Kingdoms of Their Own: New Counties in the Era of Reconstruction

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Abstract

This paper investigates whether counties, the principal unit of local government administration in the United States, were established in response to partisan and racial demands. Scholars of political and economic development generally consider county emergence to be a product of economic development, policy devolution, and geographic efficiency. Using geographic, demographic, and electoral data covering the South in the years following the Civil War, I document the emergence of 68 counties established by Reconstruction Republicans. Contrary to expectation, these counties did not emerge in response to policy devolution, geographic efficiency, or economic development; instead, their creation was a partisan tactic designed to support Republican legislative majorities and create new office-holding opportunities for local elites aligned with the state-level elites. These findings suggest that county formation did at times serve partisan goals, and that in addition to being thought of as an issue of public administration, the proliferation of administrative units should be thought of as a political issue in the United States context.

Introduction

"Grant parish, I am happy to inform you, is established as thoroughly republican. We are standing firm and united, and anticipate, in 1872, to sweep the State for the regular republican ticket, and also to assist to re-elect the "Grant' that granted us our rights."

-                                    -Letter from H.R. Kearson to President Grant, October 6, 1871.[1]

H.R Kearson, quoted above, was a staunch Republican. Kearson wrote this letter to President Ulysses S. Grant in response to inquiries made by President Grant and Radical Republicans into the political conditions of Louisiana in the early 1870's. In the years immediately following the Civil War, Democrats had seized power throughout the South through campaigns of terrorist violence and intimidation. The Louisiana Constitution of 1864 had denied voting rights for freedmen, instituted anti-African American laws known as 'Black Codes', and exacerbated racial tensions and violence. In response to the anti-African American measures adopted throughout the South in the immediate wake of the Civil War, Radical Republicans pushed for a more active federal role in Reconstructing the South. In 1867, Louisiana came under the control of General Sheridan as part of the Fifth Military District. Direct federal control quelled racial violence and oversaw the creation of biracial democracy (Chacón et al. 2021). In 1868, Louisiana adopted its "Reconstruction Constitution" and the formal enfranchisement of African American men.

Little is known about H.R Kearson, neither his race nor partisan affiliation are listed in the official historical biography of state legislators in Louisiana (though the letter above makes it clear he was a Republican, and *all* Census records for "Kearsons" living in Grant County indicate African American individuals). In many regards, Kearson was not unique—Republicans won majorities in most state legislatures throughout the South as federal troops oversaw the first elections in which freedmen could participate. But unlike most elected officials, Kearson represented a newly established Parish which had never before sent a representative to the capitol in Baton Rouge. Kearson was not alone in representing counties which had been established by Republicans in the first years of Reconstruction. By 1872, Louisiana had established eight new parishes since the end of the Civil War less than a decade earlier. Neighboring Mississippi established ten counties, and Arkansas established six (and another eight in 1874). Every other southern state established at least three.[2]

The name of Kearson's home county, Grant, reveals instantly its politics. Grant Parish was officially established on March 4, 1869, the day of President Grant's inaugura-

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[1] Letter included in the papers of the Select Committee of the U.S House of Representatives to Investigate the State of Affairs in Louisiana (Kearson 1871)

[2] For context, in that same time frame, among all state in the Midwest and West, a total of 10 counties were established. The Northeast established none.

tion. What's more, the seat of the new Parish was located in Colfax (named after Grant's Vice-President Schuyler Colfax), a town which had formerly been known as Calhoun's Landing. In line with its transition from the politics of Calhoun to Grant, Grant Parish voted for Republicans in its first set of elections. Over 60 percent of voters supported the Republican ticket in 1872. In 1874, Grant Parish again voted Republican, this time sending William Ward, formerly a African American militia captain, to the state legislature in Baton Rouge.

Reflecting the intense partisan feeling of the era, Grant Parish was not the only new county named after President Grant. In 1870, the Republican majority in the Arkansas state legislature and the Republican Governor established Grant County, Arkansas. Lincoln Counties were established in Mississippi, Arkansas, and Lousiana in 1870, 1872, and 1874, respectively. Across the South, Republican legislatures, often working under the protection of federal troops, established new counties that in their name paid homage to the Presidents and Generals who had led the Union against the Confederacy.[3]

The scholarly literature in both the fields of American economic and political development argue that the idea of 'counties as profit maximizers' explains the development of counties (Sonstelie and Portney 1978; Brueckner and von Rabenau 1981; Fischel 2005). According to this theory, state actors, such as governors, state legislatures, and political parties sought efficient and effective political administration. Local interests, typically landowners and local politicians, sought to maximize property value and political power. As states spread and developed, local interests and state actors oversaw population and geographic spread across what were originally territories and eventually states, all seeking to maximize property values. In this formulation, county establishment may conceptualized via several models (Fischel 2021). A *demographic model*, when a population grows to the point it can demand its own county seat, a *geographic model*, when a county is too large to be efficiently traversed, a population may demand a county seat closer to a major population center, and an *economic development model*, when a county experiences economic growth, it may attempt to localize those gains by constricting its boundaries. Within the political science literature, scholars have suggested a *decentralization model*, wherein local and state-level elites with aligned interests form new administrative units as policy control devolves from the central to the peripheral level (Grossman and Lewis 2014).

In the existing literature, these theories have been developed and tested in both the U.S and comparative context using a handful of cases in which counties were created. I use geographic data on all county boundaries made available by the *Atlas of Historical County Boundaries*, a recent project sponsored by the Newberry Library that digitized the boundaries of all counties in American history. Using this data, I systematically chronicle all new counties created in the South during the years of Reconstruction

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[3]Not all new counties were named so obviously after Republicans. Lee counties were established in Mississippi (1868) and Arkansas (1873). Despite being named after Robert E. Lee, a traitor to the United States, both of these counties were also formed by Republicans during Reconstruction.

(1868-1877). Across the South, Reconstruction Governments established new units of administration that served partisan and racial-political purposes, rather than fitting the patterns predicted by the demographic, geographic, economic development, or decentralization models. In this article, I chronicle the creation of these counties in Arkansas, Louisiana, and Mississippi, and argue that the nature of their establishment supports and challenges certain aspects of existing theories on administrative unit proliferation. I argue instead that a *partisan model* of county creation, wherein counties are established for partisan political gain (with inevitable racial consequences in the context of Reconstruction), best describes the creation of counties during the Reconstruction Period. These findings encourage the study of political geography as a tool to understand partisan competition beyond the familiar venues of redistricting, and as an important frame for understanding broad change in changes to American political institutions. Finally, these findings challenge the use of counties as units of observation that can be conceived of as apolitical in their design and stability over time.

The Racial and Partisan Politics of Reconstruction

In 1866, after an altercation between white police and African American veterans in Memphis, a white mob killed 46 African American people and looted African American neighborhoods. In the same year, a group of mostly African American delegates to the Republican State Convention held in response to the newly established Black Codes (laws designed to restrict the political and civil rights of the newly freed African American population) were attacked by a mob of white rioters. The mob included many Confederate veterans and officeholders who had served the Confederacy. Estimates vary, but between 30 and 50 freedmen were killed in the riot. In New Orleans, also in 1866, a white mob gathered to assault a political demonstration that included mostly African American men; 33 were killed.

In 1868, 150 African American Americans are estimated to have been killed in Millican, Texas. Around 200 African American Americans attempting to participate in elections were in Opelousas, Louisiana. Under similar circumstances, over 50 African American people were killed in Caddo Parish, Louisiana. Still in 1868, massacres took place in Mitchell County, Georgia, St. Bernard Parish, Louisiana, and elsewhere across the South.[4] The Emancipation Proclamation coupled with the tumultuous politics of the South in the years immediately following the Civil War produced waves of violence perpetrated by White southerners against their African American neighbors, as Litwak (1979) chronicles,

"Nor could any accurate body count or statistical breakdown reveal the barbarity and depravity that so frequently characterized the assaults made on freedmen in the

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[4]For a full chronicling of massacres perpetrated by White mobs against African American southerners, see the Equal Justice Initiative's report on Reconstruction Era violence (Initiative ????).

[purported] name of restraining their savagery and depravity—the severed ears and entrails, the mutilated sex organs, the burnings at the stake, the forced drownings, the open display of skulls and limbs as trophies."

The violence of 1866 was a consequence of the policies of 1865. In President Lincoln's final public speech made just weeks before he was assassinated by John Wilkes Boothe, he outlined in broad terms a vision of a reconstructed South, one in which the franchise would be extended to freedmen who where among, "the very intelligent, and on those who serve our cause as soldiers. (Lincoln 1865)" While Lincoln's support for the political inclusion of African Americans was certainly tepid, his commitment to the political reconstruction of the South far exceeded that of Andrew Johnson, the conservative southerner and Jacksonian Democrat who ascended from the Vice-Presidency to fill the office vacated by Lincoln.

President Johnson adopted the broad outline of Lincoln's plans for readmitting the Southern States: under the supervision of provisional governors appointed by President Johnson, white southerners would pledge an oath of loyalty, adopt new constitutions, ratify the 13th Amendment, repeal ordinances of secession, and finally appeal to President Johnson to be admitted to the Union. Provisions for the protections of African Americans legal rights or plans for enfranchisement were not included in Johnson's plans. Fitzgerald (Fitzgerald 2007) summarizes the southern reaction to Johnson's plan plainly, "most ex-Confederates were expecting far more rigorous terms... Presidential support persuaded them that the misgivings of the Republican majority, and Northern sentiment generally, could be disregarded." The adoption of Johnson's plan heralded the beginning of Presidential Reconstruction, wherein most ex-Confederates were pardoned and most southern states were readmitted to the Union.

As Democrats began asserting power within southern states under Presidential Reconstruction, they also elected members to the United State House of Representatives and Senate. While the many Republicans dominating Congress had watched bitterly as Presidential Reconstruction quickly undercut the status of African American's in the South, they had so far not intervened in the politics of the readmitted Southern States. However, because the House and Senate determine their own membership, when the southern Democrats were elected under Presidential Reconstruction, Northern Republicans had to determine whether or not to admit formerly Confederate generals (ten of them), six Confederate cabinet officers, six Confederate Congressmen and the vice-President of the Confederacy (Fitzgerald 2007). President Johnson insisted that the constitution required that the southern Democrats be seated, but Republican in Congress refused. The fragile Union once again walked on unsteady ground as the President insisted that the ex-Confederate States had rejoined the Union, while majorities in the House and Senate refused to seat their congressional delegations. The divisions between Johnson and more Radical Republicans grew in 1865 and the Spring of 1866, as Congress overruled Johnson's vetoes on the Civil Rights Act of 1866 and a bill expanding the power of the Freedmen's Bureau (Jenkins and Peck 2021).

Although national politics in D.C. were not confined to concerns about the South, President Johnson staked his political future on the growing gulf between himself and the Northern Republicans intent on a more aggressive role for the federal government in Reconstructing the South. Johnson allied himself more closely with white southerners, and began a speaking tour in which he frequently denounced the Radical Republicans in Congress. At the same time, Republicans in Congress proposed the 14th Amendment, guaranteeing African Americans citizenship (and preempting any attempt by the Supreme Court to declare the Civil Rights Act of 1866 as unconstitutional). As Johnson campaigned against Radical Republicans and against the proposed Constitutional Amendment in the South, the rioting and violence detailed above broke out in Memphis, New Orleans, and across the South.

