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"New" Civil Rights Strategies for Latino Political Empowerment

Cover Page Footnote

I wish to thank the Gaston Institute for sponsoring my research and for the assistance of Ramon Olivencia and Mariana Cruz. I have especially benefited from discussions of these ideas over several years with Nelson Merced, Miren Uriarte, Howard Fain, William Fletcher, James Jennings, Alan Rom, Edwin Melendez, and Gary Orfield, none of whom, of course, are responsible for any of the article's limitations. I also appreciate the thoughtful commentary of the many participants at my presentation of an earlier version of this article at the University of Massachusetts Boston, April 12, 1994.

"New" Civil Rights Strategies for Latino Political Empowerment

Seth Racusen

Latinos became the largest "minority" group and significantly increased their political representation in Massachusetts in the past decade. Even with these gains, their political power is not nearly commensurate with the size of their population. Many aspects of Latino political demographics, including a large immigrant population with low citizenship rates, high poverty rates, and dispersion across many electoral districts, contribute to their underrepresentation. The political demographics facing Massachusetts Latinos have led many analysts to prescribe alternative electoral systems as avenues to achieve increased political representation. This article reviews the critiques of the 1970s and 1980s civil rights redistricting strategies and explores the prospects that the "new" 1990s strategies could offer Latinos in the six cities where they are highly concentrated and at the state level. The author projects gains for most legislative bodies, but at a rate lower than suggested by proportionality advocates.

Latinos became the largest "minority" group and gained a modicum of political representation in Massachusetts during the past decade. In contrast to 1983, when there was only one elected representative,¹ Massachusetts has eight Latino elected officials and there are prospects for increased representation in several districts.² These gains follow the national pattern in which Latino population growth precedes increased political representation. It has occurred through the creation of Latino majority districts and "rainbow" districts in which Latinos and other minority groups, usually blacks, have combined to form political majorities.

Even with these gains, Latino municipal political power is not nearly commensurate with the size of the Latino population in the cities where Latinos are highly concentrated. Their underrepresentation is more marked at the state level, which includes no Latino elected officials. This also follows national patterns of Latino underrepresentation in all states except New Mexico.³ Thus, one prominent analyst has suggested that the emphasis on litigation and electoral politics may have reached "a point of diminishing returns without the addition of some new conceptualization, strategies, and approaches for Latino politics in the 1990's."⁴

This article examines one facet of such a new conceptualization for litigation and electoral politics: the potential impact of alternative electoral systems for increased Latino political representation in Massachusetts. Latino political demographics in Massachusetts and many other states have led many analysts to prescribe alternative

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“Latino political demographics in Massachusetts and many other states have led many analysts to prescribe alternative electoral systems, not based on small geographic districts, as more fruitful avenues to achieve increased political representation.... What impact might these alternative systems have upon the political representation of the Latino community?”

— Seth Racusen

electoral systems, not based on small geographical districts, as more fruitful avenues to achieve increased political representation. The key demographics factors that have led to these proposals are the residential dispersion of the Latino community in many municipalities and political districts of an increasingly multiethnic population. However, advocates for the alternative systems have not addressed the other aspects of the political demographics of the Latino community. The alternatives are based on premises about voters in comparison with the district systems structured by population figures. Since the Latino community has a high percentage of nonvoters, I ask, what impact might these alternative systems have upon the political representation of the Latino community? I outline the critiques of the 1970s and 1980s civil rights strategies, present Latino political demographics in Massachusetts, and explore the prospective impact of alternative electoral systems on Massachusetts Latinos.

Critiques of Civil Rights Strategies

The Voting Rights Act (VRA) changed the shape of politics by significantly broadening the demographic makeup of the electorate, restructuring the rules of the game, and making possible the vast increases in Latino and black elected officials. In the three decades since the passage of the VRA and particularly since the 1974 amendment to include Latinos, the number of black and Latino elected representatives has increased dramatically. The Latino community saw a threefold increase to more than 4,000 as of 1991.⁵ The act attacked outright barriers to participation and replaced at-large districting in cities and counties with single-member districts in which Latinos, blacks, or some combination could comprise a majority of a new district.

Participation

The participatory focus of civil rights litigation has successfully challenged many barriers to the political participation of blacks, Latinos, and Asians. This has included efforts to eliminate outright barriers to participation: registration requirements, literacy tests, poll tax, English-language ballots, and many forms of Election Day intimidation.

Nevertheless, large segments of the Latino community do not vote. More than 5 million Latinos were noncitizens in 1990, the steepest participation obstacle facing the community. To address this obstacle, there have been calls for naturalization campaigns, targeted voter registration and mobilization, and including noncitizens in the electorate, particularly for local elections. Rodolfo de la Garza and Louis DeSipio have proposed allowing noncitizens to vote during the five-year waiting period for naturalization. Those who participate in municipal elections would become citizens based on their voting and be exempted from the citizenship examination. DeSipio favors the inclusion of noncitizens in all elections, while de la Garza favors it only in municipal elections. Their proposals seek to increase Latino citizenship rates by creating an incentive for noncitizens to vote.⁶

Noncitizen voting, neither mandated nor proscribed by the U.S. Constitution, has been contingent on state politics. Noncitizens could vote in at least twenty-two states from the late eighteenth century until 1926, when Arkansas was the last state to end it.⁷ During this period, noncitizen voting, provided as an incentive to stimulate European immigration and settlement of the frontier, was accompanied by bilingual education on the prairies. Today, noncitizen voting is allowed in nine European

countries and New Zealand, and in Chicago and New York school board elections; it has also been approved in Takoma Park, Maryland.⁸

Voting eligibility requirements reflect a society's view toward its members. Like all political rules, those for voting eligibility are changeable. Given the increasingly international structure of the economy, considerable discussion of new approaches toward political participation, including the voting rights of noncitizens, is warranted.

Structures of Representation

The second focus of the civil rights strategies being reevaluated has been the right to cast a meaningful ballot, namely, to enable communities of black, Latino, and Asian voters to effectively exercise their own preferences. Many litigation suits have concentrated on moving from at-large to single-member districting and influencing the shape of the resulting redistricting boundaries.

The courts have defined civil rights districts as remedies for specific circumstances. A three-part standard, established in the 1986 case *Thornburgh v. Gingles*, requires that a district be created for a protected group, provided that the following conditions are demonstrated:

- The protected group is sufficiently large and compact to form the majority of an electoral district.
- That the protected group is politically cohesive.
- That the "majority" must also have been politically cohesive and blocked the preferences of the protected group.⁹

It is the first prong of the Gingles test, which has been criticized for denying the rights of noncompact minorities to cast a meaningful ballot.

District representation has not proved to be the best remedy to increase Latino or Asian¹⁰ representation, owing to residential dispersion.¹¹ It was extremely difficult to create a municipal-level Latino majority district in Boston in 1983.¹² Where districts can be constructed, they can effectively provide representation.

