

# Perceived Bureaucratic Bias and the Psychology of Civil Rights Mobilization\*

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## Abstract

Do expectations of bureaucratic bias affect whether citizens choose to make claims on the state? Building on the notion of racialized and gendered partisanship, I argue that partisans employ the party controlling the bureaucracy as a key heuristic to infer the degree of group-specific bias in government, and these inferences shape their likelihood of making claims on the state in raced and gendered policy areas. I test this theory in the domain of civil rights, examining how partisan control of fair employment agencies affects how individuals, upon experiencing racial or sex discrimination, develop preferences for vindicating their civil rights by filing a formal discrimination complaint with these agencies. Analyzing data from a novel survey experiment fielded on a large sample of nearly 4,000 subjects, including nationally representative oversamples of Black, Latino, and Asian Americans, I find evidence that partisans employ information about the party controlling the bureaucracy to form perceptions about group-specific bureaucratic bias, specifically the agency's perceived unwillingness to enforce civil rights laws for their social group; to form expectations of how procedurally fair and just the agency's investigation would be; and to form intentions to mobilize their civil rights by filing a discrimination complaint with the agency. These results shed new light on the channels through which intersecting partisan and social identities interact with partisan contexts to affect the politics surrounding discrimination, access to justice, and citizen-state interactions.

Keywords: political psychology; perceived bureaucratic bias; partisan cues; politics of rights mobilization; racial discrimination; sex discrimination; survey experiment

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Do perceptions of bureaucratic bias affect the likelihood that citizens and members of marginalized groups make claims on the state? A longstanding literature has documented the existence of systematic social biases among bureaucrats (e.g., Lipsky 1980; Jones et al. 1977; Brodtkin 1997) in policy areas such as local election administration (e.g., White, Nathan and Faller 2015), welfare provision (e.g., Fording, Soss and Schram 2007; Davis, Livermore and Lim 2011; Keiser, Mueser and Choi 2004), and policing (e.g., Mummolo 2018). However, despite a renewed focus on the implications of state action on the attitudes and behavior of citizens (Lerman and Weaver 2014; Weaver and Lerman 2010), there has been relatively limited systematic research on how expectations of bureaucratic bias are formed by citizens and when these expectations affect citizen behavior, specifically the conditions under which citizens choose to interact with government bureaucracies to make claims on the state.

In this article, I examine these questions as they pertain to the case of citizen decisions to mobilize their civil rights upon experiencing discrimination in the workplace, an experience perceived by many as a grievance requiring legal redress. With the broad goal of contributing to a growing scholarly enterprise in how politics affects policy uptake (e.g., Lerman, Sadin and Trachtman 2017), I focus on the role that partisan cues — specifically information about which party controls the bureaucracy — play as a key heuristic shaping how members of a social group form beliefs about whether bureaucrats would be biased against their group and the expected returns to interacting with bureaucrats. As the two major parties have become both socially sorted and ideologically polarized along racial and gendered lines (Mason 2018; McCarty, Poole and Rosenthal 2006; Carmines and Stimson 1989; Huddy and Willmann 2018) with Democrats perceived to be more likely to favor racial and gender equality than Republicans, citizens have come to attach racial and gendered social imagery to the two major parties (Ahler and Sood 2018).

Building on this notion of racialized and gendered partisanship, I argue that partisans are likely to view each party as favoring certain groups over others, with the Democratic Party more likely to be viewed as favoring racial minorities and women seeking to mobilize their civil rights (and biased against whites and men seeking to do so). I expect the reverse for the Republican Party,

which is likely to be perceived as favoring whites and men who mobilize their rights over racial minorities and women who do so. Consequently, I expect that Democrats who are racial minorities and women are more likely to expect government to be fair and responsive and thus are more likely to mobilize their civil rights by filing discrimination complaints with a governmental fair employment agency when it is controlled by Democrats (as compared to when it is controlled by Republicans). Similarly I expect that Republicans who are white and men are more likely to expect government to be fair and responsive and thus are more likely to mobilize their civil rights by filing discrimination complaints with a governmental fair employment agency when that agency is controlled by Republicans (as compared to when it is controlled by Democrats).

Testing these expectations empirically is difficult because doing so requires researchers to observe an individual experiencing discrimination as well as their response to that experience. To circumvent the challenges of finding individuals experiencing discrimination and measuring how they perceive and react to that experience, I design and analyze data from a novel survey experiment fielded on a large sample of nearly 4,000 subjects, including nationally representative oversamples of Blacks, Latinos, and Asian Americans. In the experiment, subjects are asked to imagine being in a scenario in which they experience either racial or sex discrimination in a randomly assigned partisan and institutional context. Following this, the survey elicits how they perceive and respond to the situation. This approach is advantageous for several reasons, most notably that the controlled experimental setting provides leverage to identify the causal effects of partisan control of government on both perceptions of government as an institution providing access to justice and the stated likelihood of mobilizing their civil rights by making rights claims on the state.

Focusing on three main outcomes—(1) citizen perceptions of group-specific bureaucratic bias, (2) expectations of procedural justice, and (3) stated intentions to vindicate one’s civil rights by filing a discrimination complaint—I find evidence that partisans rely on information about the party controlling the bureaucracy to navigate decisions about civil rights mobilization. With respect to perceptions of group-specific bureaucratic bias, I find strong evidence in support of the theory that intersecting partisan and social identities interact with partisan cues to shape perceptions.

Democrats who are racial minorities and women are more likely to view a Republican controlled fair employment agency as being unwilling to enforce civil rights law for minorities and women, respectively, and Republicans who are white and male are more likely to view a Democratic controlled fair employment agency as being unwilling to enforce civil rights law for whites and men, respectively. With respect to perceptions of procedural justice, Democrats – regardless of their race or sex – expect Republican-controlled agencies to be less fair and just than Democratic-controlled agencies in both racial and sex discrimination cases. Similarly, Republicans regardless of sex expect Democratic-controlled agencies to be less fair and just than Republican-controlled agencies in sex discrimination cases. However, for racial discrimination cases, among Republicans only whites expect Democratic-controlled agencies to be less fair and just than Democratic-controlled agencies. I uncover similar partisan differences in logics explaining stated intentions to mobilize one’s civil rights in response to discrimination. Among those facing racial discrimination, only white Republicans have greater intentions to file discrimination complaints when a fair employment agency is under Republican control. By contrast, Democrats facing discrimination state they are less likely to file a complaint to a Republican-controlled agency.

These results contribute new insights into the channels through which intersecting partisan and social identities interact with partisan contexts to affect the politics of enforcing anti-discrimination laws, how government is viewed by citizens as a provider of access to justice, and citizen-state interactions more generally.

## **1 Background: Civil Rights Mobilization in Response to Discrimination**

In the United States, Title VII of the Civil Rights Act of 1964 outlawed discrimination in employment on the basis of race, color, religion, sex, or national origin, and mandated the creation of a federal bureaucratic agency, the U.S. Equal Employment Opportunity Commission (EEOC), charged with administering and enforcing civil rights laws against employment discrimination. At the subnational level, similar laws and agencies were also established across U.S. states (Chen 2009). Despite the establishment of non-discrimination as a civil right across multiple levels of

government and growing normative declarations of commitments to non-discrimination and inclusion across governmental and private institutions (Berrey 2015; Dobbin 2009; Skrentny 2014), discrimination remains persistent<sup>1</sup> and the enforcement of anti-discrimination law remains a challenge for a number of reasons, chief among them that rights are not self-enforcing. Rather, enforcement of anti-discrimination law requires the survivors of discrimination to mobilize their legal rights: this means perceiving the experience as discrimination, construing it as a grievance requiring redress, and redressing the grievance through a legal compliance institution *ex post* (such as by filing a discrimination complaint with a governmental fair employment agency) (Morrill et al. 2010).

However, as sociologists of law and empirical legal scholars have long observed, citizens who have rights often do not vindicate their rights when they are violated. Potential plaintiffs often face severe resource and informational disadvantages relative to potential defendants (including employers), which can deter survivors from making use of their rights (e.g., Berrey, Nelson and Nielsen 2017; Galanter 1974). These asymmetries are exacerbated by the fact that anti-discrimination law in the United States is ambiguous, both in its origins and as subsequent legal and administrative rulings at federal, state, and local levels cumulate (Edelman 2016).

Conditional on perceiving experienced discrimination as a grievance, aggrieved individuals face numerous possible avenues of recourse, both legal and nonlegal, that may be pursued simultaneously in a fragmented institutional landscape (Albiston, Edelman and Milligan 2014). Employer-established compliance institutions, such as Human Resource departments, loom large as a prominent and accessible venue to seek redress. This is in large part because non-legal symbolic compliance structures established by employers—such as employer-based investigation and dispute resolution procedures, diversity trainings and rhetorical initiatives, and managerial practices and logics that transform the meaning of discrimination law and civil rights in the workplace—“demonstrate attention to law and, therefore, lend legitimacy to organizations in the eyes of the law” and are per-

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<sup>1</sup> Audit studies provide the most compelling evidence of persistent discrimination (for a review, see, e.g., Pager and Shepherd 2008). In addition, extrapolating from cross-sectional survey data by Dixon, Storen and Van Horn (2002) on the experiences of African Americans and U.S. Bureau of Labor Statistics data from 2014, Berrey, Nelson and Nielsen (2017, 49) estimate that full-time African American workers experienced over 3.4 million potential employment discrimination grievances in 2014.

ceived to be legitimate even if they are ineffective (Edelman 2016, 32). Alternatively, aggrieved individuals may choose to rely on government to seek justice. Those choosing this option face additional choices over whether to approach federal or state (and sometimes local) fair employment agencies. These choices can be consequential because federal and state-specific enforcement agencies can vary in how fairly and efficiently they address discrimination complaints. For example, Chen (2009) documents a long history of unequal support for fair employment law across U.S. states. Highlighting differences between federal and state level enforcement behavior, Dávila and Bohara (1994) analyze unpublished data from the EEOC between 1979 and 1989 and show that the EEOC “counteracted potential regional resistance against anti-discrimination laws” by reallocating its institutional resources.

Systematic research on the factors shaping how aggrieved individuals choose to respond to discrimination is virtually nonexistent, as existing empirical research primarily focuses on what happens in the dispute resolution process once a complaint or lawsuit has been filed (for a review, see, e.g., Berrey, Nelson and Nielsen 2017) but ignores the prior decision of how a person responds to discrimination, conditional on experiencing it. This paper address this fundamental but underexamined question. Given multiple potential institutional venues one could choose to redress discrimination, under what conditions would we expect an aggrieved individual to approach the government — specifically a government agency charged with enforcing civil rights law — to make a rights claim and seek legal redress? A key consideration relevant to this choice is whether a course of action would be perceived as providing a legitimate means of redress. Scholars of psychology and law have shown that perceptions of procedural justice affect the belief that the law and its enforcement are legitimate (Lind and Tyler 1988; Tyler 2003, 2006). By extension, we would expect that a person is more likely to pursue a strategy of redressing discrimination is she perceives that institution’s procedures to be more fair and just. Unfortunately, virtually no work exists examining how citizens form such perceptions and whether these perceptions are consequential for whether aggrieved citizens seeking to redress discrimination vindicate their rights through governmental legal channels.

I argue that the party controlling the bureaucracy acts as a key heuristic for citizens who are forming expectations about whether government's response to their rights claim would be procedurally fair and just. This expectation is grounded in a long line of research positing a connection between electoral politics and policy outputs (e.g., Erikson, Wright and McIver 1989), a relationship that may be mediated by partisan control of the bureaucracy (Wood 1990; Wood and Waterman 1991). One might therefore expect partisans to be more likely to make rights claims on the state when the bureaucracy is controlled by co-partisans. While this is indeed plausible, I argue that sorting and polarization between the two parties among social lines potentially complicate the politics of civil rights mobilization in the United States. Instead, it may be the case that partisan control of government interacts with an individual's intersecting social and partisan identities to affect their perceptions of government as legitimate venue for redressing discrimination and consequently their likelihood of pursuing such a strategy.

