

Multi-member Districts and Representational Roles in U.S. State Legislatures

Christopher A. Cooper
Assistant Professor of Political Science &
Public Affairs

Stillwell 101
Dept. of Political Science & Public Affairs
Western Carolina University
Cullowhee, NC 28723
ccooper@wcu.edu

Lilliard E. Richardson, Jr.
Associate Professor of Public Affairs

105 Middlebush Hall
Truman School of Public Affairs
University of Missouri
Columbia, MO
richardsonle@missouri.edu

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In *The Decline of Representative Democracy*, Alan Rosenthal argues that the state legislature has moved from a representative body to one defined by direct democracy. According to Rosenthal, “The voices of elected representatives are being drowned out by pronouncements made on behalf of the public...Representative democracy, as the states had experienced it for several centuries, is now in decline.” Rosenthal suggests that this trend is a result of the increasing importance of the media, the rise in public opinion polling, and the increasing frequency and sophistication of initiative and referenda campaigns. Scholars are uncertain, however, whether this rise in direct democracy has affected legislators’ opinions on the role of constituent opinion in decision-making. How do legislators feel about the role of the public in legislator decision-making? Have their opinions on this subject changed over time? What factors explain variation on this question? In this paper, we attempt to provide initial answers to those questions. Although we identify a number of important variables affecting legislator opinion on the role of constituency opinion in decision-making, we are particularly interested in the impact of multi-member districts.

Representational Roles

Scholars and practitioners alike have long debated the “proper” form of representation. At the time of the founding, anti-federalists and federalists debated whether legislators should make decisions that they believe are in the “best interest of the state,” or decisions that “follow the will of the governed” (Carman 2003: 2). In recent years, many scholars have referred to this trade-off on a scale from delegate to trustee (Pitkin 1967). Delegates believe that they are in office to follow the unfiltered opinion of the people. Delegates see little reason to express their own opinion on an issue—merely to vote the opinion of their constituents. Trustees believe that they are in office to make the best decisions for their constituents. This decision may be the same as what the constituents want, but what constituents want and what is good for them are not always the same thing. When the two come into conflict, a trustee believes that the opinion of the people is less important than the considered opinion of the legislator. Many trace the evolution of the trustee model to Edmund Burke who argued that it was advisable for representatives to “promote the interests of constituents without consulting their wishes” (Rosenthal 1998: 8).

Obviously no legislator is entirely one style or the other. Legislators may be trustees on some issues and delegates on others. It is best, therefore to think of representational roles as a scale ranging from a pure delegate at one end to a pure trustee at the other end, with a third category of “politico” occupying the middle area. Most legislators do not reside at one extreme or the other, but rather fall somewhere in the middle. Although it is best to think of representational roles on a scale, some scholars have found it useful to place legislators in one of three categories: delegates, trustees and politicos. Beginning with Wahlke et al. (1962) and moving forward, most scholars have found that legislators at the state and national level are more likely to characterize themselves as trustees than delegates (Cavanaugh 1982; Gross 1978; Hanson 1989; Rosenthal 1998).

What explains the variation in representational roles? The evidence is sparse on this question. Burnside and Haysley-Jordan (2003) find some evidence that black state legislators tend to act more like delegates than white state legislators. Surprisingly, this is the opposite of findings in the general population that find that black citizens are more likely to prefer a trustee style of representation than white legislators. Lipinski’s (2003) examination of congressional rhetoric suggests that members of Congress are most likely to portray themselves as delegates if they are in their first term, if their district is largely comprised of a large proportion of blue-collar workers, senior citizens or “friendly partisan voters.” Further, legislators representing majority-minority districts are less likely

to send delegate messages. Although these findings are instructive, Lipinski focuses his work at the congressional level, and thus cannot tell us much about the role of institutional variation in determining representational roles. Studying roles in the state legislature, however, can help us better understand whether institutional structure affects representational role orientations.

In an early report for the National Municipal League, Malcolm Jewell (1969) found that “legislators were more likely to be trustees in states using multimember districts, somewhat more likely to be trustees where a recent shift had been made from multimember to single-member districts, and slightly more likely to be delegates where single-member districts had long been used” (quoted in Jewell 1982). Jewell found some evidence of a similar trend in his classic work on representation (1982). The logic behind this is simple. Legislators in single-member districts are better known to their constituents, and must listen to the entire district, rather than a small subconstituency. This means that they are “more vulnerable to pressure from groups that are concentrated in the district” (Jewell 1982: 119) and must hew closer to the demands of their constituents. As Alan Rosenthal stated, “Single-member districts...tend to bring members and constituents closer together” (1998: 29). Although Jewell’s and Rosenthal’s work is instructive, we believe that scholars need to revisit this hypothesis while controlling for other causes that should affect a legislator’s representational style.

