
candidate. Logistic regression is used to estimate the
relationship between the independent variables and the
decision to vote for Wallace. Because the dependent variable
is continuous, we use OLS regression in the county-level
analysis to estimate the impact of the independent variables
on the level of mobilization for Wallace. In deference to
Voss' (1996) critique of the Giles and Buckner analysis, we
also ran a generalized least squares regression in order to
account for the differences in population size in the counties.

The estimated model for the individual level
analysis is:

$$P(Y_i) = B1X1 + B2X2 + B3X3 + B4X4 + B5X5 + B6X6 + B7X7 + B8X8 + B9X9 + B10X10 + B11X11$$

Where: X1 = the percent black in the county, according to
the 1970 Census; X2 = the percent vote for Wallace in the
1968 Presidential election; X3 = percent of all registered
voters in the county who are white and Democrats; X4 =
an ordinal variable coded 1 for grade school, 2 for high school
graduate, 3 for college education; X5 = an ordinal variable
for approximate family income, coded 1 = \$0-\$4,999; 2 =
\$5,000-\$9,999; 3 = \$10,000-\$14,999; 4 = \$15,000 and
greater; X6 = sex, coded 1 for women, 0 for men; X7 =
Southern nativity, coded 1 for voters born in the South, 0
otherwise; X8 = religion, coded 1 for Protestants, 0
otherwise; X9 = age cohort, coded 1 = 18-24; 2 = 25-44;
3 = 45-59; 4 = 60 years and older; X10 = busing attitude
variable, coded 1 if the respondent opposed court-ordered
busing, 0 otherwise; X11 = did the respondent vote for
Wallace in 1968 (coded 1 if yes, 0 otherwise); and the

outcome of interest is whether the respondent voted for Wallace (1 if voting for Wallace).

The estimated model for the county-level analysis is:
 $Y = B1X1 + B2X2 + B3X3 + B4X4 + B5X5 + B6X6 + B7X7 + B8X8 + B9X9 + B10X10$

Where: X1 = the percent black voter registration in the county; X2 = the percent vote for Wallace in the 1968 Presidential election; X3 = percent of all registered white voters in the county who are Democrats; X4 = education, measured as the percent of the county residents with at least a high school education; X5 = percent of the white work force that is unemployed; X6 = percent of the county residents living in urban places; X7 = percent in-migration; X8 = percent of white population between ages of 20 and 29; X9 = total population of the county; X10 = a dummy

variable indicating whether the county faced a busing challenge; Y = the outcome of interest, the Wallace vote as a percentage of all white registered Democrats.

Results

Individual Level Analysis

The results of the exit poll appear in Table 1. The logistic regression model correctly predicted 78.8 percent of cases, and reduced the predictive error over the null prediction by almost 40 percent. As expected, the education variable is significant with a negative slope coefficient, reinforcing our hypothesis that support for Wallace decreases as education increases. Income is not a significant predictor. Sex of the voter is irrelevant, as women were just as likely as men to vote for Wallace. Age also proves to be insignificant, though it does have a negative slope coefficient

TABLE 1: LOGISTIC REGRESSION ESTIMATES PREDICTING WALLACE VOTE

Variables	b	s.e.	Exp ()
Constant	-2.8894	.8681*	
CONTEXTUAL VARIABLES			
Percent Black in the County	.0302	.0150*	1.0307
County Vote for Wallace in 1968	.0173	.0102*	1.0175
White Democratic Registration	.0021	.0122	1.0021
INDIVIDUAL ATTRIBUTES			
Education	-.3164	.1499*	.7288
Income	.0200	.0857	1.0202
Sex	.2546	.1904	1.2900
Southern Native	.7266	.2080*	2.0681
Protestant	1.1293	.2273*	3.0934
Age Group	-.0988	.1026	.9060
POLITICAL VARIABLES			
Busing Attitude	1.2756	.1974*	3.5807
Voted for Wallace in 1968?	2.2189	.2561*	9.1974
Log Likelihood	698.647		
Null Prediction	56.17%		
% Correct Prediction	78.70%		
Proportional Reduction in Error (PRE)	51.44%		
N	737		

*p<.05

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WALLACE VOTE

Exp ()

- 1.0307
- 1.0175
- 1.0021
- .7288
- 1.0202
- 1.2900
- 2.0681
- 3.0934
- .9060
- 3.5807
- 9.1974

as predicted. While age is not a factor, Southern birth and Protestantism are both very significant, reinforcing part of Shoenberger and Segal's argument that youth, Protestantism, and Southern origin were typical characteristics of the Wallace voter.

The area where the voter lives also has a pronounced influence on their vote choice. The percentage of blacks in the county is strongly correlated with the 1972 Wallace vote, as is the previous county vote for Wallace in 1968. White Democratic registration by county is not significant. Wallace's campaign vehicle, busing, respondent attitudes also exhibited independent and significant relationship to vote choice, even when other indicators are controlled in the model.

Looking at the exponential betas for the dichotomous independent variables, it is apparent that a vote for Wallace in 1968 increased the odds of a vote for Wallace in 1972 by 9.20 times. But, even in the face of this nearly deterministic control for the vote, other significant indicators are present. The exponential betas tell us that being born in the South makes the voter twice as likely to choose Wallace, and being Protestant increases their chances of voting for Wallace by 3.09 times. Similarly, if they agreed that busing endangered the public school system, they were 3.58 times more likely to cast their vote for the Wallace, clearly indicating that issues, attributes, and context all affect individual vote decisions.

County-Level Aggregate Data

In Table 2 we present the results of our aggregate-level analysis of white voter support for Wallace. The Adjusted R2 from the OLS regression indicates that our

model provides a good fit to the white Wallace, explaining 84 percent of the variance. In order to control for the potentially confounding influences arising from comparing unequally-sized units in the aggregate, we also performed a generalized least squares regression to correct for the impact of constituency size.

The comparison of the significance levels of the variables between the GLS and the OLS model gives us a better picture of the significant influences on the white Democratic vote while controlling for the influence of variances in county population. Several variables shift significance between the two models. Percent Migration is not significant in the OLS model but attains significance in the GLS model. The high school education variable loses significance in the GLS model, though it is not surprising that education fails significance. Kelley (1974) argues that the busing issue may not be just another race issue that appeals to the ignorant. Even college graduates tended to oppose busing not so much out of prejudice but because they were fearful of the places to which their children might be bused. Threatened by the prospects of inferior educational standards or the perception of an unsafe educational environment far from their home community, even the educated might find reason to vote for George Wallace and his anti-busing platform. Still, this result conflicts with the findings of the individual-level survey data, which found that education and the Wallace vote were significantly and negatively related.

Percent urban becomes significant in the GLS model when we account for differences in population size as well. This crucial part of Key's theory (that racial threat is more prevalent in rural areas) is borne out in the 1972 primary.

TABLE 2: COUNTY-LEVEL WALLACE VOTE MOBILIZATION: RESULTS OF ORDINARY LEAST SQUARES AND GENERALIZED LEAST SQUARES

Variable	OLS b	OLS t	GLS b	GLS t
Intercept	26.089		25.634	
Court-ordered busing dispute?	1.535	1.490	.766	.574
Percent white young	-.463	-3.466*	-.329	-3.012*
Percent Migration	-.0152	-.513	.0709	2.356*
Percent White Registered Voters	-.218	-4.118*	-.198	-2.478*
Percent Black Registration	.550	6.737*	.854	9.140*
Total County Level Population	-.000007	-2.808*	-.000004	-2.975*
Percent with a High School Degree	-.054	-1.974*	.004	.182
Percent Urban	.0088	.255	.130	4.124*
Wallace Vote in 1968	.374	8.019*	.437	9.175*
Percent White Unemployed	.432	.909	.851	1.873*
Adjusted-R-Square	.84		**	

* < .05, one-tailed test

The more cosmopolitan the environment, the more racially tolerant the voters are likely to be. White unemployment becomes significant in the GLS model. After standardizing the betas in the GLS model, this variable also becomes the strongest, most significant predictor of support for Wallace. This is understandable, because, more than black empowerment, whites were fearful of the potential that African-Americans would take jobs and security away from the white community.

The usual suspects: white youth, black registration, Wallace vote in 1968, and total county level population prove to be significant in both models. Specifically the black registration variable substantiates the theory that drives this paper—the more empowered African-Americans are in a particular community, the stronger the threat will be to whites who reside there.

The most surprising result of this model, and the one the most inconsistent with the findings from the logit model, is that in both the GLS and the OLS regressions the question of court-ordered desegregation remains insignificant. According to Occam's razor, all things being equal, the simplest and most obvious answer is usually the correct one. Perhaps our lack of significance on this variable itself speaks volumes about the conditions surrounding the Wallace voter. Regardless of whether or not the person's county was undergoing voluntary or mandated integration, it still was one of the most salient issues of the race. A deeper look might substantiate the logistic regression finding—that people did vote on the busing issue and they were opposed to court-mandated busing—and it did not matter whether they lived in a constituency threatened by busing.

Discussion

In an environment where there is a history of race-based politics, where racially-based issues exist on the political agenda, and where politicians seek to define themselves on the basis of those issues, it is reasonable to expect that voters will act on those issues, and respond to politicians in a manner that reflects the racial nature of the times. In Florida in 1972, a plurality of white Democratic Party voters supported George Wallace for president in every county in the state. Wallace, a previously segregationist candidate who made his way to the more broadly defined socially-conservative right, ran on the issue of busing. Is it the issue of busing, historic indicators of racial conservative busing, or more broadly subscribed concerns of the working-class white voters that helped Wallace carry the day? What does the answer to this question tell us about efforts to ascribe to the analysis of election results the concept of white racial threat?

With regard to the former question, our data indicate differences in the influence of issues versus political context versus classic indicators of racial threat in explaining the Wallace vote in 1972. Clearly Wallace ran strongest among whites in the "old South" counties of North Florida,

especially in those counties where black voters made up more than 10 percent of the electorate. The white voters in those counties had historically supported Wallace and Goldwater, and also Florida segregationists such as Farris Bryant, while rejecting urban liberals like Robert King High. However, this is not enough of an explanation. Wallace found widespread support throughout the state, and even among Democrats in a closed-primary state that had a viable and active GOP.

Wallace clearly attracted support from the traditional rural segregationist Florida voter. He also attracted white voters in the more heavily urbanized counties—though less in the most populous counties—indicating a penetration into the town and small city vote. Wallace also expanded his scope to capture those who were threatened not so much by black political power, but as a perception of economic disposition, by pulling more of the white vote when the white unemployment rate was higher.

The poll data and the aggregate county level analysis agree that the political context mattered. Whites voted for Wallace when there was a history of prior support for the candidate and the presence of a large black population. There is, however, disagreement between the aggregated data and the poll data. Less-educated voters were significantly more likely to vote for Wallace, while, in the aggregate, education failed significance in the GLS analysis. While busing as a political issue did not seem to matter in the aggregate analysis, the individual-level attitude regarding busing was a significant predictor of Wallace voting, even when controlling for the political and racial context of the voter and the prior support by the voter of Wallace. The individual-level analysis also indicated two predictors of Wallace support—Southern nativity and Protestantism—that return later in history as predictors of shifts toward the GOP among whites (See Black and Black, 2002).

Racial threat variables might explain most of the structure of the white vote in the aggregate, but the use of proxy measures for issues—like our proxy for busing—are not necessarily sufficient to capture significant differences in voter choice that are based on the issue when asked. Similarly, variables that in the aggregate capture a lag of support—like our prior Wallace vote in 1968—can capture both contextual influences of the political environment and the prior behavior of the individual, which are both significant and affect vote choice in the same direction in an individual level analysis.

Focusing just on the survey data, it can be argued that the concept of racial threat existed beyond the scope of geography. Geographic influences exist on the individual vote, but other factors—education, economics, and issue attitudes—are related to vote choices that might be ascribed to racial threat. There are structural limitations to this analysis. The measurement of Wallace support in the aggregate analysis captures not so much the scope of the

ies where black voters made up the electorate. The white voters in the traditionally supported Wallace and the white segregationists such as Farris and urban liberals like Robert King did not provide enough of an explanation. Wallace's support throughout the state, especially in a closed-primary state that had a strong white vote.

acted support from the traditional white vote. He also attracted white voters in urbanized counties—though less so in rural counties—indicating a penetration of Wallace's support into the city vote. Wallace also expanded his support to those who were threatened not so much by economic change, but as a perception of economic change more of the white vote when the threat was higher.

The aggregate county level analysis in this context mattered. Whites voted for Wallace because of a history of prior support for the party in the presence of a large black population. The relationship between the aggregated data and the individual-level analysis. Less-educated voters were more likely to vote for Wallace, while, in the aggregate, the significance in the GLS analysis. The racial issue did not seem to matter in the aggregate, but the individual-level attitude was a significant predictor of Wallace's support. The prior support by the voter of the individual-level analysis also indicated two reasons—Southern nativity and support later in history as predictors of Wallace's support among whites (See Black and Black,

ables might explain most of the variance in the aggregate, but the use of the proxy for busing—are not able to capture significant differences based on the issue when asked. In the aggregate capture a lag of Wallace's vote in 1968—can capture the effects of the political environment and the individual, which are both likely to change in the same direction in the aggregate.