By the Fall of 1866, the public had seen enough. With most of the South still barred from electing members of Congress, the North delivered landslide victories for Republicans. Outside of the border states, the public re-elected the most fervent Radical Republicans and added to their majorities. Republicans in the House and Senate both had veto-proof majorities committed to a more active role in Reconstructing the South. In the wake of their electoral victory, Republicans in Congress waited for Southern state legislatures to blink, but their ratification of the 14th Amendment was not forthcoming. As Fitzgerald (2007) describes, the Southern States "were essentially defying the Republican majority to do their worst, and leaving them little alternative."

Southern elites' complete unwillingness to cooperate left Republicans with few options: tolerate the ascendance of the neo-Confederates, or intervene directly in the governance of the South. Over the veto of President Johnson, Congress passed the first military Reconstruction Act in March of 1867. The South was placed under occupation by the federal military and divided into five military districts. To gain readmission to the Union and the lifting of martial law, Southern States are required to ratify the 14the Amendment, disqualify from from officer former Confederate office-holders, and guarantee the franchise to African American men. The constitutional conventions held to enshrine these new rights in new Reconstruction Constitutions are of questionable democratic character. In some states as few as a quarter of voters are needed to ratify the Reconstruction Constitutions. But across the South, African Americans are for the first time vested with the power of self-governance.

The federal government's willingness to protect democracy in the South did not quickly wane. As Alabama, Arkansas, Florida, Georgia, Louisiana, North Carolina, and South Carolina were readmitted to the Union in the summer of 1868, Georgia's state legislature expelled its three African American Senators and 25 Representatives. Congress responded by expelling Georgia's delegation from Congress and re-imposing federal occupation. Across the South nearly three-quarters of a million African Americans had been registered to vote. A coalition of white unionists, white northerners who had moved south, and African Americans came together under the banner of the Republicans and elected majorities the Southern State legislatures.

Thus the stage was set: as President Grant was elected in 1868, fledgling democracies led by Republicans were taking shape in the South. The federal government had committed, at least temporarily, to enforcing the right of African Americans, and therefore the Republican Party, to participate in the internal politics of the South. Although the northern public and congressional Republicans would eventually lose interest in a prolonged effort to Reconstruct the South, Southern Republicans had a chance to govern.

The Creation of Reconstruction Counties

Congressional Reconstruction provided Republican majorities in the South with an opportunity to literally reconstruct organs of government. In the early years of Reconstruction, before pessimism and doubt about the South's ability to provide fertile ground for a resilient Republican Party set in, Republicans set about establishing governments they believed might produce political outcomes favorable to their partisan goals and congruent with their democratic ideals (Kousser 1974). Beyond attempting to ensure fair and free elections, Republicans sought to reshape the form of local government used in the South. Unsurprisingly, Radical Republicans offering advice from D.C (and hailing mostly from the Northeast and Midwest) favored promoting their own preferred form of local governance, government by township.

Township government offered several advantages for would-be reformers of the reconstructed South. Whereas counties emphasized rural antebellum elite power, northern reformers believed townships would empower densely settled populations of African American and poor white citizens. As evidence of this trend, new constitutions passed on the periphery of the South in West Virginia (1863) and Maryland (1864) that enacted township governance. These constitutions were written using northern recommendations for institutional design (Fairlie 1906). While not formerly confederate states, their adoption of townships showed growing preference among national Republicans for township governments. In their first constitutions passed after the Civil War, Alabama, North Carolina, and Virginia all included provisions for the adoption of township government (Fairlie 1906).

In the early years of Congressional Reconstruction, government by township showed promise. Counties funded the construction of schools administered by townships. Although segregated, the schools hired teachers and enrolled students in communities that were predominantly uneducated. However, townships remained dependent on counties for funding, and counties quickly grew hesitant to transfer the funds raised through levied taxes at the county level to the various townships operating within their borders (Knight 1913). More importantly, the status afforded to counties, particularly their guarantees of political representation, provided opportunities for partisan advantage too useful to ignore.

The majorities held by Republicans in 1868 were tenuous. Republican majorities during Reconstruction depended on African American voters being able to freely cast

ballots. As the white supremacist Redeemer movement grew increasingly violent and determined to prevent African American voting and office-holding, building a stronger Republican Party with more durable majorities in the state legislature became imperative for the parties' future. At the same time, African American southerners became increasingly dispirited by the unwillingness of state governments in the South to protect them from political terrorist violence, which increased with the Redeemer movements political activity (Lemann 2007). African American citizens turned increasingly towards local government, and demanded more responsive local government, to meet these needs.

Creating new counties met the needs of Republican elites in the state legislatures and the needs of African American citizens for more responsive local government. At the level of the state legislature, creating new counties provided an opportunity for Republicans to create additional constituencies in which Republicans could safely win. At the local level, creating new majority-African American counties could create conditions under which African Americans could elect African American officeholders, who would in theory be more responsive to community needs (Stewart and Kitchens 2024). Creating counties was a potential source of political advantage and a relatively simple and low-cost process (at least in the short-term) in most southern states.

Lawmakers' ability to use counties as a political tool depends on the rules made by states regarding county creation and political representation. States have the legal authority to create new counties, change county borders, and eliminate counties. Because counties are fundamentally creatures of the states, any limit on a state's capacity to alter counties is self-imposed, as is the decision to grant counties political representation. The rules dictating the process by which counties are established, altered, and granted political representation are, for the most part, written into state's political constitutions.

Table 1 lists southern states' constitutions by date of ratification along with information about how the constitutions dealt with county creation and county political representation. The constitutions included in this table cover the Civil War and post-Civil War periods, but Table 12 in the Appendix lists information for all southern state constitutions. As southern states sought to rejoin the Union after the Civil War and in the year of political tumult that followed, constitutional conventions (and consequently, new constitutions) became a primary means by which newly ascendant political regimes reframed state politics to their own advantage through franchise restrictions, redistricting, and other means (Herron 2017). The first pattern apparent in Table 1 is the sheer quantity of constitutions adopted by southern states during this period. Most southern states adopted separate constitutions during Presidential Reconstruction immediately following the war, during Congressional Reconstruction as Republicans seized the reins of states' governments, and again after Democratic Redeemers had retaken control of state politics.

The third column of Table 1 indicates whether state constitutions guaranteed counties representation in state legislatures. In near every single constitution governing southern states, county representation was guaranteed. Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, and South Carolina always guaranteed at least one representative

Table 1: Southern State Constitutions and Geographic Apportionment in State Legislators

State	Year	County Guaranteed Representative	Enumeration Criteria	Residual Representative Seats	Restriction on County Creation?
Alabama	1865	yes	white population	proportional to white population	none
Alabama	1867	yes	total population	proportional to white population	2/3 majority vote, new counties >600 sq miles
Alabama	1875	yes	total population	proportional to white population	2/3 majority vote, new counties >600 sq miles
Arkansas	1864	yes	white men	proportional to white men	new counties >600 sq miles, must pass representation threshhold
Arkansas	1868	yes	unspecified	unspecified	none
Arkansas	1874	yes	adult male population	unspecified	new counties >600 sq miles, must pass representation threshhold and majority of impacted counties must consent
Florida	1865	yes	whites + 3/5ths of African Americans	proportional to enumeration	none
Florida	1868	yes	registered voters	1 extra rep (up to 4) per 1000 registered voters	none
Florida	1887	yes	registered voters	proportional, up to three total reps	none
Georgia	1865	yes	"representative population"	37 largest counties get 2 representatives, all else get one	2/3 majority vote
Georgia	1868	yes	unspecified	proportional, max 3 representatives	2/3 majority vote and vote of county inhabitants
Louisiana	1864	yes	qualified electors	unspecified	>625 square miles
Louisiana	1868	yes	qualified electors	unspecified	>625 square miles
Louisiana	1879	yes	total population	one additional representative for 1.5x representation ratio	>625 square miles, >7000 inhabitants
Mississippi	1861	yes	white population	unspecified	>576 square miles
Mississippi	1868	yes	qualified electors	proportional to qualified electors	>400 square miles
Mississippi	1890	yes	directly apportioned	unspecified	none
North Carolina	1776	no	3/5ths compromise	unspecified	none
North Carolina	1868	yes	total population	proportional to total population	none
South Carolina	1861	yes	white population and taxation	directly apportioned	none
South Carolina	1868	yes	total population	unspecified	625 square miles
South Carolina	1896	yes	total population	total population	1/3 of local population must petition, at least 1/124th of the state
Tenessee	1834	no	qualified voters	unspecified	none
Tenessee	1875	no	qualified voters	qualified voters	>275 square miles, at least 400 qualified voters
Texas	1866	no	white population	white population	none
Texas	1869	no	total population	unspecified	>900 square miles
Virginia	1850	no	white population	unspecified	none
Virginia	1870	no	unspecified	unspecified	none

to every county, regardless of how small a county's population may be. The three notable exceptions are the North Carolina Constitution of 1776, and all constitutions passed by Tennessee, Texas, and Virginia. Their exceptionalism is instructive. In North Carolina's first constitution (the constitution passed in 1868 did guarantee county representation) and in Virginia's constitutions, representation was allocated regionally, reifying into law divisions between agricultural interests of the coastal plains and the upland country yeoman farmers. That Texas decided not to grant new counties representation is unsurprising, like most western states, Texas was still actively incorporating new territory into counties as white settlers moved farther West.

A guarantee of representation for every county in a state legislature inevitably guarantees over-representation to smaller population counties, which in the late 19th and early 20th century South tended to be more rural and more conservative. However, creating new counties as a political tool to manufacture favorable partisan constituencies also de-

pends on the rules governing new county creation. The last column of Table 1 lists any restrictions on new counties imposed by constitutions on state legislatures. Because counties are creatures of the state, absent any additional regulations imposed by constitutions, legislatures are able to create and adjust county boundaries via their normal legislative processes.

Only Alabama and Georgia had constitutions that imposed a super-majoritarian voting requirement to establish new counties. Other constitutions imposed minimum size requirements, dictating the minimum size that newly established counties must reach and prohibiting any geographic adjustments that reduce the size of existing counties below a threshold when establishing new counties. Many constitutions imposed no restrictions on county creation at all.

Southern States made establishing new counties relatively easy—by connecting representation to counties, southern states also made county creation into an attractive political tool. However, to illustrate why the South in particular used geography as a political weapon requires understanding why northern states did not. Contrasting the constitutional regulations on county establishment and representation in the South with constitutions passed in the north is illustrative. Table **??** lists the most recent (recent defined as most recent to the late 19th Century) constitutions for all states in New England and those that bordered the South, along with whether or not they guaranteed county representation and their requirements for establishing new counties.

