

Beyond Redistricting:
Electoral Institutions and Increasing Minority Representation¹

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Abstract: After recent court decisions to strike down racially gerrymandered districts in the United States, it may be appropriate to once again consider how to best represent minorities in the legislative chamber. If future gains from redistricting are limited in the United States, then perhaps electoral institutions can provide alternative means to increase minority representation. This paper approaches the issue of minority representation from a comparative perspective. The paper considers some of the evidence on the effects of electoral systems in the American case. Then, utilizing a dataset including 164 countries, the analysis considers the hypothesis that proportional electoral laws will increase minority representation. Data problems and future research are also discussed. Though the evidence supports the use of proportional representation as a means to increase minority representation, more work is needed to strengthen the results. Nonetheless, the research suggests several practical implications for governments as they seek to improve minority participation in government.

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After recent court decisions to strike down racially gerrymandered districts in the United States, it is appropriate to once again consider how to achieve minority representation in the legislative chamber. This issue remains important because minorities in American are still underrepresented in national and state political office.² Significantly, though, minority (under)representation is not an issue exclusive to the American Congress. As the recent recommendations on minority representation by the European Centre for Minority Issues (ECMI) and Organization for Security and Co-operation in Europe (OSCE) demonstrate, many Parliaments and international organizations are considering options to increase minority representation in public life. If future gains from redistricting are limited in the United States, then perhaps, as the OSCE and ECMI suggest, electoral institutions provide alternative means to increase minority representation.

This paper approaches the issue of minority representation from a comparative perspective. The paper considers some of the evidence on the effects of electoral systems in the American case. Then, utilizing a dataset including 164 countries, the analysis considers the effects that different electoral systems (pluralitarian-majoritarian, semi-proportional, and proportional) may have on minority representation. Data problems and future research extensions are also discussed. Though the evidence supports the use of proportional representation as a means to increase minority representation, further research is needed to strengthen the results. Nonetheless, this research suggests several

² Carol Swain, *Black Faces, Black Interests* (Cambridge, MA: Harvard UP, 1995) 3. Also see Bernard Grofman, Lisa Handley, and Richard G Niemi, *Minority Representation and the Quest for Voting Equality* (New York: Cambridge UP, 1992) 132 and Elizabeth R. Gerber, Rebecca B. Morton and Thomas A Rietz, "Minority Representation in Multimember Districts," *American Political Science Review* 92.1 (March 1998): 127.

practical implications for governments as they seek to improve minority participation in government.

Defining Representation

Following Hannah Pitkin, descriptive representation can be defined as “the making present of something absent by resemblance or reflection, as in a mirror or in art.”³ In other words, a representative legislative chamber should reflect the overall constituency in terms of characteristics (physical traits, cleavages, etc.). As John Adams argued, the legislature ‘should be an exact portrait ... of the people at large.’⁴ For descriptive representation, it is not necessarily how a representative legislature votes, but how it looks which determines whether it adequately represents the people.

The concept of descriptive representation has many critics. One group appreciates the benefits of descriptive representation but rejects its primary importance. To these theorists, there is a trade-off between mirror-like representation and efficiency and effectiveness.⁵ Scholars question whether an ineffective chamber, due to minority vetoes, can be representative in any meaningful sense.⁶

For some normative theorists, the critique is more fundamental. Will Kymlicka contends that the concept of descriptive representation is simply ‘untenable.’⁷ In a sweeping critique of multiculturalism, Brian Barry argues vehemently against pursuing certain outcomes, like descriptive representation: “The egalitarian liberal position is that

³ Hannah Pitkin, *The Concept of Representation* (Berkeley: UC Press, 1967) 11.

⁴ Qtd. in Pitkin 60.

⁵ Pitkin 64.

⁶ Pitkin 65.

⁷ Jane Mansbridge, "Should Blacks Represent Blacks and Women Represent Women? A Contingent 'Yes'" *The Journal of Politics* 61.3 (August 1999): 630.

justice requires equal rights and opportunities but not necessarily equal outcomes defined over groups.”⁸ Thus, a country should guarantee opportunity but not be concerned if a certain group is underrepresented in politics or business. Rather than acknowledge that the cause of this underrepresentation may be structural or institutional in nature, liberals should accept that different people have different goals and preferences. Or, in Barry’s words, “The general theorem is that equality of opportunity plus cultural diversity is almost certain to bring about a different distribution of outcomes in different groups.”⁹ Perhaps his general theorem explains the lack of proportional representation for minorities; however, it seems worthwhile to investigate whether different institutional structures have affected the equality of opportunity for minorities.