District remedies are advantageous to the largest minority group in each municipality, which has led to concern that groups would have interests in distinctive electoral districts and structures, creating a structural basis for competing electoral strategies.¹³ Blacks in Florida, Latinos and Asians in California, and Asians in New York City redistricting have found their electoral interests conflicting with those of other groups.¹⁴ Because many Latinos have been elected from rainbow districts where blacks comprise the largest group, these coalitions are viewed as highly strategic for the Latino community. For example, former state representative Nelson Merced was elected from a district estimated to be about one-quarter Latino and almost half black.¹⁵ But there is nothing automatic about these coalitions, which are so strategic for Latino empowerment.¹⁶

Indeed, one group's gain has come at the expense of another, a dynamic that becomes increasingly difficult as each group becomes larger. To illustrate these dynamics, consider Pacific City, California, a small city whose population is 30 percent Asian, 10 percent Latino, and 4 percent black and whose school board has nine at-large members and only one minority member, who is black. A lawsuit of Latinos and blacks yielded a district plan with two majority-minority districts. Asians, highly dispersed

within Pacific City, subsequently entered the process, favoring a modified at-large system using cumulative voting. In such circumstances, what rights, if any, do noncompact minorities possess? If none, what democratic principle would one invoke to insist on geographical compactness? If some, how would the rights of compact and noncompact minorities be evaluated simultaneously?¹⁷ The complexities are equally difficult in cities in which two equivalent-size minority groups are competing for political representation.¹⁸

There are many examples of the potential contentiousness of current approaches to resolving competing claims. While a few attorneys and scholars envision solutions within the context of the Voting Rights Act to the questions about noncompact minorities and competing claims over the shape of districts,¹⁹ many view these issues as neither foreseen nor adjudicable by the act. Boston's history has demonstrated that it is possible to create multiethnic redistricting coalitions. Nonetheless, the complexities arising from multiple voting claims increase in places with larger Latino, black, and Asian communities.²⁰ The projected growth of Latino and Asian communities suggests that these complications will increase.

Even where redistricting has produced increased representation, there are concerns about unintended consequences of the district strategy. Many observers have noted that the increase in numbers of Latino (and black) elected officials has not contributed to sustained increased mobilization and participation, part of the original civil rights vision which led to the VRA. Instead, participation follows a cyclical pattern, initially increasing when a civil rights district is first created, then returning to relatively low participation rates, largely as a consequence of incumbency.²¹

Questions have also been raised about what minority officials can accomplish, given the shape of U.S. politics. Latino and black elected officials were elected primarily to municipal and state legislative bodies, whose limited power has been eroding.²² The racial dynamics existing within many of those bodies further limits minority power.²³ In some instances, new rules have been devised to limit the power of minority officeholders.

After the first Mexican-American woman was elected to the school board in a small Texas county, the board changed its rules for putting items on the agenda. Whereas prior to her election, any one member could put an item on the agenda, now it would require a second before issues would be considered.²⁴

Berry [an incumbent black city councilor] received the largest number of first-ballot choices — more than any of the white candidates. It was the tradition in Cincinnati that the council member with the largest vote would be elected by the council to serve as mayor . . . After much political maneuvering, the white council member with the most seniority was chosen mayor.²⁵

Impeding minority officeholders need not be as explicit as these cases. Instead, the “pockets” of civil rights structures operate within a majoritarian environment, which places extreme limits on what can be achieved. The “white backlash” that led to the California Proposition 13 initiative can be viewed as a majoritarian response to the California assembly, presided over by the black liberal Speaker Willie Brown, which was perceived as quite liberal for the decade before the initiative. Bruce Cain argues that such majoritarian “adjustments” will inevitably limit civil rights efforts.²⁶

Lani Guinier has advanced the same argument with a different emphasis. In her view,

such “disproportionate majority power” is fundamentally “unlegitimate” because majority rule has always presumed a “reciprocity claim,” which she states as follows: “While pluralist theories of democracy do contemplate minority losses, they do not necessarily envision a minority that never wins.”²⁷

The relationship between majority rule and minority rights was at the center of James Madison’s warnings about the danger of “majority tyranny” and much of the liberal theory of the eighteenth century. Jean-Jacques Rousseau’s *Social Contract* was motivated by concern about how an individual could rationally abide by a majority decision with which he disagreed, considered a litmus test of the legitimacy of a representative democracy. According to Rousseau, the majority, if animated by the general will of the population, would always represent the best decision, which the rational individual would recognize. Guinier has argued that these theorists presumed that the legitimacy of majority rule rested with the hope that a loser today could become a winner tomorrow. The status of a permanent minority, whose interests are consistently outvoted, violates this reciprocity tenet within majoritarianism. Thus, Guinier has called for a new trade-off between majority rule and minority rights.

The emerging critique of the civil rights movement points to four principal problems with single-member voting; (1) the impact of incumbency, which depresses voter turnout, is particularly strong in districts, (2) dispersed minorities will not be compact enough to compose a district; (3) the difficulties of mediating between the claims of multiple groups may increase tensions between groups; and (4) minority elected officials encounter unresponsive white legislators. Many facets of this critique should not be left at the door of the civil rights movement, but rather be regarded as consequences of the majoritarian limitations of U.S. political institutions that it did not challenge.

To date, Latino analysts have focused primarily on the limited applicability of the Voting Rights Act to the specific barriers to the political participation of the Latino community. One important analyst who has commented on the structural issues views single-member districting as the best, although imperfect alternative because it produces the greatest levels of representation for Latinos and blacks, given contemporary realities.²⁸ To address the effects of incumbency on participation, some recommend more influence districts, in which Latinos are not a majority but a sizable minority, with more than 20 percent of a district’s adult population. According to this view, Latino participation would increase because multiple candidates would have to compete for their votes, stimulating mobilization. Latinos would also supposedly be more highly motivated to participate in influence districts than in safe districts. But influence districts would not lead to much increased representation.²⁹ The proposal for influence districts partially responds to the VRA critique.

However, the critique of majoritarianism has not been substantively addressed by these analysts. Angelo Falcón, president of the Institute for Puerto Rican Policy in New York and one of the principal investigators of the important Latino National Political Study, has criticized Guinier for underestimating the significance between “community and group solidarity” in politics, and those “linkages between community and the political system.”³⁰ But does group solidarity really emanate from residential proximity? Guinier argues that interest groups tend to be more mobilized in alternative systems. Within much important commentary, such as Luis Fraga’s thoughtful discussion about the importance of Latino advocacy of an informed public interest, lies an implicit acceptance of the majoritarian biases of the contemporary allocation of power.

Nonmajoritarian systems offer fairer representational possibilities for dispersed politi-

cal minorities and eliminate the potentially fractious decentennial redistricting fights. The allocation of power inherent in redistricting moves from the planning arena to the electoral arena. Competing claims and demographic changes are mediated through electoral alliances and would not require new district boundaries.

Key to these claims is a presumption that a dispersed minority group would be better represented under the alternative systems. Much of the increase in minority presence in cities has been due to the growth of U.S. Asian and Latino communities, both having low registration and voting rates and facing many participation hurdles. While the alternative systems have the potential to provide representation to dispersed groups, those groups must have sufficient voting power, which has not been clearly established. Instead, the very groups that would supposedly benefit from the alternative systems participate in electoral politics at much lower levels. Lani Guinier, who noted this problem, argues that nonvoters would still stand to gain from alternative systems because the systems would mobilize groups, in which they could participate, and create a qualitatively different environment that would generate more responsive public policy.³¹ But would groups with few voters actually lose representation in a system based on quotas of voters? If the answer is yes, would this represent a realistic option for Latinos or Asians?