Table **??** demonstrates that outside of the South, automatic representation granted to counties was exceedingly rare. Of the 17 state constitutions representing the Northeast and States bordering the South, only five guaranteed representation to every county. However, even among states outside the South that did guarantee a representative to every county, these representational arrangements carried far less significant consequences. For example, while Massachusetts *did* allocate at least one representative to each county, the State House of Representatives had 240 members distributed proportionally by population to just 14 counties. Maine distributed 151 members across 16 counties. Compared to the Mississippi Constitution of 1868, which guaranteed at least one representative to all 62 counties in Mississippi out of a total of 108 representatives, the guarantee of a representative to each county had a far larger effect on the degree to which smaller counties were over-represented. Indeed, every county in all of the northern states met the threshold for representation calculated by dividing the enumerated population of the state by the number of representatives—the same was far from true in the South.

The new counties that were created by southern states were outliers in the general trends of county creation in the United States. Figure 1 plots the number of new counties established in each region—Midwest, Northeast, South, and West—by decade. The plot shows the number of new counties established per every 10,0000 square miles of land in a region. This measure, new counties per 10,000 square miles, controls for unequal sizes of each region (e.g, the West is more than triple the size of the Northeast). The figure reveals that the South was, by far, the leader in new county establishments. In every

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Table 2: State Constitutions and Geographic Apportionment in Northern States

State	Year	County Guaranteed Representative	Enumeration Criteria	Restriction on County Creation?
Connecticut	1818	no	total population	none
Delaware	1897	no	total population	none
Illinois	1870	no	total population	>400 square miles
Indiana	1851	no	male inhabitants	>400 square miles
Kentucky	1891	no	total population	>400 square miles, >12,000 inhabitants
Maine	1819	yes	total population	none
Maryland	1867	yes	total population	none
Massachusetts	1780	yes	white men	none
Michigan	1850	no	white men	>16 townships in size unless approved by majority vote in affected counties
Missouri	1875	yes	white men	>410 suare miles new and affected
New Hampshire	1792	no	men	none
New Jersey	1844	yes	total population	none
New York	1894	no	total population	must exceed minimum population for representation
Ohio	1851	no	white men	>400 square miles
Pennsylvania	1874	yes	total population	>400 square miles and greater than 20,000 inhabitants
Rhode Island	1843	no	white men	none
Vermont	1777	no	white men	none

single decade from the end of the Civil War in 1865 to 1930 the South established more counties than any other region.

That the South, a region with a population and economy that grew far more slowly than those of the Midwest, Northeast, and West, established more new counties than the other regions, is peculiar. Establishing counties is expensive. They create new units of administration: new courthouses, new elected officials, and new county offices to serve constituents. Yet the region with the slowest growth established more counties that the rapidly developing West and Midwest. From 1870–1880 alone, the South established about two counties for every 10,000 square miles. For reference, South Carolina is just over 30,000 square miles. For every amount of area equal to South Carolina, the South established 2 new counties.

By measures of pre-existing population and geographic settlement, the South was in the late 19th Century most similar to the Northeast. That is, unlike the newly opened

Figure 1: New Counties Established by Region by Decade
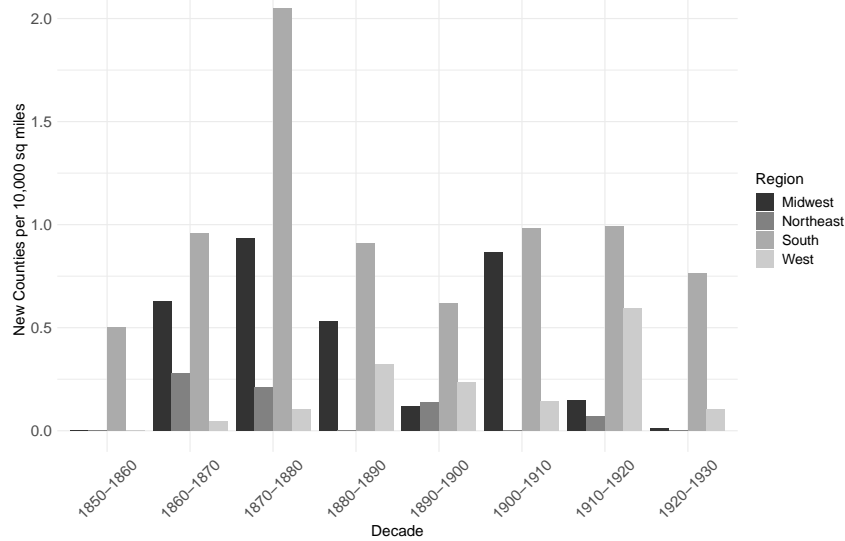
Midwest and West, the South was for the most part, fully settled. Outside of some areas of swampland in the Lower South and frontier areas of Arkansas, most of the land in the South was developed to the same degree it was in the Northeast. In accordance with expectations set out by economic theories of county development, the Northeastern states established almost no new counties after the Civil War.

What's more, the counties the South did establish were not exclusively in the areas that saw the greatest economic development or population growth. New counties established between 1868 and 1920 are mapped in Figure 2. A few areas that saw major economic development and population settlement, like West Texas, did see new counties established. Additionally, South Florida, which became inhabitable with the advent of swamp drainage and cooling, also saw new counties established. But the large number of counties established in Arkansas, Louisiana, Georgia, South Carolina, as well as the established counties in Tennessee, North Carolina, and Alabama, cannot be simply explained by extant theories of economic and political development. Where population growth and economic development fail to explain the irregular pattern of new county establishments, I turn to political motivations.

Looking at the proliferation of administrative units that did take place under Republican control during Reconstruction, the pattern supports existing theories of administrative unit proliferation. In total, Republican legislatures established 67 new counties during Reconstruction. For reference California, which also uses counties as the primary unit of local government administration, only has 58 counties in total. Table 3 lists the number of new counties established by Republican majorities in southern state legislatures, along with the number of new counties that were majority-African America and majority-Republican.

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In Arkansas, Republicans oversaw the establishment of 15 new counties in the just five years during which they held legislative majorities. Of these 15 new counties, three were majority-African American (in a state that was 25 percent African American in 1870) and all 15 cast a majority of votes for Republicans in the first election in which they participated. Mississippi Republicans oversaw the establishment of 13 counties, over half of which were majority African American, and all of which voted Republican. The same story emerges in Louisiana and South Carolina, which established 12 and nine counties each, the majority of which were majority African American, and all of which voted Republican.

Alabama, Georgia, North Carolina, and to a lesser extent Texas, all followed this same pattern of county establishment. The three Southern States that did not establish new counties, Virginia , Tennessee, and Florida, all serve to further demonstrate the connection between partisanship, race, and new county creation. In Virginia and Tennessee, Republicans (or any bi-racial coalition for that matter) never held legislative majorities. Thus, despite being southern leaders in economic development during this period, the border states never saw the same type of geographic change. Another consideration, though untestable, is that Tennessee and Virginia are the two states in which counties were not guaranteed their own representation in the legislature. In Florida, geographic constraints related to the development of swampland stunted county proliferation, though with the draining of the swamp-lands 15 new counties would form in the next several decades, albeit for reasons that were not explicitly motivated by partisan or racial concerns.

Table 3: New Counties Established Under Reconstruction Regimes

State	Rep. Control (years)	New Counties	Afr-Am. Majority Counties	Rep. Majority Counties
Alabama	5	4	2	4
Arkansas	5	15	3	15
Florida	7	0	0	0
Georgia	3	3	0	3
Louisiana	7	9	7	9
Mississippi	8	13	7	13
North Carolina	7	5	1	5
South Carolina	9	12	10	12
Tennessee	0	0	0	0
Texas	4	6	0	3
Virginia	0	0	0	0

Table 3 demonstrates that new county creation was, in most states during Reconstruction and Republican rule, intense. However, it could be the case that the new counties simply reflected the overall demographic and political realities of the state. If, for instance, Republicans completely dominated elections throughout Mississippi, winning majorities in every single county, it would be unremarkable that in all counties created the majority of votes were cast for Republicans. By the same logic, if it were the case that if a set of new counties were created with random geography and still produced majority African American populations, than it would be impossible to conclude that the counties

were drawn with racial considerations in mind.

The central question at hand is whether or not the new counties established by Republicans were specifically drawn for racial-political reasons. Certainly the number of new counties established is unusual from a perspective of economic development: the regions experiencing new county proliferation were not growing in population, economic productivity, and did not possess scarce or valuable natural resources. Table 4 presents a birds-eye view of the evidence that these new counties were indeed established for racial-political reasons, and that their development cannot be explained by the existing, demographic, geographic, economic, and policy devolution models alone.

Table 4 lists important demographic and political characteristics of counties, organized by the status of those counties as *static counties*, *changing counties*, or *new counties*. *New counties* are those that have emerged prior to an election cycle. *Changing counties* are those counties that will have their borders affected by the emergence of a new county when they give up land formerly within their borders such that a new county can be established. *Static counties* are those that are neither effected by upcoming changer nor counties that were newly established. This categorization allows for comparison between new counties, counties being changed to accommodate new counties (i.e.; counties from which land is being taken to create a new county), and the counties unchanged in the rest of the state.

New counties differ from static counties in several important regards. First, counties established during Reconstruction had significantly higher concentrations of African American residents than static counties. Static counties had a proportion of .35 residents that were African American, compared to the .46 is new counties. While new counties were not, on average, majority African American, they did have on average 10 percentage points greater concentrations of African American residents. New counties also had higher concentrations of African American residents than static counties, indicating that of the counties which had land taken from them to accommodate new counties, the new counties contained land that accounted for a disproportionately high percentage of the African American residents in the changing counties (this is discussed at greater length later).

New counties also had, on average, greater total populations, but lower population densities. This comports with the findings in the developmental economics literature that suggests that new counties form when enough local citizens demand more localized services. Greater populations and lower population density indicate that new counties formed in locations where citizens did, on average, have to travel farther to reach the county seat, county courthouse, or other service provided at the seat of county government. However, there were no significant differences in the level or urbanization between static, changing, and new counties.

Turnout and the electoral success of Republican candidates also varied significantly across the range of county statuses. In static counties, turnout averaged around 66 percent during Reconstruction. The average turnout in counties slated for political change

Table 4: Demographic and Political Characteristics of New Counties Established Under Reconstruction Regimes

County Status	Prop. Af-Am.	Total Pop.	Pop. Density	Prop. Urban	Turnout	Dem. Share
Static Counties	0.35	11,286.85	1.27	0.03	66.36	0.54
Changing Counties	0.38	12,681.00	1.34	0.04	63.82	0.53
New County	0.46	16,799.52	0.93	0.03	79.72	0.47

was slightly lower, averaging around just 64 percent. But in counties created during Reconstruction, turnout averaged at nearly 80 percent, well over 10 percentage points higher than turnout in static and changing counties. While this says little about the political *intent* of county creation during this period, heightened levels of turnout between changing counties and the counties emerged is evidence that either being placed into a new county increased turnout, or, the voting eligible population that was transferred out of changing counties into the new county were disproportionately likely to be voters relative to the rest of the population in the changing counties.

Democratic vote-share across static, changing, and new counties, a measure of how well Democratic candidates performed during Reconstruction, illustrates the political consequences of new county creation during Reconstruction. Democrats performed well by winning a majority of the vote-share, on average, across static and changing counties throughout the South during Reconstruction. In new counties, Democrats won only about 47 percent of the vote. While this difference is only about 6-7 percentage points lower than the share of the vote won by Democrats in static and changing counties, it is substantively large enough to move Democrats from winning to losing the average election (the mean of vote share won by Democrats is statistically distinguishable from that won in static or changing counties as tested via a one-tailed test with $p < .01$.)