Specifically, the two major parties in the United States have undergone social and issue-based ideological polarization such that they differ in terms of the set of social groups they favor and the set of social groups they are prejudiced against (Mason 2018). Democrats are viewed as being more sympathetic toward racially liberal and feminist policy positions, such that a Democratic-controlled agency would be perceived as being biased in favor of racial minorities and women. Similarly, as Republicans have developed more racially conservative and anti-feminist views over time, a Republican-controlled agency would be perceived as being biased against civil rights protections for racial minorities and women, and biased in favor of legitimizing and protecting the rights claims of whites and men. More generally, from the citizen's perspective, a fair employment agency controlled by a party that is more responsive to the needs of certain social groups is more likely to be viewed as having fair and just procedures for remedying discrimination and injustice — and thus as an attractive venue for redressing discrimination and vindicating one's rights — if one belongs to those groups.

## 2 Design

To test these theoretical expectations, I designed a survey experiment where subjects are first asked to imagine themselves in a scenario where they experience discrimination in a workplace setting. Subjects are then asked how they construe the situation (i.e., if the experience constitutes a grievance) and how they would respond to the situation under varying political and institutional contexts. While this empirical strategy does not directly measure responses to actual discrimination occurring in the real world, these concerns are outweighed by the numerous benefits of the design: the design addresses the substantive need to understand how people would respond to discrimination conditional on perceiving a grievance; circumvents threats to inference due to selection bias that arise in observational studies; cleanly identifies how partisan context affects responses to discrimination and perceptions of institutions; and avoids potential ethical concerns that accompany interventions on actual individuals experiencing discrimination, a vulnerable population.

The experiment was fielded on a large sample of 3,850 subjects recruited by Lucid, a vendor that matches researchers with multiple online survey respondent pools.<sup>2</sup> The study sample combines a general population U.S. adult sample (n=1,938) recruited in October 2017 and nationally representative oversamples of Black, Latino, and Asian American U.S. adults (n=1,912) recruited in April 2018.<sup>3</sup>

### 2.1 Discrimination Scenario

Subjects from the general population sample were randomly assigned to receive either a racial or sex discrimination scenario with equal probability. Subjects from the racial minority oversample were all assigned to a racial discrimination scenario. Those assigned to a racial discrimination scenario were denied a promotion due to their race, whereas those assigned to the sex discrimi-

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<sup>2</sup>See Coppock and McClellan (2018), who show that the distribution of demographic characteristics and experimental results from studies involving respondents recruited using Lucid track well with benchmarks that involve national probability samples.

<sup>3</sup>Each of the group-specific racial minority sample was recruited so that the sample marginals on age, sex, household income, and region were similar to group-specific population marginals from the 2016 American Community Survey 1-year estimates.



nation scenario were denied a promotion due to their sex. In both scenarios, management instead promotes an objectively weaker candidate. In the racial discrimination scenario, the promoted individual has the same sex as the subject but is of a different race<sup>4</sup>; similarly in sex discrimination scenarios the promoted individual has the same race as the subject but a different sex.<sup>5</sup> The full scenario text shown to subjects is shown in Online Appendix A.

After reading the scenario, subjects are asked several questions to assess their construal of their assigned discrimination scenario: whether they think the scenario is fair or unfair; whether they believe they would consider themselves to be the victim of racial discrimination, sex discrimination, or discrimination for reasons unrelated to race or gender, as well as their certainty about these beliefs; and how they would feel if they were in that situation. The average subject in either discrimination condition perceives the situation as unfair; correctly perceives themselves to be a victim of their assigned type of discrimination; and anticipates having negative emotional responses to the scenario if they were in it.<sup>6</sup> In light of prior psychological research showing that individuals are often unwilling to “see” discrimination despite being confronted with direct evidence of it (Major and Dover 2016), it is notable that this imagined scenario is successful in inducing subjects to believe they would be experiencing discrimination if they were in the situation. These results therefore provide strong evidence that subjects are correctly construing their assigned discrimination scenario as a grievance, a condition that is necessary before asking what action they would take to remedy their grievance.

## **2.2 Treatments: Varying Political and Workplace Institutional Contexts**

Before subjects are asked how they would respond to the grievance of experiencing discrimination, they are asked to consider the scenario occurring in a given political and workplace context. The

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<sup>4</sup>For white subjects, the promoted individual is randomly assigned to be Black, Latino, or Asian; for non-white subjects, the promoted individual is white.

<sup>5</sup>This feature of the design was informed by a prior pilot experiment conducted on MTurk (n=1,004) where I randomized, using a 2x2 factorial design, whether the race and sex of the promoted individual was matched to the subject’s race and sex, respectively. In that pilot study, the condition where the promoted individual had matched sex and unmatched race (unmatched sex and matched race) was most likely to be construed as racial (sex) discrimination.

<sup>6</sup>Detailed results from these construal checks shown in Online Appendix B.

full text of the treatment scripts are provided in Online Appendix A.

The political context treatment is designed to vary the party in control of the bureaucracy and the information environment in which subjects are weighing whether to make a rights claim on the state. Specifically, subjects are randomly assigned to one of four conditions in a 2x2 factorial design where (1) either Republicans or Democrats control the federal bureaucracy and (2) either Republicans or Democrats control the state bureaucracy. This manipulation is meant to inform the subject which party controls the fair employment agency with whom they could file a discrimination complaint. To ensure subjects understand this, this implication is explicitly reiterated to subjects when they are asked to consider avenues of recourse involving either Democratic- or Republican-controlled fair employment agencies.

The workplace context treatment is designed to vary the expected responsiveness and fairness of employer-based compliance institutions as an alternative to governmental fair employment agencies. The definition of workplace context treatments varied across subsamples in this study. Subjects from the general population sample could be randomized with equal probability to one of four workplace environments where either: (1) the employer has previously investigated and addressed discrimination complaints fairly and efficiently; (2) the employer has a known history of ignoring discrimination complaints when they arise; (3) the employer has received no prior complaints; or (4) has a known history of retaliating against those who file discrimination complaints. However, the condition where the employer never received prior complaints is ambiguous in its interpretation because it could suggest either that no discrimination incidents occurred or that no one wanted to file complaints although discrimination occurred. Thus, subjects from the minority oversample could be randomized with equal probability to one of these four workplace environments, with the exception that the “no prior complaints” condition is replaced with a new condition where the employer has and credibly enforces a zero tolerance policy on discrimination.

### 2.3 Outcome Measures

Subjects are then asked to consider nine randomly ordered different courses of action they could take in response to the scenario in the assigned political and workplace context; these are summarized in Table 1. The two primary responses of interest are filing a formal discrimination complaint with the fair employment agency at the federal and state levels, which measure strategies that involve making rights claims on the state. Given the importance of employer-based compliance institutions as an alternative to legal grievance procedures, I also assess how subjects consider filing a formal discrimination complaint with the Human Resources (HR) department at their place of employment. To include other realistic potential responses to discrimination, I also ask whether subjects would raise the issue with their immediate work supervisor, consult with an attorney specializing in employment law, sue their employer and the discriminatory executives on the promotion committee, directly confront those executives, vent about the situation, and try to find a new job.

For each possible avenue of recourse presented, I ask whether subjects would be likely to pursue the course of action (6-item scale: “extremely unlikely” to “extremely likely”). To probe subjects’ considerations surrounding the benefits and costs associated with each strategy, I ask how subjects perceive the costliness of each strategy in terms of the level of time and effort it would require (5-item scale: “none at all” to “a great deal”) and whether subjects would like or dislike the eventual outcome of the strategy (6-item scale: “strongly dislike” to “strongly like”).

For the three strategies that involve filing formal complaints, I ask three additional questions that measure subjects’ expectations of the level of group-specific bureaucratic bias and the degree of procedural justice they would encounter if they filed a formal grievance with each institution. Specifically, I ask whether subjects believe the investigation and dispute resolution procedures would be fair and just (5-item scale: “not at all fair and just” to “extremely fair and just”); whether they agree that the compliance institution would have adequate staff and resources to investigate your complaint and, more generally, to enforce fair employment law (5-item scale: “strongly disagree” to “strongly agree”); and whether they agree that the compliance institution would be

**Table 1:** Complete Set of Outcomes Measured, by Alternative Response to Scenario. Primary outcomes of interest for the main analyses of this paper are shown with shaded cells.

Possible Response to Scenario	Outcome Items Asked by Possible Response to Scenario					
	Believes Process Would be Fair/Just	Believes Agency/Org Has Capacity to Resolve	Believes Unwilling to Enforce Law for Your Group	Perceived Time and Effort Required	Would Like Eventual Outcome	Likely to Pursue Course of Action
File discrimination complaint with (D/R)-controlled <b>federal</b> fair employment agency	✓	✓	✓	✓	✓	✓
File discrimination complaint with (D/R)-controlled <b>state</b> fair employment agency	✓	✓	✓	✓	✓	✓
File discrimination complaint with Human Resources at work	✓	✓	✓	✓	✓	✓
Raise issue with your immediate work supervisor (not involved in promotion decision)				✓	✓	✓
Consult with attorney specializing in employment law				✓	✓	✓
Sue employer and executives on promotion committee				✓	✓	✓
Approach and directly confront executives on promotion committee, ask for an explanation				✓	✓	✓
Vent about situation to family and friends				✓	✓	✓
Try to find a new job at a different company				✓	✓	✓

unwilling to investigate your complaint because they do not want to address discrimination complaints from people in the subject's social group<sup>7</sup> (5-item scale: "strongly disagree" to "strongly agree"). All outcome variables are rescaled to values ranging from 0 to 1.

For the main analyses presented in this paper, I focus on three main outcomes associated with filing complaints with governmental fair employment agencies at the federal and state levels: (1) subjects' perceptions of group-specific bureaucratic bias (i.e., whether the agency is unwilling to enforce anti-discrimination law for their social group), (2) subjects' expectations of the degree of procedural justice the agency would provide, and (3) subjects' stated likelihood of filing a discrimination complaint with the employment agency.

<sup>7</sup>For example, if the subject was discriminated against because they were Black, then the would be about the subject believes that the compliance institution did not want address discrimination complaints from Black people.

### 3 Results

#### 3.1 Effects of Republican Agency Control on Perceived Group-Specific Bureaucratic Bias

In the domain of civil rights, does information about party control of a governmental fair employment agency affect perceived expectations of racial and gendered group-specific bureaucratic bias in that agency? Figure 1 presents the effect of Republican control of a fair employment agency (instead of Democratic control) on subjects' agreement with the statement that the agency is unwilling to enforce anti-discrimination law for their racial subgroup in racial discrimination cases (Panel A) and for their sex subgroup in sex discrimination cases (Panel B). The figure presents, by the subject's race, party, and whether a federal or state agency is being considered, treatment effect estimates with 95% confidence intervals.<sup>8</sup>

Examining subjects assigned to a racial discrimination scenario, Figure 1 Panel A shows that when a fair employment agency is under Republican control (instead of Democratic control), the perception that the agency is unwilling to enforce anti-discrimination law for one's racial subgroup increases among racial minority Democrats and decreases among white Republicans. For Democrats, levels of perceived bureaucratic bias against one's racial group increases among Blacks by 0.17 points at the federal level ( $p < 0.001$ ) and by 0.15 points at the state level ( $p < 0.001$ ); increases among Latinos by 0.14 points at the federal level ( $p < 0.001$ ) and by 0.07 points at the state level ( $p < 0.05$ ); increases among Asian Americans by 0.07 points at the federal level ( $p < 0.05$ ) and by 0.05 points at the state level (but is not statistically significant); and has no effect on the perceptions of whites. For Independents, Republican agency control increases perceived bureaucratic bias against Blacks only among Black Independents by 0.12 points ( $p < 0.05$ ), but only when considering a state-level fair employment agency. For Republicans, Republican agency control decreases perceived bureaucratic bias against one's racial group only for whites by 0.13 points at the federal level ( $p < 0.001$ ) and 0.16 points at the state level ( $p < 0.001$ ).

