

*Research Note*

**EFFECTS OF MULTIMEMBER DISTRICTS ON BLACK REPRESENTATION IN STATE LEGISLATURES**

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We look at the most general feature of multimember districts (MMDs) as compared to single-member districting (SMD) plans: the higher likelihood of submergence of minority voting strength. We focus on data on black legislative representation between 1977 and 1982 in the 11 states with more than 15% black populations, and compare states which use MMDs with those that use SMDs. We also examine changes in black representation in states which shifted from MMDs to SMDs. In addition, for MMD state legislative elections in eight North Carolina counties between 1978 and 1982, we examine in detail the nature of minority submergence including the lack of geographic representativity of the persons elected from MMDs. The counties we examine contain four of North Carolina's largest cities and a substantial portion of North Carolina's black population. Unlike almost all of the previously published literature on racial representation in MMDs, our study deals with state legislative races and not local elections.

This article examines the impact of multimember district plans on black voter representation. Multimember district (MMD) plans typically allocate the number of representatives to a district in direct proportion to that district's population, with each voter eligible to cast as many votes as there are seats to be filled, and candidates elected on the basis of either simple plurality or majority runoff provisions. At the municipal level MMDs are often coupled with a numbered-place system and/or geographic residence requirement. For state legislatures, however, such requirements are uncommon, with only 3 of the 16 states which still use MMDs having such requirements: Idaho, Maryland, and some of the

districts in Georgia. In the aftermath of the Supreme Court's entrance into the "political ticket" of reapportionment, the constitutionality of multimember districts has been challenged (especially those which use numbered places),<sup>1</sup> and particular MMD plans struck down. While the courts have repeatedly held MMDs to not be unconstitutional per se<sup>2</sup> in areas with substantial minority population and patterns of polarized voting, MMDs often have been found to have invidious effects on minority representation and/or to have been adopted or maintained with the intent of reducing minority representation.<sup>3</sup>

In this article we focus on one overriding characteristic of multimember districts: the tendency of MMDs to submerge the voting strength of racial minorities. We look at data on black legislative representation in 1977-1982 in the 11 states with more than 15% black population, comparing states which use MMDs with those that use single-member district plans (SMDs), and also examining black representation in states which recently shifted from MMDs to SMDs, both before and after the change. We also take a detailed look at the general features of multimember district elections in countywide MMD elections to the state house and state senate in eight North Carolina counties in 1978-1982. These counties contain four of North Carolina's five largest cities: Raleigh, Charlotte, Durham, and Winston-Salem. Each countywide MMD had a substantial black population concentration. In these counties the use of countywide MMDs was struck down in 1984 as having dilutive effects on the voting strength of black citizens.<sup>4</sup> The case findings came under criteria derived from the new language in Section 2 of the *Voting Rights Act*, which makes discriminatory effect, and not just discriminatory purpose, illegal.<sup>5</sup>

For city councils and county boards the at-large elections (the polar type of mind contest) is the most common form of election method.<sup>6</sup> On the other hand, in state legislatures multimember districts are becoming less common, although there are still 16 states which (as of 1984) used MMDs for some districts in one or both houses of their legislatures.<sup>7</sup> In state lower (upper) houses in 1968, 66% (46%) used some multimember districts but by 1978 only 40% (26%) did so.<sup>8</sup> By 1980 the percentages were further reduced to 38% for state lower houses and 22% for state upper houses, and by 1984 the percentages were down to 30% for state lower houses and 14% for state upper houses—Nevada used MMDs for some districts in the senate but none in the house; Arizona, Georgia, Idaho, Indiana, Maryland, New Hampshire, New Jersey, South Dakota, and Washington used MMDs for some districts in the house but none in the senate, while only Arkansas, North Carolina, North Dakota, Vermont,

West Virginia, and Wyoming used MMDs for some districts in both houses. Nonetheless, roughly a quarter of all representatives elected to state lower chambers are elected from multimember districts, so an analysis of MMDs in state legislative elections remains of considerable importance.<sup>9</sup>

In the 1960s the most common reason for the abolition of MMDs was the need to do so because of legal challenges to county- (or township-) based apportionment schemes on one-person, one-vote grounds. Since the early 1970s the Justice Department has strongly discouraged the use of multimember districts in states with significant racial or linguistic minority populations in jurisdictions covered by Section 5 of the Voting Rights Act. As a result, a number of southern states have ceased or nearly ceased legislative use of MMDs in counties subject to Justice preclearance. For example, at the insistence of the Justice Department, multimember districts in which blacks were a population minority were eliminated in 1982 in almost all of the 40 North Carolina counties that fell under the Section 5 Voting Rights Act preclearance provision. In 1981 the American Bar Association adopted a resolution urging that pure single-member districting be adopted in both houses of all state legislatures.

