



# Policymakers Must Be Responsive to the Needs of Black Women

By Michele Jawando, Jocelyn Frye, and Abby Bar-Lev Wiley    October 27, 2016

Black women have played a central role in leading policy and political movements, from the earliest days of the nation to today's struggles for justice, representation, and equality.

Sojourner Truth and Harriet Tubman acknowledged the dual identities of black women as they fought for the abolition of slavery and for women's suffrage. Claudette Colvin and Rosa Parks helped spark the civil rights movement in 1955 when, separately, each refused to give up her seat on the bus for a white man; Colvin then became a plaintiff in a federal case that first ruled bus segregation in Alabama unconstitutional.<sup>1</sup> Amelia Boynton Robinson helped to lead the march for civil rights from Selma to Montgomery, Alabama, in 1965 and was the first black woman to run for Congress from Alabama.<sup>2</sup> Diane Nash was a key strategist of the civil rights movement and one of its "most prominent leaders."<sup>3</sup> More recently, women such as Alicia Garza, Opal Tometi, and Patrisse Cullors have carried on the legacy of civil rights activists by helping to launch the Black Lives Matter movement following the killing of Trayvon Martin in order to affirm the value and humanity of black lives in America.<sup>4</sup> Legislators such as Rep. Marcia Fudge (D-OH) and Georgia State Rep. Stacey Abrams (D) are working to expand legislative policy agendas that address the needs of African American women and their families.<sup>5</sup> Reps. Bonnie Watson Coleman (D-NJ), Robin Kelly (D-IL), and Yvette Clarke (D-NY) launched the Congressional Caucus on Black Women and Girls to help ensure that the challenges facing black women and girls are elevated and included moving forward in the discussions about the research, legislative, and policy priorities at the national level.<sup>6</sup> And every day, without accolades or notoriety, black women play key roles in their communities, participating in the workforce at higher rates than other women, often serving as the breadwinners of their families, and turning out to vote in reliably high numbers.<sup>7</sup>

Whether pushing for largescale social change or fighting for the betterment of their families and communities, black women have often had to take up the mantle of leadership because existing political leaders and their policies have not been responsive to their needs. But as the nation becomes increasingly diverse, policymakers must begin to truly listen to black women's voices. Lawmakers must respond with thoughtful policy solutions that are oriented to and will serve the needs of black women and create opportunities for black women's voices to be heard on the state and national levels.

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## Black women are helping to lead a broader phenomenon of increased political engagement by women of color overall

Women of color are no longer just a growing force in the voting electorate—they are powerful agents of change. In 2014, the Center for American Progress looked back at the 2008, 2012, and 2013 elections and found that “women of color are a key, emerging voting bloc with the potential to significantly affect electoral outcomes.”<sup>8</sup> In fact, the voters in the 2016 election are projected to be the most ethnically diverse electorate in history. According to the Pew Research Center, nearly 1 in 3 eligible voters this year will be Latino, black, Asian, or another racial or ethnic minority group.<sup>9</sup> In 2012, 74 percent of all eligible black women went to the polls—compared with 57.5 percent of voters overall<sup>10</sup>—a voting rate higher than any other group.<sup>11</sup> This year there will be 27.4 million eligible black voters—about half of whom are black women<sup>12</sup>—representing a 6 percent growth from 2012.<sup>13</sup>

Black women’s high rates of voting reflect one way in which they are invested in their communities. In fact, President Barack Obama would not have won the election in 2012 without the votes of black women.<sup>14</sup> According to the Center for American Progress report “The Path to 270 in 2016,” the share of voters of color will rise 2 points in 2016, making up 29 percent of the national presidential electorate.<sup>15</sup> If past is prologue based on recent trends of turnout and participation, black women are likely to again repeat the turnout results of 2008 and 2012 with increased voting participation on Election Day 2016.

