

Parity Perspective

Fair Elections: How Single-Member Districts Hold Women Back

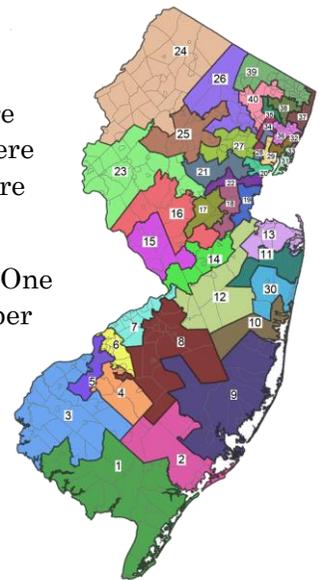
Although it is widely discussed in reviews of the representation of women in other nations and in past analysis of women in state legislatures in the United States, too little attention is paid to the role of single-member districts in limiting the representation of women in the United States. Currently, the U.S. House of Representatives and the great majority of state legislatures use single-member districts, a type of winner-take-all electoral system. In single-member district systems, candidates run to become the single legislator representing a district, and whichever candidate receives the most votes in a district wins the election. The current system elevates geography as the highest priority for representation, above other factors, such as political ideology, that are also important to voters.

The U.S. Constitution does not establish the use of single-member districts. In fact, until 1842, when Congress mandated the use of single-member districts for U.S House elections, more than a quarter of all House members were elected in multi-member districts, or districts that elect more than one legislator to represent them. More than half of state legislators were once elected from multi-member districts, and many state legislators still are today.

Single-member district elections can have highly unrepresentative results. One type of unrepresentative result is political. For example, when single-member districts are used, the party whose candidates received the most votes combined may not win the most seats in the legislature. We saw this in the 2012 elections for the U.S. House of Representatives, when one party won a comfortable majority of seats but received only 47% of the vote – a million and a half fewer votes than the other major party.ⁱ

A second example of the unrepresentative consequences of single-member districts is demographic. In the case of women, single-member districts can prove to be a significant barrier to receiving fair and descriptive representation in legislatures. For over forty years, academics have noted that women tend to be better represented in multi-member districts than in single-member districts, both in the United States and abroad.

Representation 2020 advocates for the use of multi-member districts to elect legislative bodies. More specifically, however, we advocate for the use of multi-member districts with fair representation voting systems – American forms of proportional representation in which voters select candidates, not parties. Fair representations systems are already used at the local level in nearly 100 jurisdictions in the United States.ⁱⁱ While multi-member districts can boost women's representation, winner-take-all elections in multi-seat districts can exacerbate distortions in representation by party and race. By combining multi-member districts with fair representation voting and robust efforts by political parties, women's groups, and PACs to increase the recruitment of women candidates, this electoral reform has the potential to greatly increase the number of women serving in elected offices in the United States.

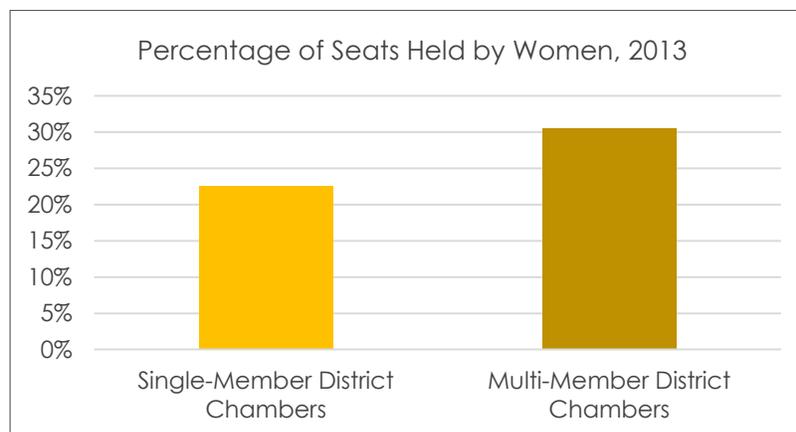


New Jersey's state legislative districts, 2011-2020. Each district elects two members of the General Assembly and one senator.