#### **BLACK SUBMERGENCE IN MULTIMEMBER DISTRICTS IN STATE LEGISLATURES, 1977-1982**

Multimember districts often act so as to submerge racial or linguistic (or political) minorities. For MMDs, the "winner-take-all" character of plurality (or majority run-off) elections creates the strong possibility that the majority bloc will elect all the representatives from the district, especially if voting is polarized; whereas the outvoted minority might have been able to elect some representatives if the multimember district had been broken up into several single-member districts, especially if minority strength is geographically concentrated.<sup>10</sup> For at-large elections at the municipal level this minority submergence feature of multimember districts is extremely well documented; indeed it is one of the most strongly substantiated generalizations in political science.<sup>11</sup> However, of the well over two dozen articles that offer empirical studies of the effects of MMDs on racial representation, only a handful deal with state legislative elections.<sup>12</sup> While we expect MMDs to have the same dilutive effect on minority representation at the state level as they do at the local level, the conclusion is not foregone, since the most thorough study of *partisan* representation in MMDs and SMDs in state legislatures finds no overall difference be-

tween MMDs and SMDs in minority party representation.<sup>13</sup> While the minority party in a given district is often (more than 70% of the time) shut-out of representation in that district in an MMD election, often different parties are in the minority in different parts of the state. For the state as a whole the effects of MMDs on the different parties often tended to roughly balance out. In any case, over the entire set of states being compared, Niemi, Hill, and Grofman find minority representation to be no greater in SMDs than MMDs.<sup>14</sup>

Although, Niemi, Hill, and Grofman show that MMDs do not have the expected dilutive effect on partisan representation in state legislatures, for racial representation in state legislatures the evidence of the pernicious effects of MMDs is overwhelming, as we shall show below.<sup>15</sup>

A review of Southern state legislatures (Jewell, 1980) shows that those lower houses having a substantial minority of black legislators are ones that use single-member districts exclusively (or like Georgia use them in the counties with the greatest black political strength): Alabama, Georgia, Louisiana, South Carolina, Tennessee, and Texas. The states with very few black representatives (in 1980) are all ones using large multimember districts in metropolitan areas: Arkansas, Florida, Mississippi, Virginia, and North Carolina. Moreover, in states such as Texas, Tennessee, Georgia, and Louisiana, there is evidence of a sharp increase in black representation (and of Mexican-American representation in Texas) following the shift to single-member districts (Jewell, 1982).<sup>16</sup>

We have tabulated data on black state legislative representation in the 11 southern and border states with black populations above 15% as a function of the predominant type of election method used in the areas of the state with substantial black population concentrations.<sup>17</sup> The data in Table 1 show that in each of the three years we examined (1977, 1982, and 1983), black state legislators were three times more numerous in those states using predominantly single-member districts in areas of black concentration than in those states that used predominantly MMDs in areas of black concentration. (We have omitted Maryland from the summary tabulation at the bottom of Table 1 because in both the 1970s and 1980s plans, MMDs with a black population majority were created where possible.)

The evidence is equally clear from before-and-after comparisons. For example, when Florida switched to single-member districts in 1982, the

**TABLE 1**  
**Black Legislative Representation in States with Black Population Over 15%**

	Percent population black (1970)	Predominantly single member districts in areas of black concentration as of July 1977	# of black reps. in July 1977	Predominantly single member districts in areas of black concentration as of July 1982	# of black reps. in July 1982	Predominantly single- member districts in areas of black concentration as of July 1983	# of black reps. in July 1983
Alabama	26.4	YES	15	YES	16	YES	20
Arkansas	18.6	NO	4	NO	5	NO	5
Florida	15.5	NO	3	NO	5	<u>YES</u>	12
Georgia	25.9	YES	23	YES	22	YES	24
Louisiana	29.9	YES	10	YES	13	YES	13
Maryland	17.9	*	19	*	21	**	23
Mississippi	36.8	NO	4	<u>YES</u>	17	YES	17***
North Carolina	22.4	NO	6	NO	4	<u>YES &amp; NO</u>	13
South Carolina	30.5	YES	13	YES	15	YES	20
Tennessee	16.1	YES	11	YES	12	YES	13
Virginia	18.6	NO	2	NO	5	NO	7

