A Culture of Disenfranchisement: How American Slavery Continues to Affect Voting Behavior [*]

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Abstract

In *Shelby County v. Holder* (2013), the Supreme Court struck down parts of the Voting Rights Act of 1965 on the argument that intervening history had attenuated many voting inequalities between blacks and whites. But how, where, and by how much have things changed, and does history still predict voting inequalities today? We show that parts of the American South where slavery was more prevalent in the 1860s are *today* areas with lower average black voter turnout, larger numbers of election lawsuits alleging race-related constitutional violations, and more racial polarization in party identification. To explain this, we develop a theory of *behavioral path dependence*, which we distinguish from other theories of path dependence. We show evidence of behavioral path dependence demonstrating that disenfranchisement can linger over time and that the effects of restrictions on voting rights can persist culturally.

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1 Introduction

Fifty years ago, Lyndon Johnson signed into law the Voting Rights Act of 1965 (VRA). The law combined federal oversight with more rigorous enforcement of the 15th Amendment to end the use of devices designed to suppress minority voting—including poll taxes, literacy tests, and grandfather clauses. Since the most effectively disenfranchised group at the time were Southern blacks, both the supporters and opponents of the law understood that the South—and its history of Jim Crow and voter suppression—was the target of enforcement. As President Johnson cautioned in presenting the bill, justice "cannot be easily done on a battleground of violence, as the history of the South itself shows" (Johnson, 1965).

Despite the role played by Southern history in pushing forward the VRA, most recent studies on minority voting behavior and outcomes have mostly explored *contemporary* explanations of voter behavior (e.g., Henderson, Sekhon and Titiunik, 2014; Fraga, 2015, 2016). Although the exploration of contemporary factors is important, the literature leaves important questions unanswered. Not only was the South's history of chattel slavery, black codes, and Jim Crow a key justification for the VRA, but a growing literature has begun to show that historical institutions such as slavery can have effects that last long after the institutions themselves are dismantled (Nunn, 2008; Dell, 2010; Nunn and Wantchekon, 2011; O'Connell, 2012). At the same time, many believe that intervening history has ameliorated potential inequalities in minority voting. In 2013's *Shelby County v. Holder*,[1] for example, the Supreme Court struck down portions of the VRA in large part because, as the opinion reasoned, "things have changed dramatically."

This paper addresses this debate by looking at what Southern history tells us about contemporary voting patterns, specially looking at the South's distinctive history of chattel slavery. We find that historical forces strongly predict current-day localized patterns of voting in ways suggesting the historical persistence of anti-black voter suppression. Our key findings are that counties within the American South that had high prevalence of slavery in 1860 *today* (1) have lower average rates of black voter turnout, (2) are more likely to have race-related elections lawsuits filed under provisions of the Voting Rights Act and the 14th and 15th Amendments, and (3) are more likely to have larger racial polarization as measured by differences in partisan self-identification be-

[1] 570 U.S. _ (2013).

tween whites and blacks. This is the case using three different identification strategies, including differences-in-differences and IV approaches; the findings are also robust to the inclusion of individual-level differences in income, gender, and education, thus ruling out contemporary socioeconomic explanations. Our findings suggest that previous examinations on point—including that of the Supreme Court—have perhaps overlooked these predictive, historically rooted patterns because they have examined voting at the state rather than local level.

Our explanation for these patterns looks to slavery as a causal force, drawing on the idea that the effects of an institution can outlast the institution itself via path dependence. Specifically, we develop a new theory of *behavioral path dependence*, which we contrast with existing theories of path dependence. By behavioral path dependence we mean that attitudes, similar to formal institutions and material objects, are bequeathed from generation to generation and can be reinforced by institutions and incentives, as well as path-dependent mechanisms that are cultural, such as inter-generational socialization. We contrast this with what we call *institutional path dependence*, or the persistence of institutions over time, often via increasing returns processes (Pierson, 2000). Both mechanisms provide answers to regional variation in black voting outcomes that studies focusing exclusively on contemporary explanations have overlooked.

We find evidence of both institutional and behavioral path dependence with regard to voting outcomes in the U.S. South. We do so by drawing on a large literature documenting the political incentives arising out of emancipation—incentives that led Southern whites to enact and to practice significant anti-black voter suppression measures. These gradually transformed from post-Reconstruction into parts of Jim Crow (Klinkner and Smith, 2002). As evidence of institutional path dependence, we first look at one state for which we have data (Alabama), showing that the whites of the high-slave Black Belt were as early as 100 years ago more likely to support and implement anti-black voter suppression measures. Second, we examine historical trends showing that voter turnout in the Black Belt has historically been lower than what would be expected if voting-aged blacks had been voting, thus suggesting stronger voter repression in these areas though the 20th Century.

We also present separate evidence in favor of behavioral path dependence. Examining contemporary data on African Americans coming of voting age in the 1960s, we show those who became eligible to vote just before the VRA was enacted are less likely

to self-report that they have voted recently if they live in an area of the South that was heavily reliant on slavery. The same pattern does not hold for whites. This evidence suggests that the *culture of voting lags behind institutional attempts to eradicate anti-black voter suppression*. In fact, while the Supreme Court and other commentators are correct in noting that the Voting Rights Act has significantly ameliorated inequalities between blacks and whites across the South, restrictions on the right to vote may have had even longer-lasting impact *on behavior*, and these persistent behavioral patterns locally correlate with earlier voter suppression. This suggests that voting restrictions can have downstream effects (e.g., Meredith, 2009) that possibly last for decades.

This paper proceeds as follows. Section 2 delineates the research questions stemming from the literature on historical persistence and Southern politics and develops the theory of behavioral path dependence. Section 3 discusses the historical data used. Section 4 shows how the prevalence of slavery in 1860 predicts (1) lower average black voter turnout in contemporary elections, using Catalist LLC voter file data and self-reported voter turnout data from the Cooperative Congressional Election Survey (CCES), (2) more lawsuits challenging electoral provisions under the VRA and constitutional amendments, using data from Davidson and Grofman (1996), (3) larger contemporary racial polarization, using data from the CCES. In Section 5 we link these findings to a broader explanation of persistence and institutional and behavioral path dependence. We conclude in Section 6 with thoughts on the implications of these findings. Additional results are included in the Appendix.

2 Slavery's Effects on Voting in the U.S. South and Behavioral Path Dependence

What would explain regional variation in black voting outcomes—including black voter turnout— throughout the South? We consider two broad classes of explanations. The first are historically rooted explanations, in which we focus on slavery's effects and the persistence of anti-black institutions and norms. Specifically, we delineate the idea of historical persistence via (1) *institutional path dependence* and (2) a new theory of *behavioral path dependence*. The second set of explanations concern contemporary (non-historical) explanations, specifically contemporary socioeconomic factors and contem-

porary majority-minority districts. As we discuss below, however, we find no support for contemporary factors being the exclusive explanation of regional variation in voting outcomes, suggesting that historical persistence has played a large role.

2.1 Explanations Rooted in Slavery, Historical Persistence, and Path Dependence

We start with the most important possibility, which is that variation in black voter turnout may be explained by the fact that slavery left behind a fabric of anti-black institutions, including laws that suppressed voter turnout. That is, one of slavery's consequences was to leave a web of localized institutions, both formal and cultural, that made it difficult for blacks to vote—regardless of their income, education, or resources available.

The qualitative literature provides support on how slavery's collapse in the 1860s jump started the creation of black codes, the promulgation of racial violence, and, eventually, the spread Jim Crow (e.g., Woodward, 2002 [1955]; Foner, 2006; Alexander, 2012). Indeed, anti-black voter suppression measures were nonexistent before abolition in part because the institution of slavery obviated their need; however, after emancipation and the enactment of the 15th Amendment to the U.S. Constitution in 1870, Southern whites faced significant political threats (Woodward, 2002 [1955]). Black enfranchisement briefly spiked during Reconstruction, but soon a wave of state constitutions codified significant restrictions on the new right to vote—including the enactment of poll taxes, literacy tests, and grandfather clauses. These were highly effective. Klinkner and Smith (2002, p. 104) report that as late as 1896, "over 130,000 African Americans voted in Louisiana; by 1904, the total was just 1,342. Alabama and North Carolina also saw black voting turnout reduced by over 90 percent during these years, and reductions exceeded two-thirds in Arkansas, Mississippi, and Tennessee," all former slave states. This robust fabric of voter suppression served as key tentpole of Jim Crow, a time during which few Southern blacks exercised the franchise (*Shelby County*).