Currently, ten states use multi-member districts to elect at least one house in their state legislature.ⁱⁱⁱ These ten states tend to rank among the highest for their percentage of legislators who are women. As of January 2014, six of the ten states with the highest percentages of women in their state legislatures used multi-member districts in at least one of their state legislative chambers. Overall, state legislative chambers – both House and Senate – that use multi-member districts are currently 31.0% women, compared to chambers that use only single-member districts, which are 22.8% women.^{iv}

Ranking	State	% Seats Held by Women	Uses Multi-Member Districts
1	Vermont	41.1%	Yes
2	Colorado	41.0%	
3	Arizona	35.6%	Yes
4	Minnesota	33.8%	
5	New Hampshire	33.5%	Yes
6	Illinois	32.2%	
7	Hawaii	31.6%	
8	Washington	30.6%	Yes
9	Maryland	30.3%	Yes
10	New Jersey	30.0%	Yes

Source: Center for American Women and Politics, Rutgers University (Dec. 2013)



Source: Center for American Women and Politics, Rutgers University

Multi-member districts can provide voters with the opportunity to vote for women candidates, even if their preferred political party fails to nominate them. In New Hampshire’s 2012 state House elections, nine districts elected at least five legislators. All but one of these are Republican-majority districts, and Republicans swept 55 of 61 seats in the Republican districts. Remarkably, Democratic women won all six seats not won by Republicans in these districts.^v When confronted with a list of nine Republican men and one Republican woman in Rockingham-6, for instance, New Hampshire’s Republican voters opted to elect two Democratic women instead of two of those Republican men. Clearly, these districts’ voters were interested in electing more women, and were therefore willing to forego their partisan preferences in order to ensure that more women were being elected from their districts.

Multi-member districts also greatly increase the percentage of a state’s voters who are represented by a woman. In all but two states that use multi-member districts, more than half of the population has a state representative who is a woman. In other words, in states with

multi-member districts, more people experience having a woman represent them, which can challenge stereotypes about women’s abilities to succeed in politics. Additionally, more constituents can approach female representatives on issues that are often classified as “women’s issues,” such as health care and education. Studies have shown that both Democratic and Republican women legislators are more likely to be attentive to such issues than male representatives of the same party.^{vi}

State and Chamber	% of Seats Held by Women	% State’s Population with a Woman Rep.	District Magnitude (legislators per district)	% Legislature Elected with Multi-Member Districts
Arizona House	31.7%	56.6%	2	100%
Idaho House	31.4%	51.4%	2	100%
Maryland House	33.8%	60.3%	From 1 to 3	50.6%
New Hampshire House	32.8%	63.7%	From 1 to 11	73.6%
New Jersey House	30.0%	57.5%	2	100%
North Dakota House	19.1%	36.2%	2	100%
South Dakota House	27.1%	54.3%	2	100%
Vermont House	43.0%	59.1%	From 1 to 2	60.4%
Vermont Senate	30.0%	70.0%	From 1 to 6	90%
Washington House	27.6%	55.1%	2	100%
West Virginia House	19.0%	39.0%	From 1 to 5	64%

Sources: Center for American Women and Politics, Rutgers University (as of Oct. 2013) and state legislative websites

Scholarship on Multi-Member Districts in the United States

The use of multi-member districts in state legislatures decreased over the second half of the 20th century, from a high of 40 states in the 1950s to a low of 10 in 2013.^{vii} Therefore, examining older studies on the effects of multi-member districts on women’s representation can prove particularly illuminating:

“Women Candidates in Single- and Multi-Member Districts: American State Legislative Races,” a 1985 paper by Susan Welch, Janet Clark, and Robert Darcy, compared election results in 37 states and found several strains of evidence that multi-member districts bolstered n women’s representation in state legislative chambers.^{viii}

- In all 14 states that used a combination of single and multi-member districts in the two decades leading up to the study, a greater portion of the candidates in multi-member districts were women than in single-member districts. In 12 of the 14 states, women comprised a larger percentage of the winners in multi-member districts than they did in single-member districts. In five of the 14 states, no women were elected in single-member districts, but they were elected in multi-member districts.
- In each of the seven states that switched from using some or all multi-member districts to using only single member districts during the 1960’s, the percentage of female state legislators decreased more than the national decline in women’s representation during the same period.
- Between 1970 and 1982, Idaho and Montana switched from using both single and multi-member districts to using only multi-member districts, and both states saw a greater increase in the number of women elected than the average national increase.