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## Black women are overrepresented in the electorate but underrepresented in office

Despite their outsized representation in the voting electorate, black women remain woefully underrepresented in elective office and the judiciary. Although black women are “gaining increased access to political offices,” they “continue to face considerable obstacles to securing high-profile offices at both state and national levels.”<sup>16</sup> For example, of 535 members of the U.S. House of Representatives, only 20 are black women—including two nonvoting<sup>17</sup> delegates from Washington, D.C., and the U.S. Virgin Islands. A black woman has not served as a U.S. senator since 1999. Unfortunately, when one examines the representation of black women in statewide executive office, this underrepresentation at the federal level comes as no surprise. Statewide executive office is a critical pipeline to elected office at the federal level, yet very few black women serve in these roles. According to the National Coalition on Black Civic Participation, only 3 of the 317 statewide elective offices throughout the country are currently held by black women—and all three are the first black women to hold those positions in their states.<sup>18</sup> Black women are winning seats in state legislatures—comprising more than 14 percent of women legislators and 65 percent of women of color legislators—yet they represent

just 3.4 percent of all state legislators across the country.<sup>19</sup> And, even though President Obama has demonstrated a commitment to appointing diverse federal judicial nominees—he has, for example, nominated 33 black women judges,<sup>20</sup> more than any previous president<sup>21</sup>—there are still only 42 black women serving on the federal bench out of the 793 total active federal judgeships.<sup>22</sup>

This disparity is not just happenstance. Cultural and structural barriers frequently limit the opportunities for black women—and women of color overall—to assume roles as public leaders. For example, negative stereotypes of African American women, many of which are rooted in and can be traced back to historical depictions of blacks during slavery, often create caricatures about what women’s leadership looks like and are unique challenges that specifically affect black women in contrast to their white peers.<sup>23</sup> These double standards affect all women, but pernicious stereotypes about the so-called angry black woman, unconscious bias about what a “typical” leader looks like,<sup>24</sup> and racialized notions of black women as caregivers<sup>25</sup> create particular hurdles for black women to overcome. In her book *Sister Citizen: Shame, Stereotypes, and Black Women in America*, noted professor Melissa Harris-Perry unpacks the dangers of the prevailing stereotypes of black women and how those stereotypes affect Americans’ understanding of black women as citizens and leaders.<sup>26</sup> Recognizing and counteracting those stereotypes and the way bias may color one’s ideas of black women’s leadership is imperative to create more opportunities for black women to lead in public office. In addition, stereotypes about caregiving and the dearth of family-friendly opportunities also serve as barriers to greater representation for women of color.<sup>27</sup>

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## Black women are marginalized in the economy despite high workforce participation

Black women are increasingly leaders at work, moving into a wider variety of occupations. Although a leadership gap in executive leadership remains, black women have increased their representation in managerial and professional jobs,<sup>28</sup> and nearly 67 percent of black mothers are breadwinners for their families.<sup>29</sup> Despite all of this important progress, there is still considerable work to do as persistent barriers continue to hinder black women’s advancement, affecting their economic stability and the overall well-being of both them and their families. Structural barriers make it more difficult for women of color to establish economic security. Women overall are overrepresented in the low-wage workforce. Although women make up about half of the American workforce, two-thirds—or 13 million—of the nation’s 20 million low-wage workers are women.<sup>30</sup> Black women—who face significant cultural barriers to higher-wage jobs, as previously discussed—make up 11.6 percent of the low-wage workforce, which is two times as large as the share of black men in low-wage jobs.<sup>31</sup> Due largely to their share of low-paying jobs, black women are more likely than any other group of women to live in poverty.<sup>32</sup>

The gender-based wage gap also hits black women particularly hard. Black women working full time and year round typically make only 63 cents for every dollar their white, male counterparts make. This is compared to an 80-cent wage gap for women overall.<sup>33</sup> For black mothers, the wage gap is even more extreme. Mothers who work full time and year round outside of the home typically face a wage gap of about 73 cents for every dollar earned by white father counterparts. But for black women, this so-called motherhood gap is typically about 53 cents to the dollar.<sup>34</sup> When structural barriers and economic policy hurt women, they often disproportionately affect women of color, creating barriers outside of their control to reach economic security.