In recent years, work on representational roles has moved from examining the opinions of individual legislators, and has begun to examine citizen preferences and the congruence between citizen and legislator beliefs. Unfortunately, this work has not delivered a unified set of results. Carman (2003) finds that citizens tend to prefer a delegate model of representation, although this preference is not overwhelming. Earlier work on public preferences for the state legislature found that Iowa voters expressed a preference for a trustee model of representation (Patterson et al. 1975). Hibbing and Theiss Morse (2002) believe that citizens do not want to participate fully in the process, but rather support a government that works as a “stealth democracy” where citizens are not called on to participate too heavily. Despite this diffuse set of findings, it does appear that public preferences have a systematic component. Citizens with higher education, older Americans, females and African-Americans are more likely to support a trustee model of representation (Carman 2003).

The Study of Representational Roles: What is it Good For?

The previous section reviewed the major theoretical advances in the study of representational roles, but Fenno (1978) and others warn that the notion of representational roles may be a tool for legislators to explain and justify their votes, rather than a preconceived style of representation that affects behavior. Many scholars are still not convinced that this line of research has much utility. For instance, Gross (1978) found only limited evidence that role orientations have an impact on legislative behavior. Cavanagh agrees, suggesting “Overall, the data suggest that the role orientation approach has a rather limited applicability to congressional behavior” (1982: 123). Even Jewell (1982) has his doubts about the usefulness of research on representational roles.

Despite these cautionary notes, we believe that the study of representational roles can be valuable. Lipinski (2003) suggests that the rhetoric a legislator uses about representational roles can have important implications for how that legislator is viewed by the public. Even Fenno does not believe that the concepts of delegate and trustee should be abandoned—merely used properly. Rosenthal’s work has highlighted the usefulness of representational roles in understanding representation in the state legislatures. Finally (and most importantly), a theoretical literature suggests that multimember

districts produce legislators who are more divorced from the opinion of their constituents. Given this finding, we believe that legislators from MMDs have more freedom in their vote choice and be able to making voting decisions that are more closely tied to their own idea of “good policy,” than their constituents’ opinions. In sum, we believe that this concept can help us to better understand the changing nature of representation in the state legislature.

Before continuing, we pause briefly to review more about our primary independent variable of interest—multimember districts. Below we describe what a MMD is and briefly review what we know about the effects of MMDs.

A Primer on Multi-Member Districts in the States

Most state legislators run for one legislative seat in their district. This is referred to as a single-member district. Some legislators, however, are elected under an alternative arrangement—namely a multimember district. In its simplest form, a MMD is when two legislators are elected from the same geographic area at the same time. The ballot may include a number of candidates and voters are instructed to vote for two. Clearly this system creates different incentives that can promote the election of a different type of candidate. Although this is the “classic” (sometimes referred to as Bloc, or Bloc with abstention) MMD system, there are a number of variations. For instance, in some states (such as Vermont), there are often more than two seats in a district. Other varieties include seat, staggered, and cumulative MMDs. Seat MMDs occur when there are two openings on a ballot in a single-district, but candidates must specify which of the seats they are running for. Voters then choose among candidates for seat A and a different slate of candidates for seat B. Washington and Idaho use seat MMDs. Staggered elections occur when two or more legislators represent the same geographic area in the same chamber, but are elected in different years. These still exist in different states across the country. Cumulative MMDs allow a voter to cast more than one vote for a single candidate in the election, or spread the votes among multiple candidates. This variant of MMD was used in Illinois until recently, but is currently extinct. In previous work (Richardson and Cooper 2003a; Richardson and Cooper 2003b), we have argued that although these forms of MMD are often referred to under the common name MMD, they produce very different effects (See also Hamm and Moncrief 1999). As a result, from this point forward, we refer to the classic form of MMD, rather than any of its variants.

