

Foreword

By Senator Jamie Raskin

One of the first political aphorisms I learned in the Maryland Senate came from a colleague who sat on the Budget and Tax Committee: “If you don’t have a seat at the table, you’re going to end up on the menu.” This gem of folk wisdom crystallizes the logic of more than two centuries of American political development. People afraid of the consequences of being excluded from official politics have demanded an equal place at the table. Citizens without wealth or property, African-Americans, women, and young people have all demanded and won the right to vote and to participate in the election of their political representatives. Outsiders have also made important progress in achieving the right to run for office and to be seated upon election.

A visceral rejection of having to rely on other people to vote for you and to speak for you goes to the heart of American politics. The very idea of our republic was conceived when the American revolutionaries attacked the maddening claim of “virtual representation,” the idea that the colonists had no need for their own representatives in government because they were already “virtually” represented by existing British Members of Parliament, who allegedly resembled the colonists in all essential ways. The cry of “no taxation without representation” meant that people directly taxed should be directly represented. We all have the right to be a “constituent” part of the political leadership that governs us.

As a central voice in rebellious American democratic politics in the last century, the suffragettes argued passionately against the affront of virtual representation by the other sex. To win passage of the Nineteenth Amendment (1920), they had to protest the glaring injustices of the vicarious representation they putatively enjoyed by virtue of their husbands, fathers, and brothers exercising the right to vote for the whole family. It took decades after the 1848 Seneca Falls Convention, but women demanded and won the right to vote and, ultimately, to run and serve in government themselves.

Yet, like every other newly enfranchised constituency, women have never gained a proportional share of legislative seats in Congress or any of the states. Nor has any demographic or political group ever won an entitlement to be represented in our political institutions on a basis proportionate to its share of the population. The slender exception to this rule has been that, for decades, our major political parties have required a 50-50 allocation between men and women in the election of delegates and alternates to the quadrennial national presidential nominating conventions. But in the election of senators and representatives at the federal and state level, there have been no group quotas – and certainly nothing like a proportional allocation of seats.

Even after the strengthening amendments added in 1982, the Voting Rights Act, the nation’s major voting rights statute, contained this clear statement: “The fact that members of a minority group have not been elected in numbers equal to the group’s proportion of the population shall not, in and of itself, constitute a violation . . .” The only “set-asides” of legislative seats we have institutionalized is the pervasive allocation of seats based on political geography, the most striking example being the Constitutional design of the U.S. Senate, which not only guarantees representation to all states, big and small, but guarantees the smaller ones *disproportionate* representation.

The absence of political set-aside seats for women and minority groups follows from a powerful democratic impulse: that the people should be able to choose whomever we want to represent us

as political leaders. When it comes down to the choice of this or that senator or congressperson, it would be thwarting the popular will, and an act of untenable governmental discrimination, to compel election of a person because of his or her gender, race, or ethnicity. The democratizing movements that have torn down barriers to participation have rejected the idea that people's political values and possibilities must be governed by their racial, gender, or ethnic identities.

At the same time, the vast majority of Americans would like to see legislatures and presidential cabinets that "look like America," in President Bill Clinton's formulation. Anyone with a democratic bone in his or her body would recoil at the sight of an all-white male state legislature debating birth control policies, health care, immigration, war, education, or anything else in the 21st Century. Anyone who has served in public office knows that it makes a huge difference who is seated at the table when the benefits and burdens of public policy are being distributed. And women, all too often, are still only "virtually represented" in the sanctums of power.

The question for American politics today is how to reconcile our commitment to the wide-open freedom of the people to choose our own leaders, and the corresponding right of every citizen to run for every office of which he or she is a constituent, with our sense that our legislative bodies should also be broadly and richly representative of the gender, racial, ethnic, economic, political, and intellectual diversity of America.

Our best hope for answering this question is FairVote, our leading election reform group, which has been innovating for two decades a series of excellent proposals to make American democracy more accountable, responsive, representative, positive, and effective. FairVote has focused public attention on the subtle political dynamics built into particular electoral system designs. In this fine report produced by its promising new spinoff project, Representation 2020, it demonstrates, for example, that the use of multi-member districts tends to produce greater numbers of women being elected to office than the use of single-member districts.

This correlation stands to reason in a diverse democratic electorate: if you are voting for a group of four representatives to the legislature rather than a single representative, you are far more likely to insist on being able to vote for women as well as for men. The politicians will, in turn, form mixed-gender slates that appeal to people's preferences for diversity. Thus, without ever placing any constraint on for whom people can actually vote, a state using multi-member districts will advance the goal of more women in the legislature. Their ability to participate at that level will lead to more women running for Governor, Attorney General, and so on. This is just one example of the robust package of ideas and proposals contained in this report that will nudge America towards 50-50 parity in the year 2020.

My mother wore a shirt during the fight for the Equal Rights Amendment that read "women hold up half of the sky." But, women still hold less than one-fifth of the seats in the U.S. Congress. It will take nimble and thoughtful action for us to close the gap.

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