“Single-Member Districts and the Representation of Women in American State Legislatures: The Effects of Electoral System Change,” a 2002 paper by James King, compared election results in four states that switched from using multi-member districts to using single-member districts during the 1990’s with eight states of similar geography, economy, and culture that did not alter their electoral system (four of which used multi-member districts and four of which used single-member districts).^{ix}

- Prior to the switch, 88% of Wyoming’s House of Representatives was elected in multi-member districts, as was 69% of Alaska’s, 39% of Indiana’s, and 21% of Georgia’s. King found a significant decrease in women’s representation in Wyoming, Alaska, and Indiana, the three states that originally had the largest portion of members elected with multi-member districts, once they switched to single-member districts.
- In Wyoming, which had been ranked 11th for its share of women in its legislature in 1992, the drop in women’s representation was estimated to be about 30.9% greater than it would have been had the state maintained multi-member districts. In 2013, Wyoming ranked 44th for the percentage of its state legislature that is female.

Additionally, *“District Magnitude’s Effect on Female Representation in U.S. State Legislatures,”* a 1992 study by Richard Matland and Deborah Brown, found a relationship between district magnitude (the number of legislators representing a district) and women’s representation in North Carolina and New Hampshire, even when controlling for the urban or rural nature of a district. These findings led the authors to hypothesize that “[f]rom a policy perspective, maintaining multi-member districts at the state legislative level should help achieve the goal of more equitable representation.”^x

These conclusions are consistent with international studies showing that women do better with multi-seat districts. Consider that, as of November 2013, all of the 20 nations with the highest percentages of women in their national legislative bodies use at least some multi-member districts to elect their legislators.

How Multi-Member Districts Help Women

There are several hypotheses as to why multi-member districts might have a positive effect on women’s representation in legislatures. One is that political parties may be more likely to try to balance a slate of political candidates when multiple candidates can run and win at the same time, in order to make their party seem more inclusive and representative of the voting population.^{xi} This is especially pertinent in states like New Hampshire, where voters are willing to vote for women candidates of the opposing party if their own party fails to nominate enough women.^{xii} Additionally, voters might be more willing to vote for a female legislator when they know that they will also have a man representing them.

Multi-member districts with fair representation voting systems will increase competition and allow for the voting out of unpopular incumbents, thereby creating more spaces for women to enter politics.

Another likely reason is that multi-member districts can dilute incumbency advantage, one of the greatest obstacles to increasing women's representation.^{xiii} Incumbents wield a great electoral advantage, and since most incumbents are men, more men than women are currently receiving this advantage, which impedes the increase in women's

representation. Multi-member districts, especially with fair representation voting systems, will increase competition and allow for the voting out of unpopular incumbents, thereby creating more spaces for women to enter politics.

Additionally, because multi-member districts allow for multiple winners, the system may cause candidates to opt for more positive campaigning, which highlights candidates' own qualifications and successes, over negative campaigning, which focuses on the negative qualities of their opponent.^{xiv} This is significant for women's representation, as studies have shown that potential female candidates are more wary of negative campaigning than their male counterparts.^{xv} Indeed, Lawless and Fox found in their 2011 study that women are as much as 75% more likely to be wary of negative campaigning than men.

As Matland and Brown explained, "An increase in district magnitude can lower...barriers by changing elections from a zero-sum game to a positive-sum game. Contests in single-member districts are by definition a zero-sum game. The change from a zero-sum to a positive-sum game can affect candidates, party officials, and voters."^{xvi}

The transformation of elections from a zero-sum game to a positive-sum game means that multi-member districts may allow for more teamwork among candidates – especially candidates of the same political party. Candidates want to get elected and would understand that the best way to do so is to highlight why they would be right for the job, and not why all of their opponents would be wrong for it.