Importantly, these historical developments and political incentives meant that voter suppression was of highest importance to whites living in those places where black enfranchisement was the most politically threatening. That is, measures to prevent blacks from voting would have been strongest in areas of the Black Belt, in which slavery was

most prevalent and the shares of blacks largest (Key, 1949). Indeed, historically, a wave of voter suppression tactics were written into the laws and constitutions of the Southern states, many of these at the instigation of Black Belt whites (McMillan, 1955). The deep Southern Black Belt was also the most militant when it came to Jim Crow-era voter suppression and also the targeting of Civil Rights-era protestors. As Key observed in the 1940s, "it is the whites of the black belt who have the deepest and most immediate concern about the maintenance of white supremacy."

Would this kind of history affect *contemporary* voting outcomes? A growing literature on historical institutions suggests that historical institutions can indeed have long-lasting institutional and cultural effects after they cease to exist. This extends to labor coercion systems similar to slavery. For example, Dell (2010) shows persistent long-term localized consequences associated with the *mita*, a colonial labor coercion system, finding that areas of Peru and Colombia that had the *mita* today have lower levels of contemporary household consumption and income. Similarly, Acemoglu, García-Jimeno and Robinson (2012) show that areas of Colombia where slave labor was used in colonial-era gold mines are today areas with lower levels of childhood growth and household consumption. These findings extend to behavioral outcomes. For example, Nunn and Wantchekon (2011) document that African groups that were the most exposed to the trans-Atlantic slave trade are today those groups that have the highest levels of mistrust of strangers. Voigtländer and Voth (2012) show that parts of Europe that had anti-Jewish pogroms during times of the black death also had the highest rates of anti-Semitism in the early 20th Century.

But how do these differences persist? For a possible answer, we look to a rich literature documenting that contemporary differences in political institutions often have historical origins that have persisted via *path dependence* (e.g., Pierson, 1993). Pierson credits the broad definition of path dependence to Sewell (1996) who wrote that path dependence means that what "has happened at an earlier point in time will affect the possible outcomes of a sequence of events occurring at a later point in time." He credits the narrower definition to Levi, p. 28 who wrote that "[p]ath dependence has to mean, if it is to mean anything, that once a country or region has started down a track, the costs of reversal are very high." Thus, path dependence suggests that, once a path is set in motion and events unfold, it is difficult for a society to change course—even if the event or process that set society on that path is over. This path dependence is often due

to various feedback effects, or what Pierson refers to as "increasing returns processes."

Behavioral Path Dependence. However, of the literature on path dependence has focused on *institutions* as opposed to *behavior*, and this marks a key distinction between existing scholarship and our delineation of *behavioral path dependence*. To make the distinction more sharply, we adopt the conventional definition of institutions as "humanly devised constraints" on political, economic and social behavior (North, 1991). Yet, while institutions serve as constraints on human choices, there also exist "behavioral forces" that work alongside these institutional constraints; these may include the intrinsic preferences, beliefs, and attitudes of individuals—a broad category of forces that may either be intrinsic to the individual or cultural.

Accordingly, we define behavioral path dependence to be path dependence in *behavioral outcomes* such as political attitudes, ethical values, customs, and beliefs. Behavioral path dependence may often caused by path dependent mechanisms that are cultural, including the important mechanism of parent-to-child socialization across generations. However, behavioral path dependence may also be reinforced within generations and across generations by institutional mechanisms, when particular rules, laws, and social practices reinforce the aforementioned attitudes, values, customs, or beliefs over time.

Looking at voting specifically, research has documented that voting can become a habitually engrained behavior, one that can be conditioned by previous experiences. For example, Meredith (2009) and Gerber, Green and Shachar (2003) show that voting earlier in one's life positively predicts voting in later elections, a finding echoed by Mullainathan and Washington (2009) on partisanship. Looking at the South, we combine this idea with the well-known fact that pre-VRA voter suppression tactics were devastatingly effective in disenfranchising blacks. This may have created cultural expectations within both black and white communities that blacks could not, and should not, vote. Indeed, the fact that the VRA was enacted only 50 years ago means that some positive share of African Americans came of voting age under Jim Crow. Seeing decreased voter turnout among this older population would be consistent with the idea that cultural effects might outlast institutional barriers.

2.2 Explanations rooted in Contemporary Factors

Taken together, both institutional and behavioral path dependence suggest that, despite interventions such as the VRA, institutional and cultural features within the Black Belt may continue to affect or depress black voting behavior. However, we also consider the possibility that regional variation in voting outcomes is due not to historical persistence of institutions or behavior, but to contemporary factors. Here, we consider two explanations, which are that regional variations are due (1) to differences in socioeconomic and demographic factors that affect voter participation or (2) to differences in majority-minority districting and representation. These contemporary explanations predict different observational outcomes and, as we discuss below, do not fully explain our empirical findings.

Contemporary Socioeconomic Factors. A long-standing literature suggests that people participate politically and vote more when they have the means to do so. Thus, people who are wealthier, better educated, and in possession of more resources are more likely to vote and to participate politically than those who do not (Verba, Schlozman and Brady, 1995; Verba and Nie, 1987; Wolfinger and Rosenstone, 1980). Because various studies have shown that the Black Belt parts of the South may be poorer and have lowered educational outcomes than other areas of the South, this could be driving depressed turnout in those areas. In addition, other studies (e.g., Hill and Leighley, 1999) have documented that state-level black concentrations are inversely correlated with black voter turnout (see, however, (Fraga, 2015), for findings to the contrary).

We note that these arguments may also comport with a historical explanation. For example, O'Connell (2012) shows that those parts of the U.S. South that had high shares of enslaved people are today areas with higher levels of black-white income inequality, a finding that parallels Nunn (2008) and Lagerlöf (2005); Reece and O'Connell (2015) find similar inequality across educational outcomes. In addition, the mid-20th Century saw substantial population mobility. Thousands of blacks—many from rural areas in the Black Belt—left to pursue greater economic opportunities. This provides another reason why the black populations living in the former Black Belt differ could differ from African Americans living elsewhere in terms of characteristics (income, education, leisure time) that are known predictors of voting (e.g., Verba, Schlozman and

Brady, 1995). (We provide data on point in the Appendix.) In terms of black concentrations, there is strong evidence that a significant legacy of slavery was in the higher concentrations of African Americans living in the Black Belt today (Key, 1949).

Contemporary Majority-Minority Districting and Minority Representation The last explanation we consider is that 20th Century interventions, and specifically the VRA, had differential impacts across the South and could potentially provide an explanation for regional variation in black voter turnout. There is no question that the VRA has been highly successful in increasing black voter turnout (Davidson and Grofman, 1996) and in promoting the creation of majority-minority districts, which have been shown to be effective in increasing minority office-holding (Swain, 1993; Lublin, 1999) and office seeking (Lublin, 1999; Epstein and O'Halloran, 1999; Grose, 2011).

We consider the question of whether the VRA has been more strongly enforced in non-Black Belt areas in Section 4.2 and find no evidence of this (in fact finding evidence of the opposite). In addition, with regard to turnout, a related literature has explored whether majority-minority districts increase black voter turnout. Some studies have found that they do (e.g., Fraga, 2015), but the counterfactuals are oftentimes difficult to specify (Henderson, Sekhon and Titiunik, 2014). Interestingly, neither Fraga (2015) nor Henderson, Sekhon and Titiunik (2014) find that having a co-ethnic candidate had any effect beyond the effect of local concentrations of minority groups. These results would lead us to expect that the Black Belt would have *higher* levels of African American turnout. Thus, if anything, this demographic legacy of slavery—namely, increased presence of majority-minority districts in former slaveholding areas—implies that any negative effect effects of slavery on voter turnout might actually be conservatively estimated. As we show below, these negative effects are exactly what we see; we therefore set this aside as an explanation for our results.

