

**GENDER DIFFERENCES IN VOTING HABITS
OF OKLAHOMA STATE LEGISLATORS**

By

Thesis Approved: **TANIA WARD**

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GENDER DIFFERENCES IN VOTING HABITS

This study was conducted to examine the relationship between gender and voting behavior among Oklahoma State Legislators. Previous research on gender and political behavior is mixed, with some indicating significant differences and others indicating no significant differences. This research revealed the following:

Thesis Approved:

The following individuals attempted to make a contribution to the body of knowledge on this piece of legislation. The author is one of many who have contributed to the development of the district and the district and the correlation to a given piece of legislation. The following individuals have contributed to the development of the district and the correlation to a given piece of legislation.

Pamela L. Hughes
Thesis Advisor

David L. Hughes
Thesis Advisor

Leah Hughes
Thesis Advisor

Timothy J. Pettit
Dean of the Graduate College

PREFACE

This study was conducted to provide new knowledge about the relationship between gender and voting on crime bills among Oklahoma State Legislators. Previous research on gender and public policy preferences is mixed, with some indicating significant differences and others indicating no significant differences. This research revealed the latter. There are a great many variables at play when attempting to make predictions or determinations about how a person will vote on a given piece of legislation. Gender is one of those variables, as is party affiliation, urbanization of the district, wealth of the district and years in office, just to name a few, and their correlation to a legislator's policy preference varies from case to case, as was evident from this research.

It is difficult to make a definitive statement about how more women in legislatures will affect the outcome of government policy in the years to come. However, it is safe to say that we are beginning to see some differences, and continuous research on how men and women differ in their policy preference should be the goal if we want to continue to learn what affects more women in the legislature will have on the overall picture of state and national laws.

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Congress and 13 percent of the members of state legislatures. The number of women senators tripled in 1992, and female members of state legislatures increased to 20 percent.²

INTRODUCTION

The purpose of this study is to examine the increases in the numbers of female legislators

Background

Legislators are elected to represent the people of their state. In the Oklahoma

Legislature, members are elected to represent their constituents in the House of Representatives

In this study, I attempted to determine if women legislators were more likely than men legislators to vote "soft" on crime or favor alternative forms of punishment. Much of the existing research indicates that women do vote differently than men on a variety of legislation and that women are more liberal than men. Furthermore there is substantial research that indicates that women see the causes of crime differently. If the gender of the legislator plays an important role in how he or she votes and women are more liberal than men while viewing causes of crime differently, we should expect that women too will be softer on crime and favor different solutions to crime as compared to men. To be more specific, women legislators will be "softer" on crime than male legislators and favor alternative forms of punishment for criminals, whereas men favor more punitive types of punishment including stiffer sentences and incarceration rather than rehabilitation.

Over the years, and particularly since the early 1990s, the representation of women in state and national legislatures has increased. The year 1992 ushered in the "Year of the Woman," and with it came record numbers of women winning their party's nomination and seats in both national and state legislatures. As a result, the number of women in the United States House of Representatives increased from 29 in 1990 to 47 in 1992.¹ Prior to 1992, women made up just 6 percent of the United States

Congress and 18 percent of the membership in state legislatures. The number of women senators tripled in 1992 and female members in state legislatures increased to 20 percent.²

As was mentioned previously, the increases in the numbers of female legislators was not a phenomenon at the national level only. Similar findings are true of state legislatures as well. For instance, since 1975, the percentage of women in the Oklahoma Legislature, which is the focus of this research, has doubled.³ Such an increase provided the opportunity to study the voting habits of women and men legislators in Oklahoma because finally, there are enough women legislators to actually be able to make some comparisons to men legislators. Even with those increases, however, in 2001, women barely made up ten percent, with six women in the Senate and nine in the House. Today there are eight women in the House and six women in the Senate. Democrat and Republican women are represented equally in the House, but for the first time since the Center for American Women and Politics has been keeping records, over 25 years, Republican women outnumber Democrat women in the Senate five to four. Although women still represent a small percentage in the Oklahoma Legislature, (only one state, Arkansas, has a smaller percentage),⁴ the number has consistently increased and will likely continue to do so, especially with the introduction of term limits.⁵

There is in fact a growing amount of research, which makes those comparisons, to add to. Similarly, the differences in men and women that the research reveals, ranges across a vast spectrum, allowing for some very specific categories. The literature review section of this research for example, begins with gender differences in public opinion. That portion of the literature review discusses differences in political viewpoints of women and men on issues relevant to this research such war and crime issues. Secondly

in the literature review is the discussion of ideological differences between men and women legislators. Thirdly is the discussion over legislators and their policy preferences and how women are more supportive of legislation dealing with women's issues.

Following the literature review I have outlined the problem, then the statement of the hypothesis, the purpose and significance of the study, the methodology, research design, procedures, data analysis and finally there is a summary of the findings and the conclusion with explanations for the findings.

In conclusion, as the percentage of women in state and national legislatures increases, we begin to approach a government that is truly a legitimate democracy, not a government where 50 percent of the total population has only 20 percent of a voice in the nation's law-making bodies. Men and women, as well as all economic classes and races of people, have a legitimate interest in the public policy of this country. They should therefore have equal opportunities in their country including equal representation. Such a government make-up, where all citizens have an equal opportunity to participate in making the laws that affect their lives makes the polity more stable. Additionally, it is essential to recognize that women are a valuable resource and have historically been underrepresented among lawmakers while bringing to the table different abilities, interests and points of view. We cannot forget the symbolism of women legislative either. As children see women among our public officials they see role models and see the expanse of their own opportunities. It is warranted, and then, to examine what effects more women in the legislature will have on the outcome of government policy.

Review of Related Literature

Our first research area is that which was conducted within the general population. It suggests that since 1930, women are less prone to endorse violence and aggression in any form, including capital punishment (Erikson and Luttbeg, 1973). In their study of public opinion polls, they also found women are more dovish or maybe more compassionate as it may be, when it comes to the use of nuclear weapons.

Erikson and Luttbeg also have found gender differences in jobs, education, income redistribution and protection for the vulnerable in society. Public opinion polls also showed that women more often opposed the death penalty and wanted stricter gun control laws. By a 12-point margin women more often than men felt it was wrong to get involved in the Persian Gulf War. By a 20 percent margin women felt more often than that it was never okay. There was also a gender gap in gender-related issues and civil rights issues. Additionally, Erikson and Luttbeg found that women were particularly more liberal in marijuana legalization.

Baxter and Lansing also studied public policy. They were interested in determining if there was a correlation between policy position and voter preferences. They examined seven presidential elections from 1952-1976 and made the following arguments: 1) Women and men often agree on many public policy questions. Other variables, such as income, region, race, education, religion, or occupation differentiate population subgroups more than gender does; 2) When, however, male-female differences appear on public policies, there is a pattern of consistency exhibited by women. Women seem to specialize in certain humanitarian areas. That pattern of

consistency is especially obvious in the area of war and peace. Baxter also argued that younger women were more liberal than their elders and slightly more liberal than young men. Baxter and Lansing found that women differ from men most strongly on issues of war and peace. Again, if women are more peaceful than men, that peacefulness should manifest itself in crime policies. Another public opinion poll worthy of mentioning is one Lee (1976) discusses in-depth in her study of sexual role assignment and role expectations of women. Lee compared men's and women's voting on the United States House. Recognizing how women's and men's different perceptions about their roles in life might be significant as more women are elected to public office, Lee spent a great amount of time in her research discussing a 1967 study of differences in politicality and viewpoints. In that study by Sidney Verba and Associates, a poll was taken on the Vietnam War asking questions about escalation versus de-escalation of the war. It was not social status that dictated a person's point of view on the war, it was gender. Women favored de-escalation. Certainly much of that research is old, even antiquated, but the results of that type of research remained constant through the 1970s, 1980s and 1990s. For example, an opinion poll conducted by Louis Harris in 1972 found that not only did men and women differ on what were the most urgent problems facing the country, they also differed on what the solutions were. In the case of drug addiction, women favored rehabilitation measures over punitive measures. Men favored stiffer prison sentences over medical and mental treatment.⁶ In the case of gun control, 80 percent of the women wanted stricter control. Men on the other hand favored capital punishment by a 20 percent margin. Research continued to reveal differences in policy preferences for men and women legislators throughout the 1980s.

