

*Note: This essay originally appeared in the Harvard Political Review in 2017 and was cited a few times, but online access was removed in a web redesign. I wrote the essay my first year of college and no longer agree with all the analysis (e.g. I flattened important distinctions between Folsom and Wallace) but am making it available for future reference. (DCP, March 2024)*

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## The Alabamafication of America

Drew Pendergrass

The 2016 presidential election looked, more than anything else, like an Alabama election. Trump's relentless appeals to populist conservative ideas echo decades-long trends in the South. The current worries about Trump's irresponsible governing style are similar to concerns Alabama commentators have been expressing about their often-demagogic leaders since before the 1940s. To understand the Trump administration, where Alabama Senator Jeff Sessions will loom large, we should look to Alabama, and the reasons why the state government is teetering toward collapse.

Leaders in all three branches of Alabama's government are either under investigation or have been recently removed from office. After using his position to obtain over \$1.1 million in financial favors, Mike Hubbard, the former Speaker of the Alabama House of Representatives, was [convicted](#) of twelve felony corruption charges in July 2016. He has been described by many as "the most powerful man in Alabama," a state where the governor has relatively little authority and the legislature holds all the cards – a simple majority is all that is required to override most vetoes. The Hubbard trial was full of fireworks, including testimony from former Governor Bob Riley, but ended in a sentence of only four years in prison.

The drama of the Hubbard case stirred up another scandal which otherwise might have gone unnoticed. Governor Robert Bentley, a man who ran his 2010 campaign on family values, divorced his wife of fifty years after allegedly having an [affair](#) with his powerful chief advisor, Rebekah Caldwell Mason. Although neither admit to a "physical affair," sexual voicemails the governor left for Mason say otherwise. Bentley could be prosecuted for abuse of power – as governor, he ordered a state law enforcement helicopter to retrieve his wallet, which he had left by accident at his ex-wife's house in Tuscaloosa on his way to the beach.

In 2016, Roy Moore, the former Chief Justice of the Alabama Supreme Court, was [removed](#) from the bench for ethics violations after he ordered the state's probate judges to ignore the US Supreme Court's ruling legalizing same-sex marriage. The result has been mass confusion in courthouses across the state, several of which stopped issuing marriage licenses altogether. Moore was previously removed from the same office in 2003, after erecting a stone monument of the Ten Commandments in the Alabama Judicial Building and ignoring a court order to have it removed.

Montgomery, the state capital, has become dominated by special interests, creating an environment where corruption is the norm. Far-right swings in the electorate have enabled extremists like Moore to come to power. But the forces destabilizing Alabama are not unique to

the state. Donald Trump's cabinet selections [suggest](#) that moneyed interests will be given influence in the federal government, and that far-right voices, like Steve Bannon, will be given a stage. Montgomery's fate may be Washington's future.

After the election of Donald Trump, many commentators expressed shock that the president-elect, with his lewd comments and sexual impropriety, did so well in the South, a place known for "family values." The truth is the South has never prioritized the personal values of its leaders. Back in the 1940s and 50s, Governor "Big Jim" Folsom was one of the most popular men ever to hold the position. To this day, many Alabamians say that if another Folsom ever runs for office, they'll vote for him, because Big Jim famously paved rural roads to underserved places (including my grandparents' childhood homes). Big Jim was also famous for his vices – in a televised debate with George Wallace, Folsom showed up drunk and failed to remember the names of his many children. His apocryphal line "if they bait a hook with whiskey and women, they'll catch Big Jim every time" remains prominent in Alabama lore.

The lesson is simple: populism rises above all other concerns in Alabama. Demagoguery has a long track record of success in the South, and a politician who sufficiently channels that energy can say and do most anything — "grab them by the pussy," for example — and still win by a landslide. George Wallace's racism cost Alabama millions in [economic development](#) and outside investment, yet his populist appeal won elections. He served several nonconsecutive terms as governor, including one as late as the 1980s.

Trump won the election with the same flair as Governor Folsom. With his cabinet picks and his agenda, it looks like Trump will govern like an Alabamian as well, with the classic strategies of a Montgomery politician.

### **Using conservative populism to disregard the law**

Moore's flagrant disregard for court rulings is not unique in Alabama. According to Richard Fording, professor of political science at the University of Alabama, "Moore follows a tradition of defiance" to Federal authority that has thrived in Alabama since the Civil War, reaching a climax when George Wallace barred the doors to the University of Alabama after the *Brown v. Board of Education* case. Alabamians elected Moore back into office even after he was removed from the bench for ethics violations because, as Fording asserts, "It is politically profitable to get kicked out of office in this state."

So why is this the case? Why is Alabama, a place known for social conservatism, evangelical Christianity, and strong emphasis on family values, a hotbed for corruption and sex scandals, where removal from office serves to prove one's conservative bona fides?

To Fording, the answer lies in Alabama's traditionalistic culture, a "hierarchical" system where citizens fall in line with authority and accept "an elite class entitled to power." This results in "low rates of citizen participation."

Religion is an important tenet of traditionalism. For Wayne Flynt, professor emeritus of history at Auburn University, Alabama's traditionalistic culture is best illustrated by the popular relationship between its citizens and Christianity. To Flynt, "Religion is a stool with four legs: one is theology, one is social ethics, one is personal ethics, and one is ritual and practice." In his view, Southern Protestantism makes ritual irrelevant, as "the closer religion is to everyday practice, the more [Alabamians] like it." Strong cultural ideologies undermine social and

personal ethics, as “dealing with poor immigrants is off the table” to many traditionalists. As a result, Flynt finds that “the Evangelical church is not concerned with social justice.” Personal ethics are also not important – “Southern Baptists have one of the highest [divorce rates](#) in the US. When it comes to premarital sex and [children out of wedlock](#), Alabama doesn’t do well.” This leaves only theology, which Flynt sees as strict adherence to the text of the bible.