This article reports on one aspect of Guinier's broader proposals: What impact might alternative electoral systems have upon the representation of a dispersed minority group, Latinos in Massachusetts, which faces many barriers to participation? While much of her other arguments warrant further examination, the empirical exploration that follows is an important test for adequate consideration of structural alternatives.

Latino Political Demographics in Massachusetts

Despite its rapid expansion during the 1980s, the Massachusetts Latino electorate appears less mobilized than that of other large states. From an estimated 19,959 registered voters in 1982, the Latino electorate grew two and a half times in just eight years to a total of approximately 48,510 voters in 1990. During this period, the Latino electorate expanded from 0.7 percent to 1.6 percent of the total electorate. (see Table 1)

The Latino electorate would be still larger — approximately 2 percent of the total Massachusetts electorate — if several methodological problems were corrected. The figures cited above, based on the U.S. Census Current Population Surveys (CPS) of 1982–1990, underestimate the Massachusetts Latino electorate at any given time because of the continual undercounting of the Latino population. The 1990 electoral data projected population estimates and miscalculated Latino adults in the state by 26,374, according to the 1990 census.³² Second, that census, according to another census report, undercounted the Latino population by 7.3 percent.³³ The adjusted figures (see Table 2) project nearly 61,000 registered voters with a turnout of 49,000 in 1990.

When compared with Latino electorates in other states with large Latino populations, Massachusetts Latinos have been participating at lower rates. Figure 1 presents the registration rates, the key indicator of participation, for Latinos in the twelve states for which they are given in the 1988–1992 CPS. The national averages of Latino registration for these three election years varied between 32 percent and 36 percent. Most of the larger states were at or above those levels during all three of the election years. Larger, more densely populated communities tend to be more mobilized because of the structure of the U.S. political system. California, with the lowest Latino participation rates, and Massachusetts, with the next lowest rates, do not conform to these national trends in

Table 1

The Growing Massachusetts Latino Electorate, 1982-1992

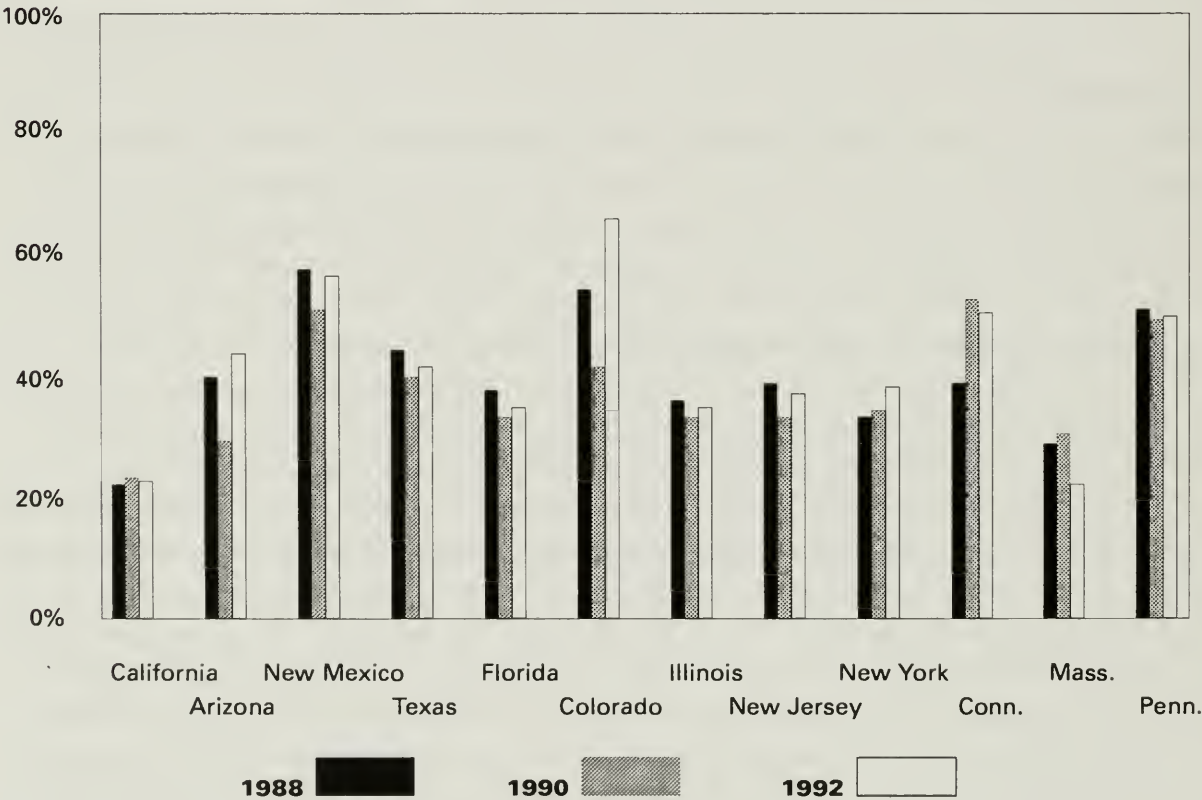
Year	All Latino Adults	Latino Registered Voters	As Percentage of All Registered Voters		Latino Turnout	As Percentage of All Voters	
1982	120,232	19,959	0.69%		11,663	0.51%	
1984	67,000	19,000	0.62%		15,000	0.56%	
1986	109,975	19,466	0.66%		15,177	0.71%	
1988	142,240	40,965	1.30%		30,724	1.09%	
1990	154,000	48,510	1.56%		38,654	1.47%	
1992	124,000	28,000	0.86%		18,000	0.61%	

Sources: U.S. Bureau of the Census, *Voting and Registration in the Election of 1982*, Current Population Reports Series P-20, No. 383. Washington, D.C.: U.S. Government Printing Office (hereafter USGPO), 1983; *Voting and Registration in the Election of 1984*, Current Population Reports Series P-20, No. 405 (Washington, D.C.: USGPO, 1985); *Voting and Registration in the Election of 1986*, Current Population Reports Series P-20, No. 414 (Washington, D.C.: USGPO, 1987); *Voting and Registration in the Election of 1988*, Current Population Reports Series P-20, No. 440 (Washington, D.C.: USGPO, 1989); *Voting and Registration in the Election of 1990*, Current Population Reports Series P-20, No. 453 (Washington, D.C.: USGPO, 1991); *Voting and Registration in the Election of 1992*, Current Population Reports Series P-20, No. 466 (Washington, D.C.: USGPO, 1993).

Figure 1

Registration Rates for the Latino Electorate of the Twelve Largest States, 1988-1992

As Percentage of Latino Voting Age Population



Source: U.S. Bureau of the Census, Current Population Reports, P20-400, P20-453, and P20-466.

Table 2

The Massachusetts Latino Electorate in 1990

	CPS 1990	Estimate 1: CPS 1990 Corrected with 1990 Census Data ^a	Estimate 2: CPS 1990 Also Corrected for 1990 Census Undercount ^b
Latino Residents, 18+ (percentage of total residents)	154,000 (3.43%)	180,374 (3.87%)	193,541 (4.21%)
Latino Registered Voters (percentage of all registered voters)	48,510 (1.56%)	56,818 (1.77%)	60,965 (1.90%)
Latinos Voting (percentage of all voters)	38,654 (1.47%)	45,274 (1.87%)	48,579 (2.00%)

^aEstimate 1 applies the registration and voting rates reported in the 1990 CPS to the population figures in PL94-171.