All of this research involves the general public, and it is from there that we draw our political candidates. Therefore public opinion polls are an element in backing up the arguments that women legislators will favor alternative forms of punishment in dealing with criminals, and women legislators are more likely to be soft on crime than are men legislators. We can see how the research on public opinion polls manifests itself by first examining ideological differences between men and women legislators. Her research: Clark for example, compared men's and women's voting on the United States House of Representatives based on ratings by the American Conservative Union. In selecting the legislation, she had two criteria; laws that were particularly relevant to the Republican agenda and those of special interest to women. Gender, political party and other control variables were used to anchor the research. Clark's study describes the impact of 18 bills selected from the House. Clark found that overall men scored higher or more conservative on the ACU index than did women. She also found Republicans were more conservative than Democrats, four times more. In dealing with abortion, men and women voted differently as well. Party was clearly the dominating influence, but gender had an important secondary influence. On a piece of legislation that permitted abortion at defense facilities, 81 percent of women voted yes, but only 42 percent of men voted yes. In the final set of votes concerning government regulation to promote public protection, Clark found women in the House were slightly more liberal than men on two of the three pieces of legislation dealing with crime issues. So, even though women and men did vote quite similar in some instances, there is enough of a difference in other areas that lead us to assume that alternative types of policy will manifest themselves as women's representation as lawmakers continues to increase.

Sue Thomas (1990) also found women lawmakers are more liberal than their male counterparts. In her study of voting patterns in the California assembly, she found likely women were more liberal than men on the women's rights index, but not necessarily on all issues. At the time of her study, 1983-1984, there were 12 female members in the 80-member assembly. Thomas used the ADA rating as a measure of ideology and a second dependent variable was the measure of legislative support on women's issues. Her research was based on 13 individual votes. Thomas hypothesized that all other things being equal, women would be more liberal than men on both ADA and women's issues. Part of her hypothesis was supported. The other was not. In this particular study, Thomas found men were actually more liberal in terms of ADA ratings, but women were more liberal on women's issues legislation. Other studies indicate women legislators are more liberal than men legislators even when party affiliation is taken into consideration. For example, research conducted by John Carey, Richard Niemi, and Lynda Powell on all 50 state legislatures revealed women are more liberal than their male counterparts regardless of their party affiliation. They also found some other interesting differences as well.

Women said they spent more time on all legislative activities they were asked about in the survey. That included spending more time with their constituents. They also reported spending more time taking care of problems of their constituents, suggesting a more caring outlook. Such an outlook seems to relate directly to the crime policy women might favor. Certainly a more caring legislator would favor less punitive punishments. It makes sense that she would care for the overall well being of the criminal, which would likely include some type of rehabilitation over immediate incarceration.

1975, s. Finally, women were markedly more liberal than their male counterparts and even somewhat more pronounced on social issues. For example, women were far more likely to oppose the death penalty. me a more cohesive group and that their voting behaviors are significant. An important distinction made in Carey's research, is that if women are more likely than men to be Democrats and Democrats are more likely to be liberal than present Republicans, than the differences between men and women could be more a function of partisanship than gender. with the liberal wing of the Democratic Congressional party. Frankovic. Additionally, a study by Leader found that during 1971-1974, women in the 92nd and 94th Congress were more liberal than men. Leader (1977) analyzed voting in the 92nd and 94th Congresses (1971-1974) and found the women were somewhat more liberal than men. ADA and feminist ratings were used to show that the gender differences were found among southern Democrats and Republicans but not northern Democrats. difference whether women. Welch conducted a similar study in 1985, which had similar results. Male partial congressmen in the United States House of Representatives were more conservative than women, based on Conservative Coalition Support Scores. She examined voting patterns in the House of Representative for four Congresses. Her study was explained more in-depth above. Research at the national level in the late 1970s and mid-1980s revealed female members of Congress were more liberal in their voting habits than were men (Leader, 1977; Frankovic, 1977, Welch, 1985). Sex differences are often confined to areas that can be easily measured, like political participation, voting behavior and political attitudes. Frankovic gathered data on the voting patterns of Congresswomen from 1961 through

1975, spanning the Kennedy, Johnson, Nixon and Ford administrations. During those years, 41 different women served in Congress; 14 Republicans and 27 Democrats. She found that women had become a more cohesive group and that their voting behaviors are significantly different from their male counterparts. She also found that their voting behavior is related to personal characteristics such as the type of districts they represent and several institutional criteria. She found that particularly in 1973 and 1974, women were linking themselves with the liberal wing of the Democratic Congressional party. Frankovic attributes that in part to older Congresswomen being replaced by younger, indicating that the older a Congresswoman was the less liberal she was. She also points out an interesting positive correlation in the degree to which women tend to represent liberal districts.

Welch asked the \$64,000 question in her study of women Congresswomen, "Does it make a difference whether women or men are elected to office?" She indicated that women were more liberal than men and that women policy makers often showed special sensitivity to women's issues. Welch's dependent variable was the Congressional Quarterly's Conservative Coalition Support Score. She examined the members of the House of Representatives over four Congresses, 1972 to 1980. Her major independent variable was sex, but she also controlled from urbanization, percentage of blacks in the district, the percentage of the non-black population that were foreign born, the party of the representative and the region. Welch found absolute differences between men and women members of Congress, where men scored 20 points higher on the conservative scale.

through In Diamond's 1977 study of four New England state legislatures, she found that of women had slightly more liberal policy views in all areas that were examined. In respect to sex differences, Diamond examined four distinct areas; socialization to politics, social and economic origins, political careers and legislative behavior. The research In dealing with how to discourage riots and disorders, for example, Diamond the found, based on a survey given to the legislators, that women were more likely to s and emphasize solving the problems of poverty because they saw poverty and its family ramifications as related to disorder in society (Diamond, 1977). Men on the other hand fe, favored using all available force for dealing with disorders in society. Such a finding is invaluable for this research, which attempts to discover differences in the way men and women legislators vote on crime. If women tend to view disorder in society as linked to poverty in society, then they should favor a different kind of legislation than a lawmaker who wants to use all available force. Their policy preferences should be different, and in fact they are, according to Lyn Kathlene, whose research is discussed in-depth at the end of this literature review.

If we take the results from the research on public opinion polls and combine it with the research on ideological difference between men and women legislators, we can see it play out in the third area of the literature review, gender differences on particular issues and areas of importance between male and female legislators.

Research also suggests that attitudes of men and women legislators differ on a variety of issues from the role of women to minority rights and social welfare. If more women were making laws, there should be more laws that address children, health and retirement issues (Welch and Thomas, 1991). Thomas and Welch made that discovery

through their examination of state legislatures. Data was collected from a 1988 survey of members of the lower house in 12 states: Arizona, California, Georgia, Illinois, Iowa, Mississippi, Nebraska, North Carolina, Pennsylvania, South Dakota, Vermont and Washington. There were a total of 226 women in all the legislatures combined. The researchers' two main measures of the dependent variable were gender differences in the types of legislation that were at the top of men's and women's legislative priorities and the levels of success in passing priority legislation dealing with issues of the family. They found that women put a higher priority on issues of the private sphere of female life, that of nurturing, protection and support of the family and children.

An additional indicator that lays the foundation of women's unique position in making government policy, is Saint-Germain's 1989 research, which too revealed women are more likely than men to initiate bills in areas which are of traditional interest to women such as child care, health care and reproductive rights. In her study of the Arizona legislature she also found evidence to support the critical mass thesis.

There were three main hypotheses to Saint-Germain's research: 1) Women representatives are more likely than men to initiate legislation that is considered to be of traditional interest to women; 2) Women are more likely to introduce legislation that promotes the equality of women; and 3) Legislation proposed by women is less likely to be passed into law than legislation proposed by men.

Saint-Germain's research examined legislation between 1969 and 1986. Her first hypothesis was confirmed although over the years women were touching nearly all areas of legislation. Men tended to stay fairly stable with approximate 25 percent of their legislation dealing with women as oppose to women's legislation, which dealt with

women's issues 33 percent of the time. She also found women legislators were more likely than men to propose feminist legislation. Saint-Germain did not, however, find that men had a better chance of getting their legislation passed into law. Quite the opposite was true, she argued, but provided little explanation for her findings.

While Saint-Germain's research might not immediately seem relevant to this research as it has little to do with crime and punishment legislation, it does continue to show us variances in women and men's policy preferences. Certainly it is not impossible or improbable that women could make a difference with legislation that is not just of feminist interest. As women in the Arizona state legislature gained numbers, they also began to change their legislative participation, Saint-Germain argued. They proposed legislation in many areas not identified as traditional women's interests.