Often, these critics favor substantive representation as the standard for minority representation. In this view, a legislator represents the interests of her constituents. Unlike descriptive representation, it is not what the legislative body looks like, but what it does that is important. Hannah Pitkin defines it as follows: “A representative government might, however, be distinguished ... as one that pursues its subjects’ interests to a very high degree.”¹⁰

In terms of contemporary politics, a descriptively representative chamber in the United States would have ratios of minorities comparable to the proportion found in the latest census. However, one could obviously question if a dozen conservative black representatives would better represent the interests of the black minority than a dozen white liberal representatives. Another analogy can be found in the automotive industry.

⁸ Brian Barry, *Culture and Equality. An Egalitarian Critique of Multiculturalism* (Cambridge, MA: Harvard UP, 2001) 92.

⁹ Barry 108.

¹⁰ Pitkin 229.

Across the board, automotive companies have decided to mandate that certain percentage of automotive parts (usually ~5%) must be supplied by minority-owned companies. In some cases, though, a newly created minority-owned company, with little or no minority employment, will take business from a white-owned company that has a high level of minority employment. The 5% target is based on ownership, or descriptive, rather than a combination of ownership and employment, or substantive. Is it fair to simply assume that ownership by a small minority group is better than employment for hundreds? Obviously, the optimal scenario would be to have both, ownership and employment, just as in a representative chamber it would be best to have both descriptive and substantive representation.

Why Descriptive Representation?

The benefits of descriptive representation can be considered in terms of being a means to a variety of ends and an end itself. The question of whether descriptive representation necessarily contributes to substantive representation must be considered; nonetheless, the advantages of descriptive representation go beyond simply augmenting substantive representation, however important that aspect may be.

In her book, Carol Swain argues for substantive representation. In particular, she argues that descriptive representation or “a shared racial or ethnic heritage is not necessary for substantive representation and says little about a politician’s actual performance.”¹¹ Based on a variety of indicators, Swain finds that white Democrats represent blacks as well as black Democrats. Thus, ‘black interests’ will be served in

¹¹ Swain 5.

Congress regardless of how many ‘black faces’ are present.¹² She considers a variety of districts where blacks have won office, including historically black, heterogeneous (plural or multi-racial), newly black, and majority-white districts. Due to the electoral security of black representatives in historically black districts, she argues that these officials do not represent their constituency as well because they take the district for granted. For Swain, the heterogeneity of black interests precludes a black representative from just voting his conscience and considering that to be representing his district.¹³

However, it seems that Swain is somewhat contradictory in her consideration of heterogeneous black interests. Elsewhere in the book, she measures representativeness by analyzing how officials are evaluated by four different rating scales. By aggregating black interests into one, or even four similar, indicators, this methodology also assumes homogeneity among black voters as she claims black representatives do in historically black districts. It is not sufficient to discredit the validity of descriptive representation by simply quoting a representative who does not consult his constituency. In fact, representatives in historically black districts score higher, on average, than representatives from the other three district types in the rating in one coding (COPE) and, excluding one outlier in the small sample size, comparable to the average of the other three districts on the other rating (LCCR).¹⁴ This evidence from Swain’s own book suggests that descriptive representatives may better represent their group’s substantive

¹² Swain 19.

¹³ Swain 72.

¹⁴ Swain 57. On the COPE rating, 11 historically black districts averaged a 99.7 score compared to 98.1 average for heterogeneous, newly black and majority white districts. Excluding TN 9th as an outlier, historically black districts score 92.6 in the LCCR rating compared to 94.3 for the other three districts.

interest than others.¹⁵ Similarly, ADA scores suggest that black Democrats are ‘considerably more liberal’ than their white Democratic colleagues.¹⁶ While substantive representation must certainly be considered, it is not mutually exclusive of descriptive representation.

In the section on majority-black districts, Swain raises an interesting logical argument against descriptive representation. If the argument “only blacks can represent blacks” can be used against white representatives in majority-black districts, then it can also be turned on black candidates in majority-white districts.¹⁷ Mansbridge also considers this problem of ‘essentialism.’¹⁸ The court disagrees with this logic in *United Jewish Organizations v. Carey*. In the majority opinion, Justice White argued that white voters displaced by newly formed majority-black districts can be represented, racially, by representatives from other districts.¹⁹ Inherent in this decision is the acceptance that descriptive representation of minorities is important.