Lawless and Fox's 2011 study helps explain why women in particular may be more preferably disposed to the political environment fostered by multi-member districts. Lawless and Fox interviewed almost 4,000 business leaders, lawyers, and activists – the people who might be

considered most likely to run for political office – and found that women were more likely to see their local electoral environment as highly competitive and biased against female candidates. It also found that women were generally more risk-averse, meaning that they were less likely to engage in an activity which could lead to great personal loss but also great personal gain.

"From a policy perspective, maintaining multi-member districts at the state legislative level should help achieve the goal of more equitable representation" – *Richard Matland and Deborah Brown*

While Lawless and Fox do not address electoral structure in their paper, if it is true that multi-member districts ameliorate some of prospective female candidates' greatest trepidations about running for office, then it is reasonable to conclude that the use of multi-member districts would lead to an increase in women running for and being elected to office, especially when used in conjunction with better recruitment practices.

Combining Multi-Member Districts with Fair Representation Voting

Readers may wonder why the use of multi-member districts is currently limited to only ten states when they have been shown to increase women's representation in legislative bodies. Indeed, multi-member districts were considerably more common in the 1950s, when a total of 40 states used them to elect members of at least one of their legislative chambers.^{xviii} However, elections for these legislatures were usually conducted with bloc voting, a winner-take-all voting system, in which voters would have as many votes as there were seats up for election, and whichever candidates received the most votes won those seats.

Both politically and racially, winner-take-all elections with multi-seat districts can lead to highly unrepresentative results. For example, consider a district with five seats where 60% of voters support Party A and 40% of voters support Party B. In a winner-take-all system, the supporters of Party A would be able to elect all five legislators, as each candidate from Party A would likely receive about 60% of the vote. Even though supporters of Party B comprised 40% of voters, they receive no representation. The same can apply to areas with racially polarized voting. If white voters tend to support Party A and racial minority voters tend to support Party B, then in winner-take-all elections, racial minorities would find themselves unrepresented in their legislature.

For the last 50 years, the remedy of choice for the negative effects of winner-take-all multi-member district elections on racial minority voters has been the use of single-member districts instead. Since racial minorities often live in geographically distinct areas, it has been possible to draw majority minority districts that turn racial minorities into district majorities.

Unfortunately, single-member district also often lead to politically unrepresentative results. Indeed, the best way to combat the negative effects of winner-take-all elections in multi-member district elections is fair representation voting. Fair representation voting systems ("fair voting") are American forms of proportional representation in multi-member districts. With fair voting, like-minded voters are able to elect candidates in proportion to their share of their district's electorate. In our previous example with the five-seat district, in which Party A garners 60% support and Party B garners 40% support, with a fair voting plan, the supporters of Party B would be able to elect two legislators to represent them, while supporters of Party A would be able to elect three.

Fair representation voting systems would lead to the better representation of both racial and political minorities, as well as women.

Fair representation voting can be used for any legislative election, from city council to state legislature to the U.S. House of Representatives, and it does not require an amendment to the U.S. Constitution to be implemented at any level of government. On the federal level, fair representation voting can be enacted legislatively, first by repealing a 1967 law mandating the use of single-member districts for Congress, and then by developing a fair representation voting system by federal or state statute. On the state level, it could be enacted either through state statute or by an amendment to the state's constitution.

The best fair representation voting system is called ranked choice voting, which is sometimes referred to as "choice voting" or "single transferable vote". Ranked choice voting is used by all

voters in at least one major election in Australia, New Zealand, Ireland, and Scotland, as well as in a number of American cities. Voters rank their candidates in order of preference, and those rankings help ensure that like-minded voters of varying political preferences can win a fair share of seats without concerns of “vote-splitting” among candidates with common perspectives.

Fair voting systems lead to better representation of both racial and political minorities than our current, winner-take-all system. They allow both major parties to contest and win seats in almost every state, and, because they can lead to the election of more independent-minded legislators, they encourage more cooperation across party lines in policymaking.