3 Description of Historical Data

Is it possible to detect path dependence, institutional or behavioral, in the voting outcomes in the South today? To answer this question, we investigate whether local variation in voting outcomes across the U.S. South can be explained by the prevalence of slavery in 1860. Our primary explanatory variable is the county-level prevalence of

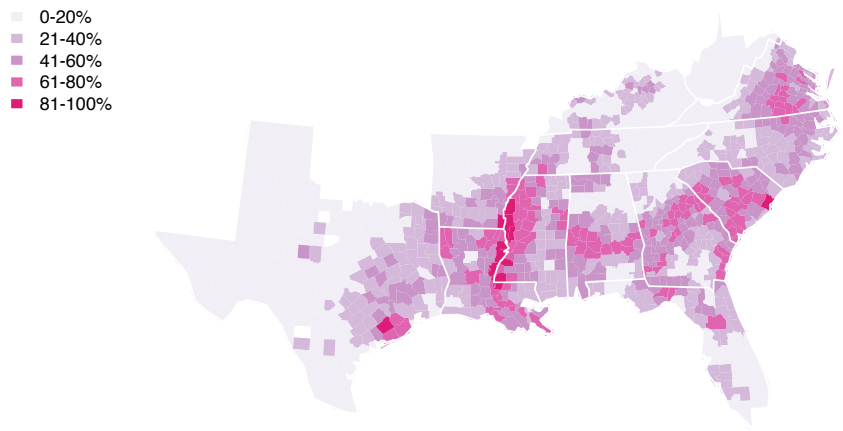

Figure 1: Historical slave data mapped onto modern-day U.S. Counties. Sources: 1860 U.S. Census, O'Connell (2012).

slavery before the Civil War. Here, we draw on the 1860 U.S. Census, the last census taken before slavery's demise. We use the 1860 Census for two reasons. First, this time period represents slavery's peak, an era when 4 million people (one-third of the Southern population) were enslaved. Second, the 1860 U.S. Census is one of the few to document the westward expansion of slavery into politically influential parts of the Deep South (Key, 1949), including Alabama, Louisiana, and Mississippi.[2] A visual representation of this data is provided by Figure 1.[3]

3.1 Dealing with Omitted Variables

Parts of the South that were reliant on slavery might differ systematically that those that did not. From a causal perspective, these differences (and not the prevalence of

[2] One point of tension is that American county boundaries have shifted over time. We therefore rely on O'Connell (2012), who has mapped historical county boundaries onto county boundaries today.

[3] We include in our analyses all former confederate states, Kentucky, and West Virginia.

slavery) could be driving contemporary differences in voting outcomes. For example, Louisiana, a state with a high prevalence of slavery in 1860, also historically has had a civil law system, a factor that could potentially impact both our treatment (prevalence of slavery) and our outcome (voting behavior today). To ensure that the results are robust, we take three approaches.

State Fixed Effects and Historical Covariates. First, we include state fixed effects and appropriate covariates throughout. The state fixed effects have the effect of controlling for factors that could very from state to state (e.g., the civil law system of Louisiana). We also include a host of controls for variables from the antebellum period to rule out whether basic pre-existing differences in geography or (non-slave) demography are explaining our results. These include controls for geography, economic factors, and demographic factors. (We refer to these collectively as the "1860 Covariates.") The geographic traits are designed to capture the fact that Black Belt counties might have differed from other counties in terms of their terrain and degree of outside contact and include (1) latitude and longitude (and squared terms), (2) terrain ruggedness,[4] (3) whether the county has access to waterways, and (4) log of the county acreage. The economic factors include (5) the proportion of the farms that are "small farms" (defined as the proportion of farms that are less than 50 acres), (5) land inequality in 1860 (Nunn, 2008), (6) the log of the farm value per capita, (7) the total value of all farms per capita, and (8) whether the county had access to railways. Lastly, the demographic factors include (9) the proportion of church seats held by the Methodist church, (10) the share of the population that is described by the Census as "mixed race,"[5] (11) the log of the total county population in 1860, and (12) the share of the Presidential vote for Democrat James Buchanan in 1856.[6]

[4] A county's terrain ruggedness is measured as the standard deviation in altitude across the county (Hornbeck and Naidu, 2014).

[5] We intend for these measures to proxy racial progressiveness, but they are far from perfect. One of the more progressive churches in the early 19th Century, the Methodist Church underwent a schism in 1844, with the Southern Methodists splintering off over the issue of slavery. A high "mixed race" population could also indicate high rates of sexual coercion and violence.

[6] This election, the last before the Civil War, pitted pro-slave James Buchanan against Republican John Fremont and American Party candidate Millard Fillmore. Buchanan won the South handily, meaning that there is limited variance to exploit. Nonetheless, we do intend this measure to capture (to some extent) attitudes on slavery and abolition.

Differences in differences. Second, as a strategy to deal with potential *unmeasured* confounders that could affect both the prevalence of slavery and contemporary voter turnout, we compare our effects on local black turnout to effects on local white turnout, and thus rely on a differences-in-differences style design. By differencing out the white group, we effectively remove any possible confounders that are common to both blacks and whites. For example, the geography or climate of former slave counties may have an impact on turnout if former slaveholding counties are more likely to experience rainfall on election day, but this would affect white and black voters in similar ways. Thus, by comparing the effect of slavery for black turnout and white turnout, we hope to isolate a more plausible estimate of the long-term causal effect of slavery.

Suitability for growing cotton as an instrument. Third, we also present the results from an instrumental variables (IV) approach that uses agricultural suitability as an instrument for cotton for slavery as a robustness check. Our instrument is a 0 to 1 variable that relies on U.N. Food and Agriculture Organization estimates. This variable includes attributes such as soil nutrients, rainfall, average temperature bands, and dew points. Unsurprisingly, many parts of the U.S. South have high cotton suitability, including parts of Mississippi, Alabama, Louisiana, Texas, and South Carolina.[7] In addition, cotton suitability closely predicts slavery in 1860, suggesting a strong first-stage relationship.

Note that one component that calls into question the use of this IV is the fact that cotton suitability could ostensibly affect modern-day voting outcomes via attributes unrelated to slavery or to race. For example, counties with large-scale agricultural economies are perhaps less engaged with national (or even local) politics, making such a scenario a violation of the IV exclusion restriction. In results not shown, we engage in a falsifiability test (inspired by the one in Nunn and Wantchekon, 2011). Specifically, we ask whether a relationship between cotton suitability and political behavior exists in places with no legalized slavery in 1860—e.g., locations in southern Iowa, Indiana, Ohio and parts of Arizona, New Mexico, and California. The logic here is that, if there does exist a relationship, then we have reason to believe that other causal pathways ex-

[7] Enslaved populations in other parts of the Americans engaged in the cultivation of other crops, such as sugar cane, rice, and indigo. In addition, much enslaved labor the South was used in non-agricultural industries (timber, construction, domestic labor). However, by 1860, suitability for the growth of other crops (e.g., tobacco) are not good predictors of slavery.

ist; if there is none, then we have some reason to believe the exclusion restriction. In results not shown, we see no relationship between cotton suitability and several political outcomes outside the South. This gives us some confidence in making the exclusion restriction assumption.

4 How Slavery Predicts Voting-Related Outcomes

We now turn to presenting our core findings showing the predictive nature of slavery on contemporary voting outcomes. We do so for three outcome variables: (1) black and white voter turnout in recent elections, (2) elections-related legal challenges brought under the VRA and the 14th and 15th Amendments, (3) contemporary racial polarization in terms of partisan identification.

4.1 Slavery Predicts Lower Black Voter Turnout Today

We present results on voter turnout using two sources. The first are data from Catalist LLC, which uses voter registration files to provide a measure of actual voter turnout. The second are self-reported voter turnout data using the CCES survey; these data allow us to control for SES factors such as income. Both allow for exploration of voter turnout at the local (county) level.

Voter Turnout Reported by Catalist

We start by examining data files maintained by Catalist, LLC (see Ansolabehere and Hersh (2012) and Fraga (2015) for an overview). These data are generated from voter registration files that are then merged with state voter turnout data and other commercial databases (such as credit card databases). The final data provide individual-level registration, turnout, race, and gender for any voter registered as of 2006.[8] We use voter turnout data from the U.S. South from 2008, 2010, 2012, and 2014. We operationalize

[8] One possible source of concern is that our results on voter turnout are perhaps driven by unequal incarceration rates (and therefore legal disenfranchisement rates) across the South. For example, a concern would be if larger numbers of African Americans were incarcerated in parts of the Black Belt, thereby suppressing black voter turnout in these areas. However, in other work (Acharya, Blackwell and Sen, 2015), we find that black incarceration rates do not vary across former slave and non-slave areas of the South.

voter turnout as the county-level proportion of the voting-aged population that Catalist reports as having turned out to vote in each election. To analyze how this varies between African Americans and whites, we analyze them separately, calculating black voter turnout as a share of the black voting-aged population and white voter turnout as a share of the white voting-aged population. The analyses are weighted least squares (WLS) with the weights being the county-level voting-aged population for blacks or whites respectively. Counties are the units of analysis.[9]

These results are presented in Table 1, which lists results separately for each election and then for black (top) and white (bottom) voter turnout. The Table demonstrates that, with the exception of the 2010 midterm election, *the prevalence of slavery negatively predicts local black voter turnout*. For example, on average a 20 percentage-point increase in the share of the population that was enslaved in 1860 is linked with a 2.2 percentage-point drop in the share of the voting aged black population that turned out to vote in 2008, an 1.6 percentage point drop in 2012, and an 1.1 percentage point drop in 2014. *This negative correlation does not hold for whites.* For average white voter turnout in the 2008 and 2014 elections, the effect is extremely close to zero or insignificant, and for the 2010 and 2012 elections, there is small positive effect. Thus white voter turnout is fairly constant across Black Belt and non-Black Belt counties, and, if anything, may be higher in Black Belt counties. To take up the differences-in-differences approach, we also report the difference in effects between blacks and whites by calculating 5,000 bootstrap replications.[10] The difference is overwhelmingly negative and within 5% significance levels, indicating a stark contrast between the effect of slavery on otherwise eligible blacks and whites. Table 2 presents the results from the IV analyses, which are remarkably similar to the baseline OLS estimates. Furthermore, the F statistics on the first-stage of the IV analyses indicate that weak instruments are unlikely to be a problem in these analyses. Each identifications strategy points to the same finding: blacks living in former bastions of slavery turn out to vote at lower rates than blacks living elsewhere.