^bEstimate 2 applies the same registration and voting rates to the population figures in PL94-171, adjusted by the Census Bureau's estimate of the undercount of Latinos and the overall population.

large states. Massachusetts Latinos participated at rates comparable with Latinos nationwide only in the 1990 election. The large number of California Latinos compensates for the relatively low rate of their participation; the Massachusetts Latino community is not of that magnitude. I explore below some of the possible reasons for the lower participation of Massachusetts, but it is important to note that there is nothing Latino about low electoral participation. In their homelands, Latinos go to the polls at much higher rates.³⁴

I use registration to measure participation here because registered voters, whatever their race, vote in similar proportions. White registered voters participated at a slightly higher rate than their Latino counterparts in the 1992 elections; compare the turnout rates for white registered voters (90.7%) and Latino registered voters (82.5%). The percentage of registered voters that did not vote in 1992 is consistent across the electorates, from a low of 4 percent for the Asian community to a high of 7 percent in the white electorate.

What accounts for differences in registration? Within each electorate, there is a relatively consistent percentage of adults who are not registered for reasons other than citizenship, from a low of 24 percent of Asians to a high of 31 percent for blacks. What stands out are the differences in the relative sizes of the noncitizen population — 45 percent of Asians and 40 percent Latinos were not citizens in 1992, compared with 5 percent each of blacks and whites. For all these reasons, the overall participation profiles of Latinos and Asians are quite similar, as are the participation portraits for the black and Puerto Rican communities.³⁵

Registration Rate Differences

If registered voters of all races vote at similar rates, what accounts for the differences in the numbers of registered voters? In particular, what accounts for the differences between the Latino registered voters in Massachusetts and those in the other major

states? The four factors that depress the rate are the high level of residential dispersion, the youthfulness of the population, high poverty levels within the community, and the high numbers of immigrants and relatively low rates of citizenship.³⁶ None of these factors indicate that there is anything “Latino” about nonparticipation; they point instead to the barriers to political participation of U.S. Latinos.

Residential Patterns

Massachusetts Latinos are highly dispersed, residing primarily in white majority areas and secondarily in multiethnic or rainbow areas. Fifty-one thousand, or 18 percent, of Massachusetts Latinos live in three cities with a large Latino population: Chelsea, Holyoke, and Lawrence; 41 percent live in six rainbow cities: Springfield, Boston, Lowell, Lynn, Cambridge, and Brockton, in which there are also significant numbers of blacks and Asians. The other 41 percent live in the rest of the state, outside these areas of concentration.³⁷

To portray the residential patterns, I sorted the Massachusetts political precincts into the following mutually exclusive categories:

- Safe 65 percent of the adult population is Latino.
- Majority 50 percent of the adult population is Latino.
- Plurality 33 percent of the adult population is Latino, and Latinos are the largest group.
- Influence 20 percent of the adult population is Latino.
- Rainbow 10 percent of the adult population is Latino, and whites are less than 50 percent.
- Others All other precincts

It is important to distinguish between the precinct, the basic unit of politics, and the political district, which is composed of precincts. It is possible, for example, for a Latino to live in a precinct categorized as other, but vote in an influence district in which the Latino population is 20 percent or more. This categorization scheme uses precincts, not districts, which could overstate the degree of dispersion. Even with this caution, the high level of residential dispersion of the Latino population is evident in the data.

In 1990, almost two-thirds of Massachusetts Latinos (65%) lived in places where Latinos comprised less than 10 percent of the population. Only 12 percent lived in precincts in which Latinos were a majority. Approximately one in five Latinos lived in rainbow or influence precincts.

Table 3 presents the distribution of the Latino population in six cities: Chelsea, Lawrence, and Holyoke, with large populations of Latinos, and Springfield, Boston, and Lowell, the rainbow cities with the highest concentration of Latinos. It is evident from Table 3 that in the three cities where the 1990 Latino population exceeded 30 percent, there were substantial concentrations of the Latino community. In each, Chelsea, Lawrence, and Holyoke, districts could plausibly be created to provide political representation. Springfield and Boston showed a few areas of concentration, but many more rainbow or influence precincts, and Lowell had only two precincts with any Latino concentration.

Table 3

**Distribution of Latino Population by Categorization of Precincts
in Six Large Massachusetts Cities**

	Safe ^a	Majority ^b	Plural ^c	Influence ^d	Rainbow ^e	Other ^f	All
Chelsea	0	2	0	4	0	4	10
Lawrence	4	7	0	4	1	14	30
Holyoke	1	2	0	4	0	8	14
Springfield	4	0	1	3	9	47	64
Boston	0	0	7	9	42	194	252
Lowell	0	0	0	1	1	33	35

Source: U.S. Bureau of the Census Public Law 94-171, Data File, 1990.

^aSafe 65% of adult population is Latino.

^bMajority 50% of adult population is Latino.

^cPlurality 33% of adult population is Latino, and Latinos are the largest group.

^dInfluence 20% of the adult population is Latino.

^eRainbow 10% of the adult population is Latino, and whites are less than 50%.

^fOthers All other precincts.

Most U.S. Latino officials reside in safe, majority, plurality, or rainbow districts; in Massachusetts, most Latino elected officials reside in majority districts. Representative Merced, however, came from a rainbow district. In Lawrence, Chelsea, and Holyoke, Latinos are the single large minority group; in Boston, Lowell, and Springfield, they are part of a demographic rainbow. Table 4 displays Latino population estimates for these cities and for Massachusetts.

Table 4

Latino Political Demographics in Six Cities and State

	Latino Population			
	Overall ^a	Voting Age (VAP) ^b	Voting Age Citizens (VAC) ^b	Electorate ^c
Lawrence	41.6%	29.1%	21.2%	18.3%
Chelsea	31.4%	23.1%	16.8%	13.8%
Holyoke	31.1%	18.7%	18.6%	13.7%
Springfield	16.9%	10.9%	10.7%	7.4%
Boston	10.8%	8.4%	5.8%	4.7%
Lowell	10.2%	6.5%	5.4%	4.5%
Massachusetts House	4.8%	3.9%	2.9%	2.0%
Massachusetts Senate	4.8%	3.9%	2.9%	2.0%

^a Public Law 94-171 Data File, 1990.

^b Estimated for each town and state from *1990 Census of Population, Social and Economic Characteristics*, Report 1990, CP-2-23, 1993, Table 192. Latino citizenship for each town was estimated as follows: Holyoke (95.7%), Springfield (94.8%), Lowell (85.2%), Lawrence (70.1%), Boston (69.0%), and Chelsea (68.9%)

^c Estimated by applying statewide voting data from *Voting and Registration in the Election of 1990*, CPS Report P-20, 453, 1991, to estimated Voting Age Citizens in previous column.

The Latino voting age population (VAP) is substantially smaller than its share of the overall population, which indicates the overall youth of the Latino population as com-

pared with other populations. Latinos represent the youngest population of all ethnic groups in the six cities! In Holyoke, Lawrence, Lowell, and Springfield, half or almost half of the Latino communities were below voting age. These figures were between twice and three times the rate for the white community. The youngest Latino communities, with predominantly Puerto Rican populations, are Holyoke, Springfield, and Lowell.