The lack of role models in the workplace and in public office, particularly for women of color, means fewer mentors, fewer sponsors, and fewer opportunities for advancement that would grow out of those social relationships and the social capital that those relationships afford.<sup>35</sup> That is because political leaders, employers, and managers often rely on their networks and internal references when making interviewing, hiring, and promotion decisions. These networks often reflect the employer's own socioeconomic, racial, and gender circles and thus can—and often do—result in homogeneous hiring.<sup>36</sup> The Reflective Democracy Campaign reports that white men in the United States hold four times more political power than women and people of color,<sup>37</sup> and as of March 2015, fewer than 1 percent of Fortune 500 companies were led by a black CEO.<sup>38</sup> Lack of representation in business, as well as in political office, means less social capital from which black women, and indeed all women of color, can draw. This can, in turn, result in fewer opportunities for jobs, promotions, mentorship, and advancement, as well as a smaller network that black women can enlist when looking for new workplace opportunities.

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### Black women are overrepresented in the mass incarceration crisis

The explosion in America's incarcerated population affects women of color and, in particular, black women. So-called tough-on-crime policies and their collateral consequences have created an “explosion in the U.S. prison population,” including a 700 percent increase in the population of women who were incarcerated between 1980 and 2014.<sup>39</sup> Black women are imprisoned at higher rates than Latinas and more than double the rate for white women.<sup>40</sup> They are significantly overrepresented in state and federal prisons and have a higher likelihood of being incarcerated for drug use, despite research showing that women across races tend to use and sell drugs at the same rate.<sup>41</sup> Upon re-entry, formerly incarcerated individuals face a host of barriers to employment and income, education and training opportunities, housing, and the ability to save for the future.<sup>42</sup>

In fact, due to employment barriers, 60 percent of formerly incarcerated individuals remain unemployed one year after their release,<sup>43</sup> a reality that hits mothers and families particularly hard. The Urban Institute reports that not only does parental unemployment correlate with poor academic outcomes for children, but also “children whose mothers experience employment instability exhibit more problem behaviors, such as bullying or being withdrawn, and are more likely to be absent from school.”<sup>44</sup> Unfortunately, this can create a vicious cycle, as black girls are nearly three times more likely than white girls to be referred to juvenile court for a delinquency offense and are 20 times more likely to be detained and formally petitioned to court than their white counterparts.<sup>45</sup>

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## Black women are disproportionately affected by restrictions on reproductive health

Restrictions on reproductive rights, birth control access, and abortion care across the states, and court decisions upholding those restrictions, harm women of color. For example, Texas’s omnibus anti-choice law shut down clinics providing abortion for medically unnecessary purposes before it was struck down by the Supreme Court. Had the Court not ruled favorably, it would have continued to disproportionately affect access to abortion care of women of color in the state—including 725,000 black women,<sup>46</sup> 2.5 million Latinas,<sup>47</sup> and more than 266,000 Asian American and Pacific Islander women of reproductive age.<sup>48</sup>

But just two years earlier, the Supreme Court decided that closely held for-profit companies with religious objections to contraception may deny their employees access to insurance-provided birth control.<sup>49</sup> This decision has a disproportionate impact on black women of reproductive age across the country, 83 percent of whom use contraception. About 9 in 10 black people, regardless of religion or politics, recognize contraception as basic health care.<sup>50</sup> Black women are three times more likely to die from pregnancy-related causes than white women,<sup>51</sup> and the decision to allow some religious employers operating for-profit companies to deny seamless, affordable access to contraception puts at risk not just black women’s autonomy but their health and well-being as well.

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## Black women are targeted in voter suppression efforts

Restrictions on voting rights—and court decisions that allow or encourage these restrictions—have a particularly negative impact on black women. When the Supreme Court’s *Shelby County v. Holder* decision threw out the preclearance provision of the Voting Rights Act in 2013, Justice Ruth Bader Ginsburg described the decision as “throwing away your umbrella in a rainstorm because you are not getting wet.”<sup>52</sup> The decision sparked an onslaught of voting restrictions that limit the ability of black people, women of color, young people, and older Americans to access the ballot.<sup>53</sup> Voter suppression laws—