	<u>1977</u> (omitting Maryland)	<u>1982</u> (omitting Maryland)	<u>1983</u> (omitting N.C. & Maryland)
Average # of Black Representatives in States with Predominantly Multinember Districts in Black Areas	3.8 (TOTAL = 19, N = 5)	4.8 (TOTAL = 19, N = 4)	6 (TOTAL = 12, N = 2)
Average # of Black Representatives in States with Predominantly Single Member Districts in Black Areas	14.5 (TOTAL = 72, N = 5)	15.8 (TOTAL = 95, N = 6)	10.4 (TOTAL = 129, N = 7)

\*3-member districts used throughout, blacks only elected from majority black mds.

\*\*mix of 1- 2- and 3-person districts, blacks only elected from majority black mds and smds, with one exception.

\*\*\*no election held since July 1932.

number of blacks elected to the legislature increased from 5 to 12, including two blacks in the senate for the first time since Reconstruction.<sup>18</sup> Similarly, when Mississippi shifted to single-member districts, the number of black representatives went from four to 17 (see Table 1). Thus, whether we look at cross-sectional data or before-and-after longitudinal comparisons, the dilutive effect of MMDs on black representation in state legislatures is indisputable.

Now we turn to a more detailed look at the effects of MMDs in one state, North Carolina.

### EFFECTS OF MULTIMEMBER DISTRICTS IN EIGHT NORTH CAROLINA COUNTIES

#### *Submergence*

In the MMDs in each of the eight North Carolina counties we examined (Cabarrus, Durham, Edgecombe, Forsyth, Mecklenburg, Nash, Wake, Wilson), we found a submergence of minority voting strength.<sup>19</sup> For each of the house or senate districts largely or wholly in these eight counties, we show in Table 2 the number of black representatives elected during the three elections that took place between 1978 and 1982, hypothetical representation proportional to 1982 black population, and the number of contiguous and reasonable compact majority black single-member districts that were created in each county in the new (mostly single-member district) plan adopted in 1984. It is apparent from Table 2 that black representation should be substantially improved (especially in the lower chamber of the North Carolina legislature) now that MMDs have been replaced with SMDs in the counties at issue, although in the short run, 1984 election trends left Democrats (both white and black) in a disadvantaged position throughout North Carolina. Table 2 provides us the basis for an explanation of why on balance, MMDs harm black candidates. When we look at the partisan effects of MMDs, we see that the party that is in the minority in one area of the state (e.g., Republicans in urban areas) may be the majority party elsewhere in the state (e.g., in rural and suburban counties.) In North Carolina black voters in urban areas are always submerged in county-based white-majority districts. There are no instances of significant white submergence in majority black county or multicounty districts. This North Carolina pattern is found elsewhere in the South and helps account for changes in racial representation following shifts from MMDs to SMDs shown in Table 1 above.

TABLE 2  
 Elected Black Representatives in North Carolina House and Senate MIMDS in  
 Eight North Carolina Counties (1978-82) and Potential Black Representation  
 from Black Majority Single-Member Districts that Were Created in those  
 Counties in 1984

	# of elected black representatives (1978-82)	Potential black representation from majority black smds (1978-82)	# seats proportional to 1980 black population (1978-82)	# of seats up each election year
<u>Senate</u>				
Micklenburg-Cabarrus	1	3	3.12	4
Wake	0	0	1.91	3
Durham	0	0	2.28	2
Forsyth	0	0	1.44	2
<u>House</u>				
Mecklenburg	1	6	6.24	8
Durham	3	3	3.33	3
Forsyth	2	3	3.60	5
Edgecombe-Wilson-Nash	0	3	3.24	4
Wake	2	3	4.14	6

Source: Data stipulated in Gingles v. Edmisten (D.C. North Carolina, 1983).