The Latino voting age citizens category estimates the citizenship rate among Latino adults. Holyoke and Springfield, whose Latino communities are overwhelmingly Puerto Rican, show high citizenship rates. The three cities with large Dominican or Central American populations have much lower citizenship rates. Large numbers of Central Americans reside in Boston and Chelsea. Many Dominicans, who are primarily located in Lawrence and Boston, are noncitizens. Much of the 1980s Latino population growth in Massachusetts resulted from the migration of Central Americans, whose noncitizenship rate is much higher than that of Mexicans or Cubans.

Latinos generally are less likely than European immigrants to become naturalized after five years of U.S. residence: for example, 40 percent of naturalized Mexicans wait twenty-five years or more before naturalizing. Of those who become citizens, apparently 81 percent register to vote.³⁸ Noncitizenship is not unique to Mexicans: 70 percent of Colombians, Dominicans, and Salvadorans also do not apply for naturalization once they become eligible.³⁹

Poverty and Citizenship

Citizenship is highly correlated with social class. Noncitizenship is much higher among those with less than a fifth-grade education than for those with some college. Nearly three-quarters of Latinos with advanced degrees are citizens, compared with about one-third of those with only a fifth-grade education.⁴⁰ This is particularly true of Massachusetts Latinos, who are believed to be the poorest of all such U.S. populations.⁴¹ Poverty, the low Latino citizenship rate, and the vast increase in Central American immigration in the second half of the 1980s explain the lower participation of the Massachusetts Latino electorate in comparison with other large states.

Electoral participation is also highly correlated with social class in the United States, which greatly affects Latino communities. One important study found that blacks voted at higher rates than whites, and, after controlling for citizenship, age, education, and income, that Mexican participation was comparable to the national average.⁴² In other words, the nonclass factors commonly thought to be associated with lower rates of participation, citizenship, and age of the community turn out to be strongly correlated with social class.

Another aspect of the influence of class is that Latinos who live outside central cities vote at much higher rates than those who live in central cities.⁴³ This creates a paradoxical situation in which Latinos vote at much lower rates in the places where they are most highly concentrated, and at higher rates in the places of less concentration. This also brings us to the question, What is the potential impact of alternative electoral systems on Massachusetts Latinos?

The Impact of Alternative Electoral Systems

As previously noted, Massachusetts Latinos are a highly dispersed minority group and face many obstacles to participation. The following discussion examines the general

Table 5

**Latino Population and Legislative Representation for
Six City Councils and Massachusetts State Legislature**

	Population		Representatives			Indices of Proportionality	
	Total	As Percentage of City	All	Latino	As Percentage of Legislative Chamber	Additive ^a	Ratio ^b
Lawrence	29,237	41.6%	9	1	11.1%	30.5%	26.7%
Chelsea	9,018	31.4%	9	2	22.2%	09.2%	70.8%
Holyoke	13,573	31.1%	15	1	6.7%	24.4%	21.4%
Springfield	26,528	16.9%	9	0	0.0%	16.9%	0.0%
Boston	61,955	10.8%	13	0	0.0%	10.8%	0.0%
Lowell	10,499	10.2%	9	0	0.0%	10.2%	0.0%
Senate	287,549	4.8%	40	0	0.0%	4.8%	0.0%
House			160	0	0.0%	4.8%	0.0%
House-1990			160	1	0.6%	4.2%	12.5%

Source: U.S. Bureau of the Census Public Law 94-171, Data File, 1990.

^aAdditive: the share (percentage) of representation is subtracted from the share of the population. This percentage is bounded by the Latino population of the city, with 0% as proportionate representation and a negative number indicating underrepresentation.

^bRatio: the share of representation is divided by the share of the population. This figure generally varies between 0 and 100%, with the latter indicating representational equity.

claim of proportionality advocates that dispersed populations would be more highly represented under alternative voting systems, particularly in communities with many nonvoters.

Political representation is generally measured by comparing the percentage of Latino elected officials with the percentage of a Latino population in a given region or state.⁴⁴ This definition does not require or even imply virtual representation, namely, that only a Latino can represent Latinos. As communities of Latino voters have been increasingly able to vote *meaningfully* by choosing their own representatives, the numbers of Latino elected officials have increased. One would have to assume that Latinos are less likely than the overall population to vote for a Latino to expect another result.

Most Latinos are elected from the majority districts generally created in response to, or anticipation of, voting rights suits. According to the National Association of Latino Elected Officials, the typical Latino official's constituency is 55 percent Latino. In Texas, which has more Latino representatives than any other state, the typical official's constituency is 73 percent Latino! Massachusetts Latino officials have been elected from one of two patterns: four at-large school officials in Lawrence, Chelsea, Holyoke, and Springfield, and four district-based city councilors in Lawrence, Chelsea, and Holyoke. These numbers for the cities with the largest Latino concentrations are in keeping with national trends. The gender of the Latino officials, four female school committee members and four male city councilors, is also in keeping with national trends of females disproportionately serving on school boards.⁴⁵

The Latino population and council representation for the six cities in the study and the state of Massachusetts are shown in Table 5. The expectation that increased popula-

tion produces increased political representation is generally confirmed by the data. There is council representation in Lawrence, Chelsea, and Holyoke, where the Latino population exceeds 30 percent and constitutes majority precincts (see Table 3). However, the fact that representation is higher in Chelsea than Lawrence suggests that the population impact must be considered a tendency, not a law of politics.

Comparisons of the Latino share of the overall population with the Latino share of council representatives indicate that Latinos, underrepresented in Chelsea, are severely underrepresented in the other five cities. Two indexes of proportionality are usually computed in the literature.⁴⁶ The additive index subtracts the Latino population percentage from the representation percentage. The resulting figure varies according to the size of the population: 0 percent represents equitable representation, a positive percentage represents overrepresentation, and a negative percentage represents underrepresentation. The additive method shows Latinos to be highly underrepresented in Lawrence (-30.5%) and Holyoke (-24.4%), where there are Latino elected officials, and less underrepresented in Boston (-10.8%), Springfield (-16.9%), or Lowell (-10.2%), where there are none. This method is less sensitive to gains in representation in cities with a more concentrated community. The ratio of representation to population divides the percentage of representation by the percentage of the population and varies from 0 percent for no representation to 100 percent for equitable representation and more than 100 percent for overrepresentation. The ratio method shows Latinos to be most highly represented in Chelsea (70.8%). However, this method, which does not reflect population differences in cities with no representation, classifies Springfield, Boston, and Lowell as equally underrepresented.⁴⁷ Hence, both calculations are given here.

There are no Latino elected officials above the municipal level. Table 4 also presents the indexes of representation for the current legislature and that of 1990, when Nelson Merced held office. Even when Merced was a member, the ratio for the House of Representatives of 12.5 percent indicates that the Latino population was eight times larger than its share of legislators. Restated, proportionate representation for the 1990 Latino population would have been eight statewide representatives.