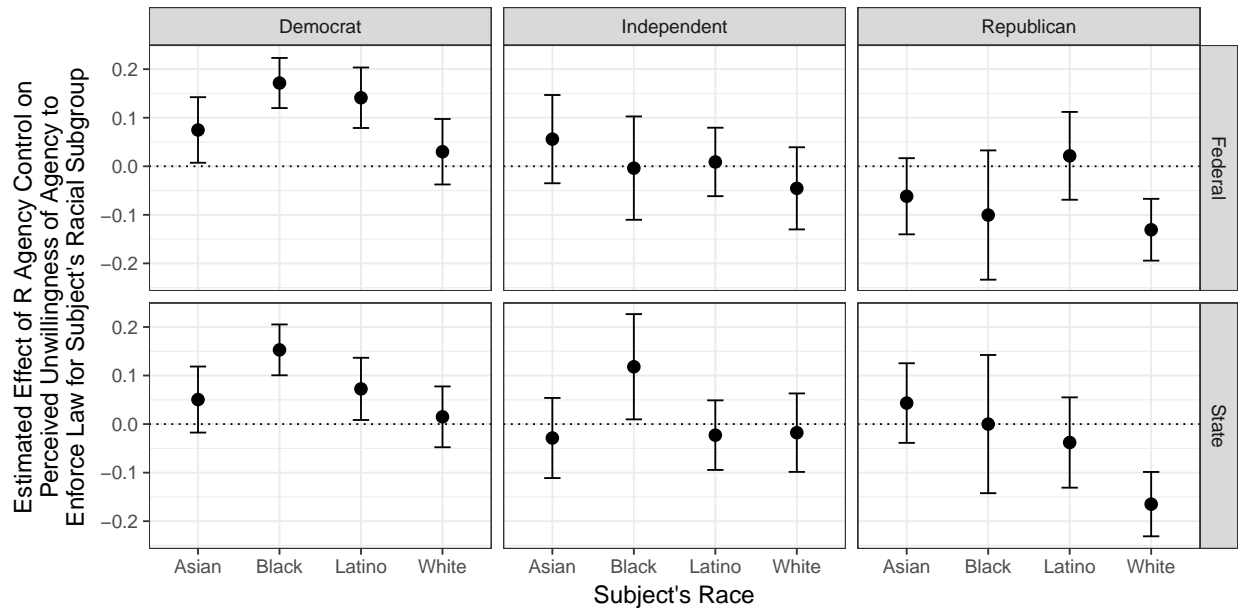
Turning next to subjects assigned to a sex discrimination scenario, Figure 1 Panel B shows

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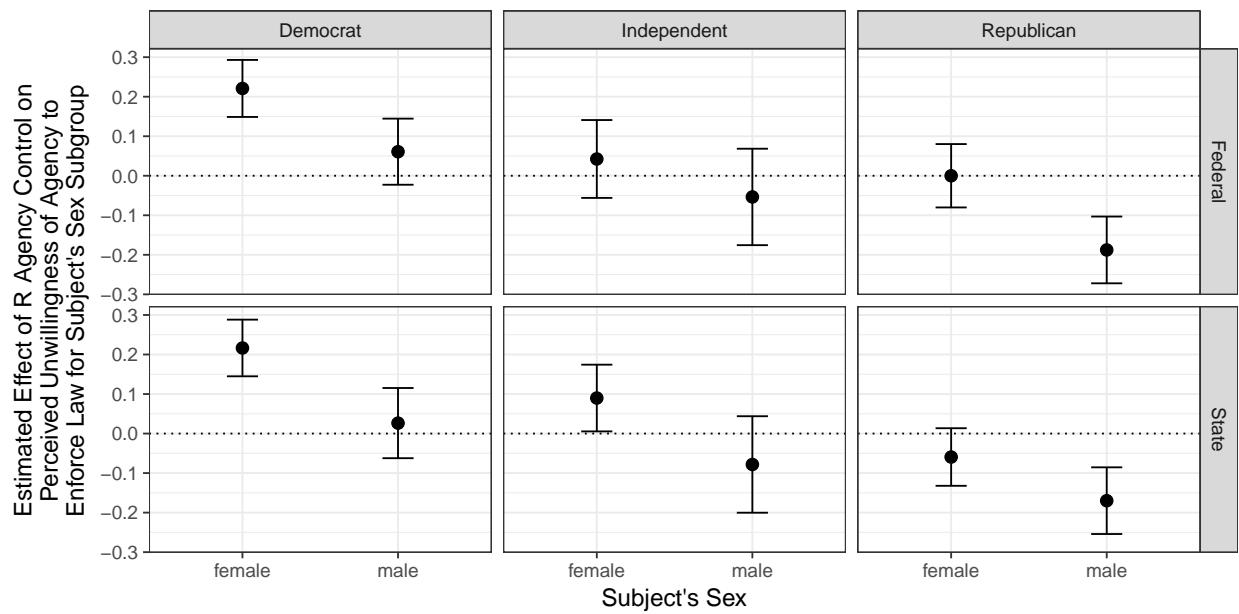
<sup>8</sup>Online Appendix Table A1 presents full regression estimates. The figures in the text and the full regression tables in the Online Appendix report unadjusted regression estimates.

**Figure 1:** Effect, by partisan and social group, of Republican agency control (vs. Democratic control) on subjects' agreement with the statement that the agency is unwilling to enforce anti-discrimination law for their social group (0=strongly disagree with statement, 1=strongly agree with statement).

**(a) Racial discrimination cases**



**(b) Sex discrimination cases**



that Republican control of a fair employment agency (instead of Democratic control) increases perceptions of bureaucratic bias against women among Democratic women by 0.22 points at the federal and at the state level ( $p < 0.001$  for both) but has no effect on perceptions of bureaucratic bias against men among Democratic men. For Independents, Republican agency control only increases perceptions of bureaucratic bias against women among Independent women at the state level (estimate=0.09,  $p < 0.05$ ). By contrast, Republican agency control decreases perceptions of bureaucratic bias against men among Republican men by 0.19 points at the federal level ( $p < 0.001$ ) and by 0.17 points at the state level ( $p < 0.001$ ), and has no effect on perceptions of bureaucratic bias against women among Republican women.

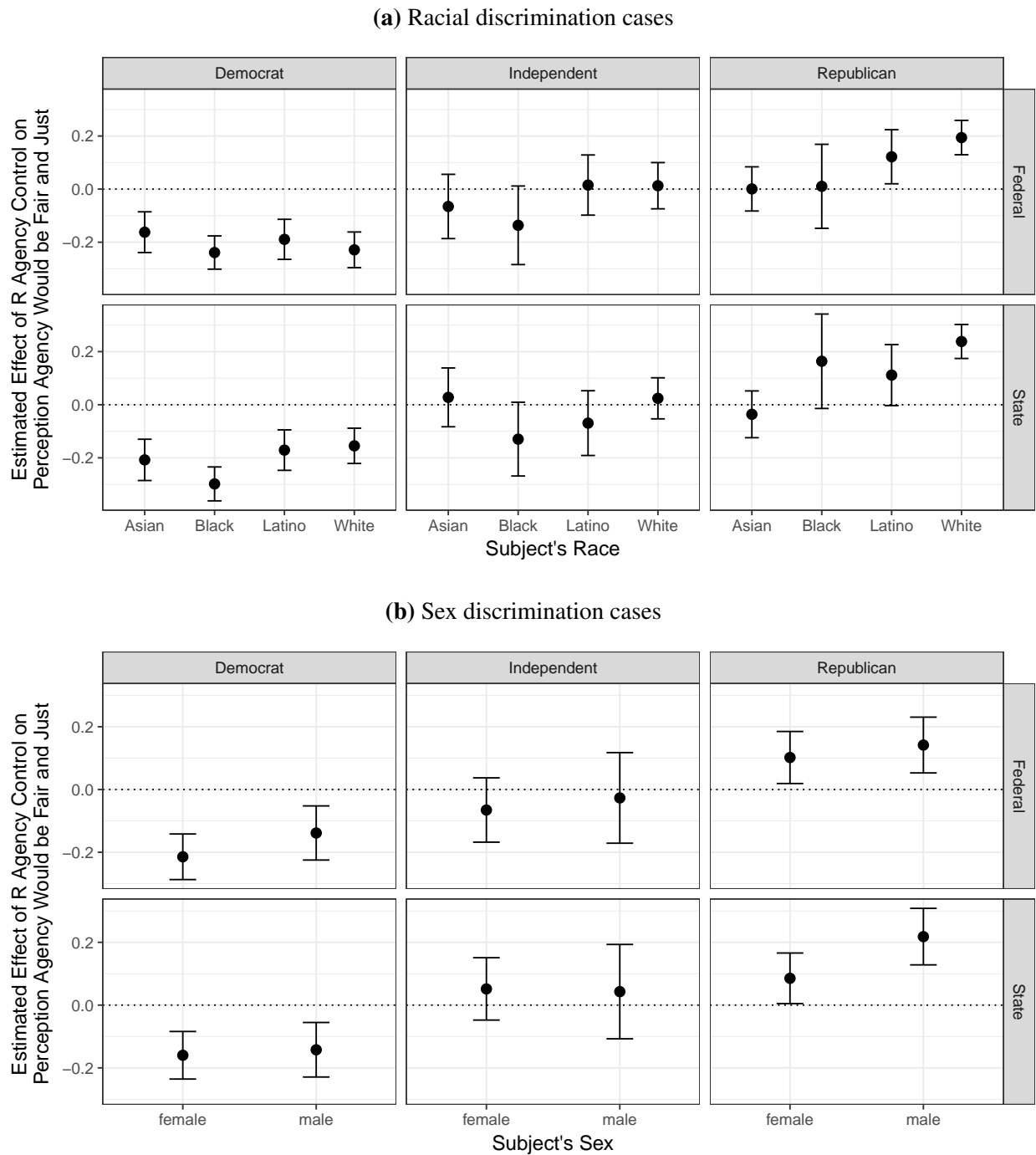
Taken together, these results provide strong evidence that intersecting and overlapping partisan and social identities shape perceptions of group-specific bureaucratic bias as a function of which party controls the bureaucracy. Racial minorities and women who identify as Democrats view the Republican Party as being less willing than the Democratic Party to enforce anti-discrimination law for their groups if they were to seek redress through governmental channels in response to racial and sex discrimination, respectively. Whites and men who identify as Republicans view the Republican Party as being more willing than the Democratic Party to enforce anti-discrimination law for their respective groups if they were to file a discrimination grievance with the government in response to racial and sex discrimination, respectively. These findings are consistent with scholarly and popular characterizations of the two major parties as being polarized along racial and gendered lines, with the Democratic Party associated with more racially liberal and feminist position and the Republican Party associated with more racially conservative and anti-feminist positions.

### **3.2 Effects of Republican Agency Control on Perceptions of Procedural Justice**

Next, I assess whether information about party control of a governmental fair employment agency affects perceptions of the degree of procedural justice the agency would provide to individuals seeking to redress discrimination. Figure 2 presents the estimated effect of Republican control of a fair employment agency (instead of Democratic control) on subjects' agreement with the statement

that the agency's investigation and dispute resolution procedures would be fair and just in racial discrimination cases (Panel A) and in sex discrimination cases (Panel B).<sup>9</sup>

**Figure 2:** Effect, by partisan and social group, of Republican agency control (vs. Democratic control) on subjects' agreement with the statement that the agency's investigation and dispute resolution procedures would be fair and just (0=strongly disagree with statement, 1=strongly agree with statement).



<sup>9</sup>Online Appendix Table A2 presents full regression estimates corresponding to this figure.