The vast majority of work on multimember districts has examined two effects of MMDs—the effects of MMDs on descriptive representation and on ideological extremity. The conventional wisdom suggests that women are advantaged and minorities are disadvantaged in MMDs (Moncrief and Thompson 1992), but recent studies have suggested that this may be more a function of how the term MMD is defined than any consistent effect (Richardson and Cooper 2003a; 2003b). Second, a number of scholars in the comparative (Cox 1990; Dow 1998; Magar, Rosenblum and Samuels 1998) and state legislative (Adams 1996; Richardson, Russell and Cooper 2004) contexts have found that MMDs produce more ideologically extreme candidates. Clearly these are important topics and ones that deserve to be studied in more detail. We confine our interest in this paper, however, to one less frequently acknowledged hypothesis about MMDs—that multi-member districts produce legislators who are less responsive to their constituents.

Data and Methods

The data presented in this paper are from an original mail survey of state legislators in eight states: Arizona, Colorado, Missouri, New Jersey, North Dakota, Pennsylvania, South Carolina, and South Dakota. The survey was conducted during summer 2003. The states were chosen for five primary reasons. First, four of these states (AZ, NJ, SD, ND) have MMD lower chambers and SMD upper chambers. The district lines in these states are identical for both chambers, providing a natural laboratory to investigate the effects of district structure on representation. These are the only four states in the country with such a structure. Second, the sampled states vary as to legislative professionalism. A few states, such as ND and SD are categorized as citizen legislatures, while PA and NJ are characterized as professional. The remainder reside somewhere in the middle. Third, half of these states have employed term limits and the other half has not (with Arizona, Colorado, Missouri, and South Dakota in the term limited set). Fourth, each chamber represents a wide-ranging number of constituents—a factor that should alter representation in the states. Finally, the states vary as to policy liberalism (Erikson, Wright and McIver 1993). Overall, we believe that this sample provides a nice cross-section of American state legislatures. Detailed information about the states is presented in Table 1.

[Table 1 About Here]

Surveys were originally sent to 1176 legislators. About three weeks later, we sent a second wave to non-respondents. A third wave was later sent to non-respondents in states with particularly low response rates. Overall, we achieved a 42% response rate and in each state our response rate was at least 32% (AZ=53%, CO=48%, MO=48%, NJ=32%, ND=47%, PA=34%, SC=35%, SD=52%). This response rate surpasses a number of recent studies in the state legislature (Maestas 2003) and other elite samples (Abbe and Herrnson 2004), thus we feel reasonably certain that our response rate is adequate. In addition, the demographic characteristics of the sample look fairly similar to the population as a whole. The average age of respondents was 54, 19% of the legislators were female (compared to 22.4% in the population of state legislatures), approximately 36% were first time legislators, and 54% of the sample were Republicans. The survey was created to conform to Dillman's Tailored Design Method (2000) and is available from the authors on request.

Results

In this section, we describe the distribution of legislators in our sample on the scale of representational roles, compare it to Wahlke et al.'s findings from decades ago and then present a multivariate model that seeks to explain variation in legislative roles. Although a few scholars have examined representational roles in a single state (Rosenthal 1998; Hanson 1989), no one since Wahlke has addressed this question across a number of states. Before moving on, however, we first wish to address a potential criticism of this work. As we discussed earlier, a number of scholars have suggested that the study of representational roles has limited utility. To address this, we conducted a brief exercise to determine if representational roles are related to views of constituency relations. After all, if delegates are closer to their constituents than trustees, we would expect them to perform more constituency service and to consider constituency service to be a more important part of their job than legislators who fall closer to the trustee end of the scale. To address this question, we conducted a series of bivariate correlations to see if the delegate orientation variable is related to a variety of questions on the importance of casework (presented in the appendix). For example, delegates are significantly more likely to have a district office and to hold office hours

more frequently. The delegate orientation also was positively and significantly related to questions on whether “Constituency service is the most important thing I do,” is “an important method of maintaining electoral support,” and that “I put more emphasis on constituency service than the typical legislator in my state.” Each of the service questions are related to the trusteeship orientation at $p < .05$. This should provide some evidence that delegates do in fact act differently towards their constituents than trustees.

Next we present the overall distribution of legislators on the 7-point scale ranging from delegate (1) to trustee (7). Figure 1 displays the overall distribution of results across all eight states. Two things emerge from this figure. First, there is considerable variation on this question. Some legislators consider themselves pure trustees, a few consider themselves pure delegates and the variety consider themselves something in between. Second, the scale is heavily skewed towards the trustee orientation. Clearly legislators tend to weigh their opinion of the “best interest” of the district when making decisions.