Again we also saw differences in the policy preferences of men and women legislators in Thomas's and Welch's 1991 research, which to reiterate, women's priority legislation dealt more with children and family than did men's. Women also introduced more welfare bills. Research after research shows us that women introduced more legislation dealing with women's issues than did men.

Using a six state, three year sample, Bratton and Haynie (1999) found that in 1969, 1979 and 1989, women legislators were more likely than men legislators to introduce legislation associated with women's issues. They defined that legislation as that which may decrease gender discrimination or alleviate the effects of such discrimination. That was also defined as legislation that improved the economic situation of women. Party and committee also played an important role in explaining policy preferences, however.

The states Bratton and Haynie researched were Arkansas, California, Illinois, Maryland, New Jersey and North Carolina. Their study was concerned with seven issue areas; welfare policy, government spending, health care, education, children's issues, women's issues and black's issues. As with all the research reported here, women were more supportive of legislation dealing with women's issues than were men legislators. Women legislators were more supportive than men legislators in all seven legislation categories as well.

Along those same lines, Irene Diamond and Nancy Hartsock (1981) argued quite philosophically that what women consider as important, issues such as reproductive rights and abortion, are different from what men consider as important. They said that women have common interests and those commonalities grow from women's work of producing and sustaining human beings. This "women's work" they said, occurs in the context characterized not by abstraction from the necessities of life, but rather involvement in the necessities of life. Because female life activity is different from male life activity, women are lead to profoundly different social understandings and profoundly different interests. The women do not back their hypothesis with any sort of research. They are simply finding fault in Virginia Sapiro's 1981 research, which is discussed in the review of the literature.

Virginia Sapiro (1981), argues that women are interested in the expansion of rights, liberties and opportunities for women, legislation that has been virtually denied in comparison with interests of men. Like those critical of her research, Sapiro does not really conduct any research, at least to the extent that there is no sample or research design to speak of. She merely philosophizes about the interests of women and the

problem of political representation of women. In her essay, she argues that it does not matter what the representative looks like, only that he or she is acting in the interest of the represented. In order to discuss the representation of women, she maintains, women have to be considered as a group with unique, politically relevant characteristics. Women as a group, she argues, share common political problems unlike any other group. They have special interests, Sapiro argues, or a particular set of experiences from which their positions or preferences are derived.

Darcy (1987) argued women tend to be more supportive of education, social welfare, and public health than were men.⁷ Darcy, Welch and Clark examined women candidates and candidacies in the United States and several other democratic nations. As we have seen, there is research indicating that there are gender differences in public opinion polls on issues of crime and causes of crime, as well as other issues areas. There is additional research that suggests women legislators are more liberal than men and legislators. A third area of research indicates that women are more supportive of legislation that deals in areas of traditional interest to women and that women put a higher priority on issues of the private sphere of female life, that of nurturing, protection and support of the family and children. Such findings, combined with studies conducted by Lyn Kathlene and Carol Gilligan, serve as the foundation for this research. Lyn Kathlene, in her 1989 research in the Colorado Legislature, argued that men and women conceptualized the origins and solutions to crime differently (Kathlene, 1995). Briefly, Kathlene found that women see the roots of societal problems, like crime, as connected and interacting with forces greater than the individual. Women tended to view criminals as acting within the opportunities society has granted them.

Male legislators on the other hand are more “instrumental” in their approach to policy making. They saw criminals as behaving in a way which they choose, for example, criminals choose a life of crime. In regard to crime, men focus on the individual, the crime itself and discrete solutions (Kathlene, 1995). Kathlene’s argument serves as the basis for this research since some logical assumptions can be made from her findings. If men and women see the root of crime differently, then it only makes sense they would favor different solutions to crime.

Kathlene interviewed legislators about a hypothetical policy problem on crime and recidivism rates. The focus of Kathlene’s study was the nouns legislators used in talking about criminals and what policies should be set in dealing with them. Through her conversations with Colorado legislators, Kathlene found that Republicans generally favored a rights-based view of crime where being tough on criminals protected the rights of non-criminals. Democrats on the other hand were more supportive of intervention and rehabilitation of criminals. Women more often than men referred to criminals in non-criminal terms. Women defined crime as people in a society, not a specific event. Women also used “community” and “country” not only to describe the effects of crime but also the origins of crime. For women, Kathlene argued, society was not only victimized by criminals but society was also responsible for creating the atmosphere and environment that breeds criminals and criminal activity. Twice as many women discussed crime in relation to society.⁸ Men in her study focused on the criminal himself or herself being released back into society and owing a debt to society. The men were inclined to see crime in terms of individual deficiencies. All of these differences in the

way men and women see crime were understood in terms of the way gender is socialized through experiences and opportunities in western societies. Three men actually Kathlene further argued that men politicians typically see criminals as the men in autonomous individuals making a choice to commit a crime. Men, Kathlene said, are more instrumental in their attitudes and behavior. Because they are in a position of dominance and relative independence in society, they have been socialized to view individuals in a competitive, hierarchical world. Men than assume all people are essentially self-serving and therefore subjective knowledge is subject. Objective knowledge is revered.

Women lawmakers on the other hand tend to see crime as a reaction to social situations and therefore, it is society that needs to undergo a transformation. Women, Kathlene argues, see the world from a more contextual point of view. Women are in a more subordinate and relatively dependent position than men. That socialization leads them to view society as interconnected. People's lives therefore are interdependent and based on webs of relationships that are continuous.

Again these differences in the origins of crime manifested themselves in public policy preferences. Of the 16 women interviewed, six discussed increasing funding and access to early childhood education programs as a specific prevention strategy for crime. They also discussed increasing the minimum wage and revamping school programs so they better meet the needs of today's family. Seven of those 16 women interviewed discussed the social philosophy underlying the nation's prison system and saw an incompatibility with putting people in prison to punish them while preventing them from committing more crimes once they were released. Men saw something quite different.

Men did not discuss the social philosophy at all. Those who spoke about rehabilitation did so only in terms of keeping the criminals out of society. Three men actually said they thought criminals were treated like guests at hotels. In sum, the men in Kathlene's study focused on including new crimes and expanding the definition of crimes already on the books as well as increasing the penalties for crimes. Women mostly dealt with crime through prevention and intervention (Kathlene, 1995). Finally, when the legislators were given a chance to discuss their policy recommendations, women saw behavior modification and not punishment as the necessary component for modifying a criminal's behavior. Men tended to feel behavior modification was a virtual impossibility and breaking the cycle was nearly impossible.

One last point about Kathlene's research that is worthy of note is an examination of crime and prison bills that were introduced in the Colorado House in 1989. Two of the eight pieces of legislation that were sponsored by women addressed crime through prevention and/or intervention. None of the men sponsored such legislation.

Kathlene's argument is obviously one of ideal dichotomous types, and one needs to be careful not to grossly oversimplify a practice that directly violates the very assumption of complex interactions. However, the fundamentally different origins of crimes as expressed by the Colorado legislature in Kathlene's research manifested themselves in distinctive policy solutions. With that in mind, when it comes down to passing crime legislation in the Oklahoma legislature, men and women legislators will likely have different conceptions about how to tackle crime there as well.

Kathlene, like many of those scholars mentioned earlier, argued that as women become more numerous in legislative-making bodies, politics will change accordingly.

For example, women will begin to step out from behind a strictly feminist agenda to tackle such issues as crime and they will tackle it different than men. Much of the premise that surrounded Kathlene's assumptions are that of Carol Gilligan (1982), who argued that women do indeed have "a different voice" when dealing with moral dilemmas. It is Gilligan's findings of gender differences where morality is concerned that provided the framework for examining differences in attitudes and behaviors among male and female legislators for this study as well as Kathlene's study. Gilligan argued the men tend to be concerned with people interfering in each other's rights. That belief leads them towards a justice orientation brought about by universal laws. Women on the other hand, are more concerned with the possibility of not helping others when they can be helped.

Gilligan's research was of three different studies. The first was a college student study that explored identity and moral development. Twenty-five students were selected for the study. The second study was an abortion decision study. There were 29 women chosen for that study. They ranged in age from 15 to 33. Her third study was the rights and responsibility study. It involved samples of male and females matched for age, intelligence, occupation, and social class for a total sample of 144. They were asked a variety of morality-based questions.

We gain two main lessons from Gilligan's research that had a direct application to this study. First, we need to understand women's impact on public policy because of their place in society and their standpoint in society. Secondly Gilligan used a methodology that captures the difference of men and women legislators. She showed that voting behavior couldn't just be examined in and of itself. The content of the legislation had to be examined. It had to be clear how the problem was defined and how the

legislation will solve the problem. These different voices lead to different orientations toward politics. Broadly stated, policymakers see themes of individualism or interdependence, two very different approaches to policy making.

