

**“Electoral Structure and Minority Representation in the US”**

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What is the place of racial/ethnic minorities in the American political system? Unlike many other democratic countries, most elections in the US do not use systems which are explicitly designed to produce a proportional level of representation for minority groups. In the decades following the adoption of the Voting Rights Act, however, federal elections were increasingly conducted in a way so as to minimize the dilution of minority voting strength. This meant the elimination of poll taxes, literacy tests, grandfather clauses, and other devices designed to keep minorities and poor whites from voting. It also resulted in the drawing of district lines that increased the likelihood of blacks and Latinos winning seats in Congress. While the effects of majority minority districts are now well known, the effect of electoral reforms at the subnational level, which have also been common since the passage of VRA, are less well understood. Below I briefly review the current state of knowledge regarding the effect of majority minority districts in Congressional races. Afterwards, I examine the impact of the multitude of electoral reforms which local governments throughout the US have adopted in recent years.

### **Majority Minority Districts and Representation in Congress**

Majority minority districts have become increasingly common since the adoption of VRA. While the legal issues surrounding their use are complex (see Cannon 1999 for a review), the effect they have on minority representation is not. A large volume empirically informed research demonstrates that minority majority districts are needed if minorities are ever to hold federal office with regularity. At the same time, majority minority districts produce a legislative body which is on the whole more racially conservative and therefore less inclined to support minority interest legislation.

Lublin (1997) notes that the 89<sup>th</sup> Congress, which enacted the VRA, contained 5 African Americans and 3 Latinos. There was a 600% increase in the number of Latinos and a 700% in the number of African Americans by 1992. In 1960, African Americans won 9% of the seats which they would have received if Congress matched the demographics of the US population. That number was 73% in 1992. For Latinos, the corresponding numbers are 0% in 1960 and 43% in 1992. Today there are 39 African Americans and 24 Latino in the House of Representatives.

Analyzing all Congressional elections between 1972 and 1994, Lublin finds that a district with no Latinos has a 28% chance of electing a black representative if African Americans make up 45% of the population. The same district has a 60% chance of electing a black representative if African Americans make up 50% of the population and an 86% chance if African Americans make up 55% of the population. Less African American residents are needed if the Latino population is larger. Lublin's evidence leaves little doubt that racialized voting continues in the US and that the probability of minority politicians being elected to federal office from majority white districts is relatively low.

While majority minority districts aid minorities in getting elected to office, they do little to aid the adoption of minority interest legislation. Lublin (1997) finds that the packing of minorities into a small number of majority minority districts aids the election of Republicans to Congress. Moreover, removing typically liberal minorities from the constituencies of white members of Congress generates less incentive for non-minority representatives to support liberal legislation. Lublin (1997) argues that while districts should be 55% minority if they are going to be designed with the aim of electing a minority representative, a district which is 40% minority best maximizes the substantive interest of minorities.

Subsequent research by Cannon (1999) argues against some of the negative substantive effects of majority minority districts. Cannon maintains that although the use of majority minority districts may have resulted in more conservative congresses, the increased number of minorities serving in Congress has improved the representation of minority interests in other capacities. Controlling for district characteristics, minority members of Congress are more likely to hire minority staffers, locate district offices in near minority neighborhoods, and make floor speeches about racialized policy issues.

The benefits of electing minorities to Congress go beyond those which Cannon points to. Blacks are more likely to contact and positively evaluate their Congressional representative if she is also black. Blacks are also more likely to contact their member of Congress under that condition (Gay 2002; Tate 2003; Tate and Harsh 2005). The “symbolic” benefits which the election of minorities of public office generate may increase the level of civic participation within minority communities, although some evidence shows that white political participation tends to decline when represented by a black member of Congress (Barreto, Segura, and Woods 2004; Gay 2001).

### **Electoral Reform and Local Politics**

Most localities within the US use a ward, at large, or mixed system to elect public officials. A small number of cities have experimented with limited or cumulative voting systems. In short, an at large system is one in which all the seats within a governing body are filled by voters within the entire jurisdiction. Ward systems divide the jurisdiction into geographic units, with each district electing its own member.

Ward, or single member district, systems were widely used throughout the US, and in the South in particular, for most of the nineteenth century. The Progressive movement of the early

1900s resulted in numerous calls to adopt at large elections, as well as other institutional reforms such as nonpartisan elections, as part of a larger movement to depoliticize local government.

