

Major Points and Conclusions Derived from a Review of the Literature Concerning At-Large Electoral Systems

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September, 2004

At-large elections dilute the minority vote.

The literature is clear on this question. Study after study confirms that at-large elections dilute minority representation. (Bezdek, 2000; Engstrom, 1981, 1986, 1994; Karnig, 1982; Leal, 2002; McDonald, 1992; Welch, 1990a).

Quotes:

"...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." (Engstrom, 1986)

"At-large voting schemes ... tend to minimize the voting strength of minority groups by permitting the political majority to elect all representatives of the district." (U.S. Supreme Court, in *Rogers v. Lodge*, 458 U.S. 613 (1982))

"This Court has long recognized that multimember districts and at-large voting schemes may 'operate to minimize or cancel out the voting strength of racial [minorities in] the voting population.' The theoretical basis for this type of impairment is that where minority and majority voters consistently prefer different candidates, the majority, by virtue of its numerical superiority, will regularly defeat the choices of minority voters." (U.S. Supreme Court, in *Thornburg v. Gingles*, 478 U.S. 30 (1986))

"Blacks are still most equitably represented by district elections..." (Welch, 1990a)

"At-large elections ... can impede the ability of minority voters to translate votes into the election of preferred candidates. ... Indeed, the problem of vote dilution, rather than vote denial, has been the focus of the Voting Rights Amendment's enforcement since the early 1970's." (Engstrom, 1994)

"...in comparison with single-member districts, at-large elections seriously reduce the level of black representation." (Engstrom, 1981)

"...at-large elections usually disadvantage Latinos; the obvious policy recommendation is that at-large systems should be replaced by single-member systems." (Leal, 2002)

"...we have strong evidence that compared to at-large elections, single-member districts allow for more proportional representation of geographically concentrated populations, such as blacks in most American cities." (Welch, 1990a)

At-large portions of mixed (district and at-large) electoral systems very rarely elect minorities.

This gets at the heart of the argument to add at-large seats to Urbana's council. While at-large clearly dilutes the minority vote, what about mixed systems? Plenty of evidence supports the

notion that mixed systems *also* dilute the minority vote, as minorities *almost never win election to at-large seats in mixed system municipalities*. (Welch, 1990a; Engstrom, 1986, 1981; Karnig, 1982; Bezdek, 2000)

Just as with “pure” at-large electoral systems, city-wide at-large positions in mixed systems are elected by the majority. These positions require significantly more finances to run, which tends to support majority candidates. Minorities have more trouble building city-wide support. Mixed system supporters claim that it can give the best of both worlds, allowing each voter to have more votes and more representatives (i.e. more “voting power”). But they conveniently forget that that additional voting power is not made available to minority voters. An illustrative example: Corpus Christi in the 1980’s and 1990’s, with a Latino population that was over 50%, Latinos won 0 of 25 at-large seats in their mixed system!

Quotes:

"While blacks are equitably represented in the district portion of mixed systems, they are abysmally underrepresented in the at-large portions." (Welch, 1990a)

“The impact of mixed systems, not surprisingly, falls between that of the other two [pure at-large and single-member district (SMD)]. Clearly, a black minority is more likely to attain proportional representation through an electoral system that does not have any at-large elections.” (Engstrom, 1981)

“although [the] differences [between pure at-large and mixed] are present across at-large elections, their conceptual linkage to the issue of vote dilution may be quite tenuous. Ultimate control over the outcome in these modified arrangements still remains with a *citywide* electorate (see Davidson, 1979, p. 337).” (Engstrom, 1981)

“...as a conservative estimate, one could consider 10 [population] percent to be a threshold or critical point at which at-large elections can be expected to have an adverse impact on black representation.” (Engstrom, 1981)

“An important justification for the at-large seats in a mixed system is that the winners will have to build citywide support and thus represent the entire city. The analysis revealed, however, that voting in the at-large elections remains polarized. Viable Latino candidates are not receiving citywide support.” (Bezdek, 2000)

See *black population vs. black representation* chart in the Reference section.