The Federal District Court in *Gingles v. Edmisten* accepted the conclusion of the plaintiffs' expert witness testimony that all of the MMD districts in the eight challenged counties displayed a pattern of racially polarized voting that was both statistically and substantively significant. In the legislative elections in these counties in the period 1978-82 involving at least one black candidate, correlation coefficients derived from a precinct level ecological regression of the proportion of votes share received by the black candidate(s) on the proportion of black voter registration ranged from .67 to .98, with almost all above .9.<sup>20</sup> Moreover, the pattern of racially polarized voting was persistent and showed no traces of erosion. In none of the elections analyzed did white voters give any black candidates more than 50% of their votes—even in general elections in which there was no contest and/or in which there was a black incumbent; indeed, in the primaries racial polarization was dramatic, with black candidates receiving on average votes from less than 15% of the white electorate. In most elections black voters ranked the black candidate(s) at the top of their preference order while white voters ranked the black candidate(s) at the bottom of their preference order. If we look at election-pairs (primary plus general), in 14 out of 16 such pairs a black candidate whom black voters would have elected (in either a primary or a general) if the electorate were all black would not have been elected if the election had been left solely up to white voters. The only two exceptions came in (essentially uncontested) elections with a black incumbent.

The highly polarized voting dramatically diminished black candidacy and black election chances. For example, during the period 1970-1982, no black Republican candidate ever won; and black Democrats were three times as likely to lose as white Democrats (see Table 3).

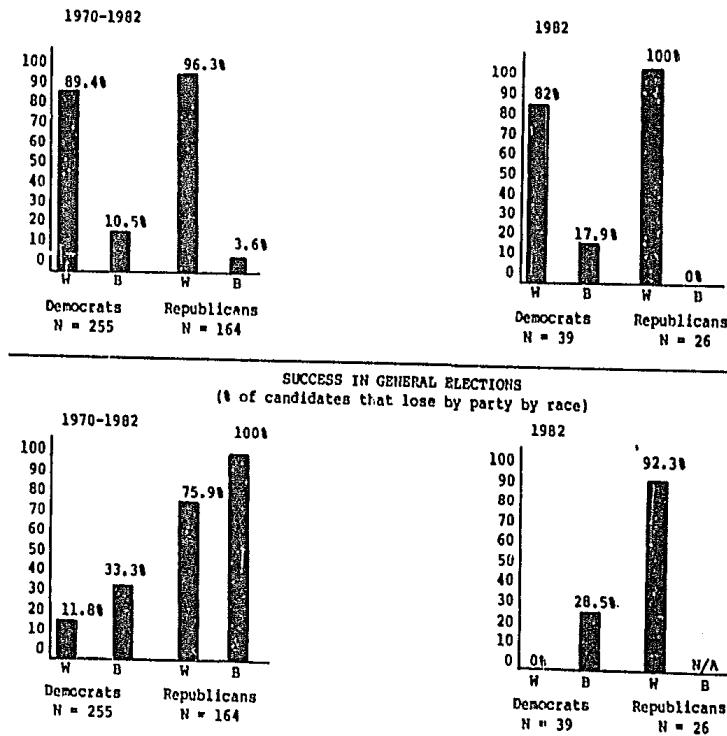
### *Geographic Concentration*

A second problem with multimember districts is that they often lead to the election of representatives who are not broadly geographically representative of the area which they are supposed to represent. Frequently, in multimember districts, many or all of the representatives will reside within a limited geographic area, unless there is a rule requiring representatives to reside in geographically designated districts.<sup>21</sup>

In each of the 8 North Carolina counties, the elected representatives in 1978-82 were not broadly geographically representative of their districts. In particular, areas of heavy black population went almost unrepresented (sometimes even when black candidates were elected). In Wake (which