Despite his public failures in social and personal ethics, Trump, like Justice Moore, gives off strong traditionalist airs. He may not [know the books of the bible](#), but his strong stance against Islam is a classic evangelical stance – traditionalist Christians stand up to those that do not accept the text of the bible, a pillar of traditionalist Christianity. This antagonistic thinking is advanced by men like Michael Flynn, Trump’s National Security Adviser, who [claims](#) that fear of Muslims is rational. Steve Bannon, another Trump adviser, has repeatedly [talked](#) of the civilizational struggle between Islam and Christianity.

Many of Donald Trump’s populist ideas, like a Muslim registry or immigration ban, are of questionable legality. If Donald Trump can leverage himself into a champion for Christianity or conservatism, as Moore has done with great success, the unconstitutionality of his actions will be of little consequence.

### **Reckless abuse of loopholes**

Alabama’s Constitution is amended frequently, making it the longest in the world, but the reason for its length points to the most dangerous legacy of Alabama history: over-centralization. The writers of the 1901 Alabama constitution did not want poor whites or black voters to control their own counties or lives, so they required even the most minor changes to local law – such as salary increases for local officials – to be passed as an amendment to the Constitution. To this day, only a few areas in Alabama have been granted home rule, and they still face challenges in Montgomery. When Birmingham tried to raise the minimum wage, they were struck down by the state legislature.

“In conservative thought, the best government is closest to home,” says John Archibald, a columnist for the *Birmingham Times*. Yet Alabama is set up with a strong central government in mind, an irony not lost on Archibald. He associates centralization with the problems facing Jefferson County, where a large part of the Birmingham metro area is located, and its troubles with corrupt county commissioners. “Because [the Birmingham city government] didn’t have home rule and couldn’t fund themselves legally, they had to use tricks to get around the law,” Archibald says, careful to clarify that he doesn’t mean to justify corruption. Eventually, these moves resulted in multiple arrests and what was, at the time, [the largest municipal bankruptcy in history](#) (Detroit has since claimed that title).

The legacy of centralization is closely related to Alabama’s recent scandals, not just those in Birmingham. In most states, if a lobbying group wishes to gain influence, they not only lobby in the capital, but they must also go to areas where they hope to work and lobby the mayor, the county commissioner, and other local officials to gain their favor. In Alabama, only Montgomery’s voice matters, leading to a city populated by special interests. Mike Hubbard used this centralized system of favors and kickbacks for his own material gain.

Although not quite at the same level as in Alabama, there is plenty of outdated federal law that can be abused to enable the Trump administration to do surprising things. These loopholes in our legal structure are usually avoided (President Obama, for instance, could force

Merrick Garland past the Senate and into the Supreme Court with [some legal justification](#)) as they would lead to uproar and judicial challenges. A leader unconcerned about uproar could make liberal use of these structural failings.

The Senate confirmation proceedings for Donald Trump's cabinet nominees have been [criticized](#) by the Office of Government Ethics, as several nominations have proceeded to confirmation hearings without clearing an ethics check first. Newt Gingrich has [suggested](#) that Trump pardon his family members in advance for any violation while he is in office. The recent Trump University case suggests that Trump is more than willing to use legal technicality to advance himself with little concern for ethical implication. Loopholes can go a long way.

### **Removing as many civil rights as possible**

The root of Alabama's unusually toxic political climate dates back to the anti-populist movement orchestrated by plantation owners and industrialists which culminated in the Constitution of 1901. While an anti-populist force and Donald Trump may seem antithetical, the political strategy used in 1901 remains relevant today.

Following the Civil War, Alabama industrialized rapidly. Wealthy "Bourbon" Democrats, worried about labor insurrections, called for a new constitutional convention to cement their interests and power. While the suppression of the black vote figured largest in convention (John B. Knox, president of the convention, opened by saying: "And what is it that we do want to do? Why, it is, within the limits imposed by the Federal Constitution, to establish white supremacy in this State"), the suppression of the white populist vote was important as well.

According to Flynt, the Constitution's poll taxes, as well as literacy and residency requirements, targeted the poor, uneducated, and transient population. The results were a success for the rich and white – between 1900 and 1903, the 181,000 registered black voters declined to under 5,000. By the 1940s, 600,000 whites and 520,000 blacks were disenfranchised by some provision of the constitution.

Blatant voter suppression like this continued through the 1960s, but the practice is far from over. After the 2013 Supreme Court case *Shelby County v. Holder*, which gutted the Voting Rights Act, Southern states promptly started to pass voter ID laws. There is [plenty of evidence](#) that voting fraud is negligible, but politicians claimed that it was a pressing issue, and capitalized on those fears to pass legislation that previously would have been struck down as a civil rights abuse. Recently, Alabama has closed DMV offices in largely poor, black, Democratic counties, curbing access to driver's licenses just as the strict new voter ID law came into practice. The move has been defended as necessary to balance the budget.

Trump's recent [claim](#) that millions voted illegally fits soundly into this tradition. His statements are already changing perceptions of facts — about [half of Americans](#) believe that voter fraud is at least somewhat widespread. Trump's prowess in media, coupled with a chance to fill vacant seats in the Supreme Court, leaves little to prevent Alabama-like changes in election law.

Alabama columnist Kyle Whitmire [warned](#) this past May that Donald Trump was part of what he called the "Alabamification of America." Like Alabama, America is full of promise, great ideas, and diverse people. But it is in danger of the same fate as the Yellowhammer state, hit with scandal after scandal until its citizens lose hope.