This descriptive overview of static, changing, and new counties is helpful for understanding the basic contours of geographic change made during Reconstruction. New counties had lower population density (that is, not formed around growing urban areas), had greater proportions of African American residents, and they experienced higher turnout and voted for Republicans. All of these descriptive findings support the theoretical expectations drawn from the literature on the proliferation of administrative units: new units formed in ways that matched the needs of local and state-level elites. However, the evidence that these new counties can be explained by existing models of development (demographic, geographic, economic, and policy devolution models) is minimal. The macro-level environment of the south was one of general stagnation. Little economic development existed to incentivize new county creation. Population levels remained relatively stable. Republicans sought to centralize power at the state level, not devolve it to local governments (in general, Republicans, and African American office-holders in particular, favored more expansive fiscal policies (Logan 2020)).

I propose a partisan model of administrative unit proliferation. This model posits that political actors create new administrative units primarily to gain or maintain par-

tisan advantage, rather than for economic development or administrative efficiency. The creation of new units is more likely in areas where the party in power has strong support, as this allows them to maximize their electoral gains. These new units are designed to concentrate supporters of the ruling party, potentially diluting opposition strength in surrounding areas. The timing of unit creation often correlates with periods of political contestation or uncertainty, as parties seek to entrench their power. Unit creation is used to provide opportunities for local party elites to gain office, thereby strengthening party organization and loyalty. The demographic and political characteristics of new units will differ significantly from what would be expected if they were created randomly from existing units. New units are more likely to be created when institutional rules make it easy to do so and when there are clear political benefits (such as guaranteed representation) tied to unit creation. However, the success of this strategy depends on the ability of the ruling party to maintain political control; if control is lost, these new units may become liabilities. This partisan model helps explain the pattern of county creation in the Reconstruction South, where new counties were established not in response to population growth or economic changes, but as a strategy by Republicans to solidify their political power in an uncertain and contested political landscape. Importantly, the partisan model build on, but does not replace existing work: I expect that partisan goals leading to new county creation will be most likely to occur in contexts where factors aligned with the existing models (geographic efficiency, population growth, etc.) also encourage new county establishment. I next turn to a more detailed look at the actual counties that were created to better establish that not only did the proliferation of counties benefit Republicans and African Americans during Reconstruction, but also that this was the *intent* of their establishment.

Looking across the entire South during Reconstruction, too many new counties formed to cover each of them in great detail. Figure 2 illustrates the new counties formed, colored by year (darker counties were formed in earlier years than later counties). The majority of new counties formed in this period were established in Arkansas, Mississippi, Louisiana, Alabama, Georgia, and South Carolina. In South Carolina, the new counties were created in part as a larger reorganization of what had formerly been known as 'districts' into counties. This process was organized largely by African American Republicans, focused on the lowland majority-African American counties, and covered the entire lowland region (1935). While the South Carolina reorganization is excluded because of its lacking in geographic variation, it followed many of the patterns seen elsewhere in the South—the reorganization took place in the most Republican areas in which a majority of South Carolina's African Americans lived, and resulted in an expansion of the Republican majority in the state legislature. Du Bois (1935) also argues that the transition to counties improved the efficiency of local government administration.

In this chapter, I focus in greater detail on the new counties created in Arkansas, Louisiana, and Mississippi. These new counties are shown in Figure 3, shaded from darkest to light by year of establishment. The majority of new counties established during this

Figure 2: New Counties Established Under Reconstruction Governments
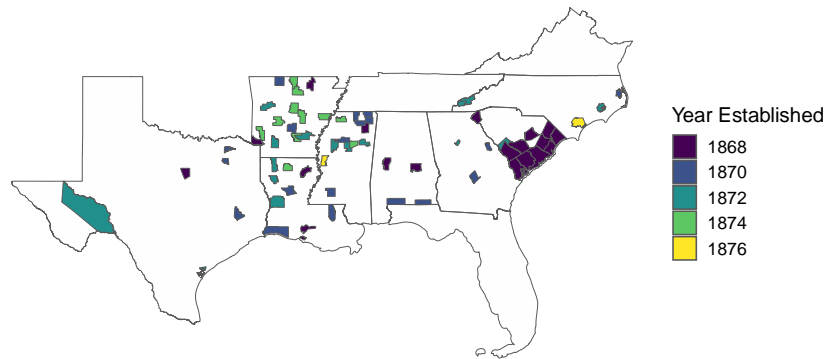
period were created between 1870 and 1874, with just a handful created in 1868 and one in 1876. The trend mirrors closely the fortunes of Republicans, who rose to hold state legislative majorities after Congressional Reconstruction sent federal troops to oversee elections in 1867-1868, and slowly lost power as federal troops withdrew from the South.

Geographically, new counties emerged across Arkansas, Louisiana, and Mississippi without any particular geographic concentration. Outside of the high concentration of counties created in the African American-belt region of Mississippi (which is to be expected given the racial-political nature of the region), the geographic distribution of new counties appears to be random. Despite the appearance of random geographic distribution, the descriptive results presented showed that new counties had higher shares of African American populations and that they were less likely to vote for Democrats, but more likely to turn out. In the next section, I analyze the new counties created in Arkansas, Louisiana, and Mississippi and demonstrate that this was not coincidence.

The Intentional Design of Republican Majorities

The new counties created during Reconstruction advantaged Republicans by creating additional seats in the state legislatures with African American and Republican majority constituencies. These counties would also have created more opportunities for African American voters to elect African American officeholders. However, two key remaining questions are whether this was the *intent* behind the creation of new counties, and whether or not this strategy was as effective means of achieving these goals. To begin answering the first question, whether or not southern state legislatures intended to

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Figure 3: New Counties Established Under Reconstruction Governments
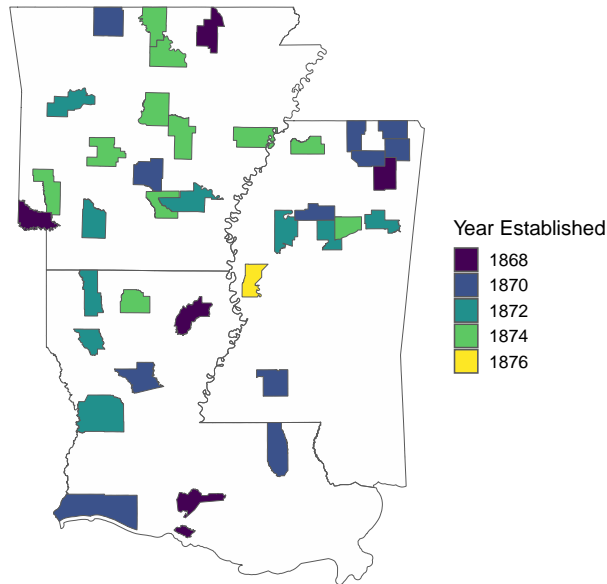
make new Republican-majority counties, I look at what areas were targeted for geographic change.

Creating new counties necessarily involves reshaping the borders of existing counties. Looking at which counties were affected by geographic changes to accommodate new counties provides a window into the intent of the state legislatures that reshaped the geography of the South during this period. State legislators would have had access to data on the racial make-up and political behavior of existing counties, the same data I use here to analyze which counties were modified to create space for new counties. If new counties were intentionally designed to maximize Republican advantage and create majority-African American constituencies (and thereby elect African American officeholders), the counties effected by change should not appear to have been randomly selected.

To create new counties that extend Republican majorities, state legislators would need to break up existing Republican strongholds into additional administrative units. By the same logic, if county creation was a process motivated by partisanship, Republican majorities would have avoided creating new counties that would support a Democratic candidate. If Republican state legislators attempted to use county creation to maximize partisan advantage, then the data should reflect that counties with higher Republican vote-shares were more likely to be affected by geographic change to accommodate new counties than counties in which Democrats were more successful.

In order to test this theoretical expectation, I consider the likelihood of a county in Arkansas, Louisiana, and Mississippi having its borders changed during each year of Reconstruction. I model this process by regressing whether or not a county experienced

change in the *next* year on the Democratic vote-share in the previous election. The outcome, whether a county will have its borders effected to accommodate a new county, and the explanatory variable, Democratic vote-share, measure whether state legislators used a particular geographic area for a new county and the expected partisan utility from the new county creation, respectively. The models used here are ordinary least squares (OLS), and contain fixed-effects for year and state, allowing for an analysis of what areas were most likely to be targeted for new county creation in a given state and year. Additionally, the models include controls for the existing county's total population, population density, percent living in an urban area, and turnout.

Figure 4 plots the predicted probability that a county will be slated for geographic change to accommodate a new county given the Democratic vote-share in that county's previous election. The full model results used to generate these predicted probabilities are presented in 9 in the Appendix. During Reconstruction in Arkansas, Louisiana, and Mississippi, the average county had a Democratic vote-share of 65.7 percent and a roughly 21 percent probability of changing its borders to accommodate a new county being established. An increase of one standard deviation in Democratic vote-share corresponds to an decrease of about 7 percentage points in the likelihood of a count being slated for change, down to a likelihood of .14. A one standard deviation decrease in the Democratic vote-share in a county (down to 42 percent of the vote) is associated with a 7 percentage point increase in the likelihood of being slated for change, up to a likelihood of .28.

Figure 4: Democratic Two-Party Vote-Share and Likelihood of Nearby County Formation During Reconstruction
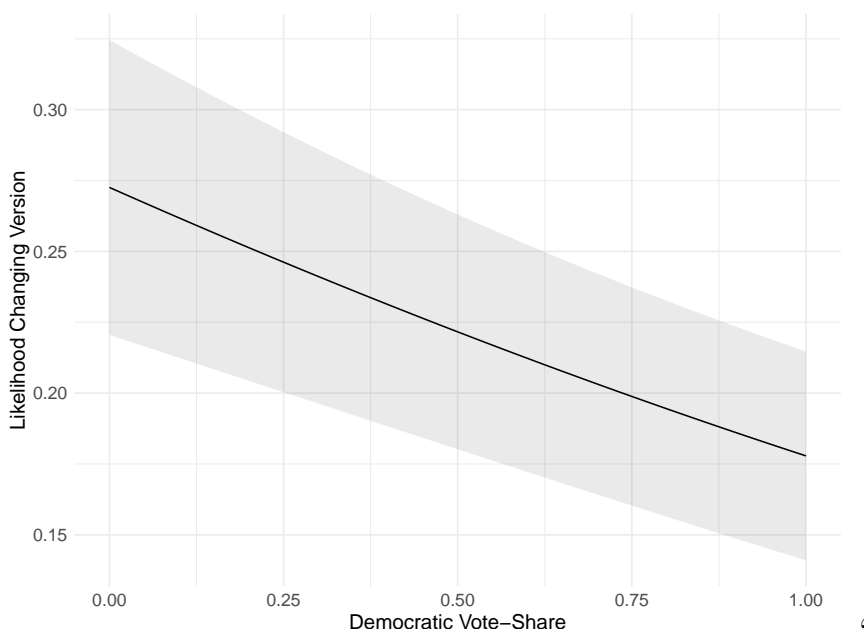
Counties in which Republicans were more successful were more likely to be targeted

for geographic change. Importantly, these results include controls for other factors like population density and urban population that are often associated with county development in the developmental economics literature. These models demonstrate that the process for creating new counties, which resulted in exclusively majority Republican counties, targeted Republican strongholds for geographic change. That is, the models support the conclusion that the selection of counties to be affected by the creation of a new county was not a random process. State legislators focused their limited time on creating counties that had the potential to create new majority-Republican constituencies.