[9] We drop a handful of counties where race-based turnout data from Catalist exceeds the voting-aged population for that county. Data for county voting-aged population comes from the 2008–2012 American Community Survey conducted by the U.S. Census.

[10] Each of the 5000 replications calculated the two regressions and then took the difference in the black and white coefficients to generate a distribution of the difference of the two effects. We then report the 95% confidence intervals based on this distribution.

	Black Turnout (Catalist)			
	2008	2010	2012	2014
Prop. Slave, 1860	-0.112^{**}	0.015	-0.096^{**}	-0.070^{**}
	(0.028)	(0.023)	(0.030)	(0.023)
1860 Covariates	✓	✓	✓	✓
State Fixed Effects	✓	✓	✓	✓
N	754	763	752	762
R^2	0.458	0.444	0.517	0.653
	White Turnout (Catalist)			
Prop. Slave, 1860	0.004	0.079^{**}	0.054^{*}	$0.037^{\dagger}$
	(0.023)	(0.019)	(0.024)	(0.020)
1860 Covariates	✓	✓	✓	✓
State Fixed Effects	✓	✓	✓	✓
N	783	783	783	783
R^2	0.360	0.309	0.436	0.528
Diff. in Effects	-0.116	-0.064	-0.15	-0.107
Bootstrapped 95 % CI (BC_a)	$[-0.228, -0.035]$	$[-0.157, 0.004]$	$[-0.284, -0.064]$	$[-0.197, -0.039]$

$^{\dagger}p < .1$; $^{*}p < .05$; $^{**}p < .01$

Table 1: Effect of slavery on turnout rates in the 2008, 2010, 2012, and 2014 general elections. Outcome variable is county share of the voting aged population marked as having voted in each general election. Bootstrapped confidence intervals for differences between black and white coefficients shown using 5,000 replications and the BC_a method for constructing bootstrapped CI.

We note that the results here analyze the 2008 and 2012 elections, which represent the election and re-election of Barack Obama, the nation's first black President. This could skew our results, as journalistic accounts have documented the Obama campaign's effective strategy in courting the black vote. A plausible argument is that those

	Black Turnout (Catalist)			
	2008	2010	2012	2014
Prop. Slave, 1860	-0.458^{**}	$-0.144^{\dagger}$	-0.383^{**}	-0.294^{**}
	(0.111)	(0.074)	(0.109)	(0.085)
1860 Covariates	✓	✓	✓	✓
State Fixed Effects	✓	✓	✓	✓
First-stage F stat.	41.715	42.727	41.635	42.733
N	1,124	1,153	1,120	1,153
R^2	−0.011	0.297	0.206	0.378
	White Turnout (Catalist)			
Prop. Slave, 1860	0.112	$0.101^{\dagger}$	0.110	0.019
	(0.071)	(0.059)	(0.074)	(0.061)
1860 Covariates	✓	✓	✓	✓
State Fixed Effects	✓	✓	✓	✓
First-stage F stat.	48.175	48.175	48.134	48.175
N	1,211	1,211	1,210	1,211

$^{\dagger}p < .1$; $^{*}p < .05$; $^{**}p < .01$

Table 2: Instrumental variable estimates of the effect of slavery on voter turnout using cotton suitability as instrument for slavery.

areas of the Black Belt (former slave areas) were not truly competitive, leading Obama to direct his attention elsewhere and thus explaining depressed black voter turnout in the areas we examine. We see two problems with this reasoning. The first is that, if

these areas were as uncompetitive as this account would suggest, we should see depressed turnout among whites as well as blacks. As Table 1 suggests, we see no such pattern. The second is that the Black Belt represents some of the few areas in the South in which Obama was actually competitive; it appears unlikely that these would be areas with depressed voter mobilization by the Obama campaign.

Survey-Based (Self-Reported) Turnout Data and SES

Of course, these findings could be explained not by any sort of path dependence in institutions or attitudes, but by rather by demographic characteristics of formerly high-slave counties. Unfortunately, the Catalist LLC data do not contain SES factors such as education and income. Because the Black Belt areas are more likely to be poorer and have lower educational attainment, we replicate our results using the Cooperative Congressional Election Survey (Ansolabehere, 2010). These analyses present *self-reported* voter turnout in either the 2008 *or* 2012 elections, along with self-reported age, gender, race, income, and highest level of education achieved. Because these data are measured at the individual level and our main explanatory variable (slavery) is measured at the county level, we report OLS coefficients with the standard errors clustered at the county level.

These analyses are reported in Table 3, which demonstrates same results as before. In this case, blacks who live in a locality where slavery was more prevalent are less likely to self-report that they turned out to vote in either the 2008 or 2012 elections, while whites are about as likely to self report that they voted in these elections regardless of whether they live in the Black Belt. The results change only a little with the inclusion of the individual-level SES factors, in the second two columns, suggesting that these factors are unlikely to fully explain the raw correlations between slavery and voting outcomes (although we acknowledge that these are post-treatment variables). To explain these differences, then, we need to focus on path dependence arguments as we do in Section 5.

4.2 Slavery Predicts More Elections Challenges Under VRA

Do these findings extend to differences in election laws and procedures? Because we have no direct measures of institutional differences, we look to a proxy measure: chal-

	Individual Turnout (CCES, 2008 and 2012)			
	(1)	(2)	(3)	(4)
Prop. Slave, 1860	-1.313^{*}	0.320	-1.565^{**}	0.303
	(0.571)	(0.265)	(0.586)	(0.317)
Log Income			0.290^{**}	0.410^{**}
			(0.087)	(0.055)
Subset	Blacks	Whites	Blacks	Whites
Individual Covariates			✓	✓
1860 Covariates	✓	✓	✓	✓
State/Year Fixed Effects	✓	✓	✓	✓
N	2,284	11,057	2,105	9,928
AIC	2,520.980	11,192.290	2,246.626	9,537.758

$^{\dagger}p < .1$; $^{*}p < .05$; $^{**}p < .01$

Table 3: Logistic regressions of validated voter turnout in 2008 and 2012 general elections on percent slave in 1860. Outcome is binary indicator for validated vote in the CCES in either 2008 or 2012. Individual covariates include age, log of income, indicators for highest level of education achieved, and gender. SEs clustered on county in parentheses.

lenges under the VRA and constitutional provisions. Although the VRA outlaws overtly discriminatory "tests or devices," individual plaintiffs or the Justice Department could bring lawsuits challenging local elections in violation of the VRA or the 14th and 15th Amendments. This allows us to examine whether challenges were greater in number in areas of the former Black Belt.

To examine this, we rely on data from Davidson and Grofman (1996), who document "all lawsuits filed between 1965 and 1989 under the 14th Amendment, the 15th Amendment, or the VRA by private plaintiffs or the Justice Department that challenged

at-large elections in municipalities in all eight of the southern states covered in this study, and in counties in Alabama, Georgia, North Carolina, South Carolina, and Virginia." These include challenges to at-large city elections, multi-member, city council elections, and other kinds of other at-large elections.[11]

We use both OLS and IV approaches to estimate these effects. In this case, the outcome variable is the number of election-related challenges per 100,000 county residents in 1960, as reported by Davidson and Grofman (1996). We take the rate of challenges because they appear to covary with population, with big cities having more voting-rights challenges. This outcome variable ranges from 0 to 51, with a median of 0 challenges and a mean of 1.9 challenges. The results are substantively similar when we replicate the analyses with the outcome being whether a county had any challenges or not (via a logit analysis).