For Democrats faced with either racial and sex discrimination scenarios, Republican agency control (instead of Democratic control) reduces the perception that the agency will be procedurally fair in investigating and resolving racial or sex discrimination complaints. This result holds when Democrats are considering fair employment agencies either at the federal level (effect estimates are between -0.16 and -0.24 across racial groups in the racial discrimination condition, all  $p < 0.001$ ; and -0.14 for men,  $p < 0.01$  and -0.21 for women  $p < 0.001$  in the sex discrimination condition) or at the state level (effect estimates are between -0.15 and -0.30 across racial groups in the racial discrimination condition, all  $p < 0.001$ ; and -0.14 for men,  $p < 0.01$ , and -0.16 for women,  $p < 0.001$ , in the sex discrimination condition). For Independents, Republican agency control has no effect on the perception that the agency will be procedurally fair in investigating and resolving racial or sex discrimination complaints.

By contrast, Republican agency control (as compared to Democratic control) tends to increase the perception among Republicans that the agency will be procedurally fair. Among Republicans in a racial discrimination scenario considering a federal fair employment agency, Republican agency control increases perceptions of procedural justice by 0.12 points for Latinos ( $p < 0.05$ ) and by 0.19 points for whites ( $p < 0.001$ ). When considering a state-level fair employment agency, Republican agency control increases perceptions of procedural justice by 0.16 points for Blacks ( $p < 0.1$ ), 0.11 points for Latinos ( $p < 0.1$ ), and 0.24 points for whites ( $p < 0.001$ ). In sex discrimination scenarios, both Republican women and men believe that Republican-controlled agencies are will be more fair and just than Democratic-controlled agencies at both the federal level (estimate=0.10 for women,  $p < 0.05$ ; 0.14 for men,  $p < 0.01$ ) and the state level (estimate=0.09 for women,  $p < 0.05$ ; 0.22 for men,  $p < 0.001$ ).

These results generally suggest that, in the domain of civil rights enforcement, partisans use cues about the party controlling the bureaucracy to form beliefs about expected levels of procedural justice they are likely to encounter when seeking to redress a discrimination grievance through governmental channels. However, these findings also reveal important differences by party and the type of discrimination one faces. For both racial and sex discrimination scenarios, Democrats (re-

gardless of their race or sex, respectively) believe that Republican-controlled agencies provide less fair and just investigation and dispute resolution procedures than Democratic-controlled agencies. Republicans, regardless of sex, are likely to view Republican-controlled agencies as being more procedurally fair and just than Democratic-controlled agencies in handling sex discrimination complaints. However, for racial discrimination cases, we observe racial differences among Republicans in how partisan control of federal and state fair employment agencies shape expectations of procedural justice. White, Black, and Latino (but not Asian) Republicans view Republican-controlled state-level fair employment agencies as more fair and just (as compared to Democratic-controlled agencies). At the federal level, only white and Latino Republicans hold this view.

### **3.3 Effects of Republican Agency Control on the Stated Intention to Redress Discrimination by Filing Discrimination Complaints with Government**

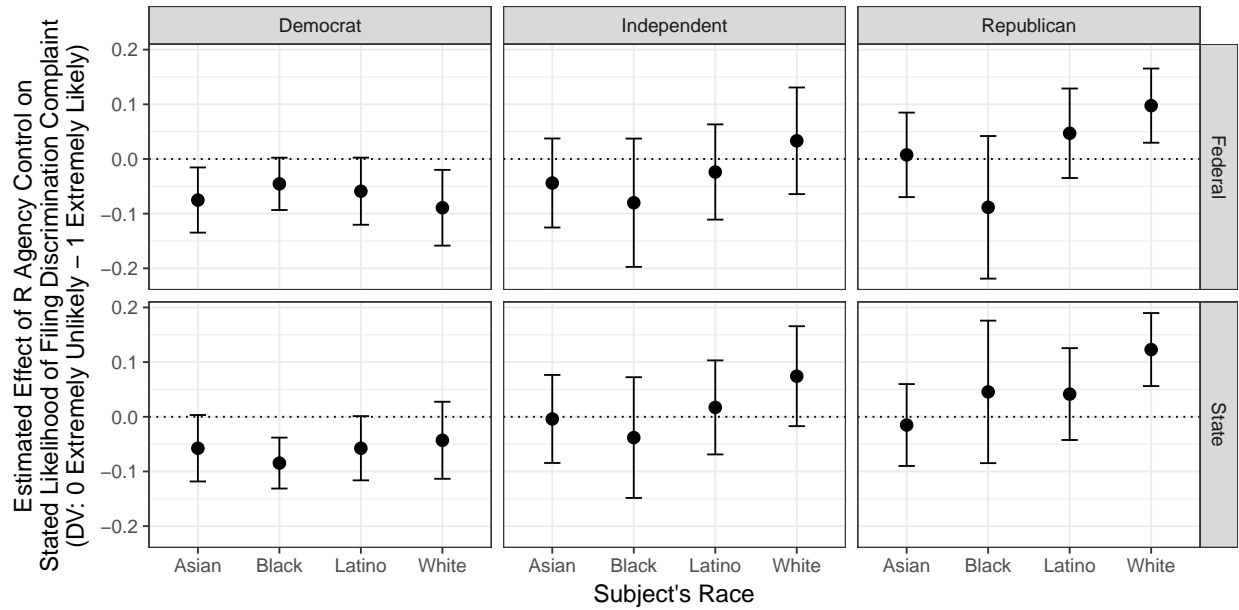
Does information about party control of the bureaucracy also affect whether partisan social subgroups choose to make claims on the state through interactions with bureaucrats perceived to hold racial and gendered biases? Figure 3 presents the estimated effect of Republican control of a fair employment agency (instead of Democratic control) on subjects' stated likelihood of filing a formal discrimination complaint with the agency in racial discrimination cases (Panel A) and in sex discrimination cases (Panel B).<sup>10</sup>

As Figure 3 shows, Republican agency control reduces the stated likelihood that Democrats file a racial discrimination complaint with a federal fair employment agency across all racial subgroups (−0.05 for Blacks,  $p<0.1$ ; −0.06 points for Latinos,  $p<0.1$ ; −0.08 for Asians,  $p<0.05$ ; −0.09 for whites,  $p<0.05$ ). At the state level, this pattern holds for Black (−0.08 points,  $p<0.001$ ), Latino (−0.06 points,  $p<0.1$ ), and Asian Democrats (−0.06 points,  $p<0.1$ ), but not for white Democrats (−0.04 points, n.s.). For sex discrimination cases, Republican agency control reduces the stated likelihood Democrats file a sex discrimination complaint for women at the federal level (−0.14 points,  $p<0.001$ ) and for both women and men at the state level (−0.12 for women,  $p<0.01$ ; −0.10

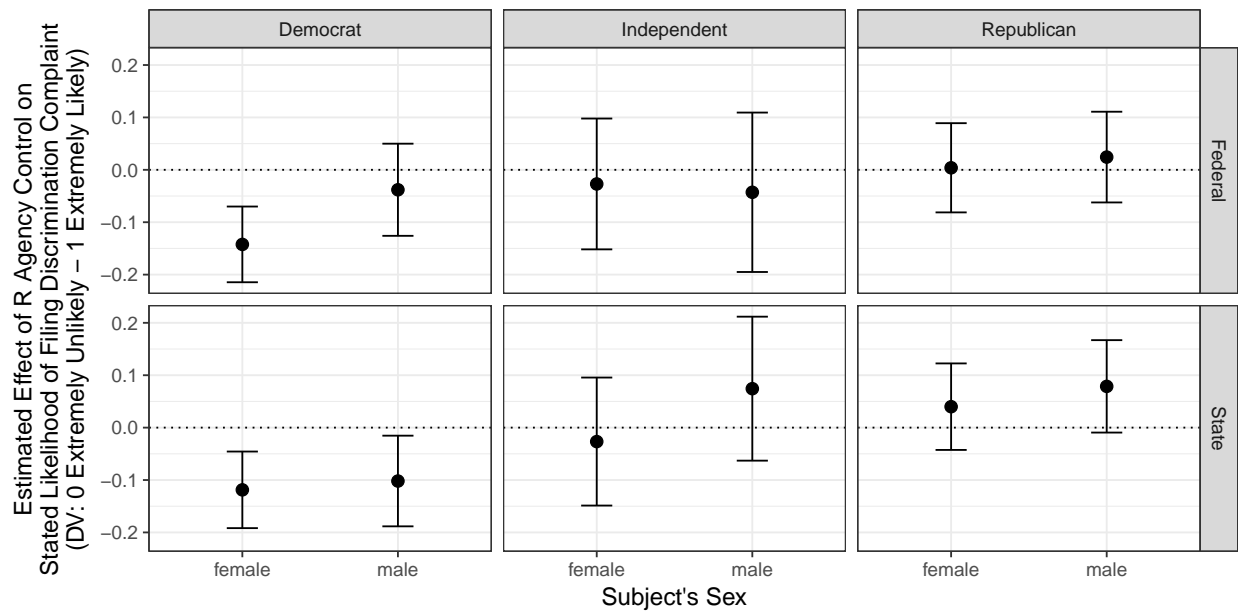
<sup>10</sup>Online Appendix Table A3 presents full regression estimates corresponding to this figure.

**Figure 3:** Effect, by partisan and social group, of Republican agency control (vs. Democratic control) on subjects' stated likelihood of filing a discrimination complaint with a government fair employment agency

**(a) Racial discrimination cases**



**(b) Sex discrimination cases**



for men,  $p < 0.05$ ). For Independents, Republican agency control has no effect on the stated likelihood of filing a discrimination complaint with the fair employment agency.

Among Republicans in a racial discrimination scenario, only whites are more likely to file a discrimination complaint when the agency is under Republican control, both at the federal level (0.10 points,  $p < 0.01$ ) and at the state level (0.12 points,  $p < 0.01$ ). For Republicans in a sex discrimination scenario, there is suggestive evidence that men are more likely to file a discrimination complaint when the agency is under Republican control, but only at the state level (0.08 points,  $p < 0.1$ ).

These results suggest that there are partisan differences in how intersecting partisan and social identities affect the intention to approach the government to redress civil rights violations in response to discrimination. Democrats are, on the whole, less likely to seek redress via a fair employment agency in response to discrimination when the agency is under Republican control (instead of Democratic control). By contrast, I find evidence that among Republicans, only whites are more likely to seek redress for racial discrimination when the agency is under Republican control (as compared to Democratic control). I also find suggestive evidence that the same holds for Republican men in response to sex discrimination, but only at the state level.

### **3.4 Do Employer and Partisan Contexts Jointly Affect Intentions to File Discrimination Complaints with Government among Partisans?**

From the perspective of the aggrieved individual, the choice of vindicating one's civil rights by making claims on the state is only one of multiple dispute resolution alternatives, chief among them employer-based alternatives that have become prominent alternatives to legal and governmental strategies to redress discrimination. Accordingly, aggrieved individuals may use a combination of heuristics about their employer and partisan contexts to evaluate the relative attractiveness and payoffs associated with alternative strategies of recourse.

However, there are competing expectations about whether an employer with strong compliance institutions that is "good" at investigating and addressing workplace discrimination claims would

increase the likelihood an aggrieved employee would seek to redress their grievance through legal and governmental channels. On the one hand, a responsive employer with strong compliance and dispute resolution institutions may be viewed as an attractive alternative to an investigation involving the state, and thus may reduce the likelihood (as compared to a condition where the employer is unresponsive to or retaliates against a complainant) that an aggrieved individual seeks justice by going to the state. On the other hand, for an aggrieved individual seeking justice, a responsive employer may be viewed as instrumentally useful to the extent that that individual could rely on the employer's institutional investigative capacity to gather evidence that could be useful to a governmental investigation, lawsuit, or settlement. At the same time, employer-side institutional cues may have minimal impact on decision-making and stated intentions if either political cues about the party controlling the bureaucracy are dominant or if specific intersecting partisan and social subgroups are socialized to always or never vindicate their rights if they are violated.

To test these competing expectations, I explore whether employer and partisan contexts interact to affect the intention to file civil rights complaints with a governmental fair employment agency in response to discrimination. I restrict the focus of this analysis to partisans because, as previously reported analyses show, only partisans are potentially responsive to changes in the party controlling the bureaucracy. Importantly, this analysis of interaction effects is exploratory given small sample size within cells and concerns about statistical power. I therefore highlight patterns in the sign and size of estimated effects. Future replication with large sample sizes to produce precise estimates is recommended.