At-large elections in *Urbana* specifically will dilute the minority vote here.

Urbana is 14% black and its city-council is 14% black. As at-large seats very rarely elect minorities, a mixed at-large/SMD system will almost certainly shift representation to 11% on the council. This disparity will grow as the black population continues to increase (i.e. trend suggests ~20% population in 2010). See racial demographics trend data and population vs. representation chart.

Adding at-large seats exposes Urbana to a potential lawsuit for minority vote dilution.

The Voting Rights Act of 1965 was passed as part of the civil rights movement to protect the voting rights of African Americans. It allowed minorities to challenge their local government election systems (typically at-large) for diluting their vote. Section 2 was added in 1982 to allow these challenges to pass, *without requiring proof of intent to dilute the minority vote*. In other words, it doesn't matter why the dilution exists, only that it indeed does.

Specifically, supporters of adding at-large seats in Urbana, intending to alleviate their "disenfranchisement" by giving themselves more voices on council, *will* dilute minority representation and open Urbana up to a potential lawsuit.

Given the information listed above regarding minority percentages and trends, Urbana is likely to suffer from minority vote dilution immediately upon the first at-large election. This disparity will grow over time.

Quotes:

"Plaintiffs [minorities challenging government for vote dilution] need not prove causation or intent in order to prove a prima facie case of racial bloc voting, and defendants may not rebut that case with evidence of causation or intent." (U.S. Supreme Court, in *Thornburg v. Gingles*, 478 U.S. 30 (1986))

Any change in government should be accomplished through careful study.

There are many studies, papers, examples, and other relevant information regarding the strengths and weaknesses of various municipal council electoral systems. While single-member districts (SMD's) are very good at not diluting the minority vote, they are still susceptible to racial gerrymandering. Other systems, such as cumulative voting (i.e. Peoria, IL), limited voting, assorted proportional representation systems, and others are possible. In other words, there are a lot of options and informed research studies and analyses to consider when altering the form of government. For those interested in increasing their own voice, but not intending to decrease the voice of others, further research might very well reveal a system that accomplishes both without the inherent negatives of a mixed electoral system.

Quotes:

"Many dilutive multiseat election systems [i.e. at-large or mixed] have been replaced by single-member district arrangements. There has been a growing recognition, however, that majority-minority districts are not the only remedy for dilution by submergence. ... Indeed, in some circumstances, minority voters will have a better opportunity to elect candidates of their choice in a modified multiseat system, such as cumulative or limited voting, than in a single-member district arrangement." (Engstrom, 1994)

Adding at-large seats *through a ballot question* might be doubly damaging to minorities.

A study in New Orleans found that blacks "roll-off" on the ballot (20-35% vs. 4-8% for whites). By roll-off, they mean that blacks are more likely to vote for high-profile races like president,

governor or mayor, and less likely to vote on local referendums, council seats, etc. when compared to whites (Vanderleeuw, 1987).

Those urging the addition of at-large in Urbana are advocating a change in government representation that will dilute the minority vote, and they are putting that change to the voters in a way that may preclude a significant portion of the minority population from even voting on the question.

I don't have data on whether or not this trend of "roll-off" holds here, but the suggestion is compelling. At the very least, it is further evidence for why a change in government should be made with studies, public hearings, etc. in order to insure inclusion of all citizens in the dialog.

Quotes:

"Although roll-off among black voters clearly varied with the issue, it was always substantial in an absolute sense, and considerably higher than that among white voters." (Vanderleeuw, 1987)

Communities have been eliminating at-large seats for 40 years.

Cities have been shifting away from at-large for a long time. Shifting from at-large to SMD is one of the most frequently proposed and accepted changes in U.S. municipal governments.