Threshold of Representation

Political scientists estimate the possible outcomes of electoral systems by calculating the "threshold of representation," or the number of voters necessary to elect a given candidate. Although there are many types of proportional systems, the two most relevant are proportional representation, which is employed in Cambridge, and cumulative voting, which is in force in a few small U.S. locales. The calculation for this threshold, which is consistent across the systems, is calculated as follows:

$$\text{Threshold} = 1/(\text{Seats} + 1)^{48}$$

The values for this formula are given in Table 6. In a single-member district, 50 percent of the voters are necessary to produce an electoral triumph in a final election. In modified at-large systems, such as cumulative voting or proportional representation, the threshold is calculated on the basis of the number of representatives being elected. In an election for three at-large seats under a modified system, 25 percent of the voters could elect a representative. Consider the case of Alamogordo, New Mexico, 21 percent Latino, which elected Inez Moncada, a Latina, to the Board of Alderman in 1987. Cumulative voting was adopted the same year to elect the three at-large aldermen.

Table 6

Threshold of Political Representation

Seats	Voters	Seats	Voters
1	0.500	9	0.100
2	0.333	10	0.091
3	0.250	11	0.083
4	0.200	12	0.077
5	0.167	13	0.071
6	0.143	14	0.067
7	0.125	15	0.063
8	0.111		

Source: Richard L. Engstrom, "The Single Transferable Vote: An Alternative Remedy for Minority Vote Dilution," *University of San Francisco Law Review* 27 (Summer 1993).

Under this system, voters can express the strength of their preferences and cast all three votes for one candidate or split their votes among two or three candidates. According to analysis after Ms. Moncada's election, she received 73 percent of the Latino vote, with Latinos casting on average 2.6 voters for her. She also received about 22 percent of the white vote. The intensity of that Latino vote suggests the potential use of cumulative voting by a minority.⁴⁹

In Cambridge, another modified at-large system, proportional representation is used to elect the nine members of the City Council, yielding a threshold of representation of 10.1 percent. Under this system, each voter expresses his or her preferences by ranking the candidates. If a voter's first choice is defeated or elected with an excess of votes during the counting, the second preference on that ballot is tallied. The process of redistributing the secondary preferences, which is why the system is also called the single transferable vote, continues until all candidates have been eliminated or elected. Thus, all voters can exercise a preference.

Blacks, who comprised 13.5 percent of the 1990 Cambridge population, have been able to elect a representative under this system even when their share of the population was under the threshold. Proportional representation has also been used since 1970 in the community school board elections in New York City. Latino and black representation on these boards has approximated the Latino and black shares of the overall population for the twenty-plus years since. In 1983, for example, Latinos were 20 percent of the city's population and held 17 percent of the community school board seats. New York City Latinos were not as well represented on any other municipal or state body.⁵⁰

The Latino population (see Table 4) in each of the six study cities exceeds this threshold of representation for the city councils if modified at-large systems had been used. These councils vary from nine members in four of the cities to thirteen in Boston and fifteen in Holyoke. The thresholds of representation are 10 percent for the four cities with a council of nine, 7.1 percent in Holyoke, and 6.3 percent for Boston.

While the Latino population is larger than the thresholds for representation in these cities, the most important indicators for the outcome of elections held under alternative systems are the numbers of voters. The 1990 Latino electorate (see Table 4) exceeded their thresholds of representation only in Lawrence, Chelsea, and Holyoke, the municipalities where Latinos were already elected through district representation. A much closer examination of the possible impact of the alternative systems is needed.

Table 7

Proportionate Representation for Six City Councils
and Massachusetts State Legislature

	Proportionate Representation Based on				Current Repre- sentatives
	Overall Population ^a	Voting Age Population ^a	Voting Age Citizens ^b	Electorate ^c	
Lawrence	3.7	2.6	1.9	1.6	1.0
Chelsea	2.8	2.1	1.5	1.2	2.0
Holyoke	4.7	2.8	2.8	1.2	1.0
Springfield	1.5	1.0	1.0	0.7	0.0
Boston	1.4	1.1	0.8	0.4	0.0
Lowell	0.9	0.6	0.5	0.4	0.0
Massachusetts Senate	1.9	1.5	1.2	0.6	0.0
Massachusetts House	7.7	6.2	4.7	2.4	0.0

Note: "Proportionate" legislative representation estimates the amount of representation that would be proportionate to each population factor.

^aPublic Law 94-171 Data File, 1990.

^b1990 Census of Population, Social and Economic Characteristics, Report 1990, CP-2-23, 1993.

^cVoting and Registration in the Election of 1990, CPS Report P-20, 453, 1991.

Proportionate Representation

The impact of alternative systems is more thoroughly presented in Table 7, which estimates proportionate council representation based on four population factors (see Table 4) and current council size if modified at-large systems were used.⁵¹ Because of the participation factors noted above, the estimates based on Latino voting age citizens and the Latino electorate provide the best figures for proportionate representation. Projections based on voting age population would be relevant for circumstances in which the voting rights of noncitizens are under consideration. While politics would play the key role in determining the ultimate size of the Latino electorate, the estimates of the current electorate and citizens are the most accurate indicators for appraising possible outcomes.

Because of the Latino undercount by the 1990 census and continued population growth since that time, the percentage of voting age citizens listed above may be the best indicator of the electoral strength of the Latino communities in the various municipalities. In addition, an increase in participation of approximately 7 percent could be projected by the change in electoral system. One study, which controlled for the many cultural and idiosyncratic differences between European electoral systems, found that the incentives for voting under systems of proportional representation resulted in a 7 percent expansion of the electorates.⁵² If applied to Table 7, the estimates would slightly exceed the column for voting age citizens. Since such an increase would bring the Latino electorate in Massachusetts to a level commensurate with Latino electorates in other states, such a projection seems warranted.

Table 7 suggests that Latinos would gain in virtually all the legislative bodies considered in this article. These contexts might be categorized as (1) state legislative bodies, (2) municipal councils with Latinos elected from districts, and (3) municipal councils without elected Latino representation.

The greatest gains from moving to modified at-large systems would occur in the state legislature, where between three and six representatives might be elected. This creates a

paradoxical situation in which the greatest potential gain could occur at the higher level, which is considerably more difficult to change.

The municipal councils to which Latinos have been elected through districts offer a more modest increase of two additional representatives. More representation would not be expected in Chelsea, where there has been discussion of incorporating noncitizen voting to offset an otherwise anticipated possible decrease. In Lawrence and Holyoke, there could be representational increases, dependent upon the degree of mobilization of the electorate. The wide difference between the voting age citizens and the electorate in Holyoke is indicative of the low voter turnout in that city. The eligible electorate of Holyoke, the voting age citizens, would be large enough to elect three representatives under an alternative system.

While the projected gains for Springfield, Boston, and Lowell, the three municipalities without Latino elected council members, are nominal, a modified at-large system could be expected to open access to political representation in these locales and produce two additional representatives. These municipalities have smaller concentrations of Latinos and significant numbers of blacks and Asians. In these three cities, it seems highly unlikely, with the possible exception of Springfield, that there could be a Latino municipal district for quite some time. In Lowell, however, a citywide coalition of Latinos and Asians could elect a city councilor.

The models presented here are based on conservative figures. The Latino communities in Massachusetts, undercounted as of the 1990 census, have surely grown since that time. Increased participation could be expected under alternative systems to levels equivalent to the Latino electorates in other large states. Estimates based on the electorate in 1995 or beyond would provide much stronger arguments for the alternative systems.