Statement of the Hypothesis

Women legislators conceptualize crime policy differently than men legislators, resulting in them favoring alternative forms of punishment and/or being softer on crime.

The Problem

In this study I set out to test the hypothesis that women legislators are more likely than men legislators to vote soft on crime and/or favor alternative forms of punishment. The research by Lyn Kathlene, the research on public opinion polls, as well as that by Janet Clark, provides the basis for this hypothesis. Together they show that men and women legislators have distinct views when it comes to crime and the causes of crimes. One of the lingering questions concerning the unequal number of men and women in Congress and state legislatures, however, is whether or not their numbers make a difference in the type of legislation that is passed. If they do not, then we have to ask ourselves, if it really matters that there are so few women making laws.

The belief here is that gender does matter in decision-making, and that as the number of women in elected offices increases, the types of laws passed will begin to change. I attempted to determine if the gender of the legislator, the independent variable is related to the frequency with which he or she will vote "hard" on crime and punishment legislation, the dependent variable. This was a study of voting behavior on crime bills in

the Oklahoma Legislature. The problem I undertook was to determine if the gender of the legislator effected how he or she voted on crime. There were also other variables examined, including the political party of the legislator, length in office, level of urbanization in the district represented and the average annual income of constituents within the district.

The political climate changed in the early 1990s, when disgruntled voters

Purpose of the Study

wanted a clearer kind of politics. At the very least they wanted to see a different political

The purpose of the study, to determine if the gender of a legislator is relevant to how he or she will vote on crime bills, contributes to the existing research by allowing us to better understand how men and women legislators differ, which in turn gets us closer to answering the question of do women make a difference in elected office. This is significant on many levels of studying gender relations and gender differences. Women have, to a great extent, been virtually absent in the legislative process. Only in the last decade has there really been an increase in women lawmakers. As women's numbers in the state and federal legislatures continue to increase, we need to understand what that impact will be. That needs to be understood certainly from a feminist perspective not only so assumptions can be made about whether electing more women legislators means more legislation concentrating on issues of traditional interest to women, but also because of the contributions it makes in evaluating our political system. We cannot fully appreciate gender differences until we look at them in all realms, including the political realm. More than anything though, women are indeed running in greater numbers and winning a greater share of seats than ever before. That will no doubt change the political

landscape in the years to come. The purpose of this study, then, is to further our understanding of how women will change politics as we know it. If the hypothesis holds true, more women in the legislature means there will be an

Significance of the study

This study is significant because more and more women are choosing politics as their profession. There are some instances, however, such as gun control, where women in vocation. The political climate changed in the early 1990s, when disgruntled voters of such legislation would actually be classified as a liberal approach. They wanted a cleaner kind of politics. At the very least they wanted to see a different political face. They were no longer content with "politics as usual" or politicians as they had traditionally been known.

Most commonly, scholars cite how the Anita Hill debacle focused the nation's attention on the low representation of women in Congress (Thomas, 1998). Here was a young female attorney accusing a Supreme Court justice nominee of sexual harassment and there was not one female on the Senate Judiciary Committee. The media's coverage of the event no doubt got the momentum rolling for greater female representation in Congress, and state legislatures for that matter. The Hill-Thomas hearings raised a variety of questions about the ability of a predominately male Congress to represent the interests of women. What resulted were angry women opening up their checkbooks and writing checks to support women candidates. "Run as Women" and "Act as Women" became unofficial campaign slogans (Dodson 1998).

Many of the new faces wore lipstick and the ideas of politics were taking on a more feminine nature. So, now that women have had a decade's worth of significant numbers, we have enough data to study whether they really do make a difference.

Logical Assumptions

If the hypothesis holds true, more women in the legislature means there will be an increase in alternative forms of punishment for criminals. That would mean women indeed view the cause of crime differently than men and vote more liberal than their male counterparts. There are some instance however, such as gun control, where a vote in favor of such legislation would actually be classified as a liberal approach yet hard on crime. There was no such legislation that came up in this study.

As more women enter the ranks of policy makers, the content of legislation as well as the way women vote on that legislation would likely be somewhat, if not to a great extent, distinguishable from that authored by men. The roll calls too should be different. We could even expect to see Republican women taking a more soft on crime approach than Republican men.

III

METHODOLOGY

Research Methodology

From the beginning of this research endeavor, I wanted to somehow explore the differences in the voting habits of men and women in the Oklahoma Legislature. Political behavior in Oklahoma is virtually an untapped resource where very little research has been conducted, particularly in studies of gender differences. Since so much of the research up to this point was based on how women legislators favor or prioritize

legislation of traditional interest to women, I wanted to avoid that. I avoided all crime legislation that had anything to do with women. It seemed obvious to me and certainly the research backed up the assumption, that women were going to be more interested in legislation that affected them than men would be.

Few if any researchers focused specifically on voting difference between men and women on crime and punishment legislation. Instead the majority of research almost exclusively reveals that women do make a difference in state policymaking, but only when it comes to how women make a difference for women, not how they make a difference in the overall scheme of things.

The research that does not deal specifically with women's and men's policy preferences and priorities, compares women's liberalism to men's conservatism. I do not want to confuse ideology with how a legislator votes on crime, however. Instead there is a comparison of "hard on crime" versus "soft on crime." I even prefer using the terms punitive and alternative types of legislation, as using the terminology "hard" and "soft on crime" is problematic. Labeling a legislator "soft" or "hard on crime" brings their preferences quite close to the surface. The label immediately brings certain assumptions to mind about that legislator and his or her preferences on crime and punishment legislation. The very phrase "soft on crime" has negative connotations, but "soft on crime" is not necessarily a bad thing. Someone who is labeled "soft on crime" may simply be against the death penalty. However, such a label is for many a bad thing. Someone favoring alternative forms of punishment to incarceration may only favor such legislation because of prison over population problems. A legislator may in fact be "hard on crime," but see the mentally ill who commit crimes in need of an alternative type of

sanction. So, while the labeling of hard or soft on crime might not be entirely accurate, but rather a way to discredit a political opponent or adversary, there are some basic assumptions that can be made about a legislator who consistently favors bills that are “hard on crime”.

Research Design

In this study, the data set was made up of all members of the House of Representatives in the Oklahoma State Legislature from two legislatures, one in the mid 1980s and the second in the early 1990s. There were several reasons I chose the Oklahoma State Legislature. First, in general, women’s membership in state legislatures far exceeds their representation in Congress. That is not the case, however, in the Oklahoma Legislature. Secondly, Oklahoma is an untapped resource. Roll call votes in Oklahoma and voting on crime and punishment has been ignored. Oklahoma has neither the most women legislators nor the least, although it is closer to the latter. Therefore, where it sat on the spectrum made it a good candidate for research.

To conduct this research, it was first necessary to determine what legislatures to examine. I first chose the 40th Legislature, which consisted of the years 1985 and 1986. There were 72 Democrats and 29 Republicans. There were 90 men and 11 women. The year 1985 was the first time women began to appear in the Oklahoma Legislature in any significant numbers. Since 1992 saw record numbers of women elected to office across the nation, I chose the immediate preceding legislature as a comparison point. The second legislature I examined was the 44th Legislature. Of the 101 legislators in the

Forty-Fourth Legislature, eight were women. Sixty-seven were Democrat and 34 were Republican.

The next step was to identify the units of analysis, the legislators. All 101 members of the Oklahoma House of Representative were used, that is any person elected to serve in the House of Representatives in the Fortieth Legislature which consists of 1985 and 1986 and the Forty-Fourth Legislature, which consists of 1993 and 1994. With so few women in the legislature, it did not make sense to use a sample and 101 was a workable number.

In this study, the dependent variable was the percentage of the time a legislator voted "hard" or "soft" on crime. There were basically two types of legislation voted on in this study, the first increased punishment in some way or was "hard on crime."