While the number of cities removing at-large increased in the 80's and 90's, it has fallen off somewhat since '96. This is due to those cities with the most egregious problems already having removed their at-large seats. (See the Voting Rights Act (VRA) of 1965, Section 2 of the VRA, and the U.S. Supreme Court cases listed below for more information).

Since 1986, 589 U.S. city councils have proposed removing at-large seats, 251 approved.

County board electoral systems nationwide in 2002: 62% SMD, 28% at-large, 11% mixed. County trend between 1988-2002 was away from at-large and towards SMD. Some counties also shift to mixed systems as opposed to SMD, but SMD is more common. *Adding* at-large seats to an SMD electoral system does not appear to be a trend at all.

Local examples of the shift away from at-large include Springfield and Danville, Illinois. In Springfield, they eliminated at-large in favor of SMD in 1987. Subsequently, the first African-American was elected to a council seat since 1911. In Danville, which also shifted to wards in 1987 (based on a lawsuit brought by African-Americans in the community), their at-large city council had been made up of white men for the city's entire history. After the shift to wards, there have always been 2 African-Americans on the council, a black woman was elected treasurer 4 times, a native American and a Hispanic were elected once, and a total of 8 women have served as alderman (according to Janet Myers, city clerk of Danville). Also, the Cook County board changed from at-large to SMD, and the Urbana School Board did the same,

Quotes:

"The second most commonly considered change [in municipal government structures nationwide] was to eliminate at-large seats on the council and replace them with ward or district elections." (first was changing the formal structure of government—i.e. adding a CAO) (Municipal Year Book, 2004).

“[City] ... clerks in 10% of northern and more than one-quarter of the southern cities reported a change away from at-large systems in the past decade.” (Welch, 1990a)

“In addition, given the extensive litigation over city council districts in recent decades, school boards are also probably the last place where at-large districts are still permitted in the presence of racial polarization. For those interested in whether and how electoral structures affect the representation of minorities on political bodies, school boards are the only arena to study.” (Leal, 2002) –*interesting because this suggests it’s a moot point for councils!*

“The pace at which communities have abandoned at-large elections has slowed, as has the push to expand the size of city councils, although both trends have continued.” (MYB, 2004).

Women’s representation is not particularly affected by electoral systems.

I read several articles on this particular issue. The conclusion of all is that electoral systems and women on councils are not particularly linked. (Alozie and Manganaro, 1993, Welch and Studlar, 1990b, Bullock and MacManus, 1991). This is contradicted by at least one local example in Danville, however, where the council was only white men until 1987, when they switched from at-large to SMD. Since 1987, eight women have served on council.

Around 1980, two studies suggested the link between minority representation and at-large systems had diminished. These studies were subsequently found to be flawed for various reasons, and this was widely discussed in the literature.

Susan MacManus wrote an article in 1978 called “City Council Election Procedures and Minority Representation: Are They Related?” that suggested that the two were not as linked as previously thought. This was soundly rebuffed by numerous articles and studies immediately thereafter, and the link is widely accepted today. (i.e. Engstrom and McDonald, 1981; Davidson and Korbel, 1981; Welch, 1990a)

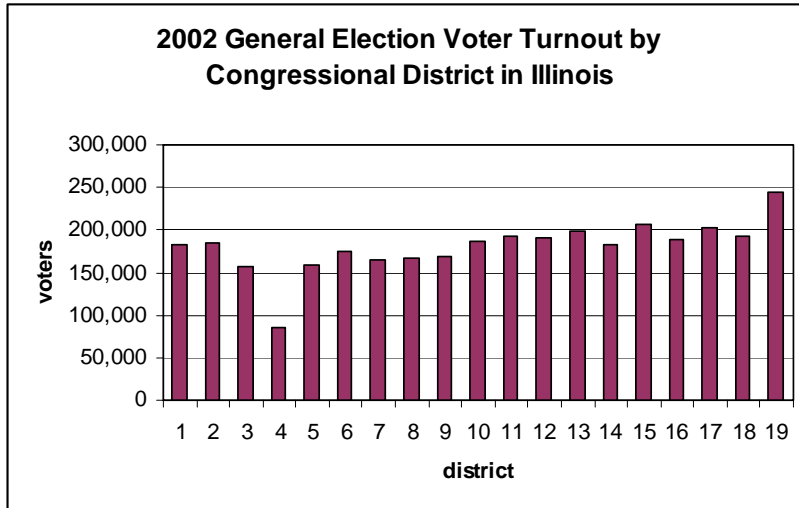
Voter turnout should not determine representation, voter choices should.