such as those requiring photo identification in order to vote—can be particularly oppressive for black women and families living in poverty. The financial and travel burdens required to obtain a state voter ID could be too much for families that lack the resources necessary or cannot afford to take time off of work. For example, in 2012, the U.S. Court of Appeals for the District of Columbia Circuit concluded that the burden of obtaining a voter ID in Washington state disproportionately affected communities of color living in poverty, with many having to travel as much as 200 miles to 250 miles round trip.<sup>54</sup> And in North Carolina, where a federal appeals court recently stayed the state’s voter ID law because it targeted black people in the state “with almost surgical precision,”<sup>55</sup> the disproportionate impact on the state’s black women is clear. The Southern Coalition for Social Justice discovered in 2013 that although women represented 54 percent of the state’s voting population, they made up 64 percent of the voters who lacked photo identification under the state law. Of those women, more than 34 percent were black women, even though black women were less than 24 percent of registered women voters in 2012.<sup>56</sup> Of course, many black women intersect with several of these categories. For example, a black woman who works full time for low wages may be unable to access the time off from work or transportation needed to obtain the necessary identification for voting.

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## Policy makers must respond to the needs of black women

As the most reliable voting bloc, policymakers should be making the needs of black women their top priority. It is unacceptable that the voices and needs of black women are largely unheeded in policymaking<sup>57</sup> and that the consequences of bad laws, policies, or court decisions so often land disproportionately on black women’s shoulders. To be responsive, policymakers can introduce and advocate for policies that increase opportunities for high-wage jobs, make accessible affordable child care and reproductive rights and health, and tackle discrimination in the workplace and the criminal justice system.

Although the needs of black women are not homogenous, polling conducted by the Center for American Progress in 2016 revealed a number of specific policy priorities among women of color, specifically African American and Latina women.<sup>58</sup> First and foremost, an overwhelming majority of black women—87 percent—see improving the economic well-being of working families as the “top most important priority” or “one of a few important priorities” for the next president.<sup>59</sup> In addition to the economy, 1 in 4 black women mentioned health care as one of two most important issues going into the election, and nearly 30 percent of black women identified race relations and racism as key issues, along with education and women’s rights.<sup>60</sup>

It is also clear that black women want policymakers to tackle workplace fairness issues to secure opportunities and end discrimination. Low pay is an obstacle confronting a large majority of black women—a full 63 percent—and more than one-third of black women report lack of reliable child care as creating difficulty at work.<sup>61</sup> In fact, a majority of

black women report that “reliable child care when you need it,” “high-quality, in-home child care,” “high-quality child care centers in your neighborhood or near work,” and “affordable child care” are “out of reach” for them.<sup>62</sup> Combined with the 76 percent of black women who put up with “a lot” or “a great deal” of discrimination, it is clear that bad policies—or a lack of policies—has meant that getting ahead is too often an unfair struggle for black women.<sup>63</sup>

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## Conclusion

Policymakers have both an opportunity and an obligation to listen to the voices of black women, respond to their needs, and take steps to ensure access to greater leadership opportunities. They must recognize the intersectional needs of black women by pushing for policies that remove barriers to leadership and success in public life. Policies that establish paid family and medical leave and paid sick leave; that expand access to quality child care and education; that raise the minimum wage and close the wage gap; that strengthen anti-discrimination laws based on race, sex, or pregnancy; and that correct the draconian criminal justice policies of the past are some of the actions that—while they are important to many Americans and many women—are critical to ensuring the economic security of black women and their families. In turn, they allow black women to pursue opportunities for public office and service.<sup>64</sup> Intentionally encouraging and building a pipeline of black women legislators and judges is a nonlegislative endeavor that policymakers and public leaders can and should begin immediately.

Black women are a vital component of the future success of this country. They lead the nation in voting, they lead their communities and social movements, they are a major presence in the labor force, and they provide for their families. But policymakers who ignore the needs and voices of black women—or worse, who pass laws that disproportionately cause them harm—perpetuate or worsen the structural barriers that disproportionately imperil black women’s economic security and prevent them from occupying leadership roles in public office.

But this problem also presents prodigious opportunities for policymakers to step up and win the votes of black women by being responsive to their needs. In a nation of changing demographics, the share of the voting population that belongs to women of color is only growing. Black women are already leaders and often the foundation for support in their communities. It is time that policymakers become leaders in responding to the needs of black women and dismantle barriers that have kept black women from public office and economic prosperity for too long.

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