[Figure 1 About Here]

How do these results compare to Wahlke et al.’s findings from the early 1960s? To find out, we recoded our scale into delegate (1-3), politico (4) and trustee (5-7). We are the first to admit that this comparison is not perfect. We consider eight states. They consider four. Further, only one state overlaps between the two studies. Finally, our coding scheme is somewhat different from Wahlke et al.’s. Nonetheless, this admittedly crude comparison should allow us to make some tentative conclusions about whether the view of state legislators towards constituency influence on decision-making has changed over time. Although the results should be treated with some caution, Table 2 provides an interesting picture about the changing nature of representation. From this table, one can discern that legislator’s opinions have been and continue to reside on the trustee end of the scale. In fact, legislators lean slightly more towards the trustee end than they did 40 years ago. Clearly legislators have always considered themselves closer to trustees than delegates.

[Table 2 About Here]

Next we attempt to explain the variation in representational roles, focusing primarily on the presence of multi-member districts. Jewell (1982) and Rosenthal (1998) suggest that MMDs produce a legislator who is more divorced from the opinion of their constituents than they would be in an SMD system. In Table 3 we test this assertion with a multivariate model. Our dependent variable represents responses to the question about legislative role orientation and ranges from 1 (pure delegate) to 7 (pure trustee). Although we are most concerned with the MMD variable, we also include variables for chamber (Senate=1), conservative ideology (7=extremely conservative), distance from the district to the capital, legislator race (1=minority), freshman status, and legislator gender (1=female). We expect conservative ideology and gender to be positively related to the dependent variable because similar patterns have been found in the general population (Carman 2003). Because senators represent larger constituencies and experience higher reelection rates, we expect them to be more oriented toward trustee roles. We expect freshman and minority to be negative related to trustee orientation (Lipinski 2003), and distance from the district makes it more difficult to serve as a delegate. Because our dependent variable consists of placement on a seven point scale, we use ordinal logistic regression analysis. The results are presented in Table 3.

[Table 3 About Here]

Four of the seven variables have a statistically significant influence on the role orientation of the legislator suggesting that there is a systematic component to a legislator's choice of representational role. Of primary importance is the multi-member district variable. More than 1/4 of our respondents represent MMDs. Consistent with our primary hypothesis, it appears that those from multi-member districts are more likely to favor a trustee style of representation. This is consistent with hypotheses about the influences of district structure on representational roles. Jewell (1982) and Rosenthal (1998) expect that legislators from multi-member districts are less visible to their constituents, and therefore less available for constituency service, and are more likely to favor a trustee role orientation. Legislators who represent single-member districts are more responsive to district demands. Given that MMDs seem to promote a trustee version of legislative representation, it is possible that at least some of the decline in representative democracy that Rosenthal observes is due to the decline of multi-member districts. At the very least, this finding should indicate that more work needs to be done investigating the effects of district structure on styles of legislative representation. Volumes of research have been written on the influence of multi-member districts on descriptive representation and ideological extremity, but much less work has considered how district structure influences interactions with constituents and the influence of those interactions on legislator decision-making. Given that millions of Americans are represented by multi-member districts, this is clearly an important subject that deserves more study.

The model presented in table 3 also suggests that legislators with more experience, those who serve in the upper chamber, and conservatives are significantly more likely to believe in a trustee style of representation. Lipinski (2003) finds that because they are trying to build trust with their constituents, freshman members of Congress are more likely to send delegate messages. Our findings provide early evidence that a similar dynamic exists in the states. For much the same reason, we believe that members from the upper chamber generally have more experience in public office and have built a level of trust with their constituents that many legislators in the lower house have not. Further, members in the upper house have higher re-election rates than those in the lower chamber and thus feel more secure and able to make decisions based more on their own opinion than the opinion of their constituents. Our finding that conservatives are more likely to express a preference for a trustee style of representation is consistent with Carman's (2003) findings in the general population. Clearly ideology affects one's beliefs towards government in a systematic, patterned fashion. Surprisingly, the variables for miles from the district, female legislators, and minority legislators are not significant, but they are in the expected direction.