The notion that because more eligible voters turnout in one district than another means that that district should get more representatives is unconstitutional. “One person, one vote” is secured by ensuring that voting districts are roughly (state/local) or exactly (federal) equal according to population. The 14th amendment to the constitution (equal protection clause) guarantees this at the local level, and the U.S. Supreme Court decided in 1964 (Reynolds v Sims, 377 U.S. 533 (1964)) that Article I, Section 2 of the Constitution guarantees this for congressional districts (before this case, legislators could draw congressional districts that varied wildly in population in order to minimize minority voting power).

See the 2002 general election vote totals for IL congressional districts in the reference section below. Our district, 15, had a turnout of 206,000 voters. District 4 was 84,000, district 19 was 245,000. In other words, district 4 got 41% of the votes cast in district 15. And district 15 got 84% of the votes cast in 19. Each district is exactly equal in population (based on 2000 Census data anyway—653,647 per district) and deserves the same representation as any other, regardless of voter turnout in that district. If we apportioned representation on the basis of turnout, those who choose not to vote would be punished.

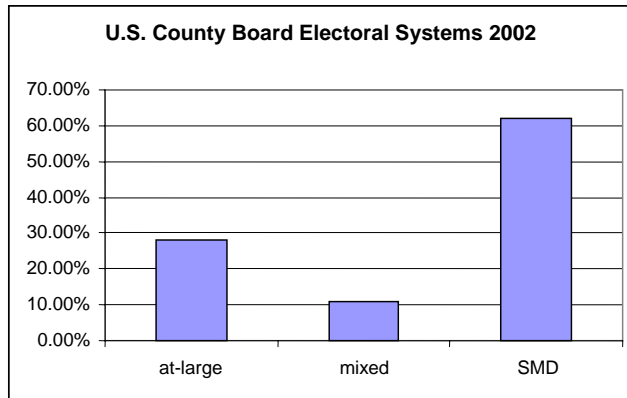
And certainly turnout is not high here in Urbana. In wards 6 and 7, turnout in the 2001 election was 23% and 30% of registered voters, respectively.

Reference (Charts, Graphs, and other data):