**TABLE 3**  
Participation in General Elections (% of candidates of each party by race)



contains the city of Raleigh), Mecklenburg (which contains the city of Charlotte), Durham (which contains the city of Durham), and Forsyth (which contains the city of Winston-Salem), the residences of all state legislators (both house and senate) were identified on maps that also showed equipopulous single-member city council districts (7 in Raleigh, 7 in Charlotte, 6 in Durham, 8 in Winston-Salem).<sup>22</sup> (Representatives elected more than once are counted once for each time they are elected.) In Wake during the period 1978-82, 22 of 26 representatives had lived in the city of Raleigh. Of these, *none* lived in the city council district with substantial black population, which included 14% of the city population. On the other hand, 17 of the 22 lived in District E, one of the wealthier white sections. In Mecklenburg, 22 of 24 representatives had lived in Charlotte. Of these, *none* lived in any of the three city council districts with very substantial black population, which included 42% of the city population while 11 of 22 lived in District 6, a wealthy white section. Similarly, in Durham, 11 of the 19 representatives lived in the city of Durham but *none* lived in the Durham city council district with substantial black population, which included 17% of the city population, while 9 lived in District

6, a wealthy white section. In Forsyth, 17 of the 21 representatives lived in the city of Winston-Salem, but only 2 lived in one of the 4 city council districts with substantial black population, which together included 50% of the city population, while 8 of the 17 city-dwelling representatives had residences in the west ward, one of the wealthier wards.

We believe this pattern of concentrated representation is characteristic of MMD elections from socioeconomically mixed districts—i.e., MMD representatives live in disproportionate numbers in the wealthy sections of the districts.<sup>23</sup>

### *Campaign Costs*

A third problem of multimember districts is that they significantly increase the cost of campaigning by requiring campaigning among a much larger electorate. This will often work to discourage candidates from racial or linguistic minorities who are less able to afford the cost of a large-scale campaign.<sup>24</sup>

While we do not have comparative data on campaign costs in single-member vs. multimember districts in the North Carolina legislature from the counties we examined, we did gather data from the Charlotte City Council and Raleigh City Council elections of 1979 and 1981. These were elections which had both a district and an at-large (multimember) component. Analysis of this campaign cost data demonstrates that in these two cities successful multimember district campaigns were roughly twice as costly as single-member district campaigns for both incumbent and non-incumbent candidates. Similar conclusions were derived from a somewhat different Mecklenburg County data base by Arrington.<sup>25</sup>

### CONCLUSION

The evidence we presented for state legislative elections in the South, and for North Carolina in particular, provides clear support for the claim that multimember districts commonly act to strongly reduce the likelihood of minority electoral success and to deny minorities an equal opportunity to achieve political representation of their choice in state legislative districts as well as in local elections. There are, however, defenders of multimember districts.

The principal arguments used in their favor is that they avoid "ghettoization" of political conflict and lead to election of representatives with a less narrow (and more county-wide) point of view. For example, Bryce

deplored the increase of single-member district elections apparently occurring at the time, holding them responsible for the decline in quality of state government. "The area of choice being smaller, inferior men are chosen."<sup>26</sup> Also, it has been argued that a multimember district may actually advantage a minority group even though it does not facilitate the actual election of a minority representative.

Assume a black population totalling one quarter of the electorate in a district electing four representatives. Even though no blacks are likely to win election to the legislative, each of the four whites will depend in large part on the black votes. Consequently, black interests, except where they clash directly with white ones, are likely to be represented by four members of the legislature. If the multimember district were split into four, with one of the four predominantly black, then one black and three white representatives would almost certainly be elected. But blacks would be concentrated in one district and would have virtually no leverage on the white legislators. Thus, it is conceivable that their interests would be represented to a lesser degree.<sup>27</sup>

However, where voting is already racially polarized and minority electoral success in existing MMDs precarious and limited (if it exists at all), we do not find any of these arguments compelling. In effect, they simply justify continued white political predominance.

#### NOTES

Portions of this research were supported under NSF Grants SES 81-07754, SES 85-15468, and BNS 80-11494 to the first author, and by the NAACP Legal Defense and Educational Fund. An earlier version of a portion of this paper was submitted by the first-named author as prepared testimony in *Gingles v. Edmisten* (D.C. N.C. 1984). The second and third authors were research assistants on this project. We would like to acknowledge the invaluable data collection done by Leslie Winner and Sarah Crowder, and the helpful discussions with them and with Lani Guinier of the case issues in *Gingles*. We also wish to acknowledge the assistance of Sue Pursche and Kathy Alberti in data coding of North Carolina materials. Data on black representation in state legislatures was made available to us by Thomas Cavanagh of the Joint Center for Political Studies. Preparation of manuscript and tables was done by the staff of the Word Processing Center, School of Social Sciences, University of California, Irvine. This article was completed while the first author was a fellow of the center for Advanced Study in the Behavioral Sciences, Stanford University.