From the survey data, it can be argued that the racial threat existed beyond the scope of the individual influences exist on the individual level—education, economics, and issue choice. The vote choices that might be ascribed to the structural limitations to the measurement of Wallace support in the survey are not so much the scope of the

Wallace support among ballots cast as the ability of Wallace to capture the potential white vote in the Democratic primary. That Wallace often captured over 50 percent of the total vote in two-thirds of Florida counties and often mobilized over one-third of the white electorate on his behalf (in some counties it is over half) indicates that, while we have set a tough threshold for measuring performance, the indicators of racial threat perform generally in line with theory. This difference limits comparison of the county data with the survey data, if only because the former measures the decision of a white to vote against all other options, including not voting, while the latter measure the Wallace vote against other ballot choices.

In the end, why should we care about the Florida Wallace vote in 1972? Contemporary racial threat literature suggests several reasons. First, racial tension was perhaps the critical factor in the crumbling of the Solid South. While there is some debate over the role of race in Southern realignment (see Abramowitz 1994), Giles and Hertz provide compelling evidence that from 1975 to 1990 the growth in white Republican identification is directly and positively associated with the concentration of the black population (1994). This analysis contributes an important commentary on the nature of race relations in the Florida of the past three decades—a critical juncture in Florida political history with major realignment looming on the horizon.

The overarching finding of recent literature is that racial threat still colors voting behavior nationwide, not just in the South (Taylor 1998). Thus the second major reason for studying the 1972 Florida Wallace vote is to understand the nature and determinants of racial tension during the busing era. Is racial prejudice today all that different? This snapshot in time provides a valuable addition to recent studies devoted to unraveling the generational character of racial prejudice nationwide (see Virtanen and Huddy 1998 for a recent discussion of forms of racial prejudice).

In sum, to understand Florida's contemporary electoral context, it is imperative that we understand the critical events that have shaped our political landscape. Further, to understand the complex national phenomenon of racial threat, it is imperative that we examine electoral cases so evidently defined by it regardless of their moment in history. Finally, this piece answers the call of recent literature on this subject. As Krysan suggests (2000), more attention should be given to the impact of cognitive perception of racial threat on individual electoral behavior. The 1972 Knight exit poll provides an excellent opportunity to test the nature and extent of the effect of perceived racial threat on the Florida Wallace vote. By combining individual-level survey data with county-level voting behavior, we connect the dots between perception and action.

Endnotes

1. Data gathered from the PBS website about the documentary (http://www.pbs.org/wgbh/amex/wallace/maps/map_1972results.html).
2. Study number 7253.
3. This number was further reduced to 737 working cases within the model due to missing data.
4. This information was provided by the Florida Department of State Division of Library and Information Services.
5. All demographic data from the second model was either found directly in or calculated using data from the 1970 Census.
6. An analysis that also considered the black percentage of the total population produced nearly identical results.
7. Glenn (1975) argues that class and age had ceased to be important determinants of the Wallace vote by 1972. He suggests that the 1960s witnessed a period of partisan realignment first among white-collar whites and later among blue-collar whites from the Democratic to the Republican Party. Nonetheless, Glenn agrees that Wallace was instrumental in the delay of traditional, blue-collar whites' migration to the Republican Party.
8. The threat of potential court-ordered busing was determined by examining the actions of the Department of Health, Education, and Welfare Office of Civil Rights, to determine if a threat of administrative action (a "Swann Letter" after the *Swann* decision in Charlotte, NC) had been directed against the county school system. Because Florida uses unified county-wide school systems, any such threat against a system had the potential to affect all school-aged children in the county.

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South vs. Non-South Birth: Original ICPR data transformed into dummy variable where 1 = Florida or other southern state; 0 = northern state or out of country

Of the Protestant Faith: Original ICPR data that distinguished between Protestant, Catholic, Jewish, and Other; transformed into a dummy variable where 1 = Protestant; 0 = Other

Age Group: Original ICPR data where 1 = 18-24; 2 = 25-44; 3 = 45-59; 4 = 60 years and older; 5 = NA

Appendix: Variable Specification for Logistical Regression

Dependent Variable
 Vote for George Wallace in 1972 Florida Primary: Changed ICPR data with 12 choices for President to a dichotomous variable where 1 = Wallace vote and 2 = vote for any other candidate

Independent Variables
 Education: Original ICPR data, where 1 = Grade school; 2 = High School; 3 = College; 0 = NA
 Income: Original ICPR data of approximate family income, where 1 = \$0-\$4,999; 2 = \$5,000-\$9,999; 3 = \$10,000-\$14,999; 4 = \$15,000 and greater; 0 = NA
 Percent Black: Source: U.S., Department of Commerce, Bureau of the Census, 1970 *Census of Population, General Population Characteristics*: Florida, final report PC (1) - B11
 County Vote in 1968: The percentage of total vote received by George Wallace in the 1968 Presidential Race; Source: *America Votes*, 1968 edition, Washington D.C.: Election Results Center, *Congressional Quarterly*.
 White Democratic Registration: Percent of total population that are white and registered with the Democratic Party; Source: State of Florida, Secretary of State, *Tabulation of Official Votes, Florida General Election, November 7, 1972*, Table 19.252 - Registered Voters, by Party and Race, By County, In Florida: October 19, 1972
 Sex: Original ICPR data transformed into a dummy variable where 1 = male; 0 = female
 Question about courts requiring busing: Original ICPR data transformed into a dummy variable where 1 = agree; 0 = disagree and not available
 Previously vote for Wallace in 1968? Original ICPR data that simply indicated which candidate vote choice, transformed into a dummy variable where 1 = voted for Wallace; 0 = voted for another candidate or didn't vote

The Provision of Traditional, Municipal-Type, and Urban-Type Services in Florida: The Role of Counties, Municipalities, and Special Districts

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Introduction

Floridians are accustomed to receiving a myriad of services from three principal local governments—the State's 395 cities, 67 counties, and a host of special districts. These services include everything from roads and streets, health care and hospitals, public welfare, police and fire, corrections, libraries, emergency medical services, water and sewer, parks and recreation, solid waste collection and disposal, conduction of elections, operation of courts and other judicial functions, and planning and zoning to lesser-known services such as consumer affairs, cable TV, job training and employment counseling, mental health care, water terminals, airports, animal control, stadiums, cemeteries, marinas, industrial development, energy conservation, open space control, and emergency management. Yet, in spite of the litany of services that these three local governments provide, the average Floridian is usually surprised to know that cities, counties, and special districts spend more money and employ more workers than does their state government. In point of fact, in 2002, direct expenditures for cities, counties, and special districts in Florida amounted to \$40.4 billion compared to \$32.7 billion for the state government,¹ while the number of combined city, county, and special district employees was approximately 330,000 compared to about 190,000 state government employees.

What is also perhaps unclear to most Floridians is which of the three local governments provides or has primary responsibility for providing specific services. Over the last half of the 20th century and into the early 21st century, local governments nationally have been engaged in a sorting out of service responsibilities. For example, there are increasing instances of some governments shedding services for which they were synonymous (e.g., cities no longer willing to be

responsible for such services as airports, stadiums, libraries, museums); all local governments providing new services previously not provided by any of them (e.g., consumer affairs, cable TV, homeland security); counties providing services (e.g., fire protection, police patrols, and utilities) that once were provided only by municipalities; and special districts providing services to specific parts of a county or city or even the entire city or county or facilitating the provision of a service that became financially impossible for cities or counties due to tax and bonding limitations (e.g., fire protection, stadiums, airports, water and sewer services). The purpose of this article is to examine how Florida's counties, cities, and special districts have sorted out service provision responsibilities as well as to offer some possible explanations for these patterns of service delivery.

Classifying Local Government Services

To facilitate an examination of how local governments in Florida have sorted out service delivery responsibilities among themselves, it will be useful to devise some classification scheme for local government services. The most comprehensive and useful scheme is one originally developed by Salant (1989, 1991) and subsequently modified by Benton (2002)². This scheme identifies three categories of services that relate to three principal roles played by local governments. These three types of local government services are *traditional*, *municipal-type*, and *regional or urban-type*.

Traditional services are some of the oldest and most familiar services provided by local governments. They essentially are state services or services of statewide concern that are provided directly to local residents by one or more local governments. They include such broad service

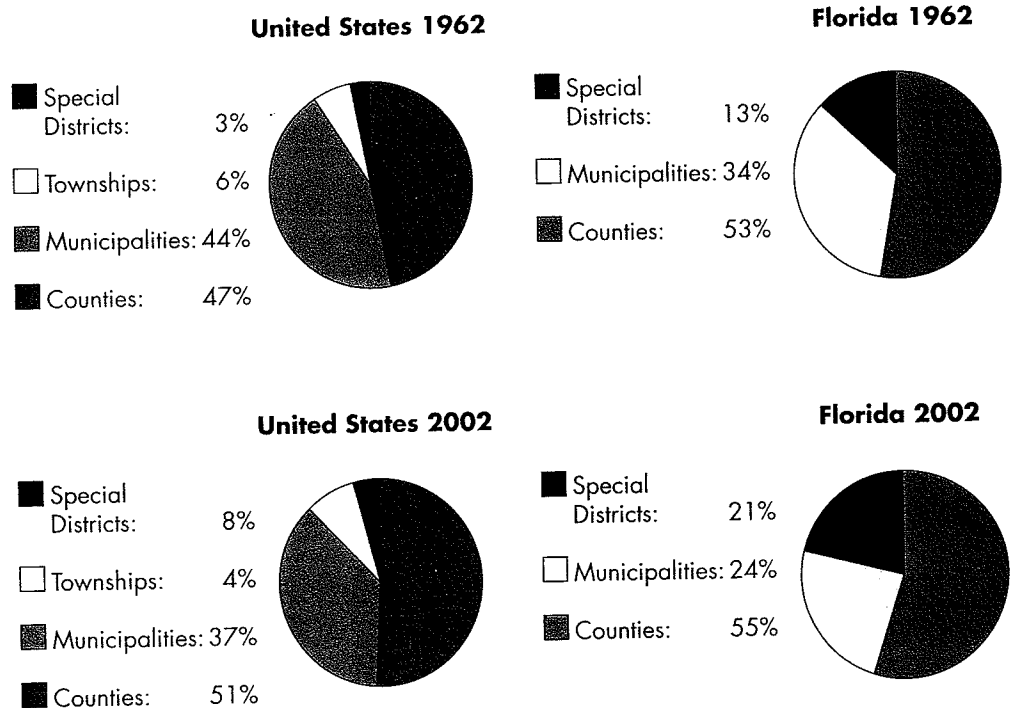
categories as roads and highways, public welfare, health care and hospitals, police, corrections, judicial/legal system, tax assessment and collection, maintenance of public building, supervision of elections, agricultural services. The provision of many of these services is mandated by the state. Although traditional services can be provided by counties, municipalities, townships (for instance, in New England and Middle Atlantic states and in some Midwestern states), or even special districts, county governments historically have been more heavily involved in their delivery. The reason for greater county government involvement can be traced to the legal fact that counties (unlike other units of local government) are quasi-corporations or agencies and administrative or political arms of their state, and therefore, are expected to help bring state services and programs to the people of their state.

Municipal-type services are ones that typically have been provided by municipal governments. Among the most common municipal-type services are: provision of water, electric power, and natural gas, parks, sidewalks, drainage, traffic control, street construction, health, safety, and building inspections, fire protection, libraries, garbage collection, and consumer protection. Since the middle of the 20th century, however, county governments with increasing frequency have been providing this class of

services as more and more people are choosing not to live within the boundaries of municipalities and opting instead to reside in an unincorporated area of their county. Nonetheless, unincorporated areas residents, like their city cousins, expect the kinds of services that historically have been associated with living in a city. In those instances where the county or even the city is unable or unwilling to provide these kinds services, citizens have gone to their state legislatures, requesting that they create special service districts.

