

# Representation and Redistricting Issues

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## Should Representatives Be Typical of Their Constituents?

*Bernard Grofman*

In my observations on the issues raised by affirmative gerrymandering I wish to draw attention to the seminal work of Hannah Pitkin (1967) and her discussion of competing views on the nature of representation. Early in her book Pitkin distinguishes between two seemingly antithetical views of the nature of representation. The first of these she refers to as the *authorization view* (whose leading spokesman is Hobbes). In this view a representative "is an agent who has been delegated the power to act in the name of the one represented and to make commitments binding on him (it)." The second view (which lacks a single clear articulation) she labels the *accountability view*. In this view a representative is one who must answer to another for his actions. "(A)n elected official is a representative because (and insofar as) he will be subject to election or removal at the end of his term" (Pitkin, 1967:56).

Where the one group defines a representative as someone who has been elected (authorized), the other defines him as someone who will be subject to election (held to account). Where the one sees representation as initiated in a certain way, the other sees it as terminated in a certain way (Pitkin, 1967:58).

Both views are sterile and formalistic according to Pitkin (1967:58-59) because "(n)either can tell us anything about what goes on *during* representation, how a representative ought to act or what he is expected to do, how to tell whether he has represented well or badly . . . (T)heir defining criterion for representation lies outside the activity of representing itself—before it begins or after it ends."

The accountability view of representation and the authorization view both lead one to downplay the importance of the characteristics of the representative since, in a two-party system at least, the representative has been chosen by a majority of his constituents and might be expected to follow the preferences of his constituents as a precondition to his own reelection. Thus, it might not seem to matter much how constituency boundaries get drawn. However, in a situation that is politically polarized, representatives may represent only that *element* of their constituency they

see as responsible for their own election and whose continued support they see as crucial to their own *reelection* chances. Thus, important elements of a constituency may go unrepresented.

Pitkin also considers an alternative approach to the authorization and accountability views of the meaning of representation, which emerges from writers concerned with "the proper composition" of a legislative assembly." John Adams, for example, argued that a representative legislature "should be an exact portrait, in miniature, of the people at large, as it should think, feel, reason, and act like them" (Adams, *Works*, Vol. IV, Boston 1852-1865, p. 284, cited in Pitkin, 1967:60). The clearest advocacy of what we shall call the *mirror view* is by some early twentieth-century proponents of proportional representation, whose aim is to secure a representative assembly reflecting with more or less mathematical exactness the various divisions in the electorate.

One difficulty with the mirror view is that it is not clear what characteristics of the electorate need to be mirrored to insure a fair sample. The mirror view, carried to its extreme, would argue for a random selection process for legislative assemblies (see also DeGrazia, 1951:185). To the extent that public officials constitute a fair sample of the people, "their opinion will be the same as that the public itself would form, if it could spend time enough to examine the matter thoroughly" (Lowell, 1921:239-240; cited in Pitkin, 1967:74). For example, as Pitkin (1967:76) points out, few would seriously argue that the "best legislator is one who is typical and average in every conceivable respect including intelligence, public spiritedness, and experience." Furthermore, few would wish to replace elections with a controlled random sample, Lowell's (1921:239-240) argument that choice by lot "would secure the same probability of impartial judgment that is expected of jurors" to the contrary, notwithstanding. More importantly, however, few would seriously argue that a legislator (legislature) must be typical of his (its) constituents to be an *effective* representative of them. Furthermore, voters may or may not desire representatives "like" them. A voter may choose a representative because of a likeness of characteristics, or because a representative possesses characteristics that the voter may lack but he *nonetheless* sees as desirable.

I, like Pitkin, am generally unsympathetic to the mirror view.<sup>2</sup> More specifically, affirmative gerrymandering is, in my view, misconceived if it is seen as a mechanism to guarantee that blacks will be represented by blacks, Hispanics by Hispanics, and whites by whites; rather, the proper use of affirmative gerrymandering is to guarantee that important groups in the population will not be substantially impaired in their ability to elect representatives *of their choice*. If district lines have been drawn so that the voting strength of some groups is consistently unrepresented (or underrepresented) throughout the districts in the unit, then we have the beginnings of a case

for affirmative gerrymandering to redress this imbalance. Of course, underrepresentation must be measured relative to the appropriate statistical baseline, which in general will be a standard far less than proportional representation. (See chapter 5, this volume.)

Being typical may be roughly synonymous with being representative, but it is neither a sufficient nor a necessary condition for being an effective representative. Or, to put it somewhat paradoxically, that a representative is *not* representative of those whom he represents does not *prevent* him from representing them well, and that a representative *is* representative of those whom he represents does not *guarantee* that he will represent them well. There is no necessity for spaghettis to rejoice when linguines are elected.

#### Notes

1. A variant of the mirror view emphasizes the representative characteristics of individual legislators rather than focusing on the legislature as a whole. Stuart Rice's pioneer study (Rice, 1928) of the characteristics of legislators correlates the characteristics of state legislators with those of their constituents, taking the degree of correlation as the measure of "the extent to which they [legislators] represent their constituents," and the specific characteristics on which there is high correlation are seen as providing "the respects in which legislators actually represent" (Rice, 1928:189, 206; cited in Pitkin, 1967:76). (See also Hoag and Hallett, 1926.)

2. Pitkin emphasizes that we must look beyond formal criteria—whether of typicalness, delegation, or accountability—to ascertain what the *task* of representing is all about and to develop criteria for whether it is being done well or done badly.