Table 4 presents these OLS analyses. Column (1) presents the basic results including fixed effects. The relationship between proportion slave in 1860 is strong, positive, and significant at the 1% level; substantively, this means that a 10 percentage-point increase in the enslaved population is linked with an increase in the number of elections challenges in the county of around 0.3 per 100,000 residents. Similar results are obtained when we examine Column (2), which includes the full battery of 1860s covariates along with state fixed effects. The results are again strong, positive, and significant at the 1% level. Lastly, we present in Column (3) the second-stage of the IV analysis using cotton suitability as an instrument for slavery. These results are even larger, and suggest that a 10 percentage-point increase in the slave population in 1860 is associated with an increase in the number of elections challenges of around one per 100,000 residents. Given that the average number of challenges per 100,000 residents in these counties is around 2, this is a sizable relationship.

In sum, these analyses demonstrate that slavery is predictive of voting-rights challenges through a key part of the mid-20th Century. This lends credence to the idea that systematic voter suppression perhaps played a stronger role in these areas through the

[11] Although these data are quite comprehensive, they do have some weaknesses. First, these are data were legal action was legally instigated (oftentimes by the Justice Department). The second is that not all Southern states are captured; Mississippi, Louisiana, and Tennessee, all of whom had substantial slave populations in the antebellum period, are missing from the data set. Because of these weaknesses, the data may actually underestimate potential discriminatory practices, although we do not believe the potential bias would vary according to the prevalence of slavery in 1860.

	VRA Violations per 100,000 residents		
	(1)	(2)	(3)
Prop. Slave, 1860	3.152**	3.066**	16.515**
	(0.512)	(1.070)	(5.898)
1860 Covariates		✓	
State Fixed Effects	✓	✓	✓
Model	OLS	OLS	2SLS
N	772	434	769
R^2	0.128	0.150	0.030

$^{\dagger}p < .1$; $^{*}p < .05$; $^{**}p < .01$

Table 4: Effect of slavery on the number of VRA-related challenges per 100,000 county residents.

Jim Crow era and after the enactment of the VRA. This also casts doubt on contemporary socioeconomic or demographic factors as being the exclusive determinants of lower black voter turnout in the Black Belt; if these factors were the exclusive explanation, we would not see these patterns with regard to electoral challenges, which are race-related voting challenges (and not SES-related). This also casts doubt on an argument that our findings are being driven by stronger VRA enforcement outside of the Black Belt; to the contrary, our findings suggest more VRA-related challenges within the Black Belt.

4.3 Slavery Predicts Increased Ideological Racial Polarization

The last outcome variable that we examine is racial polarization, which we operationalize as the distance between whites and blacks in terms of partisanship or ideology. Although not exclusively determinative of VRA considerations (Ansolabehere, Persily

and Stewart III, 2010), as Elmendorf and Spencer (2015) note, "unaccommodating electoral designs are understood to threaten the minority opportunity only if a politically cohesive racial majority opposes the minority's preferred candidates." Thus, racial polarization is likely to reflect a milieu of a racial divisiveness, and, as such, it provides a useful complement to the above analyses. We also note that racial polarization is unlikely to be affected or driven exclusively by differences in SES (Acharya, Blackwell and Sen, 2015).

To explore this question, we again look at the CCES (Ansolabehere, 2010), which asks respondents to self-identity their partisan affiliation.[12] Specifically, we examine responses to a question asking how strongly respondents identify as Democrat, measured on a 7-point scale. We collapse this into a dichotomous variable, with a positive response indicating that the respondent indicates any kind of support or affiliation with the Democrat party. We then examine how this question varies from county to county and by respondent race. The results are presented via a logit specification, with standard errors clustered at the county level. For these analyses, we combine data from several years of the CCES: 2006, 2008, 2009, 2010, 2011, and 2012.

The results are presented in Table 5. The Table demonstrates that, among blacks, we cannot rule out that there are no differences between former slave- and non-slaveholding counties in terms of partisan affiliation. Although the coefficient on slavery is positive (and perhaps substantively large), it is not statistically significant. However, the finding is different when it comes to white respondents, Column (3). Here, white respondents living in former slave areas are significantly less likely to identify as Democrats, a finding that is both strong and significant at the 1% level. Finally, Column (1) shows that the interaction between race and slavery context is significant and strong in a model that includes both whites and blacks. These results are consistent with Ansolabehere, Persily and Stewart III (2010)'s analysis comparing covered versus non-covered jurisdictions.

[12] Ansolabehere, Persily and Stewart III (2010) use exit polls, which, although useful when looking at state-by-state differences, do not provide county-by-county variation. As for voter registration data (such as the Catalist LLC data), these provide partisanship information via party registration, but not all states have party registration and, moreover, party registration in the South is a poor proxy for actual ideological positions due to Southern re-alignment.

	Democratic Identification		
	(1)	(2)	(3)
Prop. Slave, 1860	-0.610^{*}	0.868	-0.497^{*}
	(0.260)	(0.580)	(0.247)
Black	1.614^{**}		
	(0.121)		
Prop. Slave × Black	1.323^{**}		
	(0.341)		
Subset	All	Blacks	Whites
1860 Covariates	✓	✓	✓
State/Year Fixed Effects	✓	✓	✓
N	44,622	7,324	31,772
AIC	55,587.030	7,750.127	39,497.530

$^{\dagger}p < .1$; $^{*}p < .05$; $^{**}p < .01$

Table 5: Effect of slavery partisanship, by race using data from the CCES. Logistic regression coefficients with SEs clustered on county in parentheses.

5 How Historical Persistence Can Explain These Patterns

Having ruled out contemporary socioeconomic or demographic factors as the explanation for these patterns, we now turn to presenting affirmative evidence for what we believe to be a more compelling explanation, which concerns the historical persistence of anti-black voting suppression tactics and disenfranchisement via the mechanisms of *institutional path dependence* and *behavioral path dependence*.

Specifically, we argue in this Section that slavery and its collapse created strong incentives for whites to suppress black voting. Many of these oppression tactics were instituted at state-wide levels, but county support increased with the local prevalence

of slavery. Specifically, we show that the prevalence of slavery in a county is predictive of (1) support for the early state constitutions that instigated anti-black voter suppression and (2) decreased black voter turnout early in the Jim Crow period and through the 20th Century. We also demonstrate evidence of behavioral path dependence by showing (3) depressed black voter turnout among those who came of age immediately before the passage of the VRA, an effect that varies according to the share of the population enslaved in the 1860s. This provides compelling evidence of a persistent culture of disenfranchisement that has outlasted even the VRA.

5.1 Roots of Voter Suppression in Postbellum Political Environment

In the antebellum period, Southern whites had no need of anti-black voter suppression, literacy tests, or poll taxes, as all enslaved people were disfranchised. Emancipation (1863) and the 15th Amendment (1870), however, changed the political landscape. Within a decade, approximately two million formerly enslaved black men were now eligible to vote, in some areas of the Black Belt outnumbering white men by ten to one. In tandem with this direct threat, whites at the time of Reconstruction and shortly thereafter were in state of political tumult: the Civil War and subsequent federal intervention had divided Southern whites politically between Black Belt whites and upcountry whites (who were more likely to be Republican sympathizers), leaving the former ruling class politically vulnerable. If blacks were allowed to vote, although they might perhaps not have the capital or the mobility to govern, they would certainly be in a position to decide which of the white factions would. In other words, for Southern Democrats, the threat of the black vote came from its potential independence and its potential ability of moving the South in a Republican direction. For Southern Republicans, those who otherwise would be black allies, the danger of the black vote was in the fact that, ironically, it could be manipulated by Black Belt whites and the ballot stuffed (McMillan, 1955). Thus, as has been argued by Woodward (2002 [1955]), "[t]he determination of the Negro's 'place' took shape gradually under the influence of economic and political conflicts among divided white people—conflicts that were eventually resolved in part at the expense of the Negro."

In response, after a short period of federally supported black enfranchisement and voting, blacks were swiftly and semi-permanently disenfranchised by a sweeping set

of state constitutions enacted at the turn of the century, all of which contained various voter suppression tactics and devices. This included state constitutions in South Carolina (1895), Louisiana (1898), North Carolina (1900), Alabama (1901), Virginia (1902), Georgia (1908), and Oklahoma (1910). In addition, Arkansas, Florida, Tennessee, and Texas all adopted some type of poll tax. Informal institutions also included purposeful "cracking" of the black vote, or spreading out African Americans across jurisdictions in order to dilute black (and thus Republican) vote (Foner, 2011), widespread racial violence (Alexander, 2012), and economic suppression (Blackmon, 2008). More formally, whites-only primaries were standard until 1944's Supreme Court ruling in *Smith v. Allwright*.