Tables 2 and 3 present ordinary least squares estimates from models regressing a binary indicator for whether the subject states they would be somewhat likely, likely, or extremely likely to file a complaint with the fair employment agency on employer context treatment indicators (the omitted reference category is their employer has a history of fairly and efficiently resolving discrimination complaints), a binary indicator for whether the fair employment agency is under Republican control (instead of Democratic control), and interactions between employer and partisan contexts.<sup>11</sup>

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<sup>11</sup> Separate models are estimated by subjects' partisanship, social group (race or sex), and whether the fair employment agency is at the federal or state level.

**Table 2: Employer and Partisan Context Effects on the Stated Intention to File Discrimination Complaints among Partisans (Racial Discrimination Cases Only)**

	<i>Dependent variable: Somewhat likely, likely, or extremely likely to file complaint with governmental fair employment agency (1=Yes, 0=Otherwise)</i>							
	<i>Federal agency</i>				<i>State agency</i>			
	Black (1)	Latino (2)	Asian (3)	White (4)	Black (5)	Latino (6)	Asian (7)	White (8)
<b>A. Democrats</b>								
Employer context: ignored prior complaints	0.022 (0.080)	−0.135 (0.105)	−0.080 (0.119)	0.045 (0.122)	0.013 (0.079)	−0.117 (0.097)	−0.179 (0.121)	0.104 (0.119)
Employer context: no prior complaints	−0.084 (0.150)	0.143 (0.213)	−0.219 (0.356)	0.089 (0.130)	−0.316** (0.151)	−0.094 (0.230)	−0.048 (0.287)	0.127 (0.122)
Employer context: retaliated	0.041 (0.077)	−0.038 (0.104)	−0.098 (0.125)	0.044 (0.124)	−0.028 (0.081)	0.020 (0.096)	0.170 (0.124)	0.156 (0.120)
Employer context: zero tolerance policy	−0.037 (0.081)	0.006 (0.113)	0.017 (0.120)		0.013 (0.084)	−0.047 (0.109)	−0.048 (0.109)	
R agency control	−0.008 (0.078)	−0.139 (0.103)	−0.060 (0.113)	−0.086 (0.122)	−0.133* (0.078)	−0.170* (0.103)	−0.202* (0.110)	0.127 (0.122)
R agency control * Ignored prior complaints	−0.090 (0.110)	0.084 (0.146)	−0.039 (0.161)	−0.045 (0.167)	0.029 (0.108)	0.161 (0.147)	0.266* (0.159)	−0.179 (0.167)
R agency control * No prior complaints	−0.295 (0.223)	−0.265 (0.290)	−0.107 (0.459)	−0.133 (0.173)	0.345 (0.221)	0.195 (0.297)	0.035 (0.450)	−0.191 (0.173)
R agency control * Retaliated	−0.155 (0.110)	0.154 (0.144)	−0.080 (0.173)	−0.011 (0.167)	0.007 (0.110)	0.061 (0.145)	−0.249 (0.169)	−0.327* (0.167)
R agency control * Zero tolerance policy	−0.009 (0.112)	0.056 (0.152)	−0.141 (0.159)		−0.073 (0.111)	0.058 (0.152)	0.221 (0.155)	
(Intercept)	0.720*** (0.054)	0.690*** (0.075)	0.719*** (0.086)	0.429*** (0.093)	0.770*** (0.059)	0.694*** (0.070)	0.714*** (0.081)	0.344*** (0.088)
Observations	594	364	287	284	594	364	287	284
<b>B. Republicans</b>								
Employer context: ignored prior complaints	−0.500* (0.262)	0.007 (0.139)	0.048 (0.145)	−0.171 (0.106)	−0.038 (0.214)	0.136 (0.142)	0.172 (0.152)	−0.089 (0.103)
Employer context: no prior complaints	−0.000 (0.550)	0.191 (0.240)	−0.750 (0.482)	0.032 (0.129)	−0.571 (0.499)	0.167 (0.290)	0.316 (0.488)	−0.064 (0.108)
Employer context: retaliated	−0.429 (0.262)	−0.063 (0.145)	0.226 (0.141)	−0.171 (0.113)	0.338 (0.226)	−0.109 (0.141)	0.052 (0.133)	−0.160 (0.108)
Employer context: zero tolerance policy	−0.500 (0.304)	0.095 (0.138)	0.095 (0.131)		−0.208 (0.226)	0.250* (0.146)	0.016 (0.127)	
R control	−0.364 (0.271)	0.031 (0.141)	0.167 (0.143)	0.009 (0.113)	0.206 (0.235)	0.077 (0.137)	0.044 (0.145)	0.083 (0.113)
R control * Ignored prior complaints	0.447 (0.335)	0.136 (0.198)	−0.248 (0.207)	0.253* (0.152)	−0.012 (0.299)	−0.010 (0.192)	−0.335 (0.212)	0.212 (0.150)
R control * No prior complaints	−0.136 (0.672)	−0.498 (0.383)		0.053 (0.171)	−0.206 (0.618)	0.256 (0.370)		0.178 (0.170)
R control * Retaliated	0.592 (0.377)	−0.097 (0.200)	−0.322 (0.198)	0.081 (0.158)	−0.365 (0.320)	0.115 (0.194)	−0.117 (0.201)	0.171 (0.157)
R control * Zero tolerance policy	0.409 (0.372)	−0.135 (0.211)	−0.095 (0.190)		0.097 (0.334)	0.037 (0.200)	0.050 (0.193)	
(Intercept)	1.000*** (0.225)	0.609*** (0.102)	0.583*** (0.096)	0.528*** (0.083)	0.571*** (0.176)	0.500*** (0.101)	0.640*** (0.095)	0.511*** (0.073)
Observations	81	194	187	317	81	194	187	317

\*p<0.1; \*\*p<0.05; \*\*\*p<0.01. Cells report OLS coefficients with standard errors in parentheses. The omitted reference categories are “Employer context: Prior history of fairly and efficiently investigating complaints” and “Democratic agency control.”

**Table 3: Employer and Partisan Context Effects on the Stated Intention to File Discrimination Complaints among Partisans (Sex Discrimination Cases Only)**

	<i>Dependent variable: Somewhat likely, likely, or extremely likely to file complaint with governmental fair employment agency (1=Yes, 0=Otherwise)</i>			
	<i>Federal agency</i>		<i>State agency</i>	
	Women (1)	Men (2)	Women (3)	Men (4)
<b>A. Democrats</b>				
Employer context: ignored prior complaints	0.149 (0.124)	0.435*** (0.145)	0.014 (0.140)	0.380** (0.152)
Employer context: no prior complaints	-0.054 (0.120)	0.198 (0.147)	-0.126 (0.130)	0.245* (0.140)
Employer context: retaliated	-0.125 (0.125)	0.319** (0.140)	-0.000 (0.145)	0.295** (0.139)
R control	-0.333** (0.132)	0.102 (0.150)	-0.228* (0.134)	-0.123 (0.148)
R control * Ignored prior complaints	-0.018 (0.186)	-0.440** (0.216)	0.095 (0.187)	-0.075 (0.212)
R control * No prior complaints	0.290 (0.176)	-0.102 (0.211)	0.277 (0.178)	-0.030 (0.209)
R control * Retaliated	0.282 (0.184)	-0.311 (0.204)	-0.119 (0.188)	-0.080 (0.201)
(Intercept)	0.625*** (0.087)	0.348*** (0.103)	0.652*** (0.103)	0.409*** (0.103)
Observations	243	179	243	179
<b>B. Republicans</b>				
Employer context: ignored prior complaints	0.062 (0.146)	-0.087 (0.161)	0.026 (0.154)	-0.080 (0.166)
Employer context: no prior complaints	-0.272** (0.134)	-0.040 (0.161)	-0.140 (0.141)	-0.215 (0.169)
Employer context: retaliated	-0.031 (0.129)	-0.137 (0.165)	0.156 (0.132)	-0.115 (0.191)
R control	0.036 (0.129)	-0.157 (0.159)	0.168 (0.131)	-0.060 (0.167)
R control * Ignored prior complaints	-0.127 (0.200)	0.341 (0.219)	0.001 (0.203)	0.289 (0.226)
R control * No prior complaints	0.139 (0.185)	0.179 (0.213)	-0.079 (0.188)	0.338 (0.216)
R control * Retaliated	-0.069 (0.192)	0.209 (0.228)	-0.368* (0.194)	0.143 (0.236)
(Intercept)	0.464*** (0.093)	0.611*** (0.118)	0.444*** (0.096)	0.615*** (0.137)
Observations	206	176	206	176

\*p<0.1; \*\*p<0.05; \*\*\*p<0.01. Cells report OLS coefficients with standard errors in parentheses. The omitted reference categories are "Employer context: Prior history of fairly and efficiently investigating complaints" and "Democratic agency control."

Table 2 presents results for racial discrimination cases. Among Democrats (Panel A), there is suggestive evidence that whites employ both employer and partisan cues when forming intentions to file racial discrimination complaints with fair employment agencies. As compared to a condition where their employer has a history of fairly and efficiently resolving discrimination complaints, white Democrats appear to be more likely to file complaints with a fair employment agency when the agency is under Democratic control and when their employer has ignored prior complaints, has not received prior complaints, or has retaliated against prior complaints.<sup>12</sup> When the agency is under Republican control, white Democrats are less likely to file a discrimination complaint with a fair employment agency under those same employer contexts relative to a context where the employer has resolved complaints fairly and efficiently. These effects appear to be larger in magnitude at the state level than at the federal level.

For minority Democrats, I find no consistent evidence that employer context conditions the relationship between partisan context and one's intention to redress racial discrimination by filing a complaint with the agency. When fair employment agencies are controlled by Democrats, Black Democrats are less likely to file complaints at the state level ( $-31.6$  percentage points,  $p < 0.05$ ) if their employer has no prior history of complaints (as compared to if their employer resolved complaints fairly and efficiently). When the agency is under Republican control, there is suggestive evidence that Asian Democrats are more likely to file complaints at the state level ( $26.6$  percentage points,  $p < 0.1$ ) if their employer ignored prior complaints.

For Republicans in a racial discrimination scenario (Table 2 Panel B), I also find no consistent evidence that employer context conditions the relationship between partisan context and one's intention to redress racial discrimination by filing a complaint with the agency. Among White Republicans facing a Republican-controlled agency, there is suggestive evidence that they are more likely to intend to file discrimination complaints if their employer ignored prior complaints, received no prior complaints, or retaliated against prior complainants. For minority Republicans, who are difficult to sample due to lower probabilities of being a Republican conditional on being

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<sup>12</sup>Note that due to the design, the zero tolerance employer context condition was not tested on white subjects assigned to a racial discrimination scenario.



Black, Latino, or Asian, the design is too underpowered to generate meaningful conclusions.

Table 3 presents results for sex discrimination cases. Among Democrats (Panel A), when a fair employment agency is under Democratic control and when compared to a condition where the employer has a history of fairly and efficiently resolving discrimination complaints, men state they are more likely to file a discrimination complaint with the agency when their employer has a history of ignoring complaints (38 percentage point increase at the state level,  $p < 0.05$ ; 44.5 points at the federal level,  $p < 0.01$ ), when their employer has received no prior complaints (24.5 points at the state level,  $p < 0.1$ ; 19.8 points at the federal level, n.s.), and when the employer has retaliated against prior complainants (29.5 point at the state level,  $p < 0.05$ ; 31.9 points at the federal level,  $p < 0.05$ ). By contrast, among Democratic women, variation in employer context has no effect on the stated likelihood of filing discrimination complaints with a Democratic-controlled fair employment agency. When the agency is controlled by Republicans and when compared to the condition where one's employer has a history of fairly and efficiently resolving discrimination complaints, there is suggestive evidence that Democratic women are more likely to file complaints with the government if their employer has not received prior complaints (29.0 percentage point increase at the federal level, 27.7 points at the state level; both n.s. at a 10% level) and if their employer has retaliated against past complainants (28.2 points at the federal level). For Democratic men, conditional on Republican agency control and compared to the condition where one's employer has a history of fairly and efficiently resolving discrimination complaints, there is evidence that stated intentions to file discrimination complaints with the government decreases at the federal level when the employer has a history of ignoring complaints ( $-44.0$  points,  $p < 0.05$ ). There is also suggestive evidence of a negative effect on filing complaints with a federal agency (compared to a responsive employer) if the employer has previously retaliated against complainants ( $-31.1$  points).