Just as there is little doubt that the election of minorities to Congress is an unlikely occurrence outside of majority minority districts, a vast number of works suggest that blacks and Latinos are more likely to win election in cities that rely on single-member district or ward based systems (Davidson and Korbel 1991; Engstrom and McDonald 1986; Leal, Martinez-Ebers, and Meier et al. 2005; MacManus 1978; Meier et al. 2005; Polinard, Wrinkle, Longoria, and Binder 1994; Robinson and Dye 1978).

Relying on data from the 1970s and 1980s, Welch (1990) suggests the negative effect of at large elections have declined over time. Subsequent research indicates that Welch's conclusion is largely the result of "selection effects." Following the adoption of VRA, cities with long histories of racial discrimination were more likely to modify their electoral structure and adopt a ward system. Studies looking at local elections before and after the adoption of a ward system continue to find that minorities fare better once they are implemented (see Davidson and Grofman 1994 for a review of early studies on this topic). So convincing is the evidence on this point that Engstrom and McDonald (1986) write, "few generalizations in political science appear to be as well verified as the proposition that at-large elections tend to be discriminatory toward black Americans."

Ward systems work by creating heavily minority districts within majority Anglo cities. A recent study by Meier (2005) and his colleagues find that the adoption of a ward system doubles the number of Latinos who are elected to school boards without increasing the size of the Latino population. It also appears that black men benefit most from the use of single member districts, and there is some evidence that SMDs hinder the election of white women. Of course, the ability

of ward systems to drastically increase the number of minorities serving in elected office varies in accordance with the level of racial/ethnic segregation within the community. A high level of racial/ethnic integration makes it difficult to draw districts that are likely to produce minority officials and thus limits our ability to manipulate levels of minority representation through electoral institutions (Trounstine and Valdini 2008). It remains unclear whether raced based voting is less likely to occur in integrated contexts, which would make it easier for minorities to win election in an at large system. There is reason to believe that such contexts will promote social contact between Anglos and minorities, and this should work to reduce racial prejudice (Kinder and Mendleberg 1995; Oliver and Wong 2003; Rocha and Espino 2009).

Looking beyond the ability of minorities to win elections, ward systems also appear to influence the ability of minorities to extract benefits from local governments. Unlike the presence of majority minority district, which appear to maximize the number of minorities serving in office at the expense of advancing racially progressive policy goals, no study to date shows evidence that ward systems hurt minority policy interests. Research has demonstrated that minority representatives who are elected from ward systems act as fervent advocates for minority causes and are more likely to try and secure public employment for fellow minority group members. When minority officials are accountable to a majority Anglo constituency, as would be in the case in many at large systems, their behavior is largely indistinguishable from that of Anglo representatives (Meier et al. 2005).

Why are ward systems immune from the policy tradeoffs that affect majority minority congressional districts? Local government is simply less complex. Lacking the size and institutional intricacy of Congress, the presence of more minorities appears to result in better policy outcomes for minorities. Future research needs to consider whether or not this varies in

local bodies that are more complex, such as those with large sizes or where members are identified on a partisan basis.

While far less common than the use of single member districts, some cities within the US have experimented with modified forms of at large elections, such as limited or cumulative voting. Under limited voting, voters are given fewer votes than seats up for election. Cumulative voting allows voters to cast as many votes as seats up for election and permits voters to cluster votes among any combination of candidates. Due to high rates of racialized voting, minorities win election to office at a greater rate in cities that use one of these modified at large structures than in comparable cities relying on a traditional at large system. However, neither plan is as effective as the usage of single member districts (Brockington, Donovan, Bowler, and Brischetto 1998). Cumulative and limited voting systems both require a degree of elite or mass coordination. Under a cumulative voting system, a high percentage of minority voters have to cluster their votes on a small number of minority candidates in order for the system to be advantageous. If voters do not cluster, or if there is an excess number of minority candidates seeking office, the results will look similar to a traditional at large system. Limited voting removes the need for mass coordination. As is the case with cumulative voting, however, the system will be less likely to increase minority representation if the minority community fields too many candidates. In other words, limited voting still requires elite coordination. Because it is less demanding in terms of mass coordination, limited voting increases the ability of minorities to translate population size into elected office at a slightly higher rate than cumulative voting.