Implications

This article has explored the prospects that modified at-large electoral systems would provide opportunities for increased political representation of the Latino communities of Massachusetts and that gains could be anticipated in most legislative bodies, with the greatest increase projected for the state legislature.

There are two important implications to these findings. The first is that the proportionality advocates generally overstate the gains that linguistic minorities could achieve through alternative systems. Roughly, the Latino share of an electorate is about half the Latino share of the population. This is an important qualification of those claims.

The second implication is that the alternative systems appear incontrovertibly beneficial in cities and states in which political districts cannot be drawn to represent Latinos. Deciding which electoral system is superior in instances in which districts can be drawn deserves a more complex discussion. However, the potential benefits for all minority groups in multiracial cities requires further consideration, particularly given the likelihood that one group's gain often comes at the expense of another's in the competition over districts. This aspect warrants further discussion, particularly given the continued growth of Latino and Asian populations and the strategic importance of political alliances among minority groups for the future of our cities.

Innovative approaches to political participation are also needed. Rodolfo de la Garza and Louis DeSipio's proposal for noncitizen voting warrants further attention within the civil rights community and ultimately the U.S. Congress. The reliance of the alternative

electoral structures on participating voters underscores the longer-term strategic significance of this aspect.

The considerations to evaluate alternative electoral systems fully vastly exceed the analysis of population presented here and must include questions about the shape of politics and the structures of government in each locale. What political alliances or coalitions exist or might be expected to form? How would the alternative structures affect the relationship between representative and constituency, or the relationship between Latino elected representatives, other elected representatives, and the overall structures of power?

Electoral systems are not easily changed. Nonetheless, the history of the civil rights movement has demonstrated that electoral structures can be changed. Proposals to loosen the geographic requirement for civil rights remedies to political underrepresentation are increasingly being heard in court. In her path-breaking analysis of U.S. electoral politics, Lani Guinier has proposed political structures that have been used successfully in other countries with varying degrees of ethnic division. An important analyst of public policy and ethnic disputes in the international context concluded,

What stands out, in spite of the limitations, is just how important a piece of the incentive structure the electoral system is and what a dearth of imagination there has been in most countries in utilizing its potential for ethnic accommodation.⁵³

Ultimately, there will be a need to rethink the relationship between majority rule and minority representation, as Guinier has argued. The structure of political communities includes not merely technical decisions, but profound expressions of how a society approaches the inclusion of its members. This article seeks to stimulate further discussion of how the United States will address its increasingly diverse electorates in the twenty-first century. ♣

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Notes

1. Yohel Camayd-Freixas and Yohel and Russell Paul Lopez, *Gaps in Representative Democracy: Redistricting, Political Participation, and the Hispanic Vote in Boston* (Boston: Hispanic Office of Planning and Evaluation, 1983), 24.
2. Three districts have elected Latinos who are not currently serving: Dora Cruz, Amherst school committee; Sara Garcia, Cambridge school committee seat in Cambridge; and Nelson Merced, Boston state representative. In addition, a heavily Latino state representative district has been newly created in Lawrence, and there is current litigation to redistrict both the state legislature and municipal structures in Holyoke, which may generate additional possibilities for representation.
3. Harry Pachon and Louis DeSipio, "Latino Elected Officials in the 1990's," *PS: Political Science and Politics* 23, no. 2 (June 1992).

4. F. Chris Garcia, "Introduction: Symposium on Latino Political Politics in the 1990s," in Lucius Barker, ed., *Ethnic Politics and Civil Liberties*, *National Political Science Review* 3 (1992).
5. Rodolfo O. de la Garza and Louis DeSipio, "Save the Baby, Change the Bathwater, and Scrub the Tub: Latino Electoral Participation after Seventeen Years of Voting Rights Act Coverage," *Texas Law Review* 71, no. 7 (June 1993): 1,494.
6. Ibid.
7. James B. Raskin, "Legal Aliens, Local Citizens: The Historical, Constitutional and Theoretical Meanings of Alien Suffrage," *University of Pennsylvania Law Review* 141, no. 4 (April 1993): 1,416.
8. See Ko-Chih R. Tung, "Voting Rights for Alien Residents — Who Wants It?" *International Migration Review* 6, no. 3; Mark J. Miller, "Political Participation and Representation of Noncitizens," in William Rogers Brubaker, ed., *Immigration and the Politics of Citizenship in Europe and North America* (Lanham, Md.: University Press of America, 1988); and Raskin, "Legal Aliens, Local Citizens."
9. Chandler Davidson, "The Voting Rights Act: Protecting the Rights of Racial and Language Minorities in the Electoral Process," *Chicano-Latino Law Review* 13 (1993).
10. Angelo Achieta and Kathryn K. Imahara, "Multi-Ethnic Voting Rights: Redefining Vote Dilution in Communities of Color," *University of San Francisco Law Review* 27 (Summer 1993); Su Sun Bao, "Affirmative Pursuit of Political Equality for Asian Pacific Americans: Reclaiming the Voting Rights Act," *University of Pennsylvania Law Review* 139 (January 1991); Derrick Bell, *Race, Racism and American Law* (Boston: Little, Brown, 1992); Davidson, "The Voting Rights Act"; Richard L. Engstrom, "The Single Transferable Vote: An Alternative Remedy for Minority Vote Dilution," *University of San Francisco Law Review* 27 (Summer 1993); Alan Gartner, "Introduction: Symposium on Redistricting in the 1990s: The New York Example," *Cardozo Law Review* 14 (1993); Bernard Grofman, "Voting Rights in a Multi-Ethnic World," *Chicano-Latino Law Review* 13 (1993); Lani Guinier, "Groups, Representation, and Race-conscious Districting: A Case of the Emperor's Clothes," *Texas Law Review* 71, no. 7 (June 1993); Pamela S. Karian, "Maps and Misreadings: The Role of Geographic Compactness in Racial Vote Dilution Litigation," *Harvard Civil Rights-Civil Liberties Law Review* 24 (1989); Frank J. Macchiarola and Joseph G. Diaz, "Minority Political Empowerment in New York City: Beyond the Voting Rights Act," *Political Science Quarterly* 108, no. 1 (1993); Delbert Taebel, "Minority Representation on City Council: The Impact of Structure on Blacks and Hispanics," *Social Science Quarterly* 59, no. 1 (June 1978); and Arnold Vedlitz and Charles A. Johnson, "Community Racial Segregation, Electoral Structure, and Minority Representation," *Social Science Quarterly* 63, no. 4 (December 1982).
11. Davidson, "The Voting Rights Act"; Grofman, "Voting Rights in a Multi-Ethnic World"; Taebel, "Minority Representation on City Council"; Vedlitz and Johnson, "Community Racial Segregation, Electoral Structure, and Minority Representation"; Susan Welch, "The Impact of At-Large Elections on the Representation of Blacks and Hispanics," *Journal of Politics*, November 1990; and Jeffrey S. Zax, "Election Methods and Black and Hispanic City Council Membership," *Social Science Quarterly* 71, no. 2 (June 1990).
12. Camayd-Freixas, Lopez, and Lopez, *Gaps in Representative Democracy*.
13. Rodolfo O. de la Garza, "Latino Politics: A Futuristic View," in Barker, *Ethnic Politics and Civil Liberties*.
14. Achieta and Imahara, "Multi-Ethnic Voting Rights: Redefining Vote Dilution in Communities of Color"; Su Sun Bao, "Affirmative Pursuit of Political Equality for Asian