Regional or urban-type services are ones that have been increasingly expected by local citizens who live in an urbanized, densely populated area. Simply stated, life in a highly urbanized environment has made the provision of certain types of services (e.g., airports, mass transit, public parking facilities, sewage treatment, solid waste disposal, water and air pollution control, natural resource conservation, growth management, open space and subdivision control, land use planning and zoning, community development, public housing, parks and recreational facilities, stadiums, convention centers, museums, employment agency and job training, emergency medical services, and a central emergency number-911) highly desirable if not a necessity. In older, more established metropolitan areas, these services historically were provided

Figure 1: Traditional Service Expenditure Proportions for the United States and Florida



people are choosing not to live in municipalities and opting instead for unincorporated areas of their county. Unincorporated areas residents, like their city counterparts, have not had the services that historically have been provided in a city. In those instances where a municipality is unable or unwilling to provide services, citizens have gone to their state government, arguing that they create special

services are ones that have been provided by local citizens who live in an unincorporated area. Simply stated, life in an unincorporated area has made the provision of services, such as airports, mass transit, public housing, water treatment, solid waste disposal, pollution control, natural resource management, open space and recreation planning and zoning, fire, public housing, parks and recreation, convention centers, emergency and job training, emergency services (central emergency number-911) and other services. In older, more established communities, services historically were provided

by a major municipality to not only residents of the city but to unincorporated area residents as well. In recent years, however, county governments have been assuming responsibility for the provision of regional services. The best explanation for the evolution in regional services delivery is provided by Herbert S. Duncombe (1977) in his "urban cycle" theory. In the first phase of this cycle during the 1800s, large and medium-sized central cities were able to keep up with the demand for regional or urban-type services because city boundaries expanded through annexation as the population grew and expanded outward. In the second phase of the cycle in the early to mid-1900s, annexation slowed and suburban cities, towns, and villages grew around the central city. Cities experienced the loss of many competent leaders as well as an erosion of the property tax base. Consequently, central cities were frequently populated with poor people and faced with the daunting task of providing expensive services such as health care and welfare. At the same time, suburbanites continued to work in the city and utilize its social, cultural, and recreational amenities without having to pay for these services through city property and income taxes. In short, the city was subsidizing the lifestyle of suburbanites. Compounding the financial and logistical problems of most cities were restrictive state tax and debt limits. Eventually, cities by the mid-1900s were no longer able or willing to provide these kinds of services that were used by residents of both the central city and rapidly growing unincorporated area of the county, thus beginning phase three of the urban cycle. This reduction in service occurred in such service areas as airports, public housing, parks and recreations, museums, mass transit, public parking, stadiums, convention centers, solid and hazardous waste disposal, conservation of natural resources, and pollution control. As the fiscal condition of cities deteriorated and inequities between who pays and who benefits became more evident, responsibility for the

provision of these and other regional or urban-type services was assumed by or transferred to either county governments or special districts.

How has the state government and the local governments in Florida responded to the local citizens' needs and expectations that traditional, municipal-type, and urban-type (regional) services be provided? More specifically, what service patterns have emerged over the 40-year period from 1962 to 2002, and how can they be explained?

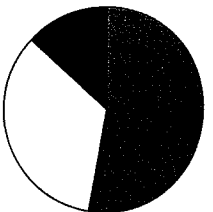
Traditional Services

Nationally, as well as in Florida, traditional services historically have been a major responsibility of county governments. In 1962, 89 percent of all expenditures made by counties in the United States were to provide traditional services, while in Florida, provision of traditional services accounted for 78 percent of county spending. The important role that counties play in the delivery of traditional services is also evident from data displayed in the pie charts found in Figure 1. In 1962, county governments in Florida accounted for 53 percent of county, municipal, and special district spending for traditional services. Nationally, counties accounted for a somewhat smaller proportion—47 percent. Municipalities in Florida were responsible for the second largest proportion of spending for traditional services at 34 percent compared to 44 percent for municipalities nationally. Special districts in Florida accounted for the remaining 13 percent of local government spending for traditional services in 1962, while special districts nationally were responsible for a much smaller share—3 percent.

By 2002, the delivery of traditional services was still a major priority among counties, but more so for counties nationally than for counties in Florida. Nationally, county governments devoted 80 percent of their resources to the provision of traditional services, while counties in Florida,

United States

Florida 1962



Florida 2002

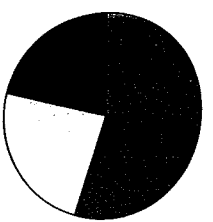


Figure 2: Group of Traditional Services



although still placing their greatest emphasis on the delivery of traditional services, allocated a much smaller proportion (53 percent). Counties in Florida, however, did maintain their superior position vis-à-vis other local governments in the delivery of traditional services. Further inspection of the pie charts in Figure 1, indicates that Florida counties accounted for 55 percent of all local government spending for these services compared to 24 percent for municipalities and 21 percent for special districts. This compares to 51 percent for counties, 37 percent for municipalities, and 8 percent for special districts, nationally.⁵ Another look at the pie charts in Figure 1 yields other important information. First, Florida municipalities were accounting for a much smaller proportion of traditional service expenditures in 2002 than was the case in 1962 (24 percent contrasted with 34 percent). Second, special districts in Florida in 2002 were responsible for a larger proportion of traditional service spending compared to 1962 (21 percent versus 13 percent). Similar tendencies were detected for municipalities and special districts nationally, but not to the extent seen in Florida.

Aside from the general overview of the role played by counties, municipalities, and special districts in Florida in the delivery of traditional services, it is also instructive to view the part played by each of these local governments in the provision of specific traditional services. To assist in this task, we consulted a U.S. Census Bureau publication—*Compendium of Government Finances*—that reports local government expenditures for about 25 specific and recognizable service areas every five years (that is, those years ending in “2” and “7”). Ten of these service areas fit within the definition of traditional services mentioned earlier in this article. These services are as follows: public welfare, hospitals, highways, health, police, corrections, legal/judicial, financial administration, other administration, and public buildings.

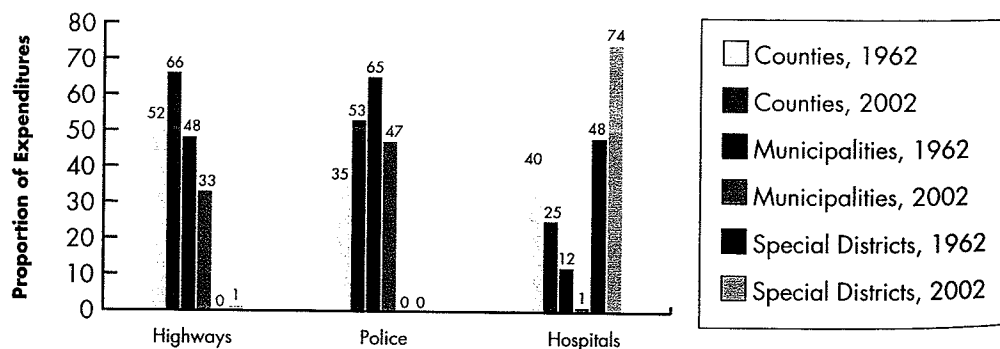
In four of these areas—public welfare, health,

legal/judicial, and corrections—the State of Florida mandates that county governments play a central, if not almost exclusive, role in service delivery. From Figure 2, it is clear that counties in Florida have always played a dominant role in the provision of services in these four areas. Here we have the classic case of counties serving as administrative arms of the state in the delivery of basic state services at the local level. County governments have always been at the center of the provision of public welfare and health care services, although in recent years legislative authorities, a type of special district, have been created in several counties to administer specialized services. For example, Hillsborough and Pinellas counties have established children’s welfare and health care boards. In contrast, municipalities have played only a minor role. The provision of judicial/legal services and correctional facilities has also been characterized by a strong county government presence. In fact, county government responsibility for judicial/legal services has increased noticeably since the early 1970s, primarily as a result of restructuring the state court system and the elimination of most minor, typically municipal, courts.

Another service area in which county governments have played a major role is highways. In fact, county government responsibility for highway construction and maintenance increased from 1962 to 2002, municipalities’ provision has decreased (see Figure 3). As of 2002, counties accounted for approximately two-thirds of all local government spending for highways compared to a little over one-half in 1962.

Police services represent an area where the role of county governments has shown a dramatic increase. Historically, municipalities spent more to provide police services than counties, since a higher, more concentrated level of police protection was expected by city dwellers. County sheriffs did provide some degree of law enforcement services, but their principal responsibility was as an arm of

Figure 3: Group II of Traditional Services



actions—the State of Florida governments play a central, if not service delivery. From Figure 2, it Florida have always played a case of counties serving as state in the delivery of basic state county governments have always provision of public welfare and though in recent years legislative district, have been created in minister specialized services. g and Pinellas counties have lfare and health care boards. In ve played only a minor role. The ervices and correctional facilities l by a strong county government government responsibility for increased noticeably since the result of restructuring the state ination of most minor, typically

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counties, 1962
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 special Districts, 2002

the court system (i.e., maintaining the county jail and order during courtroom proceedings). For many years, this was also the case in Florida and is reflected in expenditure figures (see Figure 3). In 1962, for instance, Florida municipalities accounted for 65 percent of municipal/county spending for police services compared to 35 percent for counties. By 2002, these spending figures had changed dramatically, as counties accounted for the largest proportion at 53 percent of municipal/county spending for police services with municipalities accounting for the remaining 47 percent.

Although American counties traditionally had been responsible for hospitals in addition to other health care related services, they began to turn over responsibility for them to special districts or authorities by the middle of the 20th century. This was also the case in Florida as evidenced by the data displayed in Figure 3. As these data indicate, special districts or authorities accounted for 48 percent of all local spending for hospitals in 1962. Counties accounted for a somewhat smaller proportion of 40 percent. Municipalities were responsible for the other 12 percent of hospital expenditures. By 2002, special district spending had increased tremendously, and hospital authorities accounted for 74 percent of total local government spending for hospitals. Counties were still responsible for one-fourth of hospital spending in 2002, but the municipal government share of local government spending for hospitals dropped to only 1 percent.

Three additional functions are included in the traditional classification of local government services—financial administration, other administration, and public buildings. For the most part, these are internal functions of government that assist in the provision of the more tangible and more easily recognizable services. Without doubt, such functions as revenue collection and payroll and payment disbursements as well as the construction and maintenance of public buildings are essential to the operation of local governments. Given the tremendous

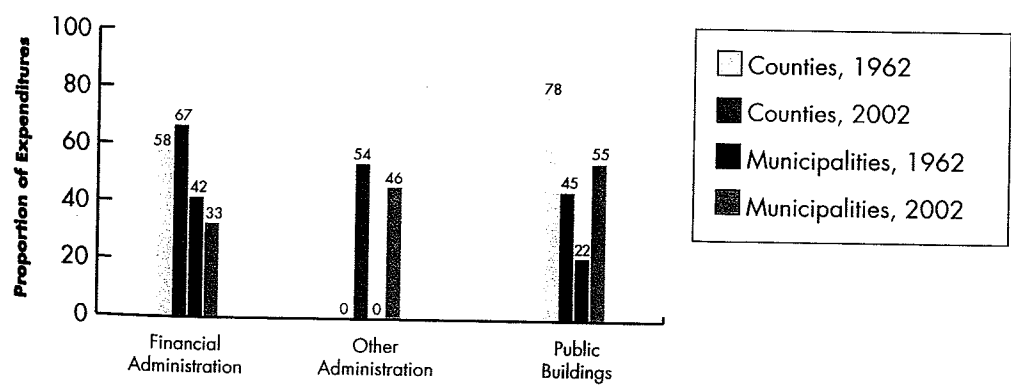
increase in the unincorporated area population in Florida between 1962 and 2002, it is not surprising that the county share of county/municipal expenditures for financial administration increased from 58 to 67 percent during this same time span, while the municipal share decreased (see Figure 4). Although the Census Bureau did not report expenditure figures for other administration in 1962, the data in Figure 4 indicate that counties accounted for a majority of county/municipal spending in this area in 2002 (53 percent) compared to 46 percent for municipalities. In a final area, it can be seen from Figure 4 that municipalities have been accounting for a larger proportion of county/municipal spending for public buildings in recent years, in spite of greater population growth occurring outside the State's municipalities.

Municipal-Type Services

Given the classification label assigned to these type services, it would be reasonable to expect that municipalities would be more heavily involved in their delivery than would other units of local government. This has always been the case nationally⁶ (see the pie charts in Figure 5). In 1962, municipalities accounted for 80 percent of all local government spending for municipal-type services. Counties and townships accounted for just 3 percent each of local government expenditures for municipal-type services, while special districts were responsible for the remaining 14 percent. The expenditure break-down was even more skewed in favor of municipalities in Florida in 1962, as cities accounted for 92 percent of local government spending for municipal-type services. Counties and special districts accounted for 6 percent and 2 percent, respectively.

By 2002, municipalities nationally were still the leading provider of municipal-type services, as they accounted for 55 percent of all local government spending. However, this proportion was considerably lower than it was 40 years earlier. Moreover, special districts, which

Figure 4: Group III of Traditional Services



accounted for 34 percent of all local government spending for municipal-type services, had emerged as a significant rival to municipalities as providers of these kinds of services. The role of counties, as deliverers of these types of services had increased somewhat since 1962 with total spending increasing from 3 percent to 8 percent. While townships continued to play a very minor role, accounting for 3 percent of local government spending in both 1962 and 2002.