Among Republicans in a sex discrimination scenario (Table 3 Panel B) who are presented with a fair employment agency under Democratic control, women are less likely to file a sex discrimination complaint with the agency if their employer has no history of receiving complaints

(−27.2 points at the federal level,  $p < 0.05$ ; −14.0 points at the state level, n.s.). A similarly sized mean difference suggestive of an effect exists for Republican men at the state level (−21.5 points). When the agency is under Republican control, there is suggestive evidence that Republican men are more likely to file discrimination grievances with the agency if their employer is known to ignore discrimination complaints (34.1 points at the federal level, 28.9 points at the state level), has never received prior discrimination complaints (17.9 points at the federal level, 33.8 points at the state level), or if their employer has retaliated against prior complainants (20.9 points at the federal level, 14.3 points at the state level). However, Republican women do not appear to be more likely to state intentions to file discrimination complaints with a Republican-controlled fair employment agency if their employer has a track record of being less than fair and efficient in resolving discrimination complaints. Instead, I find that at the state level, Republican women are less likely to file discrimination complaints with a Republican-controlled fair employment agency if their employer previously retaliated against complainants (−36.8 points,  $p < 0.1$ ).

Taken together, the findings from this set of exploratory analyses offer suggestive evidence that among partisans, social groups that have not been historically marginalized (white people and men), regardless of their party, are likely to employ institutional cues about their employer *and* the party controlling fair employment agencies to form intentions to file discrimination complaints with the government in response to experiencing discrimination. The lack of consistent evidence showing the same for historically underrepresented groups (racial minorities and women) suggests the possibility that information about one's employer's institutional commitment to anti-discrimination and prior behavior in the realm of anti-discrimination matters less to these groups (than partisan cues about the party controlling government) when deciding whether to vindicate one's civil rights in response to discrimination by making claims on the state.

## **4 Discussion**

Despite a longstanding research tradition documenting the existence of social biases by bureaucrats, there remains limited systematic research on how citizens form perceptions of bureaucratic

bias and whether it affects their decision-making about when to make claims on the state through interactions with the bureaucracy. Addressing this need, I develop and test theoretical expectations about how perceptions of bureaucratic bias are formed and their implications for behavioral intentions in the domain of civil rights mobilization.

Bringing together and building on a growing line of scholarship in social and political psychology on the political implications of intersecting partisan and social identities, another nascent line of research on how party control of government affects policy uptake, and research in the sociology of law and empirical legal studies on legal mobilization, I theorize that partisans in the United States — in a political context characterized by socially sorted and polarized parties — are likely to view each party as favoring certain social groups over others such that Democrats are viewed as favoring racial minorities and women and Republicans are viewed as favoring whites and men. Given these associations, I argue that in racialized and gendered policy domains, the party controlling the bureaucracy is used as a key heuristic to infer the expected quality of governance that different intersecting partisan and social subgroups would receive when interacting with the bureaucracy, which in turn affects their likelihood of making claims on the state through bureaucratic interaction. Specifically, in the domain of enforcing anti-discrimination law, I argue that Democrats are expected to view Democrats (Republicans) as being willing (unwilling) to enforce the law for racial minorities and women and Republicans are expected to view Democrats (Republicans) as being unwilling (willing) to enforce the law for whites and men. Consequently, racial minorities and women who are Democrats are expected to be less likely to seek access to justice through Republican-controlled fair employment agencies (as compared to Democratic-controlled agencies), and white and male Republicans are expected to be more likely to seek access to justice through Republican-controlled agencies.

To test these expectations, I designed and analyze data from a survey experiment fielded on 3,850 subjects, including nationally representative oversamples of Black, Latino, and Asian Americans, where subjects are asked to imagine experiencing either racial or sex discrimination in the workplace and are asked how they perceive and would respond to the experience.

I find compelling evidence supporting this theory as it explains perceptions of group-specific bureaucratic bias. This logic also extends to explain expectations of procedural justice provided by a fair employment agency, but only among Republicans facing racial discrimination: only white Republicans view Republican-controlled agencies as being more fair and just than Democratic-controlled agencies. By contrast, Republicans facing sex discrimination broadly view Republican-controlled agencies as being more fair and just than Democratic-controlled agencies, and Democrats facing either racial or sex discrimination broadly view Republican-controlled agencies as being less fair and just than Democratic-controlled agencies. I also uncover similar partisan differences in logics explaining stated intentions to mobilize one's civil rights in response to discrimination. Among those facing racial discrimination, only white Republicans have greater intentions to file discrimination complaints when a fair employment agency is under Republican control. By contrast, Democrats facing discrimination state they are less likely to file a complaint to a Republican-controlled agency.

In addition to providing the first systematic test of how intersecting partisan and social identities interact with partisan institutional contexts to affect perceptions of bureaucratic bias and intentions to make claims on the state, these findings also suggest additional avenues for future research. First, additional experimental replication on large samples of intersecting partisan and social subgroups is necessary to precisely establish the robustness of these results, as well as to provide precise tests of the joint effect of employer and partisan contexts on how aggrieved individuals navigate alternative avenues of recourse in response to discrimination.

Second, the results for sex discrimination, which are fielded on a nationally representative sample of U.S. adults, should be interpreted as driven by whites. Future work should separately examine — as a standalone project — how intersecting racial, gender, and partisan identities shape the psychology of civil rights mobilization among women who are racial minorities in response to sex discrimination.

Third, this study treats the bureaucracy as a black box where bureaucratic delegation is abstracted away from how subjects come to perceive bureaucratic bias. However, information about

and perceptions of the directives of partisan bureaucratic principals, as well as whether street-level bureaucrats are in fact complying with these directives, have been theorized as important factors that potentially shape citizens' perceptions of bureaucratic bias, perceptions of governance quality, and their decision to interact with the government (e.g., Ting 2018).<sup>13</sup> Thus future work could extend this study by developing and testing theoretical expectations about how citizens form perceptions of bureaucratic bias and decide to make claims on the state in richer information environments and in policy-specific domains.

Finally, this study focuses on citizens' perceptions of bureaucratic bias, expectation of procedural justice, and stated intention to mobilize their civil rights in response to discrimination. While these outcomes are important to examine as first-order questions in this line of inquiry, the study stops short of measuring actual behavior in response to discrimination. As gaps between treatment effects on stated intentions and actual behavior have been uncovered in other areas of behavioral research (for example, in experimental studies of mobilization interventions on stated versus actual turnout), future research should also investigate whether partisan cues have an effect on actual rights mobilization behavior in response to discrimination.

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<sup>13</sup>In the area of civil rights enforcement, for example, much has been written about how rules about how cases should be resolved and concerns about case backlogs (i.e., queueing), both of which are affected by internal political dynamics within the bureaucracy and affect potential complainants' decisions to file complaints with the EEO.

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ONLINE APPENDIX FOR:

**Perceived Bureaucratic Bias and the Psychology of Civil Rights Mobilization**

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## A Vignette and Treatment Scripts

### A.1 Text of Discrimination Scenario Vignette

Imagine that you work at a company in the private sector that employed about 200 people. You have worked there for about 5 years. There is a promotion at work that you want and are actively seeking.

You are considered one of the strongest candidates for the job. You are highly qualified for the job, received stellar ratings on recent performance reviews, and recently received strong positive signals from supervisors and colleagues suggesting that you would get the promotion.

Unfortunately, management decided to promote someone else for the position. The person who got the job was (a/an) <PROMOTED\_RACE> <PROMOTED\_SEX> widely considered to be comparatively **weaker** candidate: they had less experience than you, they were less qualified than you, and they did not get along well with others in the company.

A few days after receiving the news, two of your colleagues separately pull you aside to inform you that they overheard several people from upper management discussing the politics behind the promotion decision.

Both of your colleagues overheard a conversation between two executives on the promotion committee who forcefully lobbied against promoting you. These executives argued that you did not have enough experience and had voiced concerns about your ability to get along with others in management.

In addition, your colleagues overheard that these two executives on the promotion committee were biased against and did not to promote <YOUR\_GROUP>.

### A.2 Piped Text in Discrimination Scenario Vignette

- If the subject is assigned to a **racial discrimination** scenario:
  - If the subject identifies as white, then <PROMOTED\_RACE> is randomly assigned with equal probability as “Black”, “Latino/a”, or “Asian”.
  - If the subject identifies as non-white, then <PROMOTED\_RACE> is “white”.
  - <PROMOTED\_SEX> is “man” if the subject is male and “woman” if the subject is female.
  - <YOUR\_GROUP> is “white people” if the subject is white; “Black people” if the subject is Black; “Latino people” if the subject is Latino; “Asian people” if the subject is Asian; “Native Americans” if the subject is Native American; and “non-white” if the subject is any other race and does not identify as white.
- If assigned to a **sex discrimination** scenario:

- If the subject is male, then <PROMOTED\_SEX> is “woman”; if the subject is female, the <PROMOTED\_SEX> is “man”.
- <PROMOTED\_RACE> is the same race as the subject’s race (e.g., “Black” if the subject is Black, “white” if the subject is white, etc.)

### A.3 Political and Workplace Context Treatments

Suppose that this situation occurred in the following workplace and political environment:

- Your employer <FIRM\_CONDITION>
- In addition, suppose that <POLITICAL\_CONDITION>

<POLITICAL\_CONDITION>: (*randomly assign with equal probability*)

- Republicans control both the federal government and the state government
- Democrats control both the federal government and the state government
- Republicans control the federal government and Democrats control the state government
- Democrats control the federal government and Republicans control the state government

<FIRM\_CONDITION>: (*randomly assign with equal probability*)

- has previously investigated and addressed discrimination complaints fairly and efficiently
- has a known history of retaliating against those who file discrimination complaints
- has a known history of ignoring discrimination complaints when they arise
- (*Lucid general population sample only*) has never previously received or dealt with any discrimination complaints in its history
- (*Lucid minority oversample only*) has a comprehensive zero tolerance policy on discrimination that combines standardized and strict protocols to conduct swift, full, fair, and independent investigation when complaints are filed; confidentiality protections and protections from retaliation for those who report discrimination; regular anti-discrimination trainings; and periodic assessments of company culture by an independent and external firm that anonymously surveys and interviews employees about whether they trust the system and whether they’ve experienced discrimination as an employee

### A.4 Outcome Questions

Given these conditions, consider the following possible course of action:  
<ACTION>

<ACTION> *show each, randomize order:*

- File a formal discrimination complaint with the (Democratic/Republican)-controlled federal government agency in charge of investigating cases of employment discrimination and enforcing fair employment law
- File a formal discrimination complaint with the (Democratic/Republican)-controlled state government agency in charge of investigating cases of employment discrimination and enforcing fair employment law
- File a formal discrimination complaint with the Human Resources department at your place of employment
- Raise the issue with your immediate work supervisor (who was not involved with making the promotion decision)
- Consult with an attorney specializing in employment law about how to proceed
- Sue your employer and the executives on the promotion committee
- Approach the executives who allegedly lobbied against your promotion, inform them of what you had heard, and ask them for an explanation
- Vent about the situation to your family and friends
- Try to find a new job at a different company

For the three actions involving filing formal complaints, ask these questions:

If you took this course of action, how **fair and just** would you expect the [(Democratic/Republican)-controlled federal agency's / (Democratic/Republican)-controlled state agency's / Human Resources department's] investigation and dispute resolution procedures to be?