- Pacific Americans"; Gartner, "Introduction: Symposium on Redistricting in the 1990s"; Grofman, "Voting Rights in a Multi-Ethnic World"; Karian, "Maps and Misreadings"; and Macchiarola and Diaz, "Minority Political Empowerment in New York City."
15. Carol Hardy-Fanta, "Latina Women, Latino Men, and Political Participation in Boston: La Chispa que Prende," Ph.D. diss., Brandeis University, April 1991, 136.
 16. See de la Garza, "Latino Politics," on the strategic importance of this coalition; Bernard Grofman and Lisa Handley, "Minority Population Proportion and Black and Hispanic Congressional Success in the 1970s and 1980s," *American Political Quarterly* 17 (1989) on the electoral successes; the important discussions of James Jennings, "Blacks and Latinos in the American City in the 1990s: Towards Political Alliances or Social Conflict?" in Barker, *Ethnic Politics and Civil Liberties*; and Angelo Falcón, "Black and Latino Politics in New York City: Race and Ethnicity in a Changing Urban Context," in F. Chris Garcia, ed., *Latinos and the Political System* (Notre Dame: University of Notre Dame Press, 1992), on the significant barriers and possibilities for black-Latino alliances. See Grofman and Handley, "Minority Population Proportion," on the role of black-Latino coalitions in electing black or Latino congressional representatives.
 17. Achieta and Imahara, "Multi-Ethnic Voting Rights."
 18. Ibid.
 19. See, in particular, Grofman, "Voting Rights in a Multi-Ethnic World."
 20. Achieta and Imahara, "Multi-Ethnic Voting Rights."
 21. On this point, see Lani Guinier, "The Triumph of Tokenism: The Voting Rights Act and the Theory of Black Success," *Michigan Law Review* 89, no. 5 (March 1991), and de la Garza and DeSipio, "Save the Baby, Change the Bathwater, and Scrub the Tub."
 22. Rodney Hero, "Questions and Approaches in Understanding Latino Politics: The Need for Clarification and Bridging," in Barker, *Ethnic Politics and Civil Liberties*.
 23. Guinier particularly makes this critique in "The Triumph of Tokenism." See also Karian, "Maps and Misreadings."
 24. *Rojas v. Vitoria Independent School District*, 1988, cited by Lani Guinier, "No Two Seats: The Elusive Quest for Political Equality," *Virginia Law Review* 77, no. 8 (November 1991): 1,434.
 25. See the discussion in Douglas Amy, *Real Choices/New Voices: The Case for Proportional Representation Elections in the United States* (New York: Columbia University Press, 1993), 135, of the subsequent change of the white majority in Cincinnati changing its electoral system from proportional representation to at-large voting to thwart this incipient black political power decisively.
 26. Bruce E. Cain, "Voting Rights and Democratic Theory: Toward a Color-Blind Society?" in Bernard Grofman and Chandler Davidson, eds., *Controversies in Minority Voting, The Voting Rights Act in Perspective* (Washington, D.C.: Brookings Institution, 1992).
 27. Guinier, "The Triumph of Tokenism."
 28. Angelo Falcón, "Time to Rethink the Voting Rights Act," *Social Policy* 23, no. 2 (Fall-Winter 1992).
 29. See de la Garza and DeSipio, "Save the Baby, Change the Bathwater, and Scrub the Tub."

30. See Falcón, "Time to Rethink the Voting Rights Act."
31. See Guinier, "Groups, Representation, and Race-conscious Districting."
32. This figure is from the Public Law Database, PL94-171, that was created for redistricting purposes. U.S. Bureau of the Census, Public Law 94-171 Data File, 1990.
33. Ralph Rivera, "Latinos in Massachusetts and the 1990 U.S. Census: Growth and Geographical Distribution" (Boston: Mauricio Gastón Institute for Latino Community Development and Public Policy, Publication No. 91-01, 1991), 2-3, discusses the undercount in depth.
34. See the first chapter of Hardy-Fanta, "Latina Women, Latino Men, and Political Participation in Boston," for an important discussion about Latino participation.
35. U.S. Bureau of the Census, *Voting and Registration in the Election of 1992*, Current Population Report, P20-466, 1993.
36. Miren Uriarte, "Redistricting: Towards Equality in Political Representations, *HOPE Perspectives*, Fall 1991.
37. U.S. Bureau of the Census, Public Law 94-171 Data File, 1990.
38. Antonia Hernandez, "Latino Political Participation: Invigorating the Democratic Process," *National Civic Review* 80, no. 3 (Summer 1991).
39. Harry Pachon, "Citizenship as an Obstacle to Political Empowerment in the Hispanic Community," *Journal of Hispanic Policy* 2 (1986-1987).
40. U.S. Bureau of the Census, *Voting and Registration in the Election of 1990*, Current Population Report P20-453, 1991.
41. See Uriarte, "Redistricting."
42. Raymond E. Wolfinger and Steven J. Rosenstone, *Who Votes?* (New Haven: Yale University Press, 1980), as cited by de la Garza and DeSipio, "Save the Baby, Change the Bathwater, and Scrub the Tub," 1,504.
43. U.S. Bureau of the Census, *Voting and Registration in the Election of 1990*, Current Population Report P20-45.
44. There are certainly limitations to such a definition, by narrowing the scope of political participation. See Hardy-Fanta, "Latina Women, Latino Men, and Political Participation in Boston." However, representation does provide one essential barometer of the political empowerment of a community, which is how it is being used here.
45. Pachon and DeSipio, "Latino Elected Officials in the 1990's."
46. See Taebel, "Minority Representation on City Council."
47. This was Taebel's view on the matter in 1978.
48. Engstrom, "The Single Transferable Vote."
49. Richard L. Engstrom, Delbert A. Taebel, and Richard L. Cole, "Cumulative Voting as a Remedy for Minority Vote Dilution: The Case of Alamogordo, New Mexico," *Journal of Law & Politics* 5 (1989): 493-495.

50. Amy, *Real Choices/New Voices*, 138.
51. W. E. Lyons and Malcolm E. Jewell, "Minority Representation and the Drawing of City Council Districts," *Urban Affairs Quarterly* 23, no. 3 (March 1988), calculated the "proportionate share" of representation if representations was "proportionate" to population.
52. See the study by André Blais and R. K. Carty, "Does Proportional Representation Foster Voter Turnout?" *European Journal of Political Research* 18 (1990), cited by Amy, *Real Choices/New Voices*, 145. Blais and Carty controlled for all other electoral rules in their study of 509 general European national elections.
53. See Donald L. Horowitz, *Ethnic Groups in Conflict* (Berkeley: University of California Press, 1985). There is an extensive literature on this subject, which was evident in the controversies in the structuring of post-apartheid South Africa. Proportionality was proposed to protect the future interests of the white minority. See Arend Lijphart, *Power-Sharing in South Africa* (Berkeley: University of California Press, 1985), for a comprehensive review of the literature and one view of this discussion.