Therefore, a "yes" vote would be coded as "hard on crime." A vote against such legislation would be coded as "soft on crime." Legislation that was hard on crime was defined as legislation that increased punishments, increased fines, penalties or sentences for criminal behavior, expanded the definition of crime, defined additional acts as criminal or legislated in a way that increased the scope of how crime is defined by law or how criminals were sanctioned. The second type of legislation was that which offered alternatives to incarceration, such as rehabilitation or restitution in lieu of prison or jail time. A "yes" vote on such legislation was coded as "soft on crime" or favoring alternative forms of punishment. A vote against such legislation was a vote "hard on crime." Neither type of legislation dealt with violence against women or children. Below is a discussion of all the legislation which was examined in this study. I defined legislation as that which was voted on at least once in the House or Senate of the

Oklahoma Legislature. Only the full piece of legislation was considered. There were no resolutions or amendments simply because I was looking at legislation dealing with crime. Resolutions and amendments were not relevant. Using the subject index of the House Journals for 1985, 1986, 1992 and 1993, I sorted through all the titles and isolated those that dealt with crime and punishment. If there was a unanimous vote on the bill it was thrown out, as there was nothing to compare. In fact, if there was less than ten percent dissent I did not include the legislation, unless the dissent was all women, which actually happened in one instance. That piece of legislation, as well as all the others were discussed below. The legislation of interest here dealt with punishment and violent crimes that were not against children or women.

There were seven pieces of legislation from 1985 that were studied. Six of the bills dealt with punishment. One bill dealt with a violent crime. In 1985 House Bill 1063 was introduced. It allowed for the termination of comparative proportionality including a review of the death penalty. The bill stated that whenever the death penalty is imposed and final, the sentence is to be reviewed on record by the Oklahoma Court of Criminal Appeals. The court would then determine if the sentence of death was imposed under the influence, passion, prejudice or any other arbitrary factor. The court would also determine if the evidence supports the judge's or jury's findings. The court can affirm the death sentence or remand the case for modification. It provided for the modification of appellate review of death penalty sentences. The bill was not passed. A vote "yes" on this piece of legislation was considered a soft vote on crime and was coded "0."

House Bill 1481 also introduced in 1985 dealt with making certain acts unlawful, limiting defenses and providing for penalties for them including a treatment program for

certain people. The bill defined legal limits for drunk driving and made it unlawful to be under the influence of any intoxicating substance. Doing so was classified as a misdemeanor. The first offense was punishable by 10 days to one year in jail and a fine of not more than \$1,000. The second offense is a felony. Their incarceration could range from one year and was not to exceed five years. Upon an incarceration sentence, the person would be evaluated for a treatment program. The legislation was not passed. While this bill did include a treatment program provision, it was not in lieu of incarceration, so a "yes" vote on this bill was a hard on crime vote, and was coded "1."

Senate Bill 336 from 1985 related to courses being set up for drunk driving and required certain people to complete alcohol and drug abuse programs. On their first offense a person has to enroll in and successfully attend and complete a drug substance abuse course offered by a recognized institution. If on a second or subsequent offense the person has not successfully completed a course within five years they are to attend a course again. It relates to the options of the courts in dealing with drunk driving cases. The bill was passed. A yes vote on SB 336 was a vote for alternative types of punishment, and was coded "0."

Senate Bill 334 of 1985 related to juvenile proceedings. It created the Juvenile Offender Restitution Program. It required juveniles to pay restitution for the first offenses. The juvenile who committed the crime would have to provide restitution to the victim by working or providing a service or make monetary restitution. The bill was approved. Since the bill offered alternatives to incarceration, a vote "yes" indicated favoring alternative forms of punishment, and was coded "0."

Also a piece of legislation from 1985, House Bill 1332 provided that any person who has committed justifiable homicide may file an action for a judicial determination if an indictment has not been filed within 30 days. The bill says any person who has committed a homicide may bring an action in district court for a judicial determination of justifiable homicide. If the judicial determination holds that the homicide was justified, then such determination shall bar any prosecution by the state or any other action for damages against that person resulting from that homicide. The bill was not passed. Categorizing this bill as hard or soft on crime was not as easy as the others. I opted to call it a soft on crime bill because it bars prosecution once the judge determines justifiable homicide. A "yes" vote then was coded a "0."

The final piece of legislation from 1985 was Senate Bill 89. It allowed for review by the Oklahoma Court of Criminal Appeals where the court would determine if the death sentence was imposed under the influence of passion, prejudice or arbitrarily and whether evidence supported the jury's or the judges' findings. It may affirm the death penalty or remand for resentencing. The bill was approved. Since it allowed for the overturning of the death penalty, I coded a "yes" vote as soft on crime and therefore awarded such a vote a "0."

Senate Bill 177 from 1986 was an act relating to public health and safety. It relates to offenses and penalties allowing for life sentences and increasing other penalties for drug related crimes. It was passed into law. SB 177 made unlawful the distribution, dispensing, or possessing with intent to manufacture, distribute or dispense a controlled dangerous substance. If the drugs were narcotics such as LSD, engaging in such activity would be a felony with not less than five years nor more than life in prison and a

\$100,000 fine. There could be no suspended, deferred sentence or probation unless it was a person's first offense. Drugs that were not narcotics would mean a sentence of not less than two years or more than 20 with a \$20,000. There could be no suspended or deferred sentence, ect. here either unless it was the first offense. A vote "yes" on this bill indicated a vote hard on crime. As such it was coded a "1."

House Bill 1809 also from 1986 is an act relating to criminal procedure. It modified justifiable homicide by a public officer and modified the use of certain force including the use of deadly force under certain circumstances. The act stated that homicide is justifiable when committed by public officers and those acting by their command in their aid and assistance. The legislation further states that after notice of intention to arrest the person flees or forcibly resists, the officer may use all force necessary to affect the arrest. The law did require that the arrest be one for a felony. The legislation was not passed into law. A vote "yes" for HB 1809 was a vote hard on crime and was coded "1."

House Bill 1709 of 1993 brings us to the Forty-Fourth Legislature. There were three pieces of legislation examined in 1993. Two bills were largely punishment bills and the third was a violent crime bill.

House Bill 1709 is an act dealing with public health and safety; modifying reasons for revocation of certain registration pursuant to the Uniform Controlled Dangerous Substance Act; authorizing administration penalties. As it related to a controlled dangerous substance, a person's registration to legally manufacture, distribute, dispense, prescribe or for scientific purpose use a controlled dangerous substance, would be denied suspended or revoked if it was found the person had materially falsified any application

filed pursuant to the act or had been convicted of a misdemeanor relating to any substance defined as a controlled dangerous substance or any felony under the laws of the United States. The registration may also be denied if a federal registration had already been suspended or revoked by federal authority or if a person had failed to maintain effective controls against the diversion of controlled dangerous substances to unauthorized persons or entities. The bill was approved. A vote yes for HB 1709 “was” a vote hard on crime and coded “1.”

Also introduced in 1993, House Bill 1131 is a crime and punishment bill that modified the conditions and penalties relating to unlawfully carrying weapons. The bill makes it unlawful for any person to carry a variety of weapons on his/her person, including a revolver, dagger, bowie knife, dirk knife, or switchblade, unless for hunting purposes. Doing so is a misdemeanor. The bill also made it unlawful for any person to sell a weapon to a minor. It also made it unlawful for any person except a police officer to carry a weapon into a church, school, circus, political convention or any other public assembly. For the misdemeanor charge, a person would not be fined less than 100 or more than \$1,000 and would be imprisoned for not less than 3 months but not more than one year. It, too, outlined that any person in this state who carried or wore any deadly weapon or dangerous instrument openly or secretly with the intent of unlawfully injuring another persons upon conviction would be guilty of felony. The governor approved the bill. A vote in favor of this bill was a vote hard on crime and thus was coded “1.”

The last bill from 1993 was Senate Bill 565, which created the Prison Population Management Act of 1993. The governor approved the bill. The bill created the Community Service Sentencing Program whose purpose was to provide alternatives to

incarceration for nonviolent felony offenders who would normally be sentenced to incarceration in a state institution. A vote yes from SB 565 was a vote in favor of alternative punishment legislation and was coded "0." Any eligible offender could be sentenced at the discretion of the judge. For purposes of understanding what eligible offender meant, it should be understood that:

1. He or she was not participating in the delayed sentencing program for young adults;
2. Had not been convicted of two or more felonies;
3. Had not been convicted of assault and battery with a dangerous weapon, aggregated assault and battery on a law officer, poisoned with intent to kill, shooting with intent to kill or a variety of other violent crimes.

There were also three bills examined in 1994. Two dealt with violent crimes. The third dealt with punishments. The first one, HB 2580 was introduced in 1994 and modified penalties for assault, assault and battery and aggravated assault and battery. The bill made assault punishable by imprisonment in a county jail not to exceed 30 days or a \$500 fine. Assault and battery was punishable by imprisonment in county jail not to exceed six months and a fine of no more than \$1,000. Under this law there was to be no suspended sentence. The bill failed. A vote "yes" on HB 2580 was considered a vote hard on crime and was coded "1."