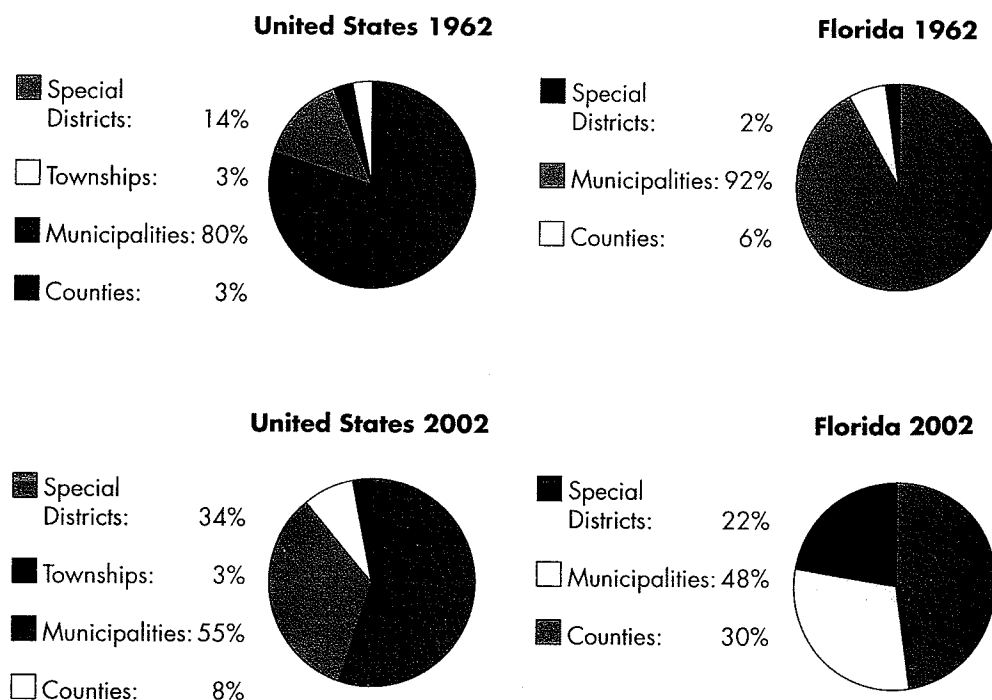
In Florida, however, there had been significant changes in the role that counties, municipalities, and special districts played in the provision of municipal-type services (see pie charts for Florida in Figure 5). On the one hand, municipalities—although still the major provider of municipal-type services in 2002—were accounting for a considerably smaller proportion of total local government spending for these kinds of services than was the case in 1962 (i.e., 48 compared to 92 percent). On the other hand, counties and special districts had assumed much greater responsibility for the provision of those services normally associated with municipal governments by 2002. Specifically, the county proportion of total local government spending for these type services increased markedly from 6 to 30 percent between 1962 and 2002, while the special district proportion increased from 2 to 22 percent.

Similar changes in the role played by municipalities,

counties, and special districts in the provision of specific municipal-type services in Florida occurred between 1962 and 2002 and can be seen in the data located in Figure 6. Municipalities were still the main providers of fire services in 2002, although this role had declined considerably since 1962. The municipal share dropped from 96 to 50 percent. However, over the last 40 years, county government responsibility for fire services increased dramatically, as the county share of fire service expenditures rose from 2 to 42 percent. Special districts continued to play a relatively small part in the provision of fire service (8 percent in 2002 versus 2 percent in 1962) and have served to augment the role played by county governments in the unincorporated sections of counties.

Between 1962 and 2002, there was almost a complete role reversal for counties and municipalities in the provision of library services. In 1962, most libraries were funded and operated by municipalities, as cities accounted for 91 percent of all local government spending for libraries. By 2002, many cities had turned over responsibility for libraries to their county governments, and a number of counties opened libraries to serve their burgeoning unincorporated area populations. This is reflected in the fact that counties accounted for the largest proportion of local governments expenditures for libraries—76 percent. As a consequence,

Figure 5: Municipal-Type Service Expenditure Proportions for the United States and Florida

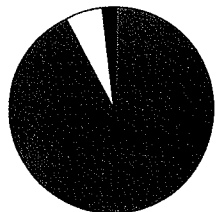


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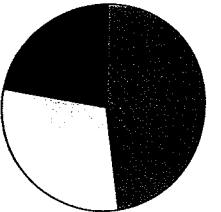
By 2002, there was almost a complete shift in the provision of fire services from municipalities to counties. In 1962, most libraries were funded and operated by cities, accounting for 91 percent of total expenditures for libraries. By 2002, counties accounted for 76 percent of the responsibility for libraries to be provided. A number of counties opened libraries in unincorporated areas, contributing to the fact that counties now account for 76 percent of local government expenditures for libraries. As a consequence,

United States

Florida 1962



Florida 2002



the municipal share had declined from 91 to 21 percent. The remaining 3 percent of local government spending for libraries can be accounted for by newly created special districts in some counties.

Major changes also occurred in the role played by municipalities, counties, and special districts in the provision of a number of utilities such as water, sewer, electric power, and gas. Provision of utilities was handled almost exclusively by municipalities in 1962. However, this had changed significantly by 2002. Municipalities still accounted for 50 percent of all utility expenditures in 2002, but this was down considerably from 1962 when they were responsible for 91 percent of local government spending in this area. The shrinking responsibility for municipalities translated into a much more important role for special districts and counties. The rapid increase in the unincorporated area populations of many urban counties meant that either counties or special districts would be expected to provide a variety of utilities. Therefore, it is no surprise that special districts were accounting for 27 percent of local government spending (compared to 2 percent in 1962) for utilities, while counties were responsible for another 23 percent (compared to 6 percent in 1962).

A final group of services that historically has been identified with the service package of municipalities is that of protective inspections. Part and parcel of living in a municipality has always been the expectation that the city would conduct a variety of health and safety inspections to protect the local citizenry (e.g., building and zoning codes, food and restaurant sanitary requirements, workplace safety conditions). The unavailability of expenditure data for 1962 does not allow for a comparison over time of the role played by various local governments. However, spending data for 2002 does suggest that Florida county governments have greater responsibility for conducting a series of protective inspections that usually have been carried out by municipalities. Specifically, counties were accounting for

54 percent of all local government spending for protective inspections in 2002, while municipalities accounted for the other 46 percent.

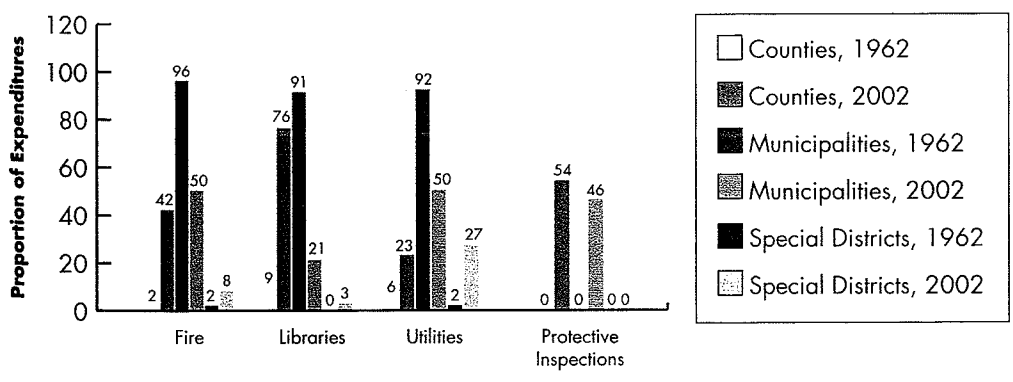
Regional or Urban-Type Services

This category of services contains some of the oldest and newest functions of local governments. In 1962, U.S. municipalities bore the greatest responsibility for the provision of regional or urban-type services (see Figure 7). In point of fact, 61 percent of all expenditures made by local government to deliver these type services were accounted for by cities. Special districts accounted for the second largest proportion (25 percent), followed by counties (11 percent) and townships (3 percent). In Florida, municipalities were also the most important provider of urban-type services, accounting for 62 percent of total local government spending in this area. County governments in Florida, however, played a greater role in providing these services, coming in 23 percent than was the case nationally, while Florida special districts were somewhat less important, accounting for the remaining 15 percent of urban-type spending.

By 2002, significant changes had occurred in both the nation and Florida as to the service delivery roles that local governments played in regard to urban-type services. The data in Figure 7 shows that the municipal share of local government expenditures for all U.S. cities for urban-type services had declined from 61 to 45 percent, while it decreased from 62 to 34 percent in Florida. These data also indicate that local government expenditure share, while increasing somewhat for counties and special districts, increased dramatically for counties in Florida. In fact, the Florida county percentage doubled between 1962 and 2002. The special district share in Florida increased slightly.

These shifts in financial responsibility between counties, municipalities, and special districts in Florida are also reflected in the financing patterns for specific urban-

Figure 6: Municipal-Type Services



type or regional services (see Figure 8). In three of the four areas where local governments spend the most money, there were some significant changes. In all three of these areas of sewage, sanitation, parks/recreation, county governments assumed a much larger role in service delivery.

In sewage collection and disposal, the county government proportion of local government expenditures increased substantially from 11 percent in 1962 to 46 percent in 2002. Over this time period, the municipal government share dropped from 87 to 50 percent. Since 1962, special districts have accounted for only a small fraction of local government spending for sewer services. The role played by counties in the provision of sanitation services, defined as solid waste pick-up and disposal, increased even more dramatically. The county share of all local government expenditures for sanitation jumped from 10 to 60 percent. Conversely, the municipal share tumbled from 90 to 39 percent. As was the case with sewer services, special districts accounted for only a negligible proportion of total local government expenditures for sanitation.

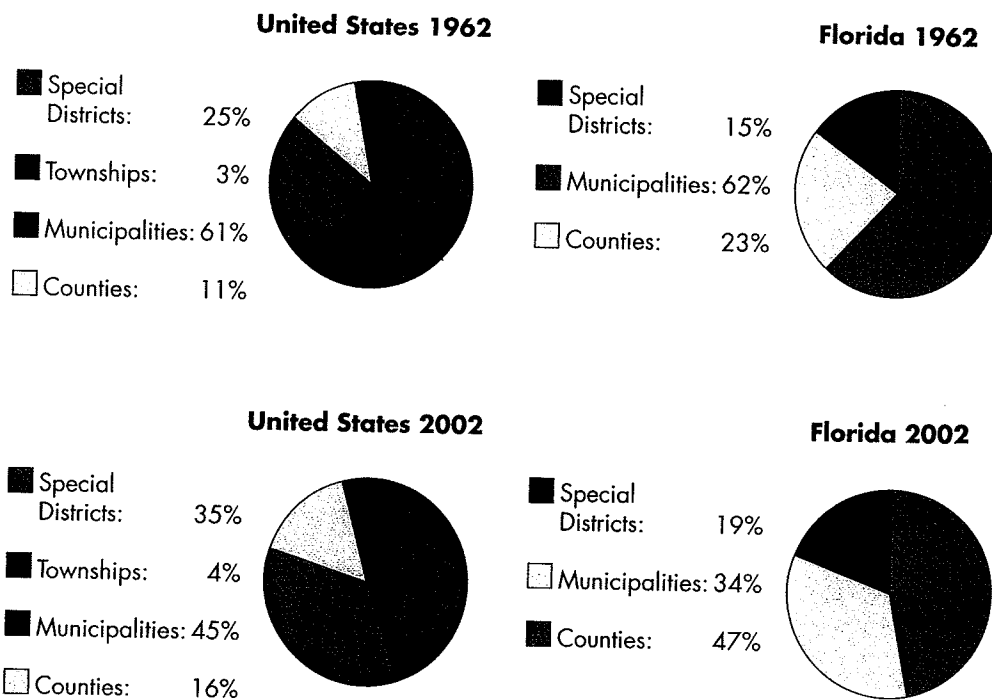
In addition, the role of county governments in the provision of parks and recreational services was expanding between 1962 and 2002, while municipalities were assuming a reduced role. By 2002, counties were accounting for 43 percent of total local government spending for parks

and recreational services compared to 17 percent in 1962. Over the same time span, the proportion of local government expenditures accounted for by municipalities dropped from 83 to 56 percent. Again, special districts have played a very small part in the delivery of these services.

County governments have always played an important role in the provision of airport services. In 1962, counties accounted for 86 percent of total spending for airports. By 2002, the county proportion had dropped 69 percent. The municipal proportion had also declined—that is, from 13 to 9 percent. These declines in the county and municipal proportions translated into an expanded role for special districts. Between 1962 and 2002, the special districts proportion of all local government spending for airports increased noticeably from 1 to 22 percent.

Another cluster of urban-type services for which local government spend a considerable sum of money includes housing and urban redevelopment, mass transit, and natural resources. As can be seen from Figure 9, counties and municipalities in 1962 were barely involved in the provision of housing to the poor or in redeveloping their blighted urban areas. Florida municipalities accounted for only 1 percent of all local government expenditures, while counties spent such a small sum of money that it did not amount to even 1 percent. Special districts, which accounted for 99

Figure 7: Urban-Type Service Expenditure Proportions for the United States and Florida



compared to 17 percent in 1962. the proportion of local government or by municipalities dropped from special districts have played a very of these services. ts have always played an important rport services. In 1962, counties of total spending for airports. By tion had dropped 69 percent. The d also declined—that is, from 13 nes in the county and municipal nto an expanded role for special ? and 2002, the special districts overnment spending for airports a 1 to 22 percent. rban-type services for which local siderable sum of money includes lopment, mass transit, and natural n from Figure 9, counties and re barely involved in the provision r in redeveloping their blighted r municipalities accounted for only 1 nent expenditures, while counties nent money that it did not amount to istricts, which accounted for 99

percent of all spending in this area, were the primary governmental means for providing these services. By 2002, however, counties and municipalities had become much more active in the provision of these services. Counties accounted for 35 percent of local government spending in this area, whereas municipalities accounted for another 25 percent. As a result, the special districts proportion of these expenditures dropped to 40 percent.

Mass transit was so new in 1962 as a urban-type service that the Census Bureau did report these type expenditures for local governments but rather included it with general transportation spending. Therefore, there are no reliable data to compare to in 2002. However, it is clear from Figure 9 that county governments have assumed major responsibility for mass transit services in Florida, accounting for 57 percent of local government spending, while special districts play a secondary role accounting for another 35 percent of local government expenditures. Municipalities accounted for the remaining 8 percent.