- (Not at all fair and just; Slightly fair and just; Somewhat fair and just; Moderately fair and just; Extremely fair and just; Don't know)

Do you agree or disagree with the following statement? The [(Democratic/Republican)-controlled federal agency / (Democratic/Republican)-controlled state agency / Human Resources department] would **have adequate staff and resources** to investigate your complaint and, more generally, to enforce fair employment law.

- (Strongly disagree; Disagree; Neither disagree nor agree; Agree; Strongly agree; Don't know)

Do you agree or disagree with the following statement? The [(Democratic/Republican)-controlled federal agency / (Democratic/Republican)-controlled state agency / Human Resources department] would be **unwilling** to investigate your complaint because they do not want to address discrimination complaints from (YOUR GROUP).

- (Strongly disagree; Disagree; Neither disagree nor agree; Agree; Strongly agree; Don't know)

For all actions, ask these questions:

If you took this course of action, would you expect to like or dislike the eventual outcome of that process?

- (Strongly dislike; Dislike; Somewhat dislike; Somewhat like; Like; Strongly like; Don't know)

How much of your **time and effort** do you expect this course of action would require?

- (A great deal; A lot; A moderate amount; A little; None at all)

How likely would you pursue this course of action?

- (Extremely unlikely; Unlikely; Somewhat unlikely; Somewhat likely; Likely; Extremely likely)

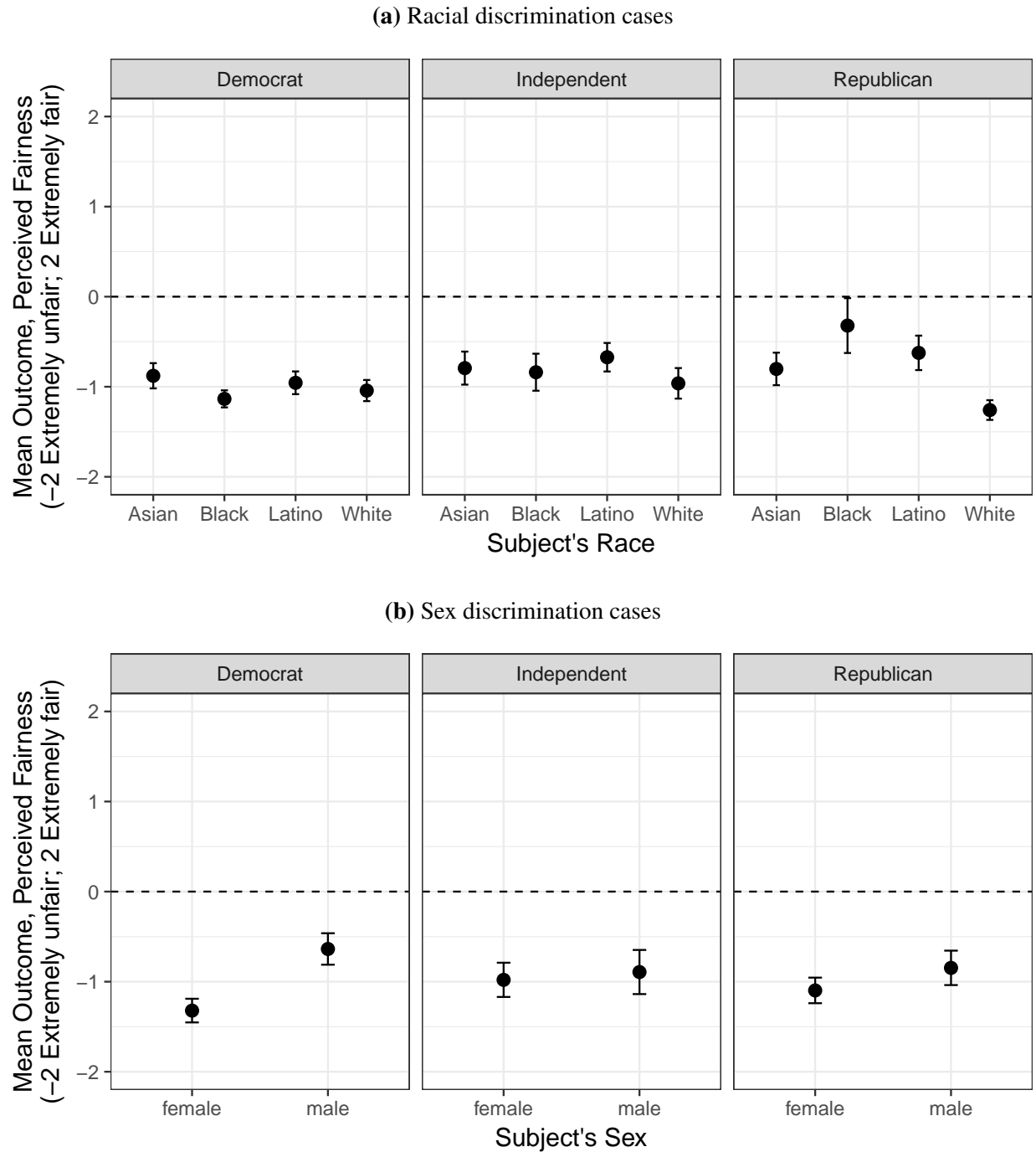
## **B Construal Checks: How Subjects Construe their Assigned Discrimination Scenario**

After reading their assigned scenario, all subjects were asked the following questions in order to confirm that their construal of the scenario, were they to experience it, is what the design intended.

- If you were in that situation, how fair or unfair would this situation be to you? (Extremely unfair; Unfair; Neither unfair nor fair; Fair; Extremely fair)
- If you were in that situation, would you consider yourself to be the victim of racial discrimination? (Yes; No)
  - How certain or uncertain are you about this belief? (Extremely uncertain; Somewhat uncertain; Somewhat certain; Extremely certain)
- If you were in that situation, would you consider yourself to be the victim of sex discrimination? (Yes; No)
  - How certain or uncertain are you about this belief? (Extremely uncertain; Somewhat uncertain; Somewhat certain; Extremely certain)
- If you were in that situation, would you consider yourself to be the victim of discrimination for reasons unrelated to race or gender? (Yes; No)
  - How certain or uncertain are you about this belief? (Extremely uncertain; Somewhat uncertain; Somewhat certain; Extremely certain)
- If you were in that situation, how would that make you feel? I would feel...
  - angry [7-point slider: 0 not at all – 6 very much]
  - indifferent [7-point slider: 0 not at all – 6 very much]
  - disappointed [7-point slider: 0 not at all – 6 very much]
  - powerless [7-point slider: 0 not at all – 6 very much]
  - vengeful [7-point slider: 0 not at all – 6 very much]
  - shocked [7-point slider: 0 not at all – 6 very much]

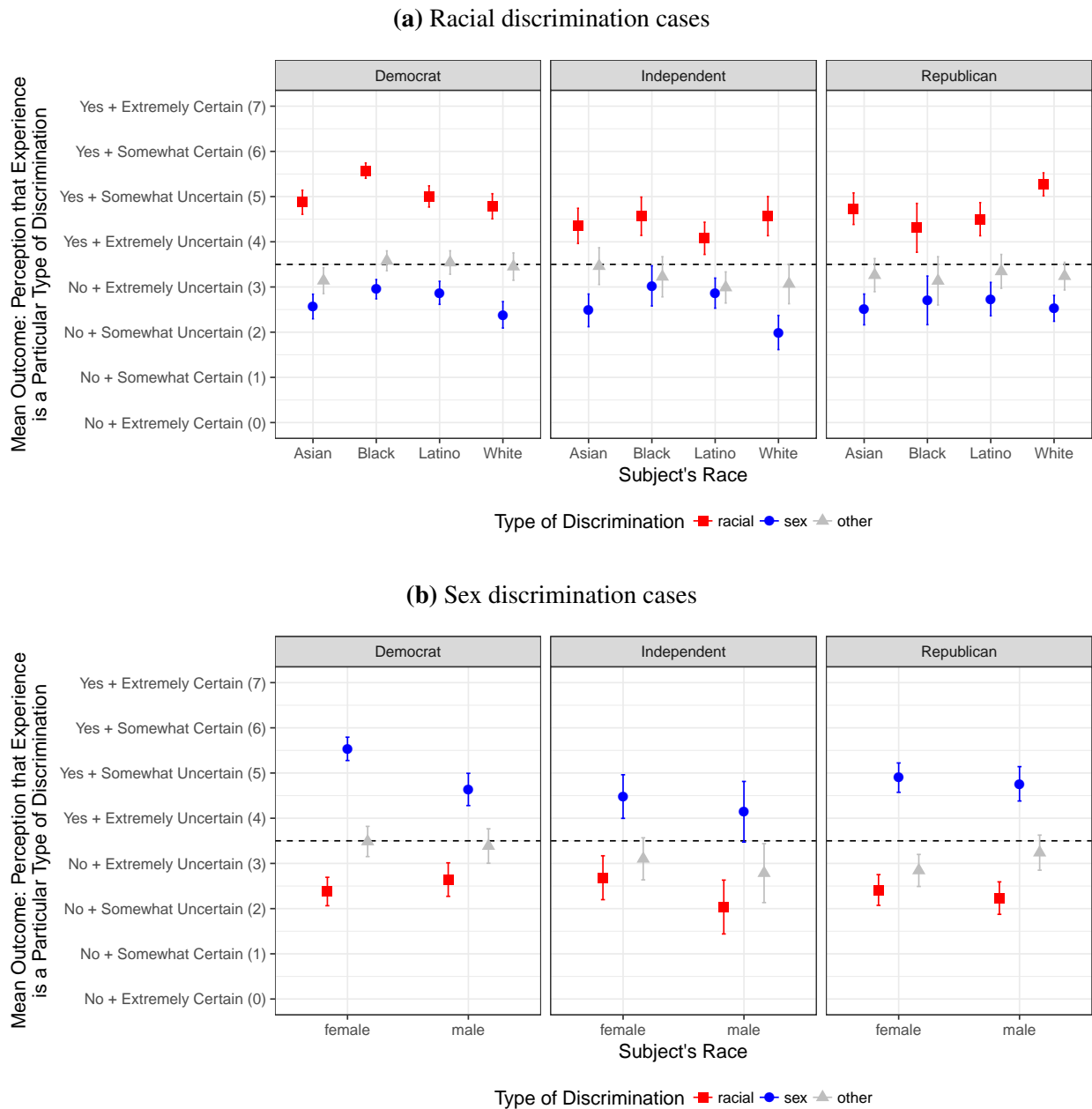
## B.1 Perceived Fairness of Experience

**Figure A1: Subjects, on average, perceive their assigned discrimination scenario as unfair.** The figure presents mean outcomes (5-item scale: -2 extremely unfair, 2 extremely fair) with 95% confidence intervals by subjects' assigned discrimination scenario (racial or sex discrimination), subjects' partisan identification, and subjects' social group membership.