1. Election rules which U.S. courts have held to be especially pernicious to minority success include staggered terms, anti-single-shot provisions such as numbered places, and a majority vote requirement (see e.g., *Zimmer v. McKeithen* 485 F. 2d 1297 (5th

Cir. 1973)). A majority vote requirement is present in North Carolina legislative primaries.

2. See, e.g., *White v. Regester* 412 U.S. 755 (1973).

3. See, e.g., *McMillan v. Escambia County of Florida*, 638 F.2d 1239 (1981).

4. We shall define submergence of minority voting strength in an MMD as occurring if (1) there exists sufficient black voting strength, sufficiently geographically concentrated to form at least one black majority SMD; (2) blacks are a population minority in the existing MMD; and (3) voting is significantly racially polarized.

5. Bernard Grofman, Michael Migalski, and Nicholas Noviello. "The Totality of Circumstances Test in the 1982 Amendments to the Voting Rights Act: A Social Science Perspective." *Law and Policy*, vol. 7, no. 2 (April 1985), 199-223. Also see Bernard Grofman, "Criteria for Districting: A Social Science Perspective," *UCLA Law Review* vol. 33 (October 1985), 77-184.

6. Barbara L. Berry and Thomas R. Dye. "The Discriminatory Effects of At-Large Elections," *Florida State University Law Review*, vol. 7 (1979), 85-122.

7. Richard Niemi, Jeffrey S. Hill and Bernard Grofman. "The Impact of Multi-member District Elections on Party Representation in State Legislatures." *Legislative Studies Quarterly* vol. 10, no. 4 (November 1985), 441-55 (1986, forthcoming), Table 1.

8. Berry and Dye, pp. 86-87.

9. Niemi, Hill, and Grofman, Table 2.

10. *Gingles v. Edmisten* (D.C. North Carolina, 1984). This case has been heard by the U.S. Supreme Court, *Sub Nom Thornburg v. Gingles* (November 1985). The decision is expected in spring 1986.

11. R. Engstrom and M. McDonald. "Effects of At-Large vs. District Elections on Racial Representation in U.S. Municipalities," in B. Grofman and A. Lijphart (Eds.), *Electoral Laws and Their Political Consequences*. New York: Agathon Press, 1986 (forthcoming).

12. For a partial review, see Bernard Grofman, "Ward vs. At-Large Elections, Part II: A Review of Recent Studies" (unpub. manuscript, 1981). State studies include Debra J. Collins, "Florida Changes Districts for the First Time," *National Civic Review*, vol. 72 (May 1983): 270-72; and Malcolm E. Jewell, "The Consequences of Legislative Districting in Four Southern States." Paper read at Citadel Symposium on Southern Politics, Charleston, 1980.

13. Niemi, Hill, and Grofman.

14. Niemi, Hill, and Grofman.

15. The failure of minorities to gain office at any given level makes less likely minority success at other levels of government as well, since minorities are then denied the experience in office which facilitates successful campaigns for other office and which experience can be shared with other minority candidates. Minority submergence in MMDs can operate in both primaries and general elections. Especially when minority candidates are so unlikely of success that there are few, if any, minority candidates in any given contest, additional probable consequences of minority submergence are reduced turnout and reduced interest in politics among voters in the minority. See Douglas St. Angelo and Paul Puryear. "Fear, Apathy, and Other Dimensions of Black Voting," in M.B. Preston, L.J. Henderson, Jr., and P. Puryear (Eds.), *The New Black Politics*. New York: Longmans, 1982.

16. Malcolm E. Jewell, "The Consequences of Single- and Multi-Member Districting," in B. Grofman, A. Lijphart, R. McKay, and H. Scarrow (Eds.), *Representation and Redistricting Issues*. Lexington, Mass.: Lexington Books, 1982, 129-135.

17. In North Carolina, as noted above, use of MMDs was largely ended in 1982 in those portions of the state covered by Section 5 of the Voting Rights Act because of

Justice Department reluctance to grant preclearance if MMDs were continued in use. Thus, we treated North Carolina as "yes" and "no" in Table 1 for 1983.