As for the conservation of natural resources, individual local government responsibility basically remained the same over the period from 1962 to 2002. Special districts continue to account for approximately two-thirds of local government spending in this area, while counties account for much of the rest. Municipalities tend to spend very little money in this regard.

Local governments in Florida tend to devote the least amount of money to two other urban-type services—water transportation and terminals and parking. With regard to the former, counties have assumed greater financial responsibility since 1962, and subsequently resulting in a smaller role for both municipalities and special districts (see Figure 10). With respect to the provision of parking facilities, municipalities are almost the sole providers (see Figure 10).

Explaining Service Delivery Patterns

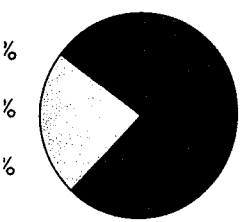
Several factors would seem to account for the traditional, municipal-type, and urban-type service patterns observed among local governments in Florida. First, the state government (like state governments nationally), through the constitution and/or statutes, mandates local governments—singularly or jointly—to perform a host of functions. This is particularly so for a substantial portion of those services referred to as traditional services, and in large part, county governments are mandated to be the primary or sole provider. Historically, the state has mandated that county governments provide services such as public welfare, health care, legal/judicial functions, roads, law enforcement, supervision of elections, tax assessment and collection, and recording of legal documents. In fact, the Florida constitution reinforces this expectation with the creation of five constitutional officers (sheriff, clerk of the circuit court, supervisor of elections, property appraiser, and tax collector) who are elected on a countywide basis to oversee the delivery of these services.

The county government role in two particular areas—public welfare and health care—has grown substantially as a consequence of the growth of federally mandated entitlement programs in these areas. Entitlement programs have grown exponentially and billions of additional dollars have been funneled through the state government and eventually to Florida counties, since they have been mandated by the state to administer these programs. Simply put, federal funding for programs such as the former Aid to Families With Dependent Children, replaced in 1996 by Temporary Assistance to Needy Families, and Medicaid has skyrocketed, and this has meant that county governments are accounting for an even larger proportion of local government spending for welfare and health care services than was the case in the 1960s and 1970s.

A combination of federal and state mandates and the expansion of federal grants-in-aid have also been responsible

United States

Florida 1962



Florida 2002

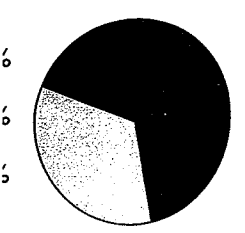
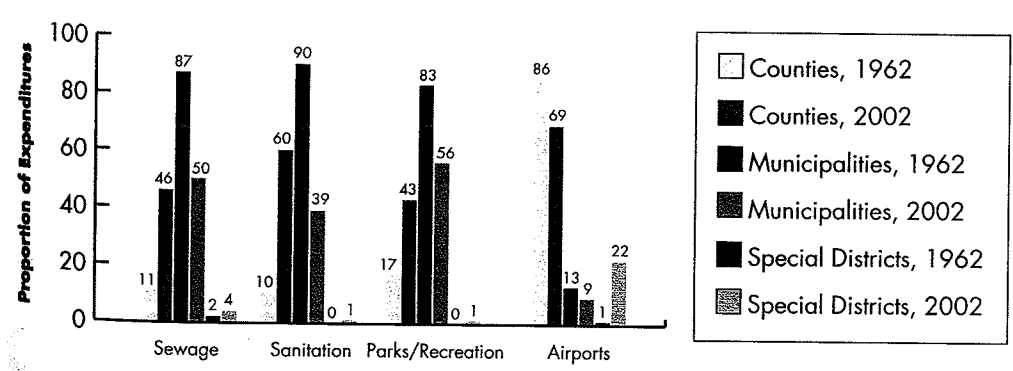


Figure 8: Group I of Urban-Type Services



for a larger county role in the provision of services in areas such as sanitation, solid waste management, sewage treatment and disposal. During the 1970s and 1980s, Congress enacted several significant pieces of legislation that focused on environmental protection and the preservation of natural resources. Although the repercussions of this legislation may have played out differently in other states, it meant a larger service role for county governments in Florida. In addition, the creation of other new federal programs has been partially responsible for the growth of the county role in public housing, urban redevelopment, and mass transit.

Patterns of service delivery among local governments in Florida as well as changes in these patterns from 1962 to 2002 also can be explained by two interrelated factors—rapid growth in the State's population and resulting urbanization. However, in order to understand fully the impact of these factors, it is critical to point out that a considerable proportion of this population growth and urbanization has occurred in the unincorporated areas of the state. Whereas approximately one-third of the State's population resided in unincorporated areas in 1962, over one-half (50.5 percent) did so in 2002. Projections place the unincorporated proportion at 53 percent in 2005 and at 55 by 2010. Currently, over 65 percent of all persons residing in 23 counties with populations of 50,000 or more live in an unincorporated area of their county. A number of these counties: Collier, Escambia, Hillsborough, Manatee, Marion, Orange, Osceola, Pasco, Polk, and Sarasota, are substantial in size.

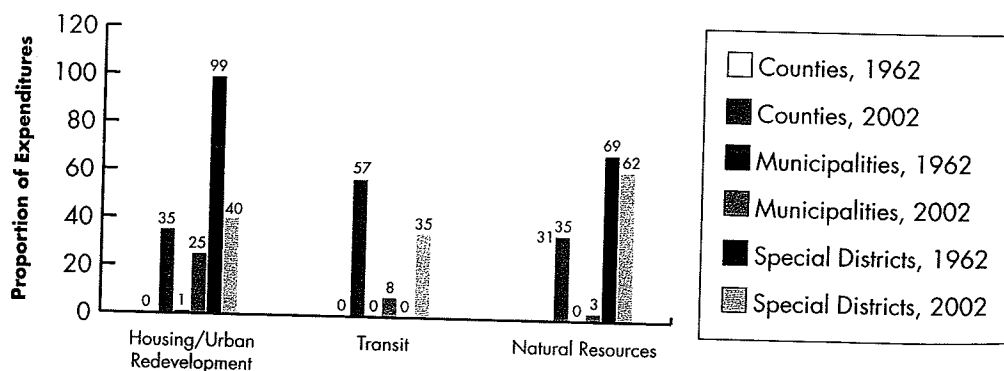
The tremendous growth in the unincorporated proportion of the State's population has resulted in a greater demand for counties to provide municipal-type services. In short, unincorporated area residents, many of them transplants from the Midwest and Northeast, have expected their county governments to provide a host of utilities, fire protection, libraries, and routine health and safety

inspections. Like their counterparts in cities, residents of the urbanized, unincorporated areas of Florida counties have not been content with private wells as a source of potable water, septic tanks for sewerage collection and disposal, volunteer fire departments for fire protection, the unavailability of libraries, or the lack of building codes, zoning and land use plans, fire codes, consumer protection programs, and other health and safety regulations. Furthermore, they have expected the county sheriff to be more than a constitutional officer of the court and for the sheriff's office to provide a level of police protection comparable to that found in city police departments. In fact, it is not unusual for the sheriff's budget in urbanized counties to exceed the combined police expenditures of all cities in the county.

The increasing urbanization of Florida, which frequently results in a blurring of the legal boundaries between incorporated areas (i.e., cities) and the unincorporated part of counties, has created the need for a different approach to service delivery. Issues such as sewage disposal, solid waste management, environmental protection, parks and recreation, housing, mass transit, urban renewal, and air transportation require a comprehensive, area-wide approach to what are either countywide or regional problems. The challenges and problems brought on by water and air pollution, decaying governmental infrastructure and commercial and residential areas, substandard housing, mounting levels of sewage and solid waste know no political or legal boundaries. They spill over city limits into other cities and/or into the unincorporated area parts of the county or sometimes across county lines. As seen earlier with regard to local government spending patterns for many urban-type or regional services, this has meant a larger service provision role for counties and even special districts.

Yet, one has to wonder why municipal borders simply were not expanded or new municipalities formed to serve

Figure 9: Group II of Urban-Type Services



nterparts in cities, residents of ed areas of Florida counties have are wells as a source of potable erage collection and disposal, nts for fire protection, the or the lack of building codes, fire codes, consumer protection alth and safety regulations. pected the county sheriff to be officer of the court and for the : a level of police protection in city police departments. In ie sheriff's budget in urbanized ined police expenditures of all

anization of Florida, which rring of the legal boundaries areas (i.e., cities) and the nties, has created the need for a rvice delivery. Issues such as e management, environmental reation, housing, mass transit, ir transportation require a e approach to what are either oblems. The challenges and ater and air pollution, decaying e and commercial and residential s, mounting levels of sewage and al or legal boundaries. They spill other cities and/or into the of the county or sometimes across ith regard to local government y urban-type or regional services, rvice provision role for counties

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the new urban development, since it is not reasonable to posit that urban sprawl automatically lead to counties providing municipal-type and urban-type services. At least two changes were required in Florida's constitutional and statutory framework governing municipalities and counties. First, municipal annexation and incorporation had to become more difficult. Second, the taxing capacity of counties had to be greatly increased. Both of these things happened in Florida, but not necessarily by design.

The 1968 Florida Constitution included several provisions that, together, were intended to promote compact urbanization and keep municipal boundaries abreast of urban development. The key to keeping urban development and municipal boundaries in sync was the prohibition against dual taxation. This prohibition was defined away by the Florida courts in the early 1970s. However, if the courts had interpreted the prohibition more strictly, new development would have had to go into municipalities to get municipal-type and urban-type services.

After the prohibition against dual taxation was defined away by the courts, municipalities lobbied the legislature for reforms to make residents of the unincorporated areas pay their fair share for county services. As it was, counties were levying countywide property taxes to pay for many services that were mostly benefiting unincorporated area residents. The sheriff's road patrol is the classical example of this fringe benefit. In the mid-1970s, legislation was enacted that permitted counties to levy a municipal millage in all or part of the unincorporated area. After this, municipalities could use the law to force counties to add MSTUs and MSBUs, which in turn gave urbanizing counties the tax capacity to become providers of municipal-type and urban-type services.

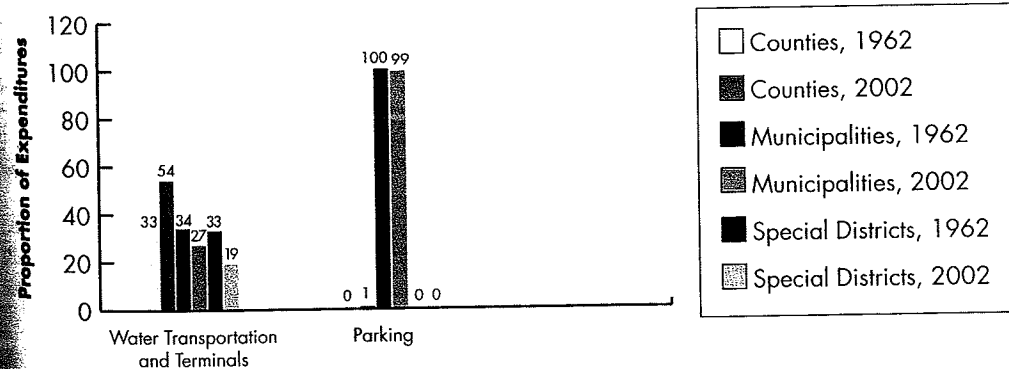
The increased responsibility of counties, and sometimes special districts, to provide urban-type services has been the consequence of the inability or unwillingness of mid to large central cities to continue to provide these

type services. The fiscal problems of national central cities as well as in Florida, including Miami, Jacksonville, Tampa, St. Petersburg, Pensacola, Ft. Lauderdale, has meant that they are no longer able to bear the financial responsibility for building and operating airports and operating the county's parks, recreational programs, stadiums, conventional centers, and museums. In addition to the fiscal issue, there is also the issue of fairness and equity. Why should a city continue to provide these kinds of services to both their residents and those residents of unincorporated areas, when only city residents paid taxes to support them?

A state constitution in Florida that limits the use of the property taxes and other taxes as restricts the ability of counties and municipalities to borrow money has also been responsible for shifting service responsibilities among local governments. The property tax rate is capped at 10 mills for counties and municipalities. Counties and municipalities can exceed the 10-mill cap, but only if the voters approve it in a referendum. Furthermore, neither government can levy a personal income/payroll tax. Municipalities are not permitted to adopt a local-option sales tax. In addition, limits on bonded indebtedness make it difficult to borrow money on a long-term basis for capital expenditures. These restrictions, along with the public's appetite for additional services and expanding existing services, have made counties and municipalities amenable to the idea of transferring responsibility for the provision of more and more services to special districts and legislative authorities. In short, it gets municipalities and counties off the "political hot seat," while special districts and authorities have the constitutional authority to impose and collect property taxes and borrow money. That is, special districts often have been used for regional services and facilities because they can be overlaid atop multiple pre-existing governments and their narrow focus has been suitable for large-scale facilities that serve an entire county or multiple counties.