Conclusion

The study of representational roles has a long and rocky history. Although frequently used throughout the 1960s and early 1970s, a number of scholars began to question whether the concept was useful and it disappeared from the discipline for a number of years. In recent years, however, scholars of Congress (Lipinski 2003), public opinion (Carman 2003), and the state legislature (Rosenthal 1998; Smith 2003) have revisited the notion. Taking our cue from Rosenthal (1998), we sought to find out if legislators' views towards decision-making have changed in recent years. Due to the rise of the media, ubiquitous public opinion polling and the rise of direct democracy, individual citizens have more influence on state policy than at any other time in American history. Have legislators responded to this shift in representational bases? To find out, we conducted a survey of state legislators in eight states to determine their style of representation. Next, we included

this as a dependent variable in a model to explain representational roles. Although we use a variety of independent variables, we are most interested in the influence of multi-member districts.

This paper has produced two notable findings. First, legislators seem to prefer a model of representation that falls fairly close to the notion that Edmund Burke advocated more than two hundred years ago. This by itself is not terribly surprising. Dating from Wahlke (1962) to the present, most scholars have found that legislators display a style of representation that falls closer to the trustee than the delegate style of representation. Surprisingly, this does not seem to have changed much since the 1960s. If anything, legislators seem to be more likely to embrace a trustee style of representation than they used to be. It is possible that these legislators are responding to the decline of representative democracy that Rosenthal highlights. After all, if voters have a variety of ways to influence the process, perhaps legislators are responding by exerting more direct pressure on the voting process.

Second, we found that representational roles have a systematic component. Specifically legislators from multi-member districts, legislators not in their first term, senators and conservatives are more likely to support a trustee style of representation. The multi-member district is of particular importance. Scholars have spent a great deal of time examining the influence of district structure on descriptive representation, but few have looked at how district magnitude may alter the relationship between legislators and their constituents. Jewell (1982) believed that single-member district systems produced legislators who were more responsive to their district—both in terms of their role orientation and their attitudes towards casework. Using data from more than 400 legislators, we find support for Jewell’s hypothesis. We would also like to note that legislators in two of our MMD states, North Dakota and South Dakota represent small, homogeneous districts—districts that previous work has identified tend to produce legislators who describe themselves as delegates. We believe this gives our findings further credibility. Clearly MMDs produce important variations in representation.

This paper is only a first step. In the coming weeks and months we need to revise our models and include more contextual variables—such as electoral support, and the congruence between a legislator’s policy beliefs and the beliefs of her district. Further, we wish to supplement this analysis with work on constituency service. This should provide more forceful support for the proposition that single member districts promote a closer relationship between legislators and their constituents. Nonetheless, we believe that this paper has provided some tentative evidence that institutional variation in districting structures have important implications for understanding representation in state legislatures.

Appendix

Dependent Variable

- As you think about your job as state legislator, where would you place yourself on a scale of delegate to trustee where delegate represents a legislator who votes strictly on the preferences of the voters, and trustee represents a legislator who uses their own best judgment to decide issues?

1 2 3 4 5 6 7

Independent Variables

- Ideology: How would you describe your political views on a scale of 1-7 where 1=extremely liberal and 7=extremely conservative?
- Minority: How would you classify your ethnicity?
Caucasian, Latino/Latina, African American, Native American, Asian American, Other.
 - This was recoded so Caucasian=1; everything else=0
- Miles: How many miles is it from your home in the district to the capital?
- Female: Coded by authors prior to survey.
 - 1=female; 0=male
- Freshman: Coded by authors prior to survey.
 - 1=freshman; 0=not a freshman
- Senate: Coded by authors prior to survey.
 - 1=upper house; 0=lower house
- MMD: Coded by authors prior to survey.
 - 1=MMD; 0=SMD

Constituency Service Variables

- Do you maintain a staffed office in your legislative district?
 - 1=yes; 0=no
- How often do you personally hold office hours for the public in your district?
 - 4=daily; 1=weekly; 3=every two weeks; 2=monthly; 1=infrequently
- Constituency service is the most important thing I do.
 - 1=strongly disagree; 2=disagree; 3=not sure; 4=agree; 5=strongly agree

- Effective constituency service allows a legislator to take stands that may alienate some voters
 - 1=strongly disagree; 2=disagree; 3=not sure; 4=agree; 5=strongly agree
- Constituency service is an important method of maintaining electoral support
 - 1=strongly disagree; 2=disagree; 3=not sure; 4=agree; 5=strongly agree
- I put more emphasis on constituency service than the typical legislator in my state
 - 1=strongly disagree; 2=disagree; 3=not sure; 4=agree; 5=strongly agree
- How many requests for casework does your office receive in an average week during session?