While the final word remains unspoken on the direct relationship between descriptive and substantive representation, proponents argue that descriptive representation has its own intrinsic value, beyond the aggregative function of democracy.

In her political theory text, Iris Marion Young explains why she thinks descriptive

¹⁵ In a similar manner, Pippa Norris concludes that in certain policy areas a significant gender gap exists, suggesting that descriptive representation of women does affect substantive interests: “Analysis of the attitudes of the 1997 parliament shows that although politicians continue to differ more by party than gender, nevertheless there are certain policy issues -especially attitudes toward women's rights--in which there is a consistent gender gap within each of the major parties, and in which the claim that women speak ‘in a different voice’ seems most plausible.” Pippa Norris, “Breaking the Barriers: Positive Discrimination Policies for Women,” *Has Liberalism Failed Women? Assuring Equal Representation in Europe and the United States*, eds. Jytte Klausen and Charles S. Maier (New York: Palgrave, 2001) 107.

¹⁶ Claudine Gay, “Spirals of Trust? The Effect of Descriptive Representation on the Relationship Between Citizens and Their Government,” *American Journal of Political Science* 46.4 (October): 721

¹⁷ Swain 189.

¹⁸ Mansbridge 637.

¹⁹ Swain 200.

group representation ‘promotes justice better’ than a unified public. First, she claims that specific group representation guarantees that there will be fairness in setting the public agenda. Second, since the oppressed will have a stronger voice, the democracy will be more likely to address the needs of all people, rather than just a privileged few. Third, she considers this type of system to be better because it changes the discourse from one based on “wants” to one based on entitlement, appealing to a common sense of justice. Finally, she appreciates the advantages that diversity adds to democratic procedures.²⁰

Certain criticisms can be raised against each of these potential benefits. If oppressed groups gain a larger share of voice in the democratic process, then other groups are losing power. From a practical sense, this outcome may create problems. Even if a majority believes in helping the oppressed groups or in resolving oppression in its society, it is still difficult to concede significant power to minority groups. Further, it is not clear on why changing the discourse from wants to entitlement makes this situation easier. In fact, a discourse based on entitlement may create stronger antipathy among the majority group than the previous language. Particularly in a meritocratic society, demands based on “I deserve” may or may not be accepted as legitimate by other groups.

The second claim Iris Young makes, that specific group representation guarantees that government will address all needs, also seems flawed. Given Young’s own definitions on which groups to include and exclude, it is possible that every group’s needs may not be addressed. In fact, she preempts the criticism that there will be an “unworkable proliferation of group representation” by returning to her five faces of oppression.²¹ Basically, only groups who meet her broad definitions of oppression will

²⁰ Iris Marion Young, *Justice and the Politics of Difference* (Princeton: Princeton UP, 1990) 184-5.

²¹ Young 187.

be specifically represented. Not only will there be continual attempts to redefine various groups as oppressed in order to secure government benefits, but certain groups will be necessarily excluded if they are not the majority yet not oppressed.

To expand on this argument, it may be useful to consider India. India's government has an official policy of inter-ethnic neutrality, the opposite of Iris Young's specific group representation. However, when the Indian government allowed the destruction of the Ayodhya mosque, Muslims saw this as a symbol of the government's retreat from its neutrality policy. The government's inaction and the destruction of the mosque led to Muslim riots throughout the region.²² Basically, the Ayodhya case casts some doubt on the assumption Young makes about the general good of specific group representation rather than neutrality.

In addition to Young's more theoretical consideration of group representation, Jane Mansbridge proposes several functions that can only be served by descriptive representatives. First, in contexts of mistrust, descriptive representation is necessary to ensure adequate communication between legislators and constituents. Second, when interests are uncrystallized, descriptive representatives may improve deliberation through innovative thinking, or at least providing a different group perspective than the majority.²³ A seemingly perfect example is that of Carol Moseley Braun leading the charge against the Daughters of the Confederacy patent because the flag offended her and

²² Charles Cameron and Sunita Parikh, "Riot Games: A Theory of Mass Political Violence," prepared for the Wallace Institute Conference on Political Economy (University of Rochester, October 19-20, 2000) 27-32.

²³ Mansbridge 628.

likely other Blacks as well.²⁴ As a minor footnote in an omnibus bill, this patent may have gone unnoticed but for the lone black Senator.

In this regard, particularly, a few token representatives may not be enough. As Mansbridge argues, “deliberation is often synergistic. More representatives usually produce more, and sometimes better, information and insight. ... [Significantly,] representatives of disadvantaged groups may need a critical mass for their