5.2 Historical Evidence of Early Localized Voter Suppression

Our argument is that historical support for, and legal enactment of, voter suppression should vary according to the local prevalence of slavery, with whites of the Black Belt facing the most serious threats associated with black enfranchisement (Woodward, 2002 [1955]). Thus, it would make sense that Southern Black Belt whites would be the most supportive of anti-black voter suppression than whites elsewhere, an argument consistent with observations made by Key (1949). This would most obviously be the case immediately at the end of Reconstruction, when the need for swift voter suppression would be at its greatest.

To explore this, we take one state constitution for which we have good county-level data: Alabama's. Like many other Southern states, Alabama responded in part to the end of Reconstruction with a popular referendum in favor of a constitutional convention in 1901. The racial mandate was such that the *Selma Times* declared that its editorial board did "not believe it is any harm to rob or appropriate the vote of an illiterate Negro. We do not believe they ought ever to have had the privilege of voting" (cited in Flynt, 2001). John Knox, the president of the Alabama constitutional convention, even started his speech by declaring that "[t]he negro is not discriminated against on account of his race but on account of his intellectual and moral condition." (Alabama Constitutional Convention, 1901, p. 15). This constitution remains Alabama's governing document.

Was it the case that areas with the highest prevalence of slavery were those most

likely to support the 1901 constitutional convention and resulting constitution? Two analyses on point are presented in Figure 2. On the left, we show the relationship between the share enslaved in 1860 and *support for calling the Constitutional convention*; on the right, we show the relationship between the share enslaved in 1860 and *support for the ratification of the 1901 constitution*. The two figures show clear positive relationships. For example, looking at the left plot, the more prevalent slavery was in 1860, the higher the share that support the calling of the constitutional convention. Looking at the right plot, the more prevalent slavery was in 1860, the higher the share that supported the ratification of the new Alabama state constitution. These results suggest that those living in Alabama's Black Belts more strongly felt the need to institute voter suppression tactics. These relationships are statistically significant at conventional levels.[13] We also note that these analyses highlights one of the patterns endemic to the South in this period: the importance of Black Belt politics and political actors. Indeed, one of the lasting legacies of the Alabama constitution was to turn the preferences of the Black Belt whites (e.g., preferences toward increased disenfranchisement of blacks) into state-wide policies, a pattern noted by Key (1949). We argue that these raw relationships show an early indication of path dependence and probably combines institutional factors (the socioeconomic structure in the Black Belt, for instance) and behavioral factors (the overt racism being both passed down and reinforced after the abolition of slavery).

5.3 Historical Evidence of Lower Localized Black Voter Turnout

Another part of the story lies in local implementation, as well as in local practices that furthered black disenfranchisement. As we noted in our discussion of Jim Crow above, many cities and local county governments enacted ordinances that placed additional burdens on the ability of blacks to vote, including not just more stringent enforcement of voter suppression "tests or devices," but also in the implementation of additional voter repressive techniques.

[13] An interesting point of difference between the two plots concerns the difference in support for the convening of the convention versus support for ratification. Support overall for the constitutional convention is higher than for the ratification of the constitution. This suggests some disapproval for the actual constitution, although support overall is still quite high (particularly for former slave Black Belt areas).

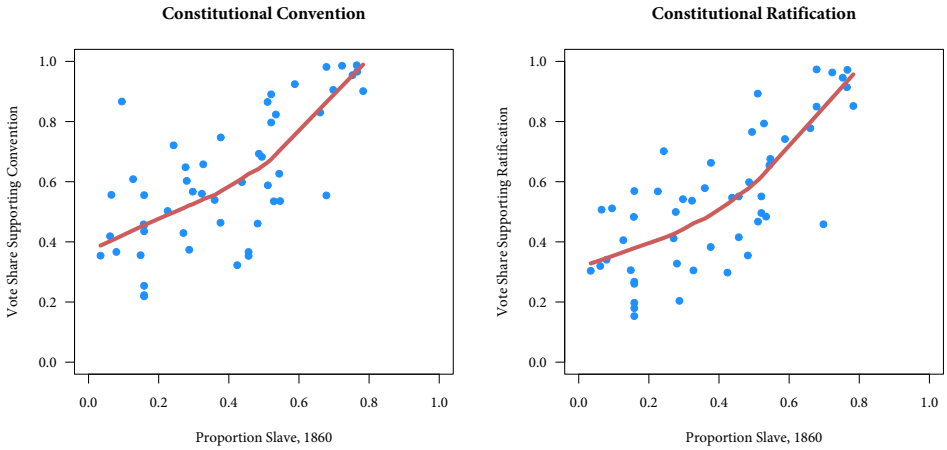

Figure 2: Relationship between proportion slave in 1860 and proportion of voters supporting the ratification of the Alabama Constitution of 1901. Source: Alabama Official and Statistical Register, 1903; U.S. Census, 1860.

Localized Implementation of Jim Crow State Constitutions As an illustration, we again look to Alabama's 1901 Constitution, which implemented a host of disenfranchising measures. Although Black Belt counties were the most politically active (by way of the leadership role played by Black Belt representatives) and also the most enthusiastic supporters of the eventual constitution (by way of the share of the white vote supporting the constitution), this does not necessarily extend to the implementation of the constitution. Indeed, if all that mattered to black disenfranchisement were laws at the *state* level, then we would expect to see no variation in the share of blacks voting early in the 20th Century. However, if local ordinances and modes of suppressing voter turnout were important, then we should see some regional variation within Alabama itself—even though the entire state was subject to state constitutional voting requirements.

An analysis on point is presented in two figures, Figure 3 and Figure 4. Figure 3 compares white voter turnout to black voter turnout: larger gaps indicate that more whites were voting compared to blacks. The Figure shows that there exists a rough relationship between the share of slaves living in an area of the state and how large the gap was, with more slave-dependent counties having larger gaps in voting. Figure 4

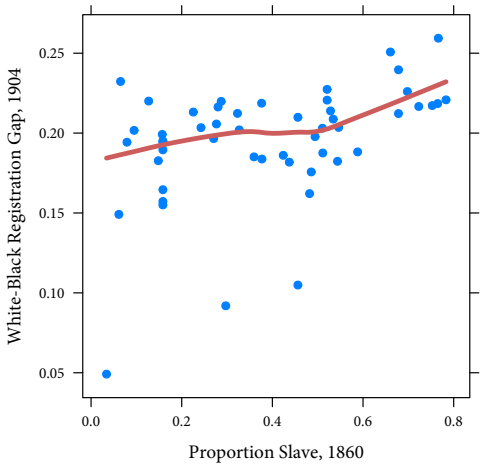

Figure 3: Relationship between proportion slave in 1860 and white-black registration rate gap, 1904. *Source:* Alabama Official and Statistical Register, 1903, 1907; U.S. Census, 1860, 1900.

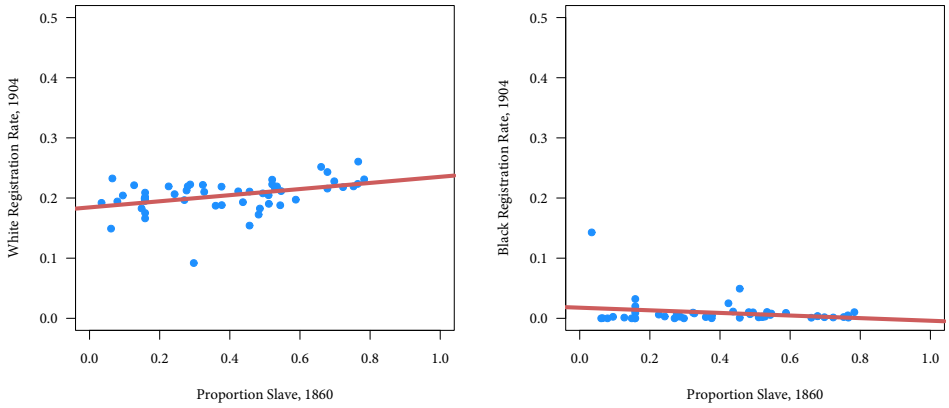

Figure 4: Relationship between proportion slave in 1860 and registration rates by race, 1904. *Source:* Alabama Official and Statistical Register, 1903, 1907; U.S. Census, 1860, 1900.