While partisan elections are a given in most federal and state elections (state elections in Nebraska being the only exception) most localities rely on nonpartisan elections. Race-based voting appears to be facilitated by nonpartisan elections (Pomper 1966; Gordon 1970). In the

absence of partisanship, race becomes an increasingly important cue in determining vote choice. Partisan identification often competes with racial sentiments, leading liberal Anglos, Latinos, and African Americans to vote for the same candidate, irrespective of the candidate's race or ethnicity. Given this argument, it is not surprising that some research indicates that nonpartisan systems tend to benefit Anglo business-class candidates (Davidson and Fraga 1988). Robinson and Dye (1978), for example, find that levels of African American representation on school boards are modestly increased under partisan systems.

Rocha (2007) further argues that nonpartisan systems promote electoral divisiveness between Latinos and African Americans, making for formation of "rainbow coalitions" unlikely. This pattern can be seen in cities such as Los Angeles, which employs a nonpartisan system and where black-Latino relations have been contentious at several points in the past.

Together these studies would seem to imply that reformed structures work in concert to limit the descriptive and the substantive representation of racial/ethnic minorities. Some studies, however, find important exemptions to this trend. The greatest amount of disagreement surrounds the effect of partisan systems. Karnig and Welch (1980), for example, find that partisan elections are associated with a lower number of African American candidates in city council elections, although they have little bearing on the actual level of African American representation.

Scholars who warn of the negative effects of partisan elections at the local level concede that nonpartisan systems often result in group or race based politics. However, they hold that group based politics necessitates the formation of interracial coalitions and produces bi-racial power sharing. Outside of majority minority contexts, local Democratic parties are likely to be dominated by Anglo members who can rely on the electoral support of minorities without



nominating minority candidates. Marschall and Ruhil (2006) do find that cities are less likely to elect African American mayors if they use partisan elections. This finding appears to apply mostly to majority Anglo cities, but nevertheless it does offer a note a caution to those who view the use of all reformed structures as detrimental to the election of minorities to public office.

Although local activists may vary in the degree to which they are familiar with research on effect of different electoral and institutional structures, many clearly believe they are important. Recent work by Rocha, Longoria, and Wrinkle (2009) shows that attempts to modify local institutions vary in accordance with the racial composition of a city. Cities that are relatively homogenous, whether they be all white or black, do not see regular attempts to modify electoral systems or city governance. Cities with large white and minority populations but in which one group is numerically dominant experience regular attempted modifications (as many as 16% to 22% of all cities in this category will have an institution challenged in a 5 year period). Interestingly, the ambiguity regarding the effect of different institutional set-ups for the distribution of power within a city in extremely diverse areas appears to result in a desire to maintain the status quo.

As noted earlier, increasing the number of minorities serving on local governing bodies does not generate the same negative effects in terms of substantive policy outcomes as appears to be the case at the federal level. Several studies find that city councils and school boards with large minority delegations tend to press for the hiring on minorities in the government workforce (Meier and England 1984; Meier et al. 2005; Mladenka 1989). Government employment has been seen historically as an import avenue for building a minority middle class (Browning, Marschall and Tabb 1984). Moreover, diversity within the government workforce is consistently

linked to lower levels of discrimination (Meier, Steward, and England 1989; Polinard, Wrinkle and Longoria 1990; Rocha and Hawes 2009).

The same attitudinal benefits that representation at the federal level offers minorities apply at the local level. Minorities living in areas where they are represented within local government express high levels of satisfaction with their neighborhood conditions, policy services, and public schools. Positive evaluations of local government are highest when minority representation occurs in conjunction with improved conditions (Marschall and Ruhil 2007). Seeing fellow minorities in elected office at the local level also lowers feels of alienation while increasing political trust, knowledge, and participation (Bobo and Gilliam 1990).

Put simply, electoral institutions affect the ability of minorities to win election to public office. Certain structures, such as the traditional at large system, make the election of minorities a remote possibility except in majority minority communities. Other systems produce governing bodies which can begin to mirror the communities they serve in terms of racial/ethnic diversity. While some questions remained unanswered in this literature, several findings have been replicated consistently over the past few decades. Policymakers should be aware of these conclusions. The recent reauthorization of the Voting Rights Act makes it certain that electoral institutions will continue to be monitored and manipulated in the future, making such knowledge imperative for those involved in the political discourse pertaining to race, representation, and electoral systems.

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