The next question is whether the geographic changes accomplished their intended goals. The findings from the model presented above demonstrate that, given the counties from which land and voters were taken, the new counties had the potential to benefit Republicans. But beyond choosing the most advantageous counties to manipulate to make room for new counties, the geographic changes would also need to specifically capture the places within those counties that contained enough Republican voters to create new majority-Republican counties.

To test whether or not the counties created succeeded in their goals, I compare the political leanings and demographics of the counties that were created to the political and demographic makeup of the counties we would expect to see if the land and citizens from affected counties were taken randomly. That is, if a new county was constructed using a third of the land from pre-existing County A and half of the land from pre-existing county B, we would expect to see a county that resembles a composite of a random third of County A and a random half of county B. If the political and racial makeup of the expected counties is less beneficial than the counties that were actually created, I interpret this as evidence that the counties intended to and successfully created administrative units advantageous to the ruling coalition.

Figure 5 plots the percent of the vote-share won by Republicans in new counties, broken down into the actual observed values (in the lighter shade) and the Republican vote share that would be expected based on the counties from which land was drawn to create the new county. The distribution of expected Republican vote-shares in newly created counties has a mean of about 28 percent, with the majority of observation concentrated well below 50 percent, and an additional cluster of observations hovering at around 80 percent.

The actual observed levels of Republican vote-shares in new counties are significantly different than those in the expected distribution. Rather than a clear single peak at around 24 percent, the observed Republican vote-shares are distributed bimodally, with a peak mirroring that of the expected vote-shares, but with an additional large peak centered at about 64 percent. This difference is substantively very important: the expected distribution reflects a sample in which Republicans lose elections in a majority of new counties, but the observed distribution reflects what actually happened; Republicans won a majority of the vote-share in newly created counties.

Beyond Republican majorities, the theoretical expectation outlined at the beginning

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Figure 5: Expected and Observed Republican Vote-Shares in New Reconstruction Counties
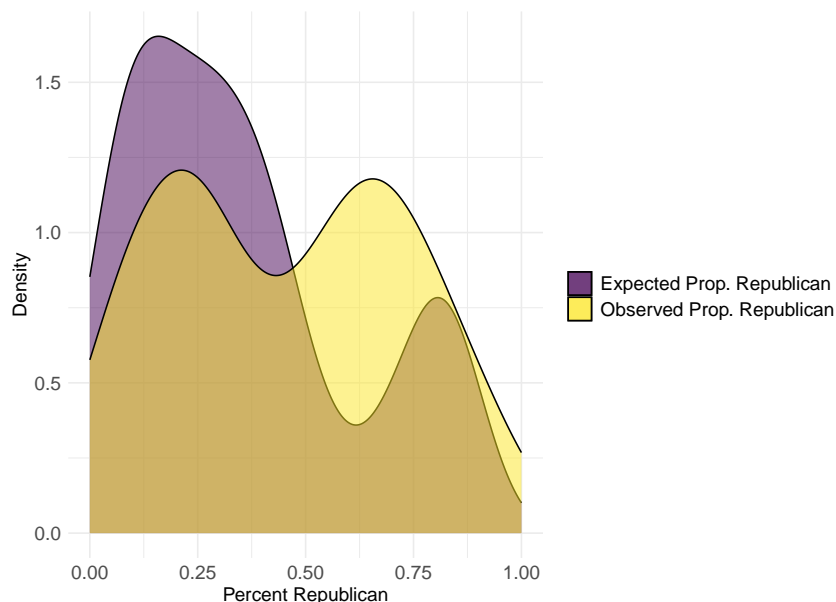
of this chapter also anticipated that politically motivated county creation would align the interests of state-level elites (i.e.; Republicans in the state legislature) with local populations. Given the overwhelming support for Republicans among African American Americans during this period, this would necessitate creating counties that included high concentrations fo African American residents. Majority African American counties would both be able to elect African American candidates to local office and the state legislature, and constitute Republican majorities that sent Republican representatives to the state legislature. To assess the degree to which new counties created majority or near-majority African American constituencies, I repeat the analysis comparing observed and expected distributions of new county's African American populations.

Figure 6 plots the observed and expected levels of African American population shares in counties created during Reconstruction. The differences between the African American proportion expected based on the counties losing land to accommodate a new county and the observed data are even more stark than they were for Republican vote shares. Given the land taken from existing counties to create new counties, most of the new counties are expected to reflect African American population concentrations seen throughout the South—with almost all counties expected to have African American populations constituting between 10-30 percent of a county's total population. What is observed, however, are new counties with a remarkably uniform distribution of proportion of African American residents. Rather than a peak between 10-30 percent, roughly half of all newly established counties were at least 40 percent African American. The observed distribution skews much more towards counties with higher concentrations of African

Figure 6: Expected and Observed Proportion of African American Americans in New Counties Established during Reconstruction
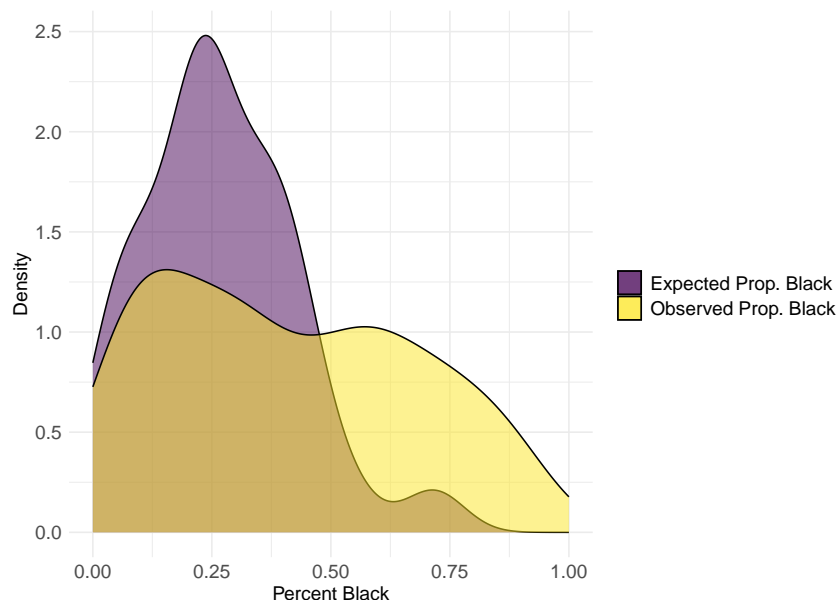

American residents, indicating that the state legislatures crafting these counties specifically designed geographic boundaries maximizing the concentration of African American residents.

One concern with the analyses comparing observed and expected levels of Republican vote-share and African American population concentration is that, because any geographic rearrangement made must choose to include and exclude certain towns and places from a new county, it is unrealistic to expect new counties to perfectly mirror the counties from which they are drawn. While it is very unlikely that both the political and demographic differences consistently observed between expected and observed counties are due to natural variation, this is a real concern. To test the plausibility of this, I conduct the same analysis using levels of turnout as a placebo test. Because there is no reason to suspect that higher or lower turnout would affect a decision to include or exclude an area from a new county (Republican vote-share would be much more important), there should not be a difference in the expected and observed turnout rates.

Indeed, as Figure 7 illustrates, the rate of turnout in expected and observed counties is nearly identical. The distribution of turnout rates in both observed and expected counties are normally distributed, with nearly identical means around 40-50 percent. On metrics unrelated to the political motivation for county creation, we don't see the same differences between observed and expected counties. This is further evidence that the boundaries were drawn to maximize Republican vote-share and create majority African American counties.

Figure 7: Expected and Observed Turnout Rates in New Counties Established during Reconstruction
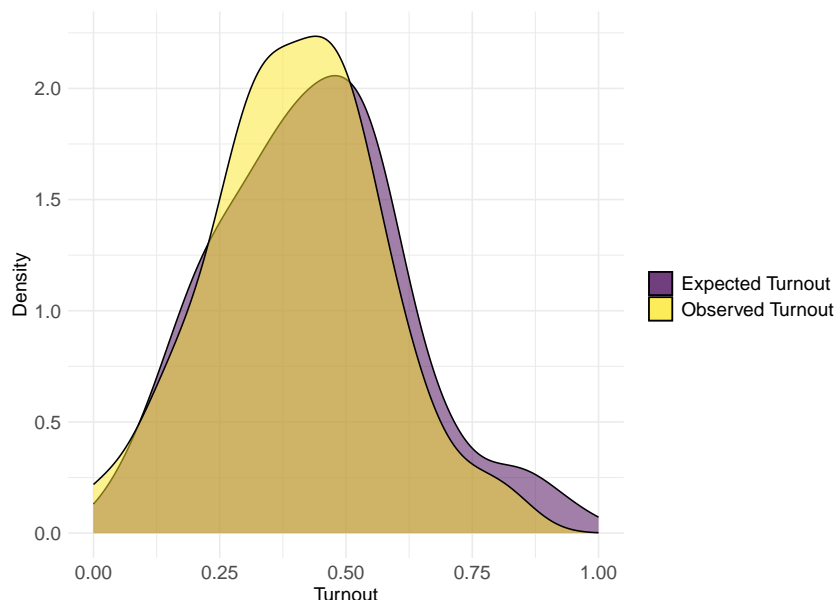
Counties with high Republican vote-shares were slated to have their border adjusted to accommodate new counties. The new counties created were more likely to include Republican majorities and majority African American constituencies than the new counties would be had they been drawn randomly. All of the new counties created had a majority of their subsequent vote-share support Republicans, and a majority of the new counties created in Louisiana and Mississippi were composed of a mostly African American residents (in Arkansas, 3 of the 15 new counties were majority African American, roughly equal to the overall proportion of African American residents in the state). Clearly, the establishment of new counties in the Reconstruction Era South did not follow the pattern predicted by the economic development literature. New counties reflected the desire to create political advantage at the state level, and reflect the political preferences of local populations. The question investigated in the next section is whether it worked.

African American Officeholders and the Survival of Southern Republicanism

If the creation of counties met the goals of state and local interests, its success as a political tactic, and its broader effect on the political development of the South, can be measured on those two levels. The two central questions then are whether new counties expanded and made Republican majorities in the State Houses more durable, and whether or not new counties provided opportunities for African American voters to elect African

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American elected officials.