House Bill 2019 was introduced in 1994. It prohibited certain mentally ill persons from being detained or confined in correctional facilities. The measure failed. A vote "yes" was a vote for alternative punishments and was coded "0."

The last bill of the Forty-Fourth Legislature is House Bill 1165 from 1994, which provided criminal penalty; liability for civil damages and expanded certain prohibitions relating to minors and weapons. A vote "yes" was a vote hard on crime and was coded "1." The bill did not pass.

I believed that the gender of the legislator affected how he or she would vote on that legislature just mentioned, in that men would “harder on crime” than would women. For purposes of this research, then, the independent variable was gender. Gender was simply described as male or female and coded accordingly, with women receiving a 1, and men a 0. The roll calls on relevant legislation were recorded. Knowing how each legislator voted on a given bill and what the gender of the legislator was the basis for the research. The purpose of the correlation study, then, is to determine if there is a relationship between gender and toughness on crime and to use the relationship to make predictions about how the gender of a legislator might affect how he or she will vote on given legislation.

After isolating which legislatures to study, identifying the units of analysis and selecting the legislation, I had to isolate the control variables, so I collected a variety of data on all of them. To reiterate, for purposes of this research, House Members in the Oklahoma Legislature are my unit of analysis. Again, all of the legislators are identified in the House Journals with their corresponding districts and their party affiliations, and gender was determined based on photographs.

Besides gender, there were a variety of control variables including party affiliation of the legislator, number of years in office, level of urbanization in the district and the wealth of the district in the Forty-Fourth Legislature. We could not look at gender only because there might be other variables at play that could account for a legislator’s toughness on crime. From that, we could determine the percentage of the time each legislator voted “hard on crime” with a yes or aye vote and “soft on crime” with a no

vote, and thus determine if there is a correlation between the gender of a legislator and the likelihood of him or her voting "hard on crime."

Length in office is defined by the number of years the legislator had served at the time of the vote. The determination of time in office was based on records in the Oklahoma Almanac, Forty-Sixth Edition, Revised, 1997-1998. The length in office varied from one year to 24 years. More than once in my research I ran across scholars like Frankovic who attributed older Congresswomen being replaced by younger, as the reason Congress was growing more liberal, indicating that if older congresswomen were more conservative, the expectation might be there are more "hard on crime." Baxter also argued that younger women were more liberal than their elders and slightly more liberal than young men. While we cannot assume length in office is directly correlated with age, certainly a woman in her late 20s quite likely has fewer years experience, so those studies provided some evidence for using the control variable for length in office. That needs to be used with caution, however, because research on women legislators also tells us that women get involved in politics later in life, so we cannot assume just because a woman is older that she has been in the legislature for a long period of time.

The wealth of a district is defined by the average per capita income of the constituents as reported by Lilley, DeFranco and Bernstein in the Almanac of State Legislatures (1998). The wealth of the districts ranged from \$19,000 on the low end to \$62,000 on the high end. I controlled for per capita income because it has been long known that legislators in poorer, urban areas are more liberal than their counterparts in wealthy districts. Therefore, if the assumption was made that women are more liberal, it

needed to be shown that such liberalness was not a function of the district the legislator was from. Defined as any district not in the Oklahoma City or Tulsa Metropolitan

A third control variable was the level of urbanization in the district. In the Fortieth Legislature was either rural, which was 0 or urban, which was 1. For the Forty-Fourth Legislature, rural received a 0, mixed a 1, suburban a 2 and urban a 3.⁹ to the

The level of urbanization for the Forty-Fourth Legislature was defined in this research as rural, mixed, suburban, or urban as reported by Lilley (1998) based on 1990 Census data. Nearly half of all the districts in 1993 and 1994, were rural. Thirty-six districts were urban, two mixed and 15 suburban.

For the Census 2000, the Census Bureau classified urban as all territory, population and housing units located within an urbanized area or an urban cluster. Those areas consisted of core block groups or blocks with a population of at least 1,000 per square mile. The surrounding census blocks had at least 500 people per square mile with a combined total of 50,000 people. Rural areas consisted of all territory, population and housing units located outside of the urban areas and urban clusters. Suburban areas are those on the fringe of urban areas and mixed areas consist of the areas outside the metropolitan statistical areas where both urban and rural territories, population and housing units are found. Since there was a district reapportionment in 1991, legislative districts of the Fortieth Legislature are defined only as rural or urban, since all redistricting took place in urban areas and no rural districts shifted outside of the state's largest two metropolitan areas. This is relevant because the coding methods by Lilley changed from 1985 and 1986 to 1993 and 1994. Legislative districts were only coded as rural or urban prior to the redistricting of 1990. Based on population shifts in the state,

redistricting was necessary as it happens following every census. A rural district for 1985 and 1986 is defined as any district not in the Oklahoma City or Tulsa Metropolitan Statistical Areas.

Political party was also a control variable and was defined either as Democrat or Republican. To determine the political affiliation of the legislator, I referred to the House Journals corresponding to the legislatures I was interested in studying. These journals, as well as the Oklahoma Almanac, also listed the districts where the legislator served. It is generally believed that Democrats are more liberal than Republicans and would therefore favor alternative forms of punishment. Again, party affiliation had to be controlled for so as to show the voting habits of a legislator were not a function of their ideology but rather their gender. There were no legislators registered under an alternative party. Democrats received a 0 and Republicans a 1.

All of the information about how the legislators voted on the bills was inputted into SPSS 10.0. The district of the legislator, years in office, gender, party affiliation, wealth of district and level of urbanization in the district were also recorded into SPSS 10.0. The legislators were alphabetized and then assigned a number in chronological order that corresponds with the ID numbers assigned on the SPSS 10.0 program used to run the regression analysis, descriptive statistics, and bivariate relationships. The descriptives follow, however, the regression and bivariate analysis are discussed in the findings section.

In running the descriptives for the Forty-Fourth Legislature, with a minimum of 0 and a maximum of 3.0, the mean for the level of urbanization was 1.347. The standard deviation was 1.3743. For party, the minimum was 0 and the maximum was 1.0. The

mean was .337 and the standard deviation was .475. For the gender category, 0 was the minimum and 1.0 was the maximum. The standard deviation was .2714. For years in office ranged from 1.0 to 24.0. The mean was approximately 5 years. The standard deviation was 4.389. Finally I ran the regression analysis. For the percentage a legislator was hard or soft on crime, there was a minimum of 0 and a maximum of 1.0 or 100 percent of the time. The mean was .5906. The standard deviation was .2459.

I then ran the descriptives for the Fortieth Legislature. See Table 1

Table 1

	N	Minimum	Maximum	Mean	Std. Deviation
PARTY	101	.00	1.00	.2871	.4547
SEX	101	.00	1.00	.1089	.3131
LENGTH	101	1.00	20.00	4.9406	4.4493
URBAN	101	.00	1.00	.4158	.4953
TOTAL	101	.00	.80	.4727	.1518
Valid N (listwise)	101				

In conclusion, once all this information was transferred to SPSS, I inputted the roll call votes, coding it all as mentioned above. Then I calculated the percentage of the time the legislator voted hard and recorded that as my dependent variable for each legislator. If a legislator was excused from voting, his or her percentage was calculated only on the number of bills he or she actually voted on.

Again, the dependent variable in the research was the percentage of the time a legislator voted "hard on crime." The independent variable was gender, although there were many other control variables that had to be taken into consideration, as they had the potential for affecting how a legislator might vote. The research design was fairly simple, and one that did not involve the use of live subjects, there was, however, a great deal of preparatory work that had to be conducted before any actual statistical analysis.

To test the hypothesis, percentages were used for dependent variable, the frequency of which a legislator voted "hard on crime." Secondly bivariate analysis was conducted between the variables to determine for one, if gender does have an effect on how a legislator will vote without controlling for party affiliation or other variables, and to see if there was a causal relationship. Then multiple-regression analysis was used to compare the predictive value of gender, party affiliation, wealth of district, length in office and level of urbanization on toughness on crime, since regression analysis is the standard procedure for exploring relationships between variables. I performed a multiple-regression analysis using SPSS 10.0. Regression analysis is an appropriate form of data analysis because we are working with interval level data, attempting to establish a causal relationship and predict typical values for the dependent variable, toughness on crime, given the value of another variable. Regression analysis helps us to assess how well the dependent variable can be explained by the independent variable, or in this case, variables. By conducting a multiple-regression analysis, we can identify which variable is most effective in estimating the dependent variable. The value of the R^2 should be high to ensure accurate predictions.