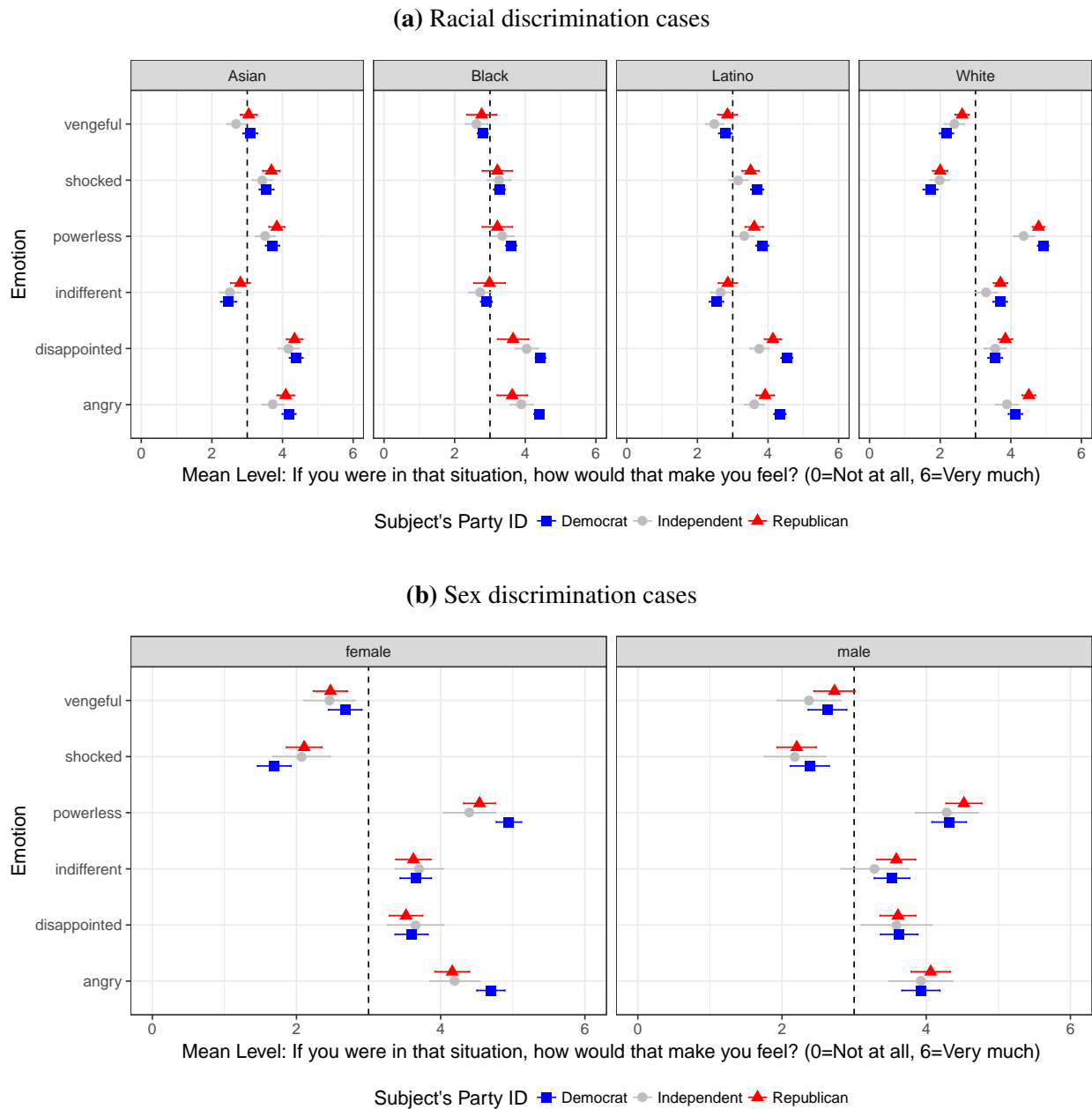
## B.2 Construal of Experience as Racial or Sex Discrimination

**Figure A2: Subjects correctly perceive their assigned discrimination scenario.** The figure presents mean outcomes with 95% confidence intervals by subjects' assigned discrimination scenario (racial or sex discrimination), subjects' partisan identification, and subjects' social group membership.



### B.3 Anticipated Emotional Response to Scenario

**Figure A3: Subjects' anticipated emotional response to their assigned discrimination scenario.** The figure presents mean outcomes with 95% confidence intervals by subjects' assigned discrimination scenario (racial or sex discrimination), subjects' partisan identification, and subjects' social group membership.





## **C Full Regression Tables**

The following pages present full regression tables corresponding to the figures in the main text of the paper.

**Table A1:** Effects of Republican agency control on perceived unwillingness of agency to enforce anti-discrimination law for subject's social group

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
	I. Racial Discrimination Cases								II. Sex Discrimination Cases			
	<i>Federal</i>				<i>State</i>				<i>Federal</i>		<i>State</i>	
	Black	Latino	Asian	White	Black	Latino	Asian	White	Women	Men	Women	Men
<b>A. Democrats</b>												
R control, federal agency	0.17*** (0.03)	0.14*** (0.03)	0.07* (0.03)	0.03 (0.03)					0.22*** (0.04)	0.06 (0.04)		
R control, state agency					0.15*** (0.03)	0.07* (0.03)	0.05 (0.03)	0.01 (0.03)			0.22*** (0.04)	0.03 (0.04)
(Intercept)	0.44*** (0.02)	0.46*** (0.02)	0.51*** (0.03)	0.50*** (0.03)	0.44*** (0.02)	0.49*** (0.02)	0.50*** (0.02)	0.52*** (0.02)	0.38*** (0.03)	0.51*** (0.03)	0.40*** (0.03)	0.50*** (0.03)
N	585	355	283	284	586	358	285	284	243	179	243	179
<b>B. Independents</b>												
R control, federal agency	-0.00 (0.05)	0.01 (0.04)	0.06 (0.05)	-0.05 (0.04)					0.04 (0.05)	-0.05 (0.06)		
R control, state agency					0.12* (0.05)	-0.02 (0.04)	-0.03 (0.04)	-0.02 (0.04)			0.09* (0.04)	-0.08 (0.06)
(Intercept)	0.53*** (0.04)	0.52*** (0.02)	0.48*** (0.04)	0.57*** (0.03)	0.47*** (0.03)	0.53*** (0.03)	0.51*** (0.03)	0.53*** (0.03)	0.52*** (0.03)	0.58*** (0.05)	0.48*** (0.03)	0.59*** (0.04)
N	117	180	138	132	118	178	140	132	98	56	98	56
<b>C. Republicans</b>												
R control, federal agency	-0.10 (0.07)	0.02 (0.05)	-0.06 (0.04)	-0.13*** (0.03)					0.00 (0.04)	-0.19*** (0.04)		
R control, state agency					0.00 (0.07)	-0.04 (0.05)	0.04 (0.04)	-0.16*** (0.03)			-0.06 (0.04)	-0.17*** (0.04)
(Intercept)	0.62*** (0.05)	0.54*** (0.03)	0.60*** (0.03)	0.60*** (0.02)	0.61*** (0.04)	0.55*** (0.03)	0.53*** (0.03)	0.61*** (0.02)	0.50*** (0.03)	0.71*** (0.03)	0.52*** (0.03)	0.71*** (0.03)
N	81	191	185	317	81	191	183	317	206	176	206	176

\*\*\*  $p < 0.001$ , \*\*  $p < 0.01$ , \*  $p < 0.05$ , +  $p < 0.1$

**Table A2:** Effects of Republican agency control on perception that agency would be fair and just

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
	I. Racial Discrimination Cases								II. Sex Discrimination Cases			
	<i>Federal</i>				<i>State</i>				<i>Federal</i>		<i>State</i>	
	Black	Latino	Asian	White	Black	Latino	Asian	White	Women	Men	Women	Men
<b>A. Democrats</b>												
R control, federal agency	-0.24*** (0.03)	-0.19*** (0.04)	-0.16*** (0.04)	-0.23*** (0.03)					-0.21*** (0.04)	-0.14** (0.04)		
R control, state agency					-0.30*** (0.03)	-0.17*** (0.04)	-0.21*** (0.04)	-0.15*** (0.03)			-0.16*** (0.04)	-0.14** (0.04)
(Intercept)	0.22*** (0.02)	0.20*** (0.02)	0.19*** (0.03)	0.61*** (0.02)	0.25*** (0.02)	0.20*** (0.02)	0.24*** (0.03)	0.57*** (0.02)	0.60*** (0.02)	0.62*** (0.03)	0.59*** (0.03)	0.60*** (0.03)
N	551	336	269	284	531	342	264	284	243	179	243	179
<b>B. Independents</b>												
R control, federal agency	-0.14+ (0.07)	0.02 (0.06)	-0.07 (0.06)	0.01 (0.04)					-0.07 (0.05)	-0.03 (0.07)		
R control, state agency					-0.13+ (0.07)	-0.07 (0.06)	0.03 (0.06)	0.02 (0.04)			0.05 (0.05)	0.04 (0.07)
(Intercept)	0.10+ (0.06)	0.10* (0.04)	0.09+ (0.05)	0.54*** (0.03)	0.15** (0.05)	0.12** (0.05)	0.05 (0.03)	0.51*** (0.03)	0.52*** (0.04)	0.53*** (0.04)	0.44*** (0.03)	0.49*** (0.05)
N	106	149	119	132	97	145	115	132	98	56	98	56
<b>C. Republicans</b>												
R control, federal agency	0.01 (0.08)	0.12* (0.05)	0.00 (0.04)	0.19*** (0.03)					0.10* (0.04)	0.14** (0.05)		
R control, state agency					0.16+ (0.09)	0.11+ (0.06)	-0.04 (0.04)	0.24*** (0.03)			0.09* (0.04)	0.22*** (0.05)
(Intercept)	0.16** (0.06)	0.12*** (0.04)	0.16*** (0.03)	0.42*** (0.02)	0.13* (0.06)	0.06 (0.04)	0.18*** (0.03)	0.38*** (0.02)	0.48*** (0.03)	0.46*** (0.04)	0.49*** (0.03)	0.43*** (0.04)
N	78	181	162	317	70	179	162	317	206	176	206	176

\*\*\* $p < 0.001$ , \*\* $p < 0.01$ , \* $p < 0.05$ , + $p < 0.1$

**Table A3:** Effects of Republican agency control on stated likelihood of filing discrimination complaint with fair employment agency

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
	I. Racial Discrimination Cases								II. Sex Discrimination Cases			
	<i>Federal</i>				<i>State</i>				<i>Federal</i>		<i>State</i>	
	Black	Latino	Asian	White	Black	Latino	Asian	White	Women	Men	Women	Men
<b>A. Democrats</b>												
R control, federal agency	-0.05 <sup>+</sup> (0.02)	-0.06 <sup>+</sup> (0.03)	-0.08* (0.03)	-0.09* (0.04)					-0.14*** (0.04)	-0.04 (0.04)		
R control, state agency					-0.08*** (0.02)	-0.06 <sup>+</sup> (0.03)	-0.06 <sup>+</sup> (0.03)	-0.04 (0.04)			-0.12** (0.04)	-0.10* (0.04)
(Intercept)	0.64*** (0.02)	0.59*** (0.02)	0.59*** (0.02)	0.47*** (0.03)	0.67*** (0.02)	0.59*** (0.02)	0.59*** (0.02)	0.45*** (0.03)	0.57*** (0.02)	0.51*** (0.03)	0.57*** (0.03)	0.55*** (0.03)
N	585	355	283	284	586	358	285	284	243	179	243	179
<b>B. Independents</b>												
R control, federal agency	-0.08 (0.06)	-0.02 (0.04)	-0.04 (0.04)	0.03 (0.05)					-0.03 (0.06)	-0.04 (0.08)		
R control, state agency					-0.04 (0.06)	0.02 (0.04)	-0.00 (0.04)	0.07 (0.05)			-0.03 (0.06)	0.07 (0.07)
(Intercept)	0.56*** (0.04)	0.53*** (0.03)	0.56*** (0.03)	0.46*** (0.04)	0.55*** (0.04)	0.53*** (0.03)	0.57*** (0.03)	0.44*** (0.03)	0.49*** (0.05)	0.48*** (0.06)	0.50*** (0.04)	0.39*** (0.04)
N	117	180	138	132	118	178	140	132	98	56	98	56
<b>C. Republicans</b>												
R control, federal agency	-0.09 (0.07)	0.05 (0.04)	0.01 (0.04)	0.10** (0.03)					0.00 (0.04)	0.02 (0.04)		
R control, state agency					0.05 (0.07)	0.04 (0.04)	-0.02 (0.04)	0.12*** (0.03)			0.04 (0.04)	0.08 <sup>+</sup> (0.04)
(Intercept)	0.62*** (0.05)	0.55*** (0.03)	0.56*** (0.03)	0.42*** (0.03)	0.58*** (0.05)	0.57*** (0.03)	0.59*** (0.03)	0.44*** (0.03)	0.42*** (0.03)	0.49*** (0.03)	0.45*** (0.03)	0.46*** (0.03)
N	81	191	185	317	81	191	183	317	206	176	206	176

\*\*\*  $p < 0.001$ , \*\*  $p < 0.01$ , \*  $p < 0.05$ , +  $p < 0.1$