I first take up the question of whether or not new counties provided opportunities for African American elites to win elected office, and for African American voters to elect their preferred candidates. An illustrative example of how new counties served the interest of local elites, African American local elites in particular, is the case of Lee County, Arkansas, introduced in the previous Chapter and mapped in Figure **??**. Lee County was established in 1873 from parts of Crittenden, Monroe, Phillips and St. Francis counties. As mentioned previously, Phillips and Crittenden County both had large African American majorities. Crittenden was 67 percent African American, and Phillips 68 percent. Monroe County and St. Francis both had sizable African American minorities (38 and 36 percent, respectively). At the time of the 1880 census, newly established Lee County had a African American population of 9,150 residents and a white population of 4,158 (about 69 percent African American). This population profile was created without significantly endangering the African American majorities of Crittenden and Phillips County. In essence, a new African American-majority and Republican majority county was created without endangering the majorities in the affected counties.

But Lee County did not just appear. The establishment of Lee County was a years-long effort led by one man, William Hines Furbush. The historical record surrounding Furbush's life is colorful and incomplete. Born in Kentucky in 1839, Furbush moved through the Union-controlled South during the early years of the Civil War as a photographer. After marrying in Ohio in 1862, Furbush worked as a war photographer until enlisting himself at the last possible moment in 1865, just two months before Confederate General Robert E. Lee surrendered to Union General Ulysses S. Grant at Appomattox. After leaving the Union Army, Furbush traveled to Liberia as part of the American Colonization Society, but only lasted slightly longer in Liberia than he did in the Union Army. Upon returning to Arkansas, Furbush was elected to the state legislature as a Republican.

In the legisalture, Furbush twice tried and failed to establish a new county based around the town of Marianna. After changing the proposed name of the county to Lee County, Furbush secured votes in the legislature from several white Democrats, and the bill establishing Lee County passed. After Lee County was established, Republican Governor Elisha Baxter appointed Furbush to the position of county sheriff, and Lee County sent African American Republican Ferdinand Havis to the state legislature in the next election.[5] Importantly, the establishment of Lee County did not diminish the power of African American elites or Republicans when it took land and voters from Crittenden, Monroe, Phillips and St. Francis counties.

Phillips County, the county losing the greatest amount of land and residents to ac-

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[5]Furbush's story eventually takes a dark turn. After Redeemer Democrats retook political power in Arkansas, and Furbush was stabbed in the back (literally) by a African American Republican after he began working with them. After leaving for Colorado, Furbush's wife and daughter died, and Furbush only narrowly escaped the death penalty after murdering the constable in the town of Bonanza, Colorado. Furbush eventually died in a disabled veterans home in Indiana.

commodate the creation of Lee County, never lost the ability to elect African American Republicans during the era of Congressional Reconstruction. In 1872-1873, the time of Lee County's establishment, Phillips County was represented by Joseph C. Corbin, who was eventually replaced by another African American Republican, W.L. Copeland. Crittenden, Monroe, and St. Francis counties had similar trajectories, each continuing to elect African American Republicans. The same pattern, African American legislators working with Republicans to create additional new counties emerged across the Republican controlled South. To test the extent to which this occurred systematically throughout the South during Reconstruction, I model which counties are slated for geographic change as an outcome of local African American office-holding. That is, to what extent is the presence of African American officeholders in a county associated with the creation of a new county that affects the geography of the existing counties. The models use the same specifications as the OLS models used previously in this chapter.

Even when controlling for racial composition of a county, Republican vote-shares, and other demographic controls (full model results are presented in Table 10), the presence of African American officeholders is very strongly associated with a county having its borders adjusted to accommodate a new county. Figure 8 charts the predicted probability of a county changing its borders within the next two-years according to the number of African American officeholders currently serving in that county. At 0 African American officeholders a county has below a 25 percent chance of being slated for geographic change. That likelihood rises to about 27 percent in cases where a county has one African American officeholder, which is roughly the mean number of African American officeholders per county during this period. Increasing by a standard deviation of 2.6 officeholders results in a predicted probability of a county being a changing version of over 40 percent. In instances in which counties with more than 10 African American officeholders existed, those had a roughly 75 percent chance of being affected by a new county being established. While this level of African American office-holding was rare (there were 14 counties in which this occurred), the relationship is telling: in cases where African American elites were able to obtain significant political power, they were very likely to exercise that power to create additional units of local government.

African American officeholders worked with state legislatures to guarantee new county creation. In the case of Lee County, Arkansas, additional African American officeholders were also elected when William Furbush was appointed (and then reelected) sheriff, and a African American Republican was elected to represent the county in the state legislature. Similarly, in the Grant County created in Louisiana (and described earlier in this chapter), Williams Ward, a African American Republican, was subsequently elected to the state legislature. Indeed, not only did the presence of African American officeholders increase the likelihood of county creation in a given location, but looking at the subsequent elections in newly created counties, more African American officeholders were created as a consequence of this county creation.

To understand how new counties catalyzed increased African American office-holding,

Figure 8: Local African American Officeholders and Geographic Change
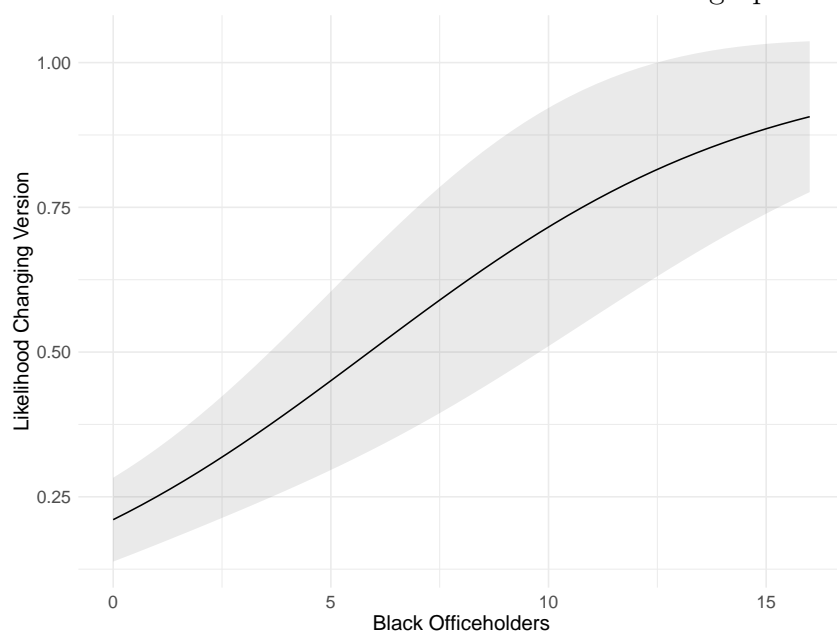
I repeat the comparison of expected and observed county composition, this time looking at African American officeholding rather than Republican vote-share or African American population. As Figure 9 shows, the effect of new county creation is positive, though the differences in the observed and expected data are much smaller than they were for observed and expected levels of Republican vote-share and African American population concentration.

The creation of new counties certainly did not *decrease* rates of African American officeholding, though substantively, it appears that new county creation did not lead to significantly higher rates of African American office-holding. However, because rates of African American officeholding in new counties were not diminished in either the new or pre-exisitng counties, forming new, majority-African American counties has a net effect of increasing the total number of African American elected officials. It is also important to consider the context in which African American officeholders may have sought election in new counties. Namely, aspiring officeholders had little time between the creation of a new county (which mostly took place between 1870-1874) and the end of liberal democracy in the American South that came about in 1877. If building a base of support and electoral organizational capacity in a new county takes time, its no surprise that African American candidates for office only saw moderate success in office-holding in new counties.

African American voters were also critical to ensuring that new counties remained durable sources of support for Republicans. So far, Republican success has been measured as independent of African American voters, and only in the election immediately proceeding the creation of a new county. To better understand how African American

Figure 9: Expected and Observed Rates of African American Officeholding in New Counties During Reconstruction
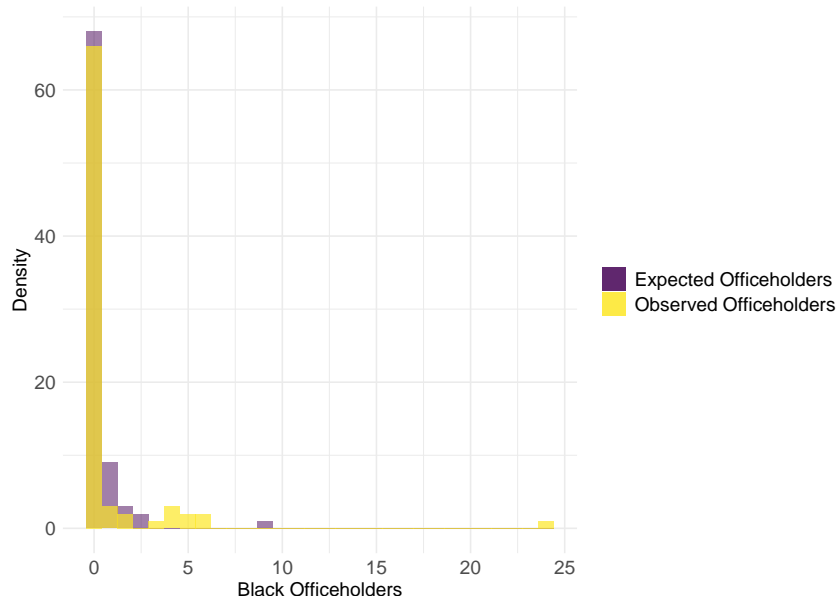
voters did or did not affect the durability of new county's' support for Republicans over time, I model Republican vote-share in a county for every year of Reconstruction, using an interaction between the proportion of a county that is African American and whether or not the county was established after the Civil War as the independent variables of interest. Obviously, new counties did not measurable support for Republicans before they existed, so this analysis only captures the degree to which new counties supported Republicans, depending on their status as new counties and proportion African American, relative to other counties within their state and within the same election year.

Figure 10 plots point estimates of Republican vote-share broken down by whether or not a county is new and the proportion of African American residents in the county. In general, new counties voted for Republicans at higher rates, but there are important differences in how this effect broke down across demographic lines. In the fifth highest quintile proportion African American counties—meaning those in the top-20 percent ranked by proportion of African American residents—Republican vote-share is highest among both new and pre-existing counties. However, looking at the fourth and fifth quintiles, new counties had higher republican vote-shares. At lower proportions of African American residents, this difference between new and pre-existing counties disappears. What this means is that new counties, which all produced Republican majorities immediately after formation, only proved to be durable if they were composed of higher proportions of African American residents. Additionally, we also see that while counties with large African American populations were more likely to vote Republican throughout Reconstruction overall,

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Figure 10: New Counties, African American Voters, and the Durability of Republican Support
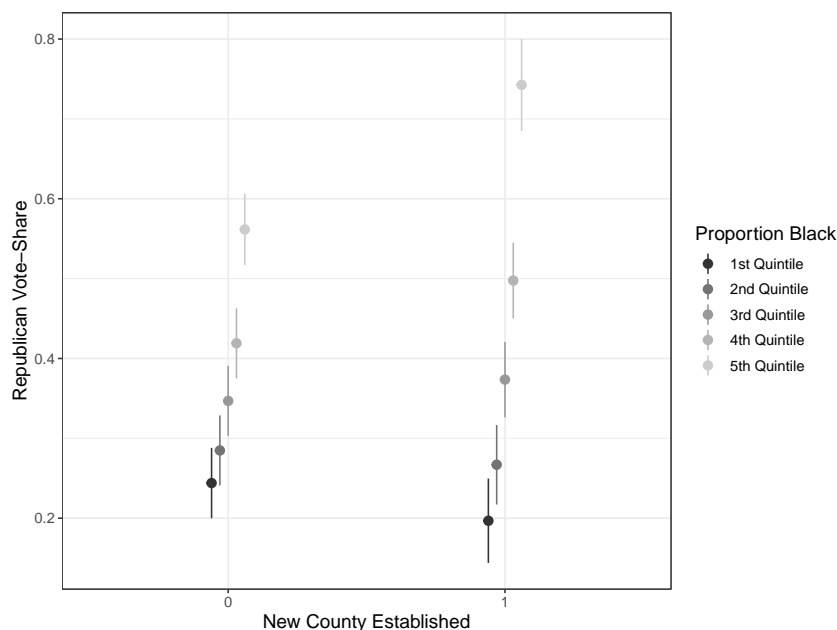
there ability to contribute to Republican candidates was most magnified in newly created counties. The strategy of creating new administrative units did succeed insofar as it was able to create advantage for Republicans and African American voters.