CHAPTER IV

FINDINGS

The findings of this study are not terribly satisfying nor terribly conclusive. There were, however, some predictable bivariate relationships between toughness on crime and gender, but there were also some surprises, such as women actually being “harder on crime” in the Fortieth Legislature.

I first ran a multi-collinearity test and found there to be no problems there, using .7 as the reference point. The issue here is when doing regression analysis, there are certain assumptions made. One of those assumptions is that each of the variables is unrelated to the other variables. I wanted to make sure there was not a relationship and using the loosely defined .7 mark, found there to be none. Secondly I conducted the bivariate analyses.

There was a significant correlation between the gender of the legislator and the frequency in which he or she was hard on crime at the .01 level. The bivariate correlation was .284, indicating, much to the surprise of this researcher, that women are statistically more likely to vote hard on crime, that is gender did have an affect on voting behavior when party affiliation was not controlled for. Again, I coded women 1 and men 0. There were some other significant bivariate relationships at the .05 levels and the .01 levels as well. There was a bivariate relationship between party affiliation and the frequency in which a legislator voted hard on crime, indicating a significant correlation at the .05 level. Republicans were harder on crime than were Democrats when no other variables were controlled for. This one would expect based on the ideological research

discussed in the literature review. It was expected that a Republican legislator would be “harder on crime” than a Democrat would. It was also expected that Democrat legislators would be more likely to favor alternative forms of punishment. This indeed turned out to be the case. That relationship was not as evident in the multi-regression analysis, however, because I controlled for the other factors. This indicates that it was those other independent variables that caused the legislator to vote hard on crime. There were no other significant bivariate relationships at the .01 or .05 in the Forty-Fourth Legislature. Finally I ran the regression analysis for the Forty-Fourth Legislature.

The regression analysis included all variables, gender, party, urbanization and length in office. The study resulted in an R2 of .310. See Table 2.

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.557	.310	.274	.2095

a. Predictors: (Constant), DISWEAL, SEX, PARTY, LENGTH, URBAN

With an R2 of .310 and a lowest possible minimum for a relationship at + or - .35, there does not seem to be a good measure of fit. What that indicates, is knowing all those factors, we cannot make solid predictions about how a legislator will vote. Therefore, knowing the gender, wealth of a district, ect, provides gives little predictive value in how a legislator will vote.

As for statistical significance, two of the p scores meet the guideline of less than .05 and that is the level of urbanization with a p score of .036 and party with a p score of .000 See Table 3.

	Unstandardized Coefficients	Standardized Coefficients	t	Sig.
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Model	B	Std. Error	Beta		
1 (Constant)	.420	.079	5.347	.000	
SEX	.04	.079	.047	.535	.594
LENGTH	.0006	.005	.012	.137	.891
DISWEAL	.000001	.000	.044	.505	.615
PARTY	.234	.046	.453	5.044	.000
URBAN	.03514	.017	.196	2.128	.036

a. Dependent Variable: TOTAL

In discussing that in terms of the beta that corresponds, we can see that for each unit increase in the level of urbanization of the district, the frequency of which a legislator votes hard on crime increases .035. Such as finding was not expected, as it has long been established that legislators from urban areas are often Democrat and more liberal than their Republican counterparts in rural areas. One possible way to account for this, however, is urban areas tend to be where crime is concentrated.

The greatest change in the dependent variable, .234, happened for party affiliation. In the regression analysis, party had the greatest effect on voting hard on crime. This was not particularly surprising in that research clearly defines Republicans as being more conservative than Democrats. In looking at the betas, we see that in the party affiliation, for instance, when we see the Length in office with a p score of .891 is the least significant. More than once in my research I ran across scholars like Frankovic who attributed older Congresswomen being replaced by younger, as the reason Congress was growing more liberal. My research does not indicate that, however. Baxter also argued that younger women were more liberal than their elders and slightly more liberal than young men. At this point I cannot reject the null hypothesis.

When the F statistic or F ratio is large, the independent(s) variable helps to explain the variation in the dependent variables. The F statistic is somewhat high at 4.564, but it does show some variation in the dependent variable.

In looking at our Constant, we see what the dependent variable would be when all the independent variables have 0 for a value. We can then see for every unit the dependent variable decreases, the independent variables all increase with the exception of length in office

The results from the Fortieth Legislature do not grant a great deal of inspiration either in being able to reject the null hypothesis.

I first ran a multi-colinearity test and found there to be no problems there, using .7 as the reference point. The issue here is when doing regression analysis, there are certain assumptions made. One of those assumptions is that each of the variables is unrelated to the other variables. I wanted to make sure there was not a relationship and using the loosely defined .7 mark, found there to be none. Next I looked for possible bivariate relationships between the variables.

As in the later years, there was a significant bivariate relationship at the .05 level between gender of the legislator and percentage of the time he or she voted hard on crime. However, this time, women were softer on crime than were men. Such a bivariate analysis supports the hypothesis. There was a significant correlation between the level of urbanization and party at the .01 level, indicating that the more urbanized the district was the more likely it was to have a Democrat legislator. Such a finding was exactly the opposite of what was found in the 1993 and 1994 study. The best explanation for the change is a change in the makeup of legislators. As legislators change, the results are bound to change with them. There was also a positive correlation between party affiliation and the percentage of the time a legislator was hard on crime at the .01 level. Republicans were harder on crime. The bivariate relationship between party and

toughness of crime was the only relationship that remained consistent from year to year. There was also a positive correlation between women and the level of urbanization at the .01 level. Women were more likely to be from highly urbanized districts. Lastly I ran the regression analysis.

The results of the regression analysis are rather dismal with a R2 of .127. See

Table 4.

Table 4				
Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.357	.127	.091	.1448
a. Predictors: (Constant), URBAN, LENGTH, SEX, PARTY				

Like 1993 and 1994, even if we look at the lowest possible minimum for a relationship at + or - .35, we are still a long way off from a good measure of fit. This low R2 indicates that the variables are not even as predictive as those in the latter years; therefore, knowing the gender, wealth of a district, ect, provides little predictive value in how a legislator will vote.

As for statistical significance, only one of the p scores is less then .05, that of party. Party with a p score of .003 is the strongest predictor for a legislator voting hard on crime. See Table 5. I cannot reject the null hypothesis here either. However, I can say that party affiliation in both legislatures I examined caused the greatest change in the dependent variable.

Table 5

Model	Unstandardized Coefficients		Standardized Coefficients		t	Sig.
	B	Std. Error	Beta			
1 (Constant)	.453	.028			16.442	.000
PARTY	.108	.035	.324		3.055	.003
SEX	-.007	.050	-.153		-1.470	.145

LENGTH	.002	.003	.061	.625	.533
URBAN	-.003	.035	-.106	-.938	.350
a. Dependent Variable: TOTAL					

The sex of the legislator with a p score of .145 has the second highest predictive value although it is not significant. The conclusion here then, is there is not a great deal of significance in the correlation between "hard on crime" and gender of the legislator.

Our F statistic does not grant us much hope here either. At 3.505, it is even lower than the F ratio for 1993 and 1994, which too explains little in the variation of the dependent variable, further emphasizing a low level of significance for the variables.

CHAPTER V

SUMMARY CONCLUSIONS AND RECOMMENDATIONS

Summary

The results of this research are both exciting and disappointing. There is a good deal of variance in the dependent variable, but still, if we control for the other variables, we can hardly say that the gender of a legislator greatly influences how he or she votes on crime. What might have been more appropriate is to say party affiliation caused the greatest change in the dependent variable.

Most of the measures of statistical significance are low, keeping more with research conducted on judges, which found there was little difference in men's and women's policy preferences. Although there was a great deal of research that seemed to indicate that women and men legislators are different in their interests, policy preferences,

priorities, and overall points of view, it has also been shown that making a blanket statement that men and women legislators are different, is not entirely accurate.

For example, Kritzer and Uhlman's 1977 study of appellate judges, linked judges' personal characteristics, including gender, to their sentencing decisions. Kritzer and Uhlman's study concentrated on "Metro City" judges' conviction and sentencing decisions and found the women judges do not behave differently than their male colleagues. One short fall of their study, however, was the small number of female judges to compare. Even with judges, the critical mass thesis may be relevant. They concluded in their study of behavior of judges, that women judges are quite similar to their male counterparts.