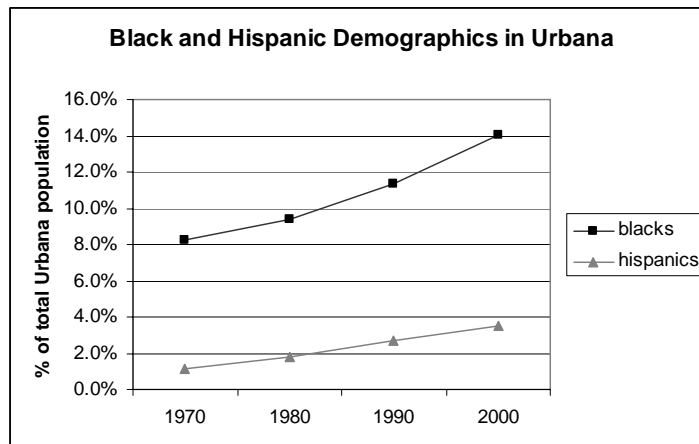


Source: <http://www.elections.state.il.us/elecinfo/pages/votetotals.asp>

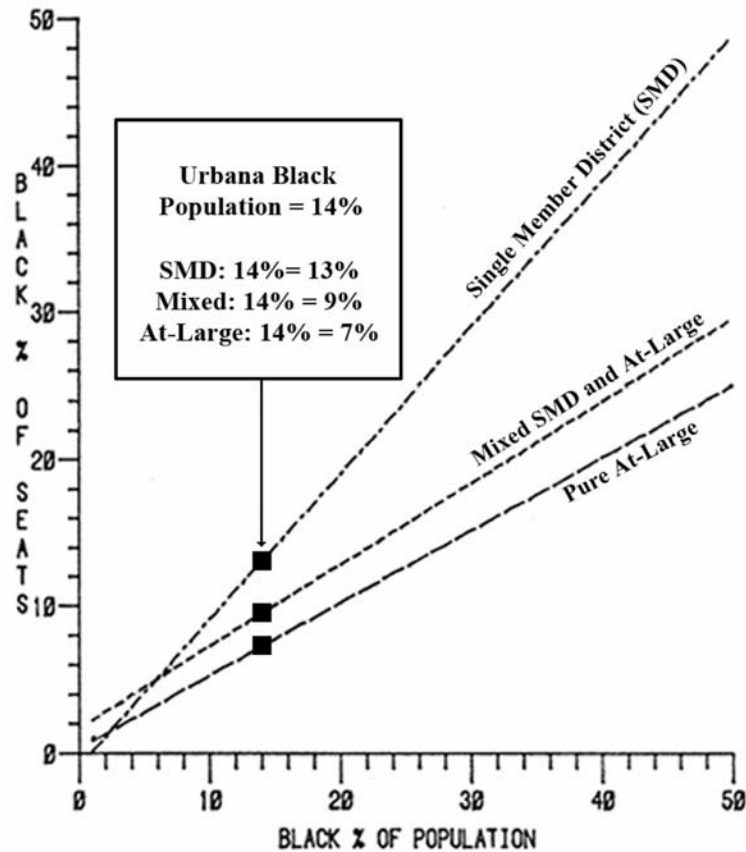
CD	Turnout
1	183,656
2	184,010
3	156,042
4	84,513
5	159,435
6	173,872
7	165,756
8	165,926
9	168,836
10	186,911
11	193,085
12	190,020
13	198,615
14	182,363
15	206,617
16	188,827
17	203,612
18	192,567
19	244,473



Source: Municipal Year Book, 2004.



Relationship Between Black Percentage of Population and Black Percentage of City Council in Different Electoral Formats



Adapted from Engstrom, Richard L. and Michael D. McDonald. 1981. "The Election of Blacks to City Councils: Clarifying the Impact of Electoral Arrangements on the Seats/Population Relationship." *American Political Science Review* 75(2):344-54. Source data: compiled from Population-Policy Database, Florida State University, and 1970 U.S. Census

References and Reading List:

- Bezdek, Robert, David Billeaux, and Juan Carlos Huerta. 2000. "Latinos, At-Large Elections, and Political Change: Evidence from the 'Transition Zone.'" *Social Science Quarterly*, 81: 207-225.
- Bullock, Charles S., III and Susan A. MacManus. 1991. "Municipal Electoral Structure and the Election of Councilwomen." *The Journal of Politics*, Vol. 53, No. 1. (Feb.), pp. 75-89.
- Davidson, Chandler, and George Korbel. 1981. "At Large Elections and Minority Group Representation: A Re-Examination of Historical and Contemporary Evidence." *Journal of Politics* 43:982-1005.