But was this strategy actually consequential? This final and perhaps most important question related to the Reconstruction period depends on whether the new counties enabled Republicans to be elected to the state legislature, and whether or not these particular legislators made a difference in obtaining and securing legislative majorities for Republicans. While legislators certainly mattered beyond their ability to contribute to Republicans' majority status, because Reconstruction effectively ended with the fall of southern Republicans, that is the question I take up here. To answer this question, I look at how many legislators represented newly created counties, and whether these legislators were decisive in establishing majority status for the party.

Table 5 lists the number of new counties created during Reconstruction and the number of new counties that still supported Republicans at the conclusion of Reconstructions height in 1877. As federal troops finished withdrawing from their position overseeing the reconstruction of a democratic south, violent intimidation of Republican voters—and African American voters in particular—led the Republican Party in the South to collapse as a viable political organization (Foner 1988; Du Bois 1935; Greenberger 2022). This broad trend is captured in the relatively low rate at which newly created counties still supported Republicans. Of the 15 new counties created in Arkansas from 1868 to 1874, only two still had a majority of votes cast in favor of Republicans in the 1888 election. In

Louisiana, new counties fared better, where two-thirds of the new Reconstruction counties still supported Republicans. In Mississippi, a quarter of newly counties still supported Republicans.

Table 5: New Counties and Republican Support in Arkansas, Louisiana, and Mississippi During Reconstruction

	1868	1870	1872	1874	Total New	New Counties Supporting Republicans in 1878
Arkansas	2	2	3	8	15	2
Louisiana	2	3	3	1	9	6
Mississippi	1	6	3	2	12	3

Most of the variation between new counties level of Republican support across states has more to do with the general trends within those states rather than the new counties themselves. In Louisiana, the state in which newly created counties still supported Republicans at the highest rate, federal troops still occupied much of the state. Over a thousand troops were still stationed in New Orleans as of 1877, and hundreds of troops and cavalry were based in Baton Rouge, St. Martinville, Pineville, Monroe, and Lake Charles. Over a hundred troops were in Mississippi, mostly in Jackson but also in the north of Mississippi. In Arkansas, only 76 troops were present, all stationed in Little Rock. The tactic of administrative unit proliferation ultimately failed to prevent democratic backsliding and the ascent of the Redeemer Democrats: by 1878, Republicans had lost majorities in ever state; but by going through each of Arkansas, Louisiana, and Mississippi's political trajectory during Reconstruction, I find evidence that these new counties did in some cases provide meaningful partisan advantage to Republicans.

In March of 1871, the Arkansas established a new county, which they named Sarber County, after passing a bill introduced by a Republican from Yell County, John Sarber. The creation of the county was contested by Democrats and other former Confederates— Sarber was a Union veteran, an abolitionist, and a carpetbagger. Sarber himself protested against giving the new county his name, but other Republicans in the Arkansas General Assembly insisted, and Republican Governor Ozra Hadley agreed. In 1872, John Sarber was elected to the Arkansas House of Representatives, representing Sarber County as a Republican. In 1873, President Ulysses S. Grant nominated Sarber to become a U.S. Marshall. Sarber's career as a U.S Marshall ended quickly, in 1874, Democrats successfully pressured Sarber to resign after they took control of the state government. By 1875, Sarber county was no more: Democrats had renamed it after James Logan, a southern slaveholder who moved to and died in Arkansas in the mid-19th Century.

The rise and fall of Sarber County mirrors the ascendance and decline of other Republican-majority counties in Arkansas and across the South. In 1869, Republican Governor Powell Clayton signed into a law a bill introduced by Republicans in the General Assembly establishing a Grant County in Arkansas (its county seat was named after

General Sheridan). Lincoln County was established in 1871, and was, unsurprisingly, a source of Republican votes and support. But by 1877, none of these counties elected Republicans. To understand systematically whether new county creation forestalled the ascendance of Redeemer Democrats, Tables 6-8 list the composition of state legislatures during Reconstruction organized by partisanship and whether members represented newly established counties. The tables focus on state representatives, rather than state senators. Although all southern states used counties as units in the construction of senate districts, not every county was guaranteed its own senator (though this did often occur in practice). For this reason, I exclude senators from the following analysis. As I discuss further later in this chapter, the limited success county creation had on buttressing Republican majorities in the state legislatures was made even weaker by its relatively smaller effect on state senates compared to state houses.

Table 6 presents the percent of representatives who were Democrats and Republicans broken down by by their counties designation as a new or static county. Any county that was created during Reconstruction is categorized as a new county, and the rest are categorized as static. In 1870, Arkansas had established two new counties, both of which elected Republicans as their representatives to the state legislature. In 1872, Arkansas had established two additional counties, four total. Both of the newest counties voted for Republicans, but one of the original counties had elected a member who caucused with the Democrats (although was officially not a member of either party). By 1874, seven new counties had been created, and five supported Republicans.

Table 6: Composition of Reconstruction Era House of Representatives in Arkansas

	% Static County Democrats	% Static County Republicans	% New County Democrats	% New County Republicans	Total Representatives Accounted
1870	58.3%	39.4%	0.0%	2.3%	87
1872	61.9	30.4	1.1	3.3	89
1874	53.8	26.9	1.9	7.1	107

What emerges clearly from this table is that Republicans never held a clear majority in the Arkansas House of Representatives. Obviously, then, the creation of new counties could not have created a larger or more durable Republican majority in the House of Representatives. However, elections to Arkansas's House of Representatives were anomalous for the period, and drawing conclusions for the entirety of the South based off of Arkansas's trajectory would be misleading. In 1871, Reconstruction Governor Clayton Powell was elected to the United States Senate and handed off the governorship to his Republican ally, A. O. Hadley. What followed were years of corruption that involved elections so fraudulent that Congress dismissed Arkansas's electoral college votes in the 1872 elections.

Unlike in other states (in which electoral fraud was still present) congressional and state legislative elections saw competition between Democrats and a Republican Party that had splintered into the regular Republicans, often called "Minstrels" and the liberal

or Reform Republicans, often called "Brindletails" (Atkinson 1942). As a consequence, in competitions within the state, Republicans split their vote between candidates vying for the same competition. Republicans held on to the governorship, but lower offices, the state house in particular, saw Democrats perform especially well.

Election during Reconstruction were often highly contentious and violent in Louisiana. After Republicans won the governorship federal troops stationed in Louisiana were forced to enforce the result of the election. Just months later in the recently created Grant County, the Colfax Massacre took place when Ku Klux Klan members and other white Redeemer Democrats violently opposed the democratically elected local Republican office-holders. Despite the contentiousness, the Republican Party did not splinter the same way it did in Arkansas, and the Party was able to maintain legislative majorities for longer.

As shown in Table 7, Republicans held majorities in the lower house of Louisiana's legislature until 1874. In 1870, Republicans held a dominant majority. Although they didnt require them for their majority status, 3.9 percent (4 total) of Republicans' members in the lower house represented newly established parishes. But after the next election cycle, new county Republicans became more important. Including only representatives from counties existing before Reconstruction and the creation of additional units, Republicans held a very slight majority over Democrats. Here, new counties mattered. Without new counties, Republicans held a narrow majority of seats, including counties, the majority became larger and more workable. In an era where state legislators were more likely to miss votes for reasons such as longer travel between district and capitol or the higher incidence of serious illness, having a larger majority was even more important.

Table 7: Composition of Reconstruction Era House of Representatives in Louisiana

	% Static County Democrats	% Static County Republicans	% New County Democrats	% New County Republicans	Total Representatives Accounted
1870	18.5%	77.6%	0.0%	%3.9	101
1872	39.4	54.9	1.8	3.9	114
1874	17.7	71.7	2.8	8.4	117

New parishes made governing possible for Republicans in Louisiana, led by pro-Reconstruction Republican William Kellogg and his Liutenant Governor, Caesar Carpenter Antoine, a African American Republican. But in the lead-up to the 1874 elections, former Confederate officers aligned themselves with Democrats to organize the "white league," which often referred to itself as the "white mans party," a political group established to use terrorist violence to defeat the bi-racial Republican Party. The white league overthrew the democratically elected government in New Orleans, but Republican rule was restored after President Grant ordered troops stationed in the city to restore duly elected officials (Sanson 1990). But the troops were not stationed everywhere. As documented at greater length in the next chapter, Republican support began to throughout the state, especially in the more peripheral northern and central regions.

After the 1874 elections, Republicans managed to expand their majority. Republican control was based in large part on the over 30 representatives now apportioned to New Orleans. Given the presence of federal troops directly in New Orleans, these elections were among those least likely to include intimidation or fraudulent tactics employed by the White League in the more peripheral regions of Louisiana. Republicans also expanded their majority as a consequence of new county establishment, doubling the percent of representatives in the lower chamber representing new counties.

New counties aided Republican majorities in Louisiana, but in no state were they used to greater advantage than Mississippi. In 1870, Mississippi had created seven new counties, and the seats apportioned to these counties were swept by Republicans. In 1870 and 1872, with ex-Confederates still barred from the vote, Republicans won majorities handily. However, as in other southern states, by 1874 the Democratic party was making a political comeback. In the 1874 elections, new counties provided Republicans with a majority. While Republicans held a plurality of seats even without new county creation, the 10.6 percent of representatives hailing from new counties extended the majority of Republicans as they faced the most perilous period of Reconstruction.

Table 8: Composition of Reconstruction Era House of Representatives in Mississippi

	% Static County Democrats	% Static County Republicans	% New County Democrats	% New County Republicans	Total Representatives Accounted
1870	17.3%	76.9%	0.0%	%6.7	104
1872	17.3	64.0	0.0	9.1	110
1874	31.6	49.1	0.0	10.6	113

Discussion and Conclusion

In under a decade, Alabama, Arkansas, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Texas established 67 new counties, forever altering the geographic and political landscape of the American South. It is worth again pointing out the magnitude of this change: Delaware, Hawaii, Rhode Island, Connecticut, New Hampshire, Vermont, and Massachusetts, combined contain less than 60 counties. The pattern of county creation in the South during this period does not fit neatly into the existing models of county development. The economic development model suggests that new counties form when local elites seek to capitalize on and political protect the development of valuable resources. In the Reconstruction South, no new industries or economic growth emerged that could be used to explain county development through this model. The population model also fails: while the population of the South grew, it does not explain where in the South new counties were established. The classic political model is also inadequate, new county creation did not follow a pattern that would be set forth by state and local elites seeking to most effectively administer new resources. Instead, the partisan-political model is most useful.