Gruhl, Spohn and Welch (1981) had similar findings with their conclusion that the gender of the judge was insignificant when making predictions as to how he or she will treat male defendants. They expected to find that women judges would be slightly more lenient than male judges.

While they did find some differences in the levels of leniency of male and female judges, there was not enough of a difference for them to consider gender as predictive of a judge's behavior. Female judges were less likely to convict defendants, but when they did, they handed down stiffer sentences. After controlling for type of crimes, the difference in mean sentences given by male and female judges became virtually nonexistent.

Inconsistencies appeared throughout the research, where women judges were less likely than male judges to convict an accused rapist but more likely to convict on a minor assault or burglary charge.

Another indication that men and women lawmakers are not always different is the study of Gehlen (1977), which examined congressional behavior and found almost no difference in the voting of men and women where it pertains to presidential support, party unity and bipartisan support. However, the study was only conducted over one year, which makes it rather difficult to generalize. The study was conducted using data from the 91st Congress (1969-1970).

Another instance where women and men appeared to show similar political behavior is Flammang's 1985 study of Santa Clara County. She concluded that men and women legislators showed no difference in their support of women's issues. Key votes were taken on comparable worth and funding battered women's shelters and there was no difference in support between men and women. She does, however, attribute the similarities to the strong voting bloc of politicized women in the county. Flammang also found evidence that women's view of politics is linked to their view of homemaking and childrearing. While Flammang's research did not reveal significant differences between male and female legislators, it did articulate a female consciousness, which should be noted, as such a consciousness could certainly make the difference in the way women legislate.

It is the combination of all the similarities and differences of men and women lawmakers that will serve as the explanation to the findings of this study. Such findings ultimately help us understand what it means for government policy as women gain parity of numbers with men in legislatures, that is both the United States Congress and state legislatures.

Thus even though there is evidence that women and women legislators are not all that different, I think, there are some legitimate reasons for the deviation from other research that says that they are.

For one, the state of Oklahoma is quite conservative in its make-up, even though that is not reflected in the party makeup of the House. Often times there is little distinction between a Democrat and a Republican, evidenced by the fact that so many bills enjoy consensus. If there is little distinction there, it could be expected there is little distinction between the way men and women vote.

Also, when women make up less than 10 percent in a legislature, the numbers may be small enough that no real difference is seen. As more women join the ranks, however, I think that will change. Thomas discussed the issue of critical mass and that could certainly explain why women in the Oklahoma Legislature seem to vote in line with the men.

Thomas conducted research in 1991 that was much like her research with Welch in the same year, where they examined 12 state legislatures. Alone, Thomas examined the relationship between the percentage of women in state legislatures and their policy priorities. She found women in states with the highest percentages of female representation introduced and passed more legislation dealing with women's issues and children.

Thomas's research in the mid-1990s, was one that attempted to examine if women officeholders provide substantive as well as symbolic representation. Data was collected from a 1988 survey. The states with the greatest percentage of women (Arizona, Vermont and Washington) gave priorities to legislation dealing with women's issues

more often than did men. The women legislators in states that had the smallest percentage of women (Mississippi and Pennsylvania) seemed to have little or no interest in women's issues. The remaining states had no clear trend.

Thomas's research provided some introspection into my own, when I realized there was no critical mass of women in the Oklahoma House of Representative. There are only 11 women in 1985-1986 and 7 women in 1993-1994. With so few women in Oklahoma's lower House, it stood to reason that they might vote more in line with men than they would if there was a critical mass of women, although it is important to note that there were significant bivariate relationships in both legislatures.

Another reason we might see women be tough on crime, is because being labeled "soft on crime" is a bit of a political nightmare, especially in this state, where over 13,000 felonious assaults are reported each year to law enforcement; and more than 3,200 arrests are made (Oklahoma State Bureau of Investigation, 1992). The number of reported rapes in Oklahoma has risen 20 percent in the last five years, and nearly 1,600 rapes and attempted rapes are reported each year. Approximately 250 Oklahomans are victims of homicide each year.¹⁰

The state is not particularly lenient on criminals either. According to the Death Penalty Institute of Oklahoma, since 1976, there have been 741 people put to death in the United States.¹¹ Since 2001 there have been 58 people put to death in the United States. Oklahoma has put 46 people to death since 1976 and 16 people to death since 2001. With this in mind, it is hard to imagine that a legislator would risk the label of being "soft on crime."

Discussion of Hypothesis

The results of this study do not completely support the original hypothesis: Women legislators conceptualize crime policy differently than men legislators, resulting in them being softer on crime and/or favoring alternative forms of punishment.

I cannot say with certainty that differences in the way men and women vote is based on the gender of the individual any more than I can say it is because of the number of years the legislator has served. The best-case scenario is there are many variables at work to affect how a person votes and gender is only one, and not of particular statistical significance in the case of Oklahoma legislators.

These results certainly do not invalidate previous research, which concludes that gender has statistical significance in predicting lawmakers' behavior and policy preferences and that women and men legislate differently. Therefore this study does not prove anything, except what was measured in this particular instance, nor does the inability to reject the null hypothesis mean the original hypothesis is worthless or false.

Conclusions

While the results of the study are disappointing in that there was little significant differences between how men and women vote on crime and punishment legislation, that does not mean the research was all for naught. This research has allowed me the opportunity to really understand how the legislative process works at the state level and to see that what at first may seem like an obvious relationship, might be something different all together.

The results of the research do not indicate that we need to stop looking at how men and women legislate because they legislate the same. What it does say, however, is that we should not be quick to assume that women are necessarily going to be one way or another. Nor should we make the same assumptions about men.

To really examine if men and women legislate differently, it might be appropriate to look at a broader base of bills. Crime and punishment may have been too narrow, with too many negative connotations associated with being "soft on crime," therefore the legislator showed great restraint in always voting yes or in favor of "hard on crime"

Finally, it is important to continue to study whether women are making a difference as lawmakers, which I believe they are. It is just going to take some time because the numbers of women legislators are still so small, especially in states like Oklahoma. This study is a minor setback and certainly not a shift in the political paradigm of gender studies. More research will be conducted and results will continually change. At least now we have the opportunity to study women in politics, because it was not that long ago when they really were invisible.

REFERENCES

1. see Valerie R. O'Regan. 2000. *Gender Matters: Female Policymakers' Influence in Industrialized Nations*. p. 1.
2. Center for American Women and Politics.
3. *ibid.*
4. Jean Reith Schroedel and Nicola Mazumdar discuss the success of the term limits movement in increasing women's numbers in elected office. Between 1990 and 1995, 23 states passed some sort of term limits for some elected officials. We do not yet know what that impact will be partly because the laws differ so greatly from state to state. We do know, however incumbents have historically had a high return rate in the United States and the result is newcomers, which in many instances may be a woman, have a difficult time getting elected. California state Senator Marian Bergeson said, "[term limits] give more women a chance to get elected to office," (Benjamin and Malbin, 1992: 133). One study found that 93 percent of state legislators initially affected by term limits are men (Darcy, Welch and Clark, 1994:146).
5. Harris et. al., 1972 *Virginia Slims Opinion Poll*.
6. see Fraser, *The Weaker Vessle*, p. 231.
7. see Kathlene, 1995. "Alternative Views of Crime: Legislative Policymaking in Gendered Terms" in *Journal of Politics*
8. The level of urbanization was based on Lilley's classification in *The Almanac of State Legislatures*.
9. See <http://www.osbi.state.ok.us/>.
10. See <http://www.dpio.org/>.

2.

VITA

Tania Ward

Candidate for the Degree of

Master of Arts

Thesis: GENDER DIFFERENCES IN VOTING HABITS OF OKLAHOMA STATE
LEGISLATORS

Major Field: Political Science

Biographical:

Personal Data: Born in Rapid City, South Dakota, on December 4, 1973, the daughter of Derrell and Patricia Ward.

Education: Graduated from Lincoln High School, Sioux Falls, South Dakota, in January of 1992; received Bachelor of Arts degree in Political Science from Wright State University, Dayton, Ohio, in December of 1997. Completed the requirements for the Master of Arts degree with a major in Political Science at Oklahoma State University in May of 2002.

Experience: Started work at the Enid News & Eagle as a business reporter in December of 1997 following completion of my undergraduate degree; began work at Oklahoma State University as the Public Information Officer for the College of Business Administration in December of 1999 until June of 2001; June 2001 I returned to the Enid News & Eagle and worked there until April of 2002 when I was hired as the Director of Communications and Marketing for Autry Technology Center in Enid, Oklahoma.