18. Collins, p. 271.

19. See note 4 above and Theodore Arrington, "Affidavit." Prepared testimony in *Pugh v. Hunt* (D.C. North Carolina, 1983).

20. Grofman, Bernard. "Effects of Multimember State House and State Senate Districts in Eight North Carolina Counties, 1978-1982." Plaintiffs Exhibits 13-18 plus appendices. Prepared testimony in *Gingles v. Edmisten* (D.C. North Carolina, 1983); and Bernard Grofman and Nicholas Noviello. "An Outline for Racial Bloc Voting Analysis." Plaintiffs Exhibit. Prepared testimony in *Gingles v. Edmisten* (D.C. North Carolina, 1983).

21. Of course, use of designated representatives (numbered places) provides no cure for the basic problem of minority submergence in MMD elections and may even make it worse by creating direct head-on-head black vs. white contests. Only three of the states which still use MMDs use them in conjunction with numbered places: Idaho, some districts in Georgia, and Maryland.

22. Bernard Grofman, "Maps." Plaintiffs exhibits 2-4, prepared testimony in *Gingles v. Edmisten* (D.C. North Carolina, 1983).

23. Another general problem with MMDs, exacerbated by geographic unrepresentativeness of MMD representatives, is that the tie between a representative and his/her constituency is weakened when a voter does not have a single representative to regard as "his own" (see Jewell, 1982, for support of this argument based on surveys of state legislators). Luebke (1979) and Davidson (1972) have suggested that black candidates in MMDs may be inhibited from fully representing the black community because of fear of offending white voters and campaign contributors. See Luebke, Paul. "Social and Political Bases of a Black Candidate's Coalition: Race, Class and Ideology in the 1976 North Carolina Primary Election," *Politics and Society*, vol. 9 (Fall 1979), 239-261, and Davidson, Chandler. *Bi-Racial Politics*. Baton Rouge: Louisiana State University Press, 1972. Additional potential problems with use of MMDs are discussed in Jewell (1982) and Bernard Grofman, "Alternatives to Single-Member Plurality Elections," in B. Grofman, A. Lijphart, R. McKay, and H. Scarrow (Eds.), *Representation and Redistricting Issues*. Lexington, Mass.: Lexington Books, 1982b. Representatives from legislative MMDs are also likely to act as a bloc (see e.g., testimony of Professor John Sanders in *Gingles v. Edmisten*). Often chosen largely by the same subset of voters, predominantly or exclusively of the same party, the identity of interests among the group of representatives elected from an MMD can be expected to be greater than that which would have arisen had representatives been chosen from distinct districts. Thus, the set of representatives elected from a given MMD might not fully mirror the views of all the citizens in the district. In particular, representatives elected from MMDs may be unresponsive to the minority groups in the district whose candidate(s) have been defeated. This problem is exacerbated if MMD representatives are geographically unrepresentative.

24. Arrington, 1983.

25. James Bryce. *The American Commonwealth*. London: 1889.

26. Alan Rosenthal. *Legislative Life: People, Process and Performance in the States* (New York: Harper and Row, 1981), p. 16. A problem with multimember districts not directly related to any of the above issues, one which to our knowledge has never previously been raised, is that multimember districts without a numbered-place system fail to satisfy a criterion which social choice theorists call "consistency." H. Peyton Young, "An Axiomatization of the Borda Rule," *Journal of Economic Theory*, vol. 9 (1974), 43-52. A voting method is said to be "consistent" if, when you divide the constituency into two parts, and if a candidate wins in each part, then s/he also wins

overall. It might appear that the consistency criterion is trivial and that *any* election method would satisfy it. This is erroneous. Consider the example below of four candidates running for three seats in a multimember district:

	$C_1$	$C_2$	$C_3$	$C_4$
Votes in Precinct 1	40	30	20	10
Votes in Precinct 2	10	30	20	40

In Precinct 1  $\{C_1, C_2, C_3\}$  will be chosen; in Precinct 2  $\{C_2, C_3, C_4\}$  will be chosen; yet the overall winners are  $\{C_1, C_3, C_4\}$ . Even though  $C_3$  won in each precinct (coming in 3rd),  $C_3$  loses overall. Plurality elections in single-member districts do satisfy the consistency criterion.