New counties emerged in areas that had disproportionately large African American populations. The single biggest correlate of whether a county would be established in an area was how well Republicans performed in a certain area. In counties where Republicans performed the worst, failing to field candidates against Democrats or fielding candidates who garnered almost no votes, counties only had about a 17 percent chance of being affected, geographically, by the emergence of a new county. At the very other end of the spectrum, where Republicans performed best, that chance nearly doubled and rose to almost 30 percent. Partisan-political motivations predict the geography of new county creation well, and the most intense period of county creation 1870-1874, reflects the most precarious and intense moment of Reconstruction, when Republicans clung to power against the rising tide of Redeemers and their white supremacist movements.

The counties that Reconstruction Republicans created emerged in geographies friendly to their aims. In their establishment, the new counties created constituencies that supported Republicans for local and state offices. When looking at the counties that were created, not only did they draw land from counties in which Republican vote-shares were disproportionately high, but the counties that emerged from those counties had higher than expected Republican vote-shares. That is, even given the high Republican vote-shares of the counties from which they drew residents and land, the emerging constituencies were even more supportive of Republicans than would be expected if the land and residents were drawn randomly from the affected counties. The same is true for the percent of residents who were African American Americans in the new counties. The counties that Reconstruction Republicans established tended to have greater proprotions of African American Americans than the rest of the South, and tended to vote more for Republicans than the rest of the South. Of course, these two trends were not independent.

The clearest direct effect of county establishment was the creation of additional offices which elites could compete for. The presence of African American officeholders was both a predictor of county creation—counties with African American officeholders were more likely to be affected geographically by the establishment of a new county—and an outcome. New counties elected more African American officeholders than would be expected given the counties from which the new county drew land and voters. Counties created also supported Republicans at very high rates in the elections immediately following their creation. In counties, with higher proportions of African American residents, they were more likely to support Republicans over the whole course of Reconstruction, as seen in Figure 10.

At the state-level, new counties contributed to varying degrees towards Republican majorities in the lower houses of state legislatures. In Arkansas, Louisiana, and Mississippi, new counties contributed to the Republican majorities held across the South in 1870 to 1872. In Arkansas, even though new county Republicans composed roughly 12 percent of the entire legislature, it was not enough to overcome the broader challenges the Republican Party faced. Still, these new counties are important for understanding the context in which legislators met and shaped the politics of the South, especially given

the relationship between the eventual disfranchisement in these counties and the policy positions of those legislators (Olson 2022). In Mississippi and Louisiana, new county Republicans contributed to majorities, providing extra support to what otherwise would have been narrow majorities. New counties supported Republican majorities, but they were an insufficient tactic. Ultimately, electoral fraud, voter intimidation, and insurrection led the Democratic Party to victory throughout the South after Reconstruction's end.

Looking across the massive changes brought about by secession, Civil War, Reconstruction, Redemption, and the rise of Jim Crow and one-party South, it is not self-evident that the creation of new counties during Reconstruction is of significance. After all, the proliferation of administrative units was not enough to stem the tide of Redemption. But for Between the American founding and the Voting Rights Act of 1965, the creation of new counties supported the brief moment of democracy that existed in the South during Reconstruction. These new counties, the African American officeholders they helped elect, and the African American voters they gave greater political efficacy to, were, in effect, a glimmer of democratic will in an otherwise authoritarian period of Southern American history that lasted nearly 200 years.

The new counties created during Reconstruction failed to provide durable support for Republicans. But changes to core institutions have consequences. New counties proliferated as a strategy to empower local-elites, African American and Republican elites in the case of Reconstruction. While this specific strategy failed, they left the South with 67 more counties than they started with. The number of counties increased by 15 percent in Arkansas, 18 percent in Louisiana, and 11 percent in Mississippi. When African American voters could access the ballot box, these counties provided substantial advantage to these voters in their ability to be represented in the state legislature. When African American voters lost the right to vote through the course of Redemption, the minority of whites living in these counties found themselves dramatically over-represented. Even though the original intent was lost, geography continued to matter.

This research reveals that county creation in the Reconstruction South was primarily driven by partisan motivations rather than economic development or administrative efficiency. The establishment of 67 new counties between 1868 and 1877 represented a significant reshaping of the region's political geography, designed to consolidate Republican power and create opportunities for African American representation. New counties were more likely to be established in areas with strong Republican support and high concentrations of African American voters. These counties consistently showed higher levels of Republican voting and African American office-holding than would be expected from random division of existing counties. While this strategy provided short-term benefits to Republicans and African American voters, its long-term success was limited as Reconstruction policies were rolled back.

These findings highlight the importance of administrative geography as a tool of partisan competition and challenge the notion of counties as stable, apolitical units. They

provide new insights into the complexities of Reconstruction, illustrating both efforts to create space for African American political participation and the fragility of these efforts. The partisan model of administrative unit proliferation developed here may have broader applicability beyond the Reconstruction South, suggesting a need for further research into the role of local administrative structures in processes of democratization and democratic backsliding.

In conclusion, the creation of new counties in the Reconstruction South represents a significant but often overlooked aspect of this period, serving as a powerful reminder of the deep interconnections between geography, institutions, and political power in the American democratic experiment. This episode underscores the importance of considering administrative boundaries not just as neutral demarcations, but as potential instruments of political strategy and change.

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A Appendix

Table 9: Demographics, Politics, and Locations Selected for New Counties

	Dependent variable: County Changed	
	(1)	(2)
Proportion African American	-0.076	-0.080
	(0.082)	(0.081)
Log(Total Population)	0.067	0.063
	(0.085)	(0.084)
Democratic Vote Share	-0.511*	-0.549**
	(0.272)	(0.274)
Proportion Urban	0.018	0.024
	(0.067)	(0.067)
Constant	-2.169***	-2.081***
	(0.373)	(0.388)
Observations	3,260	3,141
Log Likelihood	-973.677	-952.039
Akaike Inf. Crit.	1,961.353	1,918.078
Bayesian Inf. Crit.	2,003.980	1,960.444

Note: *p<0.1; **p<0.05; ***p<0.01

Table 10: African American Office-holding and Locations Selected for New Counties

	Dependent variable: County Changed	
	(1)	(2)
Proportion African American	-0.095	-0.110
	(0.082)	(0.083)
Log(Total Population)	0.064	0.065
	(0.085)	(0.085)
Democratic Vote Share	-0.488*	-0.456*
	(0.272)	(0.272)
Local African American Officeholders	0.225***	
	(0.073)	
County African American Officeholders		0.214***
		(0.065)
Proportion Urban	-0.048	-0.025
	(0.074)	(0.070)
Constant	-2.225***	-2.254***
	(0.373)	(0.370)
Observations	3,260	3,260
Log Likelihood	-969.478	-968.608
Akaike Inf. Crit.	1,954.955	1,953.215
Bayesian Inf. Crit.	2,003.671	2,001.931

Note: *p<0.1; **p<0.05; ***p<0.01

Table 11: Congressional Representation in New Counties

	Dependent variable: Republican Representation
New County Established	-0.047
	(0.029)
Proportion African American	0.342***
	(0.013)
New County * Proportion African American	0.246***
	(0.062)
Constant	0.191***
	(0.042)
Observations	5,573
Log Likelihood	364.153
Akaike Inf. Crit.	-716.306
Bayesian Inf. Crit.	-676.551

Note: *p<0.1; **p<0.05; ***p<0.01

Table 12: State Constitutions and Geographic Apportionment in State Legislators

State	Year	County Guaranteed Representative	Enumeration Criteria	Residual Representative Seats	Restriction on County Creation?
Alabama	1819	yes	white population	proportional to white population	none
Alabama	1865	yes	white population	proportional to white population	none
Alabama	1867	yes	total population	proportional to white population	2/3 majority vote, new counties >600 sq miles
Alabama	1875	yes	total population	proportional to white population	2/3 majority vote, new counties >600 sq miles
Alabama	1901	yes	total population	proportional to white population	2/3 majority vote, new counties >600 sq miles, must pass representation threshhold
Arkansas	1836	no	white population	proportional to white population	new counties >900 sq miles, must pass representation threshhold
Arkansas	1864	yes	white men	proportional to white men	new counties >600 sq miles, must pass representation threshhold
Arkansas	1868	yes	unspecified	unspecified	none
Arkansas	1874	yes	adult male population	unspecified	new counties >600 sq miles, must pass representation threshhold and majority of impacted counties must consent
Florida	1861	yes	whites + 3/5ths of African Americans	proportional to enumeration	new counties must exceed ratio of representation
Florida	1865	yes	whites + 3/5ths of African Americans	proportional to enumeration	none
Florida	1868	yes	registered voters	1 extra rep (up to 4) per 1000 registered voters	none
Florida	1887	yes	registered voters	proportional, up to three total reps	none
Georgia	1865	yes	"representative population"	37 largest counties get 2 representatives, all else get one	2/3 majority vote
Georgia	1868	yes	unspecified	proportional, max 3 representatives	2/3 majority vote and vote of county inhabitants
Louisiana	1864	yes	qualified electors	unspecified	>625 square miles
Louisiana	1868	yes	qualified electors	unspecified	>625 square miles
Louisiana	1879	yes	total population	one additional representative for 1.5x representation ratio	>625 square miles, >7000 inhabitants
Louisiana	1898	yes	total population	one additional representative for 1.5x representation ratio	>625 square miles, >7000 inhabitants
Louisiana	1913	yes	total population	one additional representative for 1.5x representation ratio	>625 square miles, >7000 inhabitants
Louisiana	1921	yes	total population	one additional for 2x representative number	>625 square miles, >7000 inhabitants
Mississippi	1832	yes	white population	unspecified	>576 square miles
Mississippi	1861	yes	white population	unspecified	>576 square miles
Mississippi	1868	yes	qualified electors	proportional to qualified electors	>400 square miles
Mississippi	1890	yes	directly apportioned	unspecified	none
North Carolina	1776	no	3/5ths compromise	unspecified	none
North Carolina	1868	yes	total population	proportional to total population	none
South Carolina	1861	yes	white population and taxation	directly apportioned	none
South Carolina	1868	yes	total population	unspecified	625 square miles
South Carolina	1896	yes	total population	total population	1/3 of local population must petition, at least 1/124th of the state
Tenessee	1834	no	qualified voters	unspecified	none
Tenessee	1875	no	qualified voters	qualified voters	>275 square miles, at least 400 qualified voters
Texas	1866	no	white population	white population	none
Texas	1869	no	total population	unspecified	>900 square miles
Texas	1876	no	total population	unspecified	none
Virginia	1830	no	white population	unspecified	none
Virginia	1850	no	white population	unspecified	none
Virginia	1870	no	unspecified	unspecified	none
Virginia	1902	no	unspecified	unspecified	none