- Engstrom, Richard L. and Michael D. McDonald. 1981. "The Election of Blacks to City Councils: Clarifying the Impact of Electoral Arrangements on the Seats/Population Relationship." *American Political Science Review* 75(2):344-54.
- Engstrom, Richard and Michael McDonald. 1986. "The Effect of At-Large Versus District Elections on Racial Representation in U.S. Municipalities." In *Electoral Laws and Their Political Consequences*. Bernard Grofman and Arend Lijphart eds. New York: Agathon Press.
- Engstrom, Richard L. 1994. "The Voting Rights Act: Disfranchisement, Dilution, and Alternative Election Systems" in *Election Systems and Representative Democracy, PS: Political Science and Politics*, Vol. 27, No. 4., pp. 685-688.
- Grofman, Bernard, ed. 1986. *Political Consequences of Electoral Laws, 1945-85*. Algora Publishing.
- Herrick, Rebekah and Susan Welch. 1992. "The Impact of At-Large Elections on the Representation of Black and White Women," *National Political Science Review* 3: 62-77.
- Karnig, A.K., and S. Welch. 1982. "Electoral Structure and Black Representation on City Councils." *Social Science Quarterly* 63: 99-114.
- Leal, David, Kenneth J. Meier, and Valerie Martinez-Ebers. 2002. "The Politics of Latino Education: The Biases of At-Large Elections." Manuscript presented at the 2002 meeting of the Western Political Science Association.
- MacManus, Susan A. 1978. "City Council Election Procedures and Minority Representation: Are They Related?" *Social Science Quarterly*, 59:1 (June)
- McDonald, Michael, and Richard Engstrom. 1992. "Minority Representation and City Council Electoral Systems: A Black and Hispanic Comparison." In Anthony Messina, Luis Fraga, Laurie Rhodebeck, and Frederick Wright (eds.), *Ethnic and Racial Minorities in Advanced Industrial Democracies*. New York: Greenwood Press.
- Municipal Year Book*. 1996-2004. International City/County Management Association (ICMA), Washington, D.C.
- Nicholas O. Alozie; Lynne L. Manganaro. 1993. "Women's Council Representation: Measurement Implications for Public Policy." *Political Research Quarterly*, Vol. 46, No. 2. (Jun., 1993), pp. 383-398.
- Southern Poverty Law Center. "Drawing the Line," (online book), Montgomery, AL.
http://www.splcenter.org/pdf/static/drawing_the_line.pdf
- Taebel, Delbert. 1978. "Minority Representation on City Councils." *Social Science Quarterly*, 59: 142-152
- Vanderleeuw, James M. and Richard L. Engstrom. 1987. "Race, Referendums, and Roll-Off." *The Journal of Politics*, Vol. 49, No. 4. (Nov), pp. 1081-1092.
- Welch, Susan. 1990. "The Impact of At-Large Elections on the Representation of Blacks and Hispanics." *Journal of Politics* 52: 1050-1076.

Welch, Susan and Donley T. Studlar. 1990. "Multi-Member Districts and the Representation of Women: Evidence from Britain and the United States." *The Journal of Politics*, Vol. 52, No. 2. (May), pp. 391-412.

Zax, Jeffrey. 1990. "Election Methods and Black and Hispanic City Council Membership." *Social Science Quarterly*, 71: 340-55.

Incomplete List of U.S. Supreme Court Cases of Interest and Relevance to At-Large Electoral Systems Diluting the Minority Vote

Burns v. Richardson, 384 U.S. 73 , [478 U.S. 30, 48] 88 (1966)

Fortson v. Dorsey, 379 U.S. 433, 439 (1965)

Rogers v. Lodge, 458 U.S. 613, 617 (1982)

Thornburg v. Gingles, 478 U.S. 30 (1986)

White v. Regester, 412 U.S., at 765

Whitcomb v. Chavis, 403 U.S. 124, 143 (1971)

Rogers v. Lodge, 458 U.S. 613 (1982)

Interesting Appellate Court Cases on City Council Challenges due to At-Large

Goosby et al v. Board of the Town of Hempstead, 981 F. Supp. 751 (E.D.N.Y. 1997)

City of Mobile v. Bolden, 446 U.S. 55 (1980)

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