As fair voting relies on the use of multi-seat districts, it is nearly certain to increase the number of women seeking and being elected to public office. That impact will be all the greater with proactive party rules to ensure that enough women are being encouraged to run for office. The combination of fair representation voting and party rules to promote the recruitment of women candidates has the potential to greatly increase women’s representation in elected office – and improve elections and representation for all.

ⁱ Richie, R., & McCarthy, D. (2012, Nov. 13). FairVote’s Unique Methodology Shows That 52% of Voters Wanted a Democratic House. <http://www.fairvote.org/fairvote-s-unique-methodology-shows-that-52-of-voters-wanted-a-democratic-house/>

ⁱⁱ Fair Voting in the United States, FairVote. <http://www.fairvote.org/fair-voting-in-the-united-states>

ⁱⁱⁱ Schaller, T. (2013, March 21). Multi-Member Districts: Just a Thing of the Past? *The Center for Politics*. Retrieved August 14, 2013, from <http://www.centerforpolitics.org/crystalball/articles/multi-member-legislative-districts-just-a-thing-of-the-past/>

^{iv} We count multi-member district chambers as ones that use *bloc voting* (in which voters receive as many votes as there are seats up for election, and whichever candidates receive the most votes overall win those seats) and *post voting* (in which candidates run for a particular seat within a multi-member district, and in which voters have as many votes as there are “posts”). *Staggered voting* (in which only some seats/posts are up for election in any given election cycle, similar to the way that the U.S. Senate is elected), which is only used in the West Virginia Senate, is not included, because in any one election, voters are only voting for one candidate in each district.

^v McCarthy, D. (2013, Aug. 3). Multi-Member Districts Help New Hampshire Elect All the Women it Wants. *FairVote Blog*. <http://www.fairvote.org/multi-member-districts-help-new-hampshire-elect-all-the-women-it-wants>

^{vi} Volden, C., Wiseman, A., & Wittmer, D. (2010). The Legislative Effectiveness of Women in Congress. *Center for the Study of Democratic Institutions*. Retrieved August 21, 2013, from <http://www.vanderbilt.edu/csdi/research/files/CSDI-WP-04-2010.pdf>

Thomas, S. (1994). *How Women Legislate*. New York: Oxford University Press; Swers, M. L. (2002). *The Difference Women Make: The Policy Impact of Women in Congress*. Chicago: University of Chicago Press; Women State Legislators: Past, Present and Future. (2001). New Brunswick, NJ: Center for American Women and Politics, Rutgers University.

^{vii} Matland, R. and Brown, B. (1992). District Magnitude’s Effect on Female Representation in U.S. State Legislatures. *Legislative Studies Quarterly* 17(4), 462-492.

^{viii} Darcy, R., Welch, S., & Clark, J. (1985). Women Candidates in Single- and Multi-Member Districts: American State Legislative Races. *Social Science Quarterly*, 66(4), 945.

^{ix} King, D. (2002). Single-Member Districts and the Representation of Women in American State Legislatures: The Effects of Electoral Systems Change. *State Politics and Policy Quarterly* 2(2), 161-175.

^x Matland, R. and Brown, B. (1992).

^{xi} Darcy, R., Welch, S., & Clark, J. (1985).

^{xii} McCarthy, D. (2013, Aug. 3). Multi-Member Districts Help New Hampshire Elect All the Women it Wants. *FairVote Blog*.

^{xiii} Cox, G., & Morgenstern, S. (1995). The Incumbency Advantage in Multimember Districts: Evidence from the U. S. States. *Legislative Studies Quarterly*, 20(3), 329-249.

^{xiv} Matland, R. and Brown, B. (1992).

^{xv} Lawless, J. & Fox, R. (2012). Men Rule: The Continued Under-Representation of Women in U.S. Politics. *Women & Politics Institute, American University*. <http://www.american.edu/spa/wpi/upload/2012-Men-Rule-Report-web.pdf>; Kanthak, K. & Woon, J. (2011). Women Don’t Run: Gender Differences in Candidate Entry. Paper presented at APSA 2011 Annual Meeting Paper.

^{xvi} Matland, R. and Brown, B. (1992).

^{xvii} Ibid.