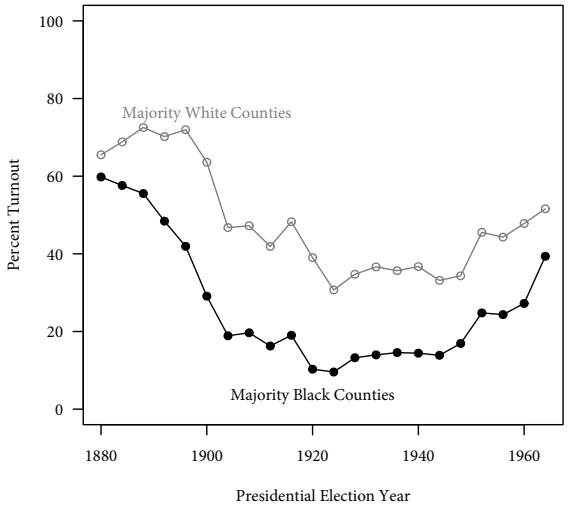

Figure 5: Voter turnout as a percent of adult voting age population. *Source:* Haines (2010); Clubb, Flanigan and Zingale (2006).

takes this a step further and examines voter turnout by race separately. A large part of the gap between whites and blacks is actually driven by increased white voting in former slave counties. For black voting, there is a slight decline in voting in former slave areas, but we note that there are fundamental floor effects. That is, so few black were voting across the entirety of the state by 1904, that the overall trend is more slight than it is for whites. This both illustrates the political power of the Black Belt South, as well as the quick and variant nature of black disenfranchisement.

Subsequent Localized Disenfranchisement. Do these patterns persist historically, even after the establishment of Jim Crow across the South? Unfortunately, there is no accurate historical data capturing voter turnout by race. However, we can make some limited inferences based on voter turnout in majority black (Belt Belt) versus majority white (non-Black Belt) Southern counties through the later parts of the Jim Crow era, using data from Haines (2010).

We note that these data suffer from the ecological inference problem because we

do not know whether they capture white voting, black voting, or some mix. However, we can examine voter turnout as share of the overall population in that county. This is presented in Figure 5, which uses data from Haines (2010). The Figure shows how voter turnout in general is lower (as a share of the total voting-age population) in majority black counties through the 20th Century. These data are suggestive, however: substantial population mobility appears to have affected rural Southern counties more than others. In addition, these data include potentially disenfranchised whites. However, the pattern is straightforward: high-slave counties historically have had reduced voter turnouts—turnouts that suggest that larger shares of these counties have been disenfranchised compared to other counties. This has been the case throughout much of the 20th Century, lending support to the idea that these patterns have been historically persistent.

5.4 Evidence of Localized Culture of Disenfranchisement

Up to now, most of these findings are consistent with a broad definition of path dependence, one that speaks to both institutional and behavioral path dependence components. We now consider whether separate evidence of *behavioral path dependence* exists. These questions are important: a purely institutional story would suggest that these patterns should attenuate sharply when institutions are removed, but an explanation relying on cultural factors might suggest that depressed voter turnout could linger even after institutional factors are addressed.

To explore this, we leverage voting-age cutoffs (Meredith, 2009). Specifically, we use the CCES (Ansolabehere, 2010) to construct a measure of when an individual became eligible to vote based on his or her current state of residence. If the respondent lives in Georgia or Kentucky, then we take their eligibility age as 18, and for all other states we take it to be 21, as these were the voting eligibility ages in the mid-1960s. From this, we calculate the year in which respondents became eligible to vote and create an indicator for whether the respondent became eligible in or after 1965, when the VRA was enacted. While this estimate will have a good deal of measurement error due to the fact that not all respondents live in the state or county that they lived in 1965, it is likely that this measurement error will push our estimate closer to zero due to classical attenuation bias. Thus, any differences we find based on this measure are likely to be

	Turnout (CCES)			
	(1)	(2)	(3)	(4)
Eligible Post-VRA	-4.288^{**}	$-5.172^{\dagger}$	0.545	0.504
	(1.621)	(2.713)	(0.355)	(0.395)
Prop. Slave, 1860	-9.803^{**}	-8.778	1.108	0.482
	(3.584)	(8.433)	(1.037)	(1.192)
Eligible Post-VRA × Prop. Slave	11.843^{**}	14.108^{*}	-1.555	-1.566
	(3.769)	(6.912)	(1.182)	(1.270)
Clustered SEs	✓	✓	✓	✓
State FEs		✓		✓
1860 Covariates		✓		✓
Subset	Black	Black	White	White
N	229	172	2,536	1,521
AIC	304.236	155.826	2,111.686	1,258.498

$^{\dagger}p < .1$; $^{*}p < .05$; $^{**}p < .01$

Table 6: Interaction between proportion slave of current-day county of residence and whether respondent became eligible to vote in or after 1965. Outcome is binary indicator for validated vote in the CCES in 2008 or 2012. Limited to respondents who became eligible to vote between 1963 and 1968. Source: CCES, 2008 and 2012.

conservative for the true effect.

To assess the long-term impact of being disenfranchised on voting today, we subset the data to only those black Southerners who became eligible to vote between 1963 and 1968. Then, we compare those became eligible just before the VRA (1963-1964) to those who became eligible just after (1965-1968).[14] If there is no behavioral lasting

[14]We include through 1968 in the post-VRA sample so there is a presidential election year in both groups. Other studies have shown the becoming eligible in an election year is an important predictor of

effect of voter discrimination, then we should expect the turnout rates to be roughly the same for these two groups, since the removal of barriers to vote should allow both groups to vote at their natural rate. If anything, we might expect the slightly older voters (those eligible before the VRA) to vote at higher rates, given the documented correlation between age and voting. The relatively tight window around the VRA, though, means that these groups will be fairly similar. If disenfranchisement does have a lasting effect, then we should expect those eligible before the VRA to be less likely to vote due to their experiences with the pre-VRA system. In high-slave areas, where disenfranchisement was extremely high even into the mid-1960s, we should expect to see the (older) pre-VRA eligible voters to vote at lower rates than those who were eligible after the VRA. In low-slave areas, where there was less disenfranchisement by the mid-1960s, we should expect either no relationship or a negative effect of post-VRA eligibility.

To test these predictions, we present a logistic regression of self-reported turnout (from the CCES) in the 2008 or 2012 presidential elections on the post-VRA eligibility variable interacted with proportion slave in 1860. Table 6 shows that there is a strong interaction between the timing of eligibility and proportion slave in 1860 of the current-day county. In low-slave areas, there is a negative relationship between post-VRA eligibility and turnout, whereas in the high-slave areas the relationship is strongly positive. Figure 6, which is based on model (1), shows these relationships with predicted turnout probabilities (along with bootstrapped confidence intervals) for both eligibility statuses across a range of possible values for proportion slave. This result holds whether or not one controls for 1860 covariates as in model (2). Furthermore, as seen in models (3) and (4), there is no such relationship among Southern whites, which further points to the specific experience of voter disenfranchisement among Southern blacks in the pre-VRA Black Belt. These results suggest that institutions such as Jim Crow appear to impact the size and composition of the voting population long after their collapse; this gives evidence in favor of a mechanism rooted in behavioral path dependence.

A caveat here is that there is limited data on Americans' mobility over time, meaning that we cannot be sure that where a person grew up is the same place where they live today. (This might be a particular source of concern looking at older African Americans.) In the Appendix, we provide some suggestive information from the U.S. Census that documents that black out-migrants (and also in-migrants) from across either the

future voting (Meredith, 2009; Mullainathan and Washington, 2009).