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Table 1: Characteristics of the sample

	Professionalism ¹	MMD ²	Term Limits ³	House District Population ⁴	Senate District Population ⁴
Arizona	.279	Yes	Yes/2000	122,170	122,170
Colorado	.273	No	Yes/1998	50,680	94,130
Missouri	.295	No	Yes/2002	31,390	150,500
New Jersey	.369	Yes	No	193,250	193,260
North Dakota	.108	Yes	No	12,620	12,620
Pennsylvania	.403	No	No	58,530	237,630
South Carolina	.208	No	No	28,120	75,800
South Dakota	.108	Yes	Yes/2000	19,890	19,890

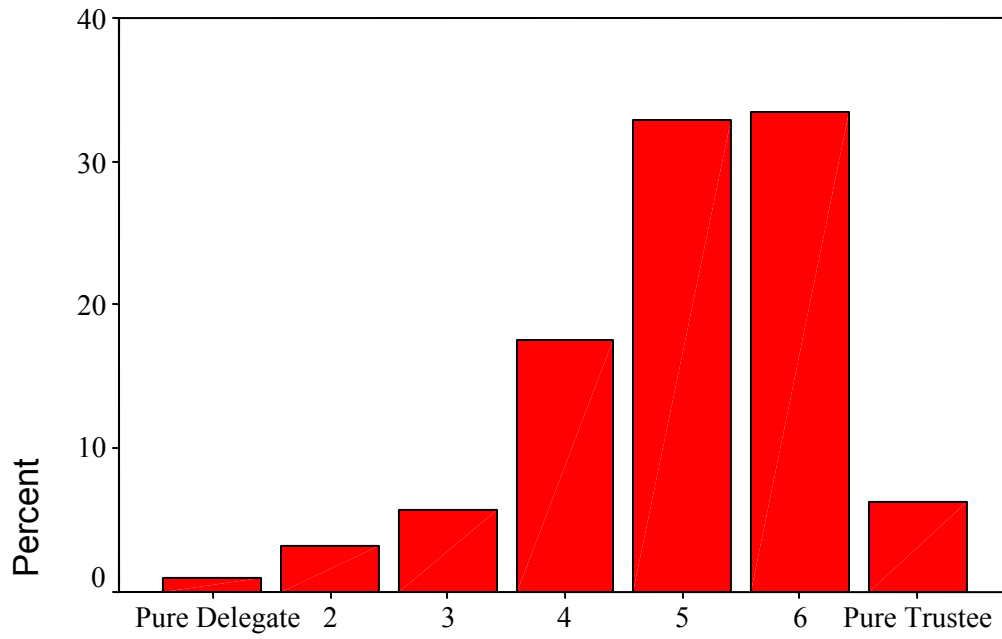
¹=Calculated as a proportion of Congress (King 2000).

²= MMD states have MMDs in the lower house, but no MMDs in the upper house

³= Yes denotes states that have term limits. Year represents the year of impact (from NCSL 2003)

⁴=from Rosenthal (1998)

Figure 1: Representational Roles in State Legislatures



Source: Authors' Survey

N=434

Table 2: Representational Roles Over Time

	% Trustee	% Politico	% Delegate
<i>Author Data (2003)</i>			
Arizona	79	10	12
Colorado	73	20	7
Missouri	66	20	15
New Jersey	65	26	10
North Dakota	86	10	5
Pennsylvania	65	21	15
South Carolina	69	19	7
South Dakota	79	17	4
<i>Wahlke et al. Data (1962)</i>			
California	55	25	20
New Jersey	61	22	17
Ohio	56	29	15
Tennessee	81	13	6

Table 3: Ordinal Logistic Regression Model for Delegate-Trustee Model of Representation

Variable	Coefficient (Robust SE)
MMD	.441* (.202)
Senate	.762** (.231)
Conservative Ideology	.156* (.073)
Miles	-.002 (.001)
Female	.099 (.209)
Minority	-.278 (.298)
Freshman	-.390* (.190)
Chi Sq	23.65**
N	433
Log-likelihood	-648.934

**=p<.01, two-tailed

*=p<.05, two-tailed