A final factor that helps to explain service delivery

Figure 10: Group III of Urban-Type Services



Counties, 1962
 Counties, 2002
 Municipalities, 1962
 Municipalities, 2002
 Special Districts, 1962
 Special Districts, 2002

patterns among local government in Florida, particularly the enhanced role for county government, is the effort to modernize county government structure and operations. County governments in Florida, like county governments in most other states, were created primarily to provide administrative arms of the state and to provide traditional services. They were never intended to provide what have been labeled here as municipal-type and urban-type services, and thus become full-service local governments like municipalities.

Yet, a number of factors, including but not limited to the factors discussed above, have catapulted county governments into the position of full-service governments. As a means to reinvent themselves, and therefore to be better able to provide a wider menu of traditional services and undertake a myriad of municipal-type and urban-type services, many counties in Florida have adopted more modern forms of structure and operating procedures. For instance, county governments now routinely employ an administrator who is in charge of day-to-day operations, implementing policy decisions, and develop plans for service expansions. A smaller number of counties (19 at present) have adopted home rule charters that give them much greater latitude in raising the larger sums of money needed to finance additional services or expand older ones. In fact, two recent studies (Benton 2003a, 2003b) report a statistically significant relationship between county modernization in Florida two factors: raising additional revenue to expand the level and menu of services and increased spending for traditional and urban-type services.

Conclusion

Local governments in Florida are likely to continue to sort out responsibility for the provision of traditional, municipal-type, and urban-type (or regional) services in the years ahead. It appears certain that counties are likely to maintain a dominant position in the delivery of most traditional services,⁸ with the exception of hospitals where special districts have become the major provider. However, it is reasonable to speculate that, if past trends are any predictor of the future, county governments will probably play an increasingly important role in the provision of all municipal-type services and in four urban-type services: sewage collection and treatment, solid waste management, parks and recreation, and mass transit.⁹ Furthermore, special districts appear destined to assume greater responsibility for several urban-type services including housing, urban redevelopment, mass transit, conservation of natural resources, and water transportation and terminals. Finally, it is probably safe to say that municipalities will continue to be an important provider of municipal-type services, but not to the extent that they were in the 1960s and 1970s.

Notes

1. For purposes of comparability, direct expenditures made by the state for education were subtracted from total expenditures, since cities, counties, and special districts do not operate public schools. In Florida, education that covers kindergarten through secondary schools is the responsibility of 67 independent school districts that operate within the boundaries of the State's 67 counties.
2. Other studies (e.g., see Maddox and Fuquay, 1975; Duncombe, 1966, 1977; Peterson 1981) have employed different typologies of local government services. In so doing, they have referred to what are called "municipal-type" and "urban-type" (regional) services in the present study as either "newer," "optional," or "modern" services. Nevertheless, it is believed that the labels used in this study more precisely identify and depict the kinds of service activity under consideration.
3. This time frame was chosen for the analysis that follows because reliable expenditure data on specific services does not exist prior to 1962 and the latest available data is for 2002.
4. Remaining 6 percent was accounted for by townships.
5. Remaining 4 percent was accounted for by townships.
6. Although municipalities devoted the largest percentage of their expenditures to traditional services in both 1962 and 2002 (42 percent in both years), they did allocate a larger proportion to municipal-type services (33 and 34 percent, respectively, in 1962 and 2002) than did counties, townships, or special districts.
7. Municipalities in Florida in 1962 allotted 45 percent of their resources to fund municipal-type services, while allocating a somewhat smaller proportion in 2002 (40 percent).
8. Confirmation of this conclusion is provided by Benton and Menzel 1991 and Menzel and Benton 1991.
9. A similar conclusion was reached by Benton and Menzel 1993.

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The Influence of Campaign Finance on Trial Judges' Decision Making

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Abstract

Objective: Legal intellectuals have long debated the problems associated with attorneys contributing to judicial candidates. Most of this scholarship has focused on ways to reform campaign finance in judicial elections, and there has been some empirical research on the politics of attorney contributions to judicial campaigns. However, there has been no systematic attempt to test whether attorneys' campaign contributions impact the behavior of trial judges. **Methods:** To fill this gap in the literature, this study tests whether campaign contributions influence the outcome of 455 recusal motions in civil cases for a Florida circuit court from 1997-2002. First, it examines the extent that attorney contribution variables are statistically associated with the outcome of the recusal motions. Then it employs a multivariate logistic regression to control for other possible influences. **Results:** Bivariate Chi-Square tests show that if the respondent's attorney contributes to the trial judge, then the judge is less likely to grant the motion. Likewise, if the movant's attorney contributes to the trial judge's opponent, then the judge is less likely to grant the motion. Both of these variables were statistically significant in the multivariate model. **Conclusion:** There is empirical evidence that campaign contributions from attorneys influence how judges make decisions, and these findings could enhance the need for reform. However, there are a number of caveats that must be considered to avoid misinterpreting these results.

There has been considerable debate among political scientists and legal scholars over the advantages and disadvantages of electing state judges versus appointing them or using a merit selection system (e.g., Larkin 2001;

Webster 1995). As Elizabeth Larkin states, "The debate over selecting and retaining judges is long standing and reflects a fundamental disagreement regarding a judge's political and social role." (Larkin 2001, 65). One aspect of that debate centers on the role that campaign finance plays in judicial elections. A particular controversy concerns the potential conflict of interest that might arise from attorney contributions to judicial elections. Do attorney contributions impact judges' behavior? There has been considerable debate over the problem of campaign finance and judicial elections, and scholars have proposed a wide array of solutions. However, there has been minimal empirical research on the extent that attorneys' contributions actually influence judges' decisions. This paper fills this void by testing for an empirical link between campaign contributions and recusal motion decisions of trial judges presiding over civil cases' in a Florida circuit court.² I hypothesize that there is a statistical relationship between campaign contributions and judges' decisions, and by using a bivariate and multivariate statistical technique, I can confirm this hypothesis.

Literature Review: Attorney Contributions and Judicial Elections

The propriety of attorney donations to judicial campaigns has been the subject of considerable discussion among legal commentators. Specifically, judges might be biased in favor of attorneys who contributed to their campaigns and/or biased against attorneys who contributed to their opponents' campaigns. If campaign finance in any way influences a party's chance of success in court, then justice is not administered fairly. Anecdotal evidence (Barnhizer 2001; Grannis 1987; Johnson and Urbis 1992,

549-551; Mathias 1990, 43-63; Siciliano 1990, 229-230; Stumpf and Culver 1992, 34; Wiener 1996, 193-196) and personal accounts from judges who participated in the process (Hill 1988; 1989; Spaeth 1976) suggest that contributions have corrupted the fair administration of justice and deny criminal defendants and civil litigants their constitutional rights.

Although the American Bar Association's *Model Code of Judicial Conduct* Canon 5(C) prohibits judicial candidates from direct involvement in soliciting campaign contributions, state laws require campaign contributions to be disclosed publicly. Consequently, judges can learn who donated to their campaigns and the campaigns of their opponents. In fact, there is considerable anecdotal evidence suggesting that judges are aware of individuals who contributed to their campaign and the amount they contributed (Siciliano 1990; Stumpf and Culver 1992, 24). One judge even admitted, "...the judicial candidate cannot disentangle himself from the financial aspects of his campaign. I know because I have tried hard to do so." (Spaeth 1976, 14) A survey of judges revealed that a majority believe that they should know the identity of their contributors, which suggests that many judges are likely to take advantage of the public disclosure of campaign contributions (Siciliano 1990, 226).

Legal scholars have also argued over the best method of remedying the ethical and constitutional difficulties that attorney contributions cause. One proposal calls for disqualifying judges from cases in which an attorney contributed a substantial amount (usually over \$500) to the judge's campaign. Disqualification would eliminate the opportunity for contributions to influence judges' rulings, and it would eliminate the appearance of impropriety as well (Banner 1988; Mathias 1990, 52; Scigliano 1990; Task Force on Selecting State Court Judges 2000, 95-97; Uelman 1990). However, others argue that because numerous attorneys contribute to a variety of different judges, disqualification would create administrative problems (Carrington 1998, 155; Grannis 1987; Uelman 1990), especially in sparsely populated districts with few judges (Alifini and Brooks 1989, 720; Mathias 1990, 53). Automatically disqualifying judges when contributing attorneys appear before them could also allow disingenuous attorneys to forum shop by simply contributing to judges they wish to avoid (Grannis 1987; Uelman 1990). State courts have agreed that large campaign contributions are not legally sufficient grounds for disqualifying a judge (Johnson and Urbis 1992, 555-556; Lontas 1990).³

Another proposal calls for capping individual attorney's contributions to judicial candidates. Unlike the recusal remedy, which attacks the problem after the damage has transpired, the contribution remedy avoids the problem altogether by preventing judges from being obligated to attorneys. Moreover, contribution limits allow for a wide

spectrum of attorneys to compete with the wealthy attorneys and firms for influence in judicial campaigns (Barnhizer 2001; Grannis 1987; Mathias 1990, 51-52). Some reforms have even suggested preventing attorneys from contributing to judicial races altogether (Mathias 1990, 54). Despite these advantages, contribution caps could favor powerful interest groups and civil defense firms over independent lawyers and plaintiffs' firms. Since defense firms usually contain more attorneys than plaintiffs' firms, they would be able to contribute more money overall and exert greater influence (Champagne 1992, 103; Johnson and Urbis 1992, 553). Additionally, caps advantage wealthy candidates, who could spend an unlimited amount of their own money on their own campaigns, while non-wealthy candidates would be limited to spending only the cap-restricted money they were able to raise (Champagne 1992, 103; Mathias 1990, 52).

An alternative proposal recommends public funding of judicial campaigns, which would eliminate the need for candidates to raise money. One form of public funding allows local bar associations to raise money from attorneys and then distribute the money to the judicial candidates it endorses. If candidates take that money, then they cannot raise additional funds from attorneys, and if attorneys donate money, then they cannot contribute independently to another judicial candidate. This plan, or variants of it, has been tried in some areas (e.g., Cleveland, OH and Miami/Dade County, FL) with mixed success (Mathias 1990, 50-51; Schotland 1985, 96-104). States can also provide public funding for judicial candidates, who would then forfeit their right to take contributions from attorneys. Wisconsin has instituted a system that partially finances judicial campaigns, and there is even some evidence demonstrating public support for total financing (Abrahamson 2001, 998-999).

Many observers are so dissatisfied with the ethical and constitutional problems of campaign contributions and the sundry remedies that have been proposed, that they have called for abandoning judicial elections and replacing them with a merit system (Hill 1988; 1989; Johnson and Urbis 1992; 557-567; Lontas 1990) or appointed judges who serve for good behavior (Cheit and Golze 1980).

Despite this scholarly debate on campaign finance in judicial elections, there has been little empirical research on the question of the actual impact of campaign contributions. Moreover, the empirical research that has been conducted shows that judicial candidates spend considerable sums of money on campaigns; that attorneys are the dominant contributors to these campaigns; and that these contributions influence the outcome of elections. However, the literature has not addressed the question concerning the extent that contributions affect judges' behavior on the bench.

Researchers have investigated questions concerning the importance of campaign financing in judicial elections,

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proposal recommends public funding which would eliminate the need for private money. One form of public funding is to raise money from attorneys and contribute it to the judicial candidates. If they do not take that money, then they cannot contribute from attorneys, and if attorneys donate to a candidate, they cannot contribute independently to that candidate. This plan, or variants of it, has been tried in several areas (e.g., Cleveland, OH and Tallahassee, FL) with mixed success (Mathias and Johnson 1985, 96-104). States can also consider public funding for judicial candidates, who would not take contributions from attorneys. A public funded system that partially finances judicial campaigns and there is even some evidence of public support for total financing (Johnson 1988-1999).

are so dissatisfied with the ethical and political aspects of campaign contributions and the influence they have on judicial elections and replacing them with public funding (1988; 1989; Johnson and Urbis 1990) or appointed judges who are not subject to campaign contributions (Cheit and Golze 1980).

Early debate on campaign finance in Florida has been little empirical research on the actual impact of campaign contributions. However, the empirical research that has been done suggests that judicial candidates spend more money on campaigns; that attorneys contribute to these campaigns; and that campaign contributions influence the outcome of elections. This research has not addressed the question of whether contributions affect judges'

investigated questions concerning campaign financing in judicial elections.

with considerable variation among the findings. In fact, there is not even agreement on the extent of overall spending in judicial races. Studies have found that spending is low in judicial races compared to elections for other state offices (Arrington 1996; Dubois 1986b), but other studies have shown spending on judicial campaigns increased considerably since the 1980s (Champagne 1992; Kaplan and Davidson 1998; Nicholson and Nicholson 1994). Scholars have also explored the sources of campaign contributions in judicial elections, finding that a significant portion of contributions to judicial candidates come from attorneys (Abbe and Herrnsen 2002, 289-290; American Bar Association 1998; Dubois 1986a, 12-16; Jackson and Riddlesperger 1991, 185; Nicholson and Nicholson 1994, 297-298; Schotland 1985, 116-118; Sheldon and Maule 1997, 80). However, self-financing (Nicholson and Nicholson 1994, 297-298) and business interests (Champagne and Cheek 1996; Dubois 1986a, 12-16) are also significant contributors to judicial races. Noted judicial election expert Phillip Dubois (1980, 21) found that judicial candidates in non-partisan states cannot rely on a political party for money and thus seek donations from fellow attorneys. Researchers have even uncovered patterns of attorney contributions, showing that plaintiffs' attorneys contribute primarily to Democratic candidates and civil defense attorneys contribute primarily to Republican candidates (Champagne 1986; Champagne 1992; Jackson and Riddlesperger 1991; Wiener 1996, 190).