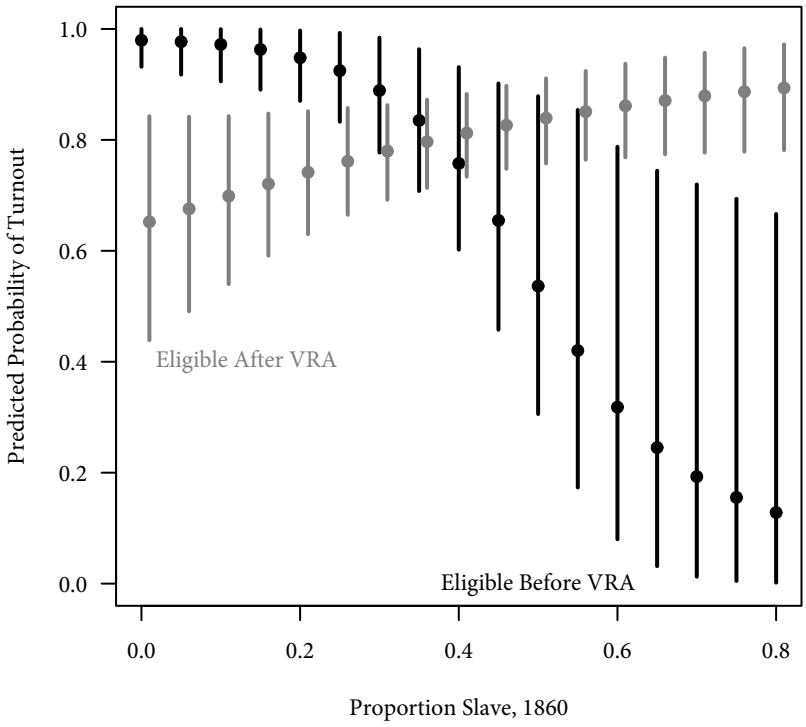

Figure 6: Predicted probability of voting for African Americans in the 2008 and 2012 presidential elections in the South as a function of proportion slave in 1860 of their county of residence today and whether or not they became eligible to vote in or after 1965. Lines are 90% confidence intervals based on 1,000 bootstrapped replications, where resampling was done at the county level. Based on estimates from Model (1) of Table 6. *Source:* Ansolabehere (2010).

former slaveholding and non-slaveholding parts of the South actually look very similar across important predictive characteristics—including gender, age, income, etc. This suggests that the concern of mobility perhaps would not be driving findings; however, we cannot be sure.

6 Concluding Remarks

Our empirical analysis started by presenting the simple fact that Southern slavery—an institution that came to an end over 150 years ago—is predictive of important voting outcomes. Specifically, areas with a strong prevalence of slavery in the antebellum period are today (1) more likely to have lower average black voter turnout as opposed to average white voter turnout, (2) more likely to have had lawsuits challenging election practices under the VRA, and (3) have higher gaps in racial polarization when it comes to black versus white partisan identification. These findings are robust to three different identification strategies, and they illustrate the key importance of examining local voting patterns, not just state-level patterns (e.g., *Shelby County*).

As an explanation, we argue that slavery—and the political threat engendered by its collapse—served as an important catalyst for the establishment of anti-black voter suppression, and that this has impacted modern-day outcomes via persistence, specifically via the mechanisms of institutional path dependence and behavioral path dependence. We draw upon large qualitative literature observing that slavery, when it ended, morphed into a myriad of informal and, to the extent legally possible, formal institutions. Consistent with other observations (e.g., Key, 1949) we argue that Black Belt whites had the strongest incentives to move forward these oppressive institutions, particularly when it came to voting. As evidence of this we have shown that slavery is predictive of support for nascent voter suppression laws of the early 20th Century and also of historically depressed voting through the 20th Century.

We have also provided evidence that important interventions such as the VRA, although highly effective, have not rooted out all voting inequalities. As we showed, disenfranchisement might have continued to affect African Americans after the implementation of the VRA due to the mechanism of behavioral path dependence. Indeed, our analysis examining African Americans coming of voting age just before the VRA suggests that these individuals were particularly affected by Jim Crow-era voter suppression, and that this covaries with areas of the Black Belt that historians have documented as having had the most severe pre-VRA voter suppression. This provides strong suggestive evidence that, even after institutions have been dismantled, culture may still lag, thereby contributing to ongoing inequalities in voting. A cautionary note is that these findings suggest that policymakers must remain vigilant about restrictions on the

right to vote; as our results show, restrictions on voting might have downstream repercussions that outlast the restrictions themselves.

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A Characteristics of Black In- and Out-Migrants

A potential narrative that explains or findings is if the characteristics of black migrants during the waves of the Great Migrations (approximately from 1910 to 1930 and then again from after the Great Depression to 1970) varied by localization. For example, it might be the case that those African Americans who left during the Great Migrations were relatively more affluent, had greater skills, or had achieved more education. Under this kind of argument, those who remained in the rural South would, by comparison, be relatively more poor and have fewer resources—and therefore historically be among those (compared to other African Americans) less likely to vote. A key component of this possible explanation is, however, that these patterns would have to vary from county to county in order to explain our results—with those staying in the more rural Black Belt counties being those particularly lacking in resources.

We note that comprehensive data on migration during this time period is difficult to come by. However, we operationalize a test based on the comparison between out-migrants across different parts of the South. (See Acharya, Blackwell and Sen (2015) for a similar test looking at *white* in- and out-migration.) Specifically, we use data from the 1940 U.S. Census Public Use Micro-sample (PUMS), which, although not perfectly overlapping with all migration waves, asked which county a person resided in in 1935 and 1939. The data permit us to examine (1) whether black out-migrants different from those who stayed and, just as importantly, (2) whether any patterns of difference vary according to the share of slavery in 1860. Both components would have to hold in order to explain our results. Figure 7 represents this information. For variables that are coded as 0 or 1 (for example, gender) the coefficient represents the predicted probability. If the variable is continuous (for example, wages), the coefficients represent a one-standard deviation change.

Do out-migrants differ from non-migrants? We do see evidence of this (left plot). For example, out-migrants are wealthier than non-migrants and they are also younger, better educated, and more likely to be male. They appear to work slightly less, which perhaps provides an impetus for departure. Does this difference vary from slaveholding to non-slaveholding county? There is by far less evidence of this. Across nearly every characteristic, out-migrants from slave-holding counties appear similar to out-migrants from other areas. One potential difference concerns wages, with the differ-

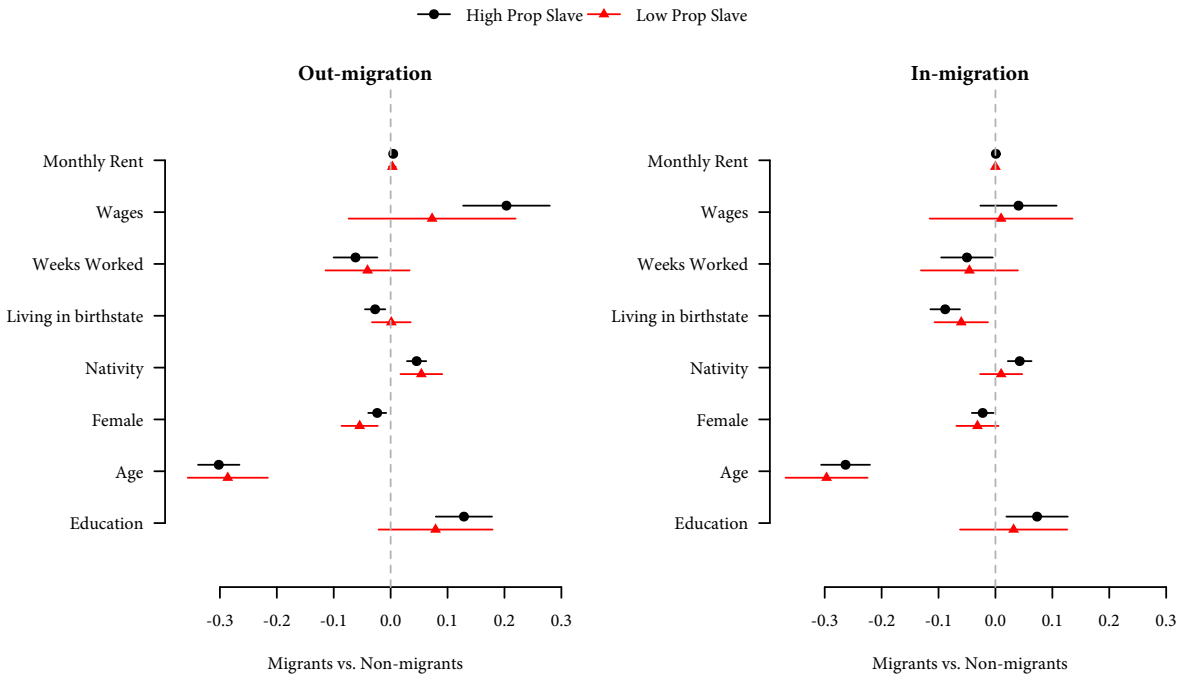

Figure 7: Characteristics of black out-migrants and in-migrants compared to non-migrants for high-slave and low-slave counties, where migration took place between 1935 and 1940. In the left panel, each point is the estimated difference between non-migrants and out-migrants from high-slave areas (black dots) and between non-migrants and out-migrants from low-slave areas (red triangles), conditional on 1860 covariates of the individual's 1935 county of residence. The right panel is the same for in-migration, conditional on 1860 covariates of the individual's 1940 county of residence.

ence between out-migrants and non-migrants appearing larger from Black Belt counties; however, this difference is not statistically significant.