There has also been empirical analysis of the relationship between campaign contributions and the outcomes of judicial races. Analyses of different states demonstrate that on average winning candidates raise more money than losing candidates (Champagne 1986, 86-87; Champagne 1992, 92-93; Johnson and Urbis 1992, 545-546; Schotland 1985, 134-140). Another study discovered a positive relationship between the amount of campaign contributions from plaintiffs' attorneys and the odds of electing trial judges who are predisposed to be favorable to plaintiffs' claims (Tabarrok and Helland 1999). However, other studies incorporated variables, such as political party, local bar-poll ratings, incumbency, and ballot position, and found that campaign financing did not influence electoral success (Arrington 1996; Volcansek 1983).

The empirical literature discussed thus far sheds considerable light on the politics of attorney contributions to judicial races, but it does not address whether these contributions influence judicial behavior, which is a central question in the larger debate over judicial elections. Some literature hints at a connection, but no studies have systematically and directly tested for a link between campaign contributions and judicial decisions. For example, Nicholson and Nicholson (1994, 299) "assume[d] that some contributors believe they are getting something for their money, even if it is something less than the most blatant judicial partiality." There have also been isolated reports of

contributors faring better than non-contributors in trial verdicts (Stumpf and Culver 1992, 44-45; Wiener 1996, 194-195). However, in trial court cases, juries, not judges, often decide verdicts; consequently, a numerical relationship between contributions and trial verdicts does not necessarily demonstrate systematically that campaign contributions influence judges' behavior. Additionally, there is isolated evidence of a relationship between attorney contributions and judicial decisions at the appellate level (Abrahamson 2001, 996; Wiener 1996, 194-195). However, this relationship is more likely to be the result of policy congruence than the influence of money. For example, attorneys who oppose abortion rights would most likely contribute to state appellate court candidates who share that view or who advocate a judicial restraint philosophy that would result in decisions limiting abortion rights. If those candidates win judgeships and subsequently rule against abortion rights in cases that those attorneys argued, then there would be a statistical relationship between the contributions and judicial decisions, but that relationship would be spurious. It is more likely that preexisting views against abortion rights caused both the contribution to the judge and the anti-abortion decisions.

The lack of a systematic test for a direct link between campaign contributions and judicial decisions amounts to a gap in the literature, which this study seeks to fill. A more thorough understanding of the relationship between campaign contributions and judicial behavior can advance the debate over the need to reform judicial elections or even the propriety of electing judges at all.

Research Design

To test whether attorney campaign contributions influence judicial decisions, this study examines the 445 recusal/disqualification motions filed in a Florida circuit court for civil cases from 1997 through 2002.

Using trial court decisions to test the influence of campaign contributions is preferable to using appellate court decisions. Appellate judges' discretion on deciding cases creates the possibility that campaign contributions can impact their decisions. However, as discussed earlier, it is likely that a correlation between campaign contributions and appellate decisions is the result of policy congruence between the judges and the attorneys who contributed to their campaigns. On the other hand, trial court decisions are not as policy oriented; therefore, one could more reasonably attribute a correlation between trial judge decisions and attorney contributions to the influence of the contributions themselves.

Analyzing recusal motions is preferable to analyzing trial verdicts. Judges undeniably influence verdicts by controlling the procedures of the trial and instructing juries on legal matters, but juries ultimately decide facts of the case and reach verdicts. Stuart Banner (1988, 14) rejects the use of verdicts to ascertain the influence of campaign

contributions, writing, “[S]uch a study would be impossible to conduct, because it would necessitate making assumptions about the way particular cases would have been decided but for the contributions from the parties involved.” Nevertheless, judges have considerable control over the outcome of their procedural motions; juries play no role. Although bound by precedent and statutes, judges enjoy enough discretion when deciding procedural issues to leave open the possibility that their decisions are motivated in part by campaign contributions. A recusal motion is an ideal procedural issue to test the impact of attorney contributions because it has a clear outcome, which directly favors one attorney over the other. Ultimately, this research tests Ross Cheit and Sandra Golze’s (1980, 31) assertion that, “Contributions may not affect the outcome of cases, but they might result in favorable procedural rulings.”

Recusal motions occur when an attorney asks the judge to remove himself from a case because there is a conflict of interest with one of the parties or their attorneys, or the judge has exhibited prejudice against one of the parties or their attorneys. Federal (28 U.S.C. § 144 and 28 U.S.C. § 455) and Florida (*Florida Statutes*, Title V, Chapter, 38, Sections 1-10) laws generally require that judges disqualify themselves in cases where they have a close familial, personal, or professional association with one of the parties or attorneys; if the judge would benefit financially from a decision; or if the judges displayed any prejudice or bias towards one of the parties to the case or an attorney. If an attorney petitions to disqualify a judge, then the judge cannot decide the case on the truth of the allegations. Instead judges must rule in a way that avoids the appearance of impropriety. Nevertheless, if judges deem that the motion is “legally insufficient,” then they can dismiss it. The “legally insufficient” standard is vague enough to give judges discretion in deciding recusal motions (Federal Judicial Center 2002, 1-51; Flamm 1996, 4-55). This discretion leaves open the possibility that campaign contributions might impact outcome of the motion. It bears mentioning that none of the recusal motions comprising this study involved conflicts of interest arising from campaign contributions themselves. In 1989, the Florida Supreme Court ruled that an attorney contributing to the reelection of a judge or close associate of the judge is not a legally sufficient reason to remove a trial judge.⁶ Therefore, all motions included in this study involve a conflict of interest or prejudice that was not related to campaign issues.

This study will have to be confined to a single jurisdiction. A multi-jurisdictional study might be preferable because it can be generalized to elected trial court judges throughout the United States. However, since recusal motions are difficult and costly to obtain, this study will focus on the connection between campaign contributions and recusal motions within a single jurisdiction. The results obtained in this study cannot automatically be generalized to trial court behavior throughout the United States, or

even the state of Florida. However, the circuit tested in this study is racially and economically diverse and is generally representative of American urban areas.

The county clerk of court provided the copies of the official motions, and these motions contained the information concerning the name of the judge, the name of the attorneys, and the reason(s) for the recusal request, outcome of the decision, and in many cases the motion contained a thorough legal justification for the decision. I will first test for statistical relationships between attorney contributions and the outcome of the recusal motions. Are attorneys who contribute to judges more likely to get favorable rulings? Likewise, are attorneys who contribute to judges’ opponents less likely to obtain favorable rulings? If this analysis uncovers any statistical association, then a multivariate regression model will assess whether these relationships endure while controlling for other possible influences on the outcome of recusal motions.

Variables and Measurement

Table-1 lists the dependent and independent variables, the way in which they are measured, and their mean values.

The dependent variable for this study is the outcome of the recusal motion, which is coded as a 0 if the motion was denied and a 1 if it was granted. This variable was dichotomous, which means that it can exhibit one of only two possible outcomes—grant or deny the motion. The signed recusal motions provided the information for this variable.

Four independent variables capture distinct links between campaign contributions and trial judges’ decisions on recusal motions. Given the survey research and anecdotal evidence discussed in the literature review it is reasonable to assume that the judges in this research were aware of their contributors and who contributed to their opponents. One variable measures whether the movant’s (i.e., the party motioning for recusal) attorney contributed to the trial judge in the most recent election. This is a dummy variable, coded with a 1 if the movant’s attorney contributed to the sitting judge and a 0 if not.⁶ I expect that if the movant’s attorney contributed to the trial judge, then there is a greater chance the motion will be granted. A second variable records whether the respondent’s⁷ (i.e., the side that did not make the motion) attorney contributed to the trial judge in the most recent election. This is a dummy variable, coded with a 1 if the respondent’s attorney contributed to the sitting judge and a 0 if not. I hypothesize that if the respondent’s attorney donated to the trial judge’s campaign, then the judge is less likely to grant the motion. A third variable registers whether the movant’s attorney contributed to the trial judge’s opponent (if there was one) in the most recent election. This is a dummy variable, coded with a 1 if the movant’s attorney contributed to the judge’s opponent and a 0 if not. I expect that if the movant’s attorney contributed to the trial judge’s opponent, then the judge is less likely

to grant the motion. This variable is coded with a 1 if the judge’s opponent’s attorney contributed to the judge in the most recent election.

The fourth variable measures whether the attorney who contributed to the judge’s opponent also contributed to the judge in the most recent election. This variable is coded with a 1 if both the attorney who contributed to the judge’s opponent and the attorney who contributed to the judge in the most recent election contributed to the judge in the most recent election.

TABLE 1

Variable

DEPENDENT
Recusal Motion

INDEPENDENT
Movant’s Attorney

Respondent’s Attorney

Movant’s Attorney

Respondent’s Attorney

INDEPENDENT
Age

Experience

Recusal Motion

However, the circuit tested in this economically diverse and is generally urban areas. The court provided the copies of the these motions contained the name of the judge, the name of the reason(s) for the recusal request, and in many cases the motion for legal justification for the decision. I also examined the relationships between attorney and the outcome of the recusal motions. Are judges more likely to grant motions if attorneys who contribute to favorable rulings? Any statistical association, then a model will assess whether these relationships controlling for other possible factors of recusal motions.

Dependent and independent variables, were measured, and their mean values. The variable for this study is the outcome which is coded as a 0 if the motion was granted. This variable was designed so that it can exhibit one of only two values—grant or deny the motion. The data provided the information for this

These variables capture distinct links between contributions and trial judges' decisions. In the survey research and anecdotal evidence in the literature review it is reasonable to assume that in this research were aware of their contributions attributed to their opponents. One variable measures whether the movant's (i.e., the party whose attorney contributed to the trial judge's decision. This is a dummy variable, coded with a 1 if the movant's attorney contributed to the trial judge, then there is a greater likelihood of the motion being granted. A second variable records whether the respondent's (i.e., the side that did not make the contribution) attorney contributed to the trial judge in the case. I hypothesize that if the respondent's attorney contributed to the trial judge's campaign, then the judge is more likely to grant the motion. A third variable measures whether the movant's attorney contributed to the trial judge's campaign (there was one) in the most recent case. This is a dummy variable, coded with a 1 if the respondent's attorney contributed to the judge's opponent and the movant's attorney contributed to the judge, then the judge is less likely

to grant the recusal motion. Finally, a fourth variable measures whether the respondent's attorney contributed to the judge's opponent. This is a dummy variable, coded with a 1 if the respondent's attorney contributed to the judge's opponent and a 0 if not. I hypothesize that if the respondent's attorney donated to the judge's opponent, then the judge is more likely to grant the motion.

The attorney and presiding judges' names came from the recusal motions themselves. Past research has shown the significance of contributions from both individual attorneys and firms (Dubois 1986; Johnson and Urbis 1992; Schotland 1985); therefore, it was necessary to capture whether attorneys' firms, in addition to individual attorneys themselves, contributed to the judges and opponents. In many instances, attorneys' firms appeared on the recusal motions. The Martindale-Hubbell database, accessed through LEXIS/NEXIS, also provided employment data for attorneys' employment. To ensure the accuracy of the employment data, I corroborated the Martindale-Hubbell

information with the date that the motion was filed. I accessed the campaign contribution data for attorneys and law firms through the State of Florida Division of Elections website (<http://election.dos.state.fl.us/campfin/cfindb.shtml>), which reports contributions to each judicial candidate.

To establish a causal connection between the contribution variables and the outcome of the recusal motions it is necessary to control for other factors that may influence the outcome of recusal motions. There is little research explaining judges' decisions on recusal motions, thus there is minimal theoretical justification to include typical variables used to explain trial judges' decisions, such as race, gender, or ideology. Nevertheless, there are three control variables that have grounding in the limited legal scholarship on recusals: the judge's age, the judge's legal experience, and the type of recusal motion filed.

First, it is important to control the judge's age and experience. Surveys of judges demonstrate that older and more experienced judges are more likely than younger and

TABLE 1: VARIABLES AND MEASUREMENT

Variables	Measurement	Mean Value
DEPENDENT		
Recusal Decision	0=deny 1=grant	0.94
INDEPENDENT - CONTRIBUTION		
Movant Attorney Contrib. to Judge	0=no 1=yes	0.08
Respondent Attorney Contrib. to Judge	0=no 1=yes	0.04
Movant Attorney Contrib. to Opponent	0=no 1=yes	0.02
Respondent Attorney Contrib. to Opponent	0=no 1=yes	0.02
INDEPENDENT - CONTROL AND BACKGROUND VARIABLES ON JUDGES		
Age	judges' at time of motion	49.28 years
Experience	number of years judge has practiced law	21.90 years
Recusal Issue	0=conflict of interest 1=prejudice	0.21

less experienced judges to understand the importance of avoiding the appearance of impropriety, and, as a result, they are more likely to disqualify themselves when their impartiality is challenged (Goldschmidt and Shaman 1996, 71; Shaman and Goldschmidt 1995, 43-45). I use two variables to reflect the impact of experience – age and duration of legal practice. I measured age by subtracting the year of the judges' birth from the year of the case, and I measured duration of legal practice by subtracting the year the judge started practicing law from the year of the case. The Martindale-Hubbell biographies available through LEXIS/NEXIS provided data on judges' date of birth and year admitted to the bar.⁸ I hypothesize that both variables are positively related to the dependent variable—older and more experienced judges should be more likely than younger and less experienced judges to grant recusal motions.

The third control variable concerns whether the recusal motion was based on a conflict of interest between the judge and one of the attorneys or parties, or whether the motion was based on a charge that the judge exhibited personal bias against one of the attorneys or parties. Conflict of interest refers to financial, professional, personal, or familial relationships that the judge may have had with one of the parties or their attorneys, e.g., the judge is a former law partner with one of the attorneys. If any of those relationships factually exist, then in order to avoid the appearance of impropriety, judges have little discretion but to remove themselves. On the other hand, determining whether a judge's actions or statements display enough bias to warrant

removal relies on a subjective interpretation of one's own actions. There is more room for judges to deny those motions. In a survey of judges concerning recusal attitudes, Goldschmidt and Shaman (1996) and Shaman and Goldschmidt (1995) found that judges are ambivalent over granting recusal motions involving charges of bias. Consequently, I hypothesize that judges will be more likely to grant recusal motions arguing a conflict of interest than arguing bias. This variable was coded with a 0 for motions based on a conflict of interest and a 1 for motions based on bias.

Results

There were a total of 451⁹ valid recusal motions between the years 1997 and 2002, and 425 or 94.2 percent of those motions were granted.

To test the extent that campaign contributions influence recusal motions, I conducted a Pearson's Chi-Square test on each of the contribution variables and the recusal motion variable, and the results are reported on Table 2. The Chi-Square for the movant's attorneys' contributions variable and the outcome of the recusal motion variable is statistically insignificant. In other words, there is no relationship between a movant's attorney's contribution to the trial judge and a favorable decision on a recusal motion. The relationship between the respondents' attorneys' contributions variable and outcome of the recusal motion variable is more substantial. The Chi-Square of 5.787 is statistically significant at the 0.05 level, but the

Table 2: BIVARIATE RELATIONSHIPS BETWEEN ATTORNEY CONTRIBUTIONS AND RECUSAL DECISIONS

Independent Variable ^a	Chi-Square	Significance	Phi
Movant's Attorney Contribution	2.240	0.134ns	-0.070
Respondent's Attorney Contribution to Judge	5.787	0.016***	-0.113
Movant's Attorney Contribution to Judge's Opponents	3.815	0.051*	-0.092
Respondent's Attorney Contribution to Judge's Opponents	5.547	0.019ns	-0.111

*p<0.1; **p<0.05; ***p<0.01; ****p<0.001; ns=not significant

^aThe dependent variable for all four relationships is the judge's recusal decision.

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Significance	Phi
ns	-0.070
***	-0.113
*	-0.092
ns	-0.111

al decision.

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Phi of -0.111 demonstrates that the strength of this relationship is not robust. Nevertheless, this result reveals that judges are less likely to grant recusal motions when attorneys for the "other side" contributed to their campaign. The relationship between the movants' attorneys' contributions to the judges' opponents variable and outcome of the recusal motion variable is substantial as well. The Chi-Square of 3.815 is statistically significant at the 0.110 level, but the Phi of -0.092 demonstrates that the strength of this relationship is middling. Judges are slightly less likely to grant recusal motions when a movant's attorney contributed an opponent's campaign. Finally, the relationship between the respondents' attorneys' contributions to judges' opponents' variable and the outcome of the recusal motion variable is a bit curious. This Chi-Square of 5.547 is statistically significant at the .05 level. The fact that the Phi is negative (-0.111) indicates that in cases where the respondent's attorney contributed to the judge's opponent, the judge is less likely to grant the recusal motion. However, I hypothesized that in cases where

the respondent's attorney contributed to the opponent, the judge would be more likely to grant the recusal motion. Consequently, because I am conducting one-tailed tests, I cannot consider this relationship to be significant.

The bivariate analyses suggest that the link between campaign contributions and judicial decisions is most apparent in cases where the respondent's attorney contributed to the judge and the movant's attorney contributed to the judge's opponent. However, in order to ensure that the mathematical relationship between these campaign contribution variables and the recusal decision variable is not spurious, it is necessary to introduce the control variables. More specifically, I must isolate each independent variable's impact on the dependent variable while controlling for the other independent variables. Multiple regression is the most suitable technique for conducting this analysis because it reports results for each independent variable, while holding the other independent variables constant. However, because the dependent variable is dichotomous, Ordinary Least Squares (OLS), which is

Table 3: LOGISTIC REGRESSION RECUSAL MOTION OUTCOMES

Independent Variable	Slope	Statistical Significance	Odds-Ratio
CONTRIBUTION VARIABLES			
Respondent Attorney Contribution to Judge	-3.005	0.001 ***	0.050
Movant Attorney Contribution to Opponent	-1.419	0.092 *	0.242
CONTROL VARIABLES			
Age	-0.020	0.748ns	N/A
Years of Legal Practice	0.002	0.980ns	N/A
Recusal Issue	19.392	0.996ns	N/A

MODEL STATISTICS:
 -2 Log Likelihood without including independent variables = 189.427
 -2 Log Likelihood with including independent variables = 161.571
 Model Chi-Square = 27.856 ****
 R² = .15
 *p<0.1; **p<0.05; ***p<0.01; ****p<0.001; ns=not significant

commonly employed in multiple regression, is not appropriate. OLS assumes the existence of dependent variable outcomes below 0 and above 1, and it does not perceive the 0 and 1 measurement as representing bounded probability (Aldrich and Nelson 1984; DeMaris 1992; Kaufman 1996; Kleinbaum 1994). Specifically, logistic regression modifies the regression function logarithmically to account for the unique characteristics of a dichotomous dependent variable. As a result, it expresses the influence of each independent variable in terms of its isolated impact on the probability of a particular outcome occurring—in this case granting the recusal motion. Each independent variable coefficient is calculated initially as the log of the odds that a unit change on a single independent variable influences the probability of a 1 on the dependent variable. Taking the anti-log of the log-odds ratio ($e^{\log\text{-odds}}$) allows the coefficient to be expressed as an odds-ratio, which represents how much a unit change in each independent variable affects the odds of a 1 on the dependent variable (DeMaris 1992; Hardy 1993; Kaufman 1996; Kleinbaum 1994; Press and Wilson 1978). With the model analyzed here, a 1 on the dependent variable represents granting the recusal motion; therefore, each independent variable's odds-ratio represents its impact on the chance of the judge granting a recusal motion.

The results of the logistic regression are reported on Table-3. The model as a whole did an adequate job explaining the variance in the recusal motion results. The Model Chi-Square of 27.856¹¹ is statistically significant at the .001 level, which allows me to reject comfortably the null hypothesis that the model as a whole does not explain the variance in recusal motions (DeMaris 1992, 47). In other words, these independent variables taken together explain how judges decide recusal motions. Furthermore, logistic regression produces a measure similar to the R² used in OLS Regression. This is calculated as the Model Chi-Square over the -2 Log Likelihood (without considering the independent variables) (DeMaris 1992, 53-54). For this model the R² is 27.856 / 189.427 or 0.15, which means that the independent variables taken together explain only 15 percent of the variance in recusal motion outcomes.

Logistic Regression computes the statistical significance and strength of each of the independent variables while controlling for the other independent variables. For each independent variable Table 3 shows the slope, significance, and the odds-ratios (only for the statistically significant variables). Despite the theoretical justification, none of the control variables are statistically significant when considered in isolation of the other independent variables. However, the results confirmed that the contribution variables do independently affect the outcome of recusal motions. With all else held constant, when the respondent's attorney contributes to the judge's campaign, the recusal motion is 0.050 times as likely to be granted. Additionally, with all else held constant, when the

movant's attorney contributes to the judge's opponent, the motion is 0.242 times as likely to be granted. In short, even after controlling for other factors, there is still compelling evidence that campaign finance influences judges' decisions.

Discussion

Using a statistical analysis of 451 recusal motions filed in a Florida circuit court for civil cases from 1997 through 2002, this paper assessed the affects of campaign contributions on judicial decision making at the local trial court level. This study specifically tested the extent that attorney campaign contributions were statistically associated with judges' recusal motion decisions. Judges are less likely to grant recusal motions when respondents' attorneys contribute to their campaigns or when movants' attorneys contribute to the opposition. These results confirm the hypothesis that there is a link between campaign contributions and the behavior of judges. The fact that these associations maintained statistical significance when controlling for other possible influences on the dependent variable strengthens the argument that campaign finance affects judges' behavior. Ultimately, this conclusion supports those seeking to limit the influence of campaign contributions in judicial elections. At the very least these results establish the appearance of impropriety, which should be sufficient grounds for reform.

However, there are important statistical caveats, which cast doubt on the existence of an empirical relationship between campaign contributions and recusal motion decisions. First, the model as a whole, albeit statistically significant, did not explain much of the variance on the outcome of recusal motions. This suggests that there may still be undiscovered variables that exert a stronger influence on recusal motions than campaign contribution variables do. Part of this difficulty stems from the paucity of research on judges' recusal motion behavior. Subsequent research should address this topic to develop stronger models explaining recusal motion decisions. Another statistical caveat concerns the generalizability of these conclusions. These findings may be idiosyncratic to this one circuit and the time frame studied; therefore, this research should be replicated in other jurisdictions throughout the nation.

There are substantive caveats as well. First, it is important to note that the variable measuring whether the movant's attorney contributed to the trial judge did not increase the chances of the judge granting the recusal motion. In other words, the most straightforward link between campaign donations and recusal motion decisions does not exist. Furthermore, uncovering any relationship between campaign contributions and trial court judges' behavior in no way implies that judges purposely craft their decisions to satisfy campaign contributors. This conclusion merely points to a trend; it does not claim to reveal judges' conscious decision-making. Much of the literature on the psychology of judicial decision-making indicates that judges

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are motivated by subconscious impulses when making decisions (Guthrie, Rachlinski, and Wistrich 2001; Leubsdorf 1987; Nugent 1994; Rachlinski 2000). A judge may be operating under the illusion that she is neutral if she denies a recusal motion, despite the fact that the respondent's attorney donated money to her campaign or the movant's attorney contributed to an opponent. Further research should attempt to disentangle the conscious and subconscious influences of campaign contributions on judges.

Notwithstanding these caveats and qualifications, this research offers some initial, albeit primitive, empirical evidence for those scholars participating in the debates over judicial elections in general and the role of campaign finance in particular. There is certainly enough evidence to justify continued research on this subject.

Endnotes

1. Family law cases are included in the category of civil cases.
2. The data comes from the Hillsborough County Circuit Court.
3. See for example *Texaco, Inc. v. Pennzoil, Co.*, 729 S.S. 2d. 768 (1987) in Texas and *Breakstone v. MacKenzie*, 656 So.2d. 1332 (1990) in Florida.
4. The authors do note, however, that in 1980 and 1982 non-lawyers were the majority of contributors to candidates for circuit court races outside of Cook County, See footnote number 8.
5. *Breakstone v. MacKenzie*, 656 So.2d. 1332 (1990). Although this case concerned a contribution to a trial judge's wife, the holding is relevant for direct contributions as well. For more on this case see Liontas (1990).
6. The dummy variable measuring whether the attorney contributed to the campaign is more appropriate than a variable measuring the amount of money contributed. Including such a variable suggests that judges consciously examine each specific contribution, discover the amount, and then use that information to base their recusal motion decisions. This study does not hypothesize such a relationship between campaign finance and judicial decision making. Instead, it focuses more on the broad impact of campaign contributions. The dummy variables representing the existence of contributions reflect the general link between contributions and recusal motion decisions.
7. Although the party that did not motion for a recusal may not have issued a formal response to the recusal motion, I will use the term "respondent" for simplicity's sake.
8. Goldschmidt and Shaman (1996) and Shaman and Goldschmidt (1995) found that geography (measured as urban versus rural) was statistically related to recusal attitudes. However, since this study deals with only

one county, geography plays no role; therefore, I did not include such a variable.

9. Of the 455 total cases, 4 had missing data for the dependent variable. Therefore, the valid number of cases included in the statistical analysis is 451.
10. I conducted one-tailed tests, which allow me to use the $p < 0.1$ threshold for statistical significance. Although most research uses two two-tailed tests, this research was exploratory, and I have proposed theoretical directions for the hypothesized relationships. Therefore, I am able to use one-tailed tests (Gravetter and Wallenau 1999, 231).
11. The Model Chi-Square is computed by subtracting the -2 Log Likelihood including the independent variables from the -2 Log Likelihood not including the independent variables (DeMaris 1992, 47).

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Table of Contents

Wallace and the 1972 Florida Democratic Presidential Primary: Examining Racial Threat with Individual-Level and Aggregate- Level Data

Lynsey Morris, Jocelyn Jones Evans and Ronald Keith Gaddie

The Provision of Traditional, Municipal-Type, and Urban-Type Services in Florida: The Role of Counties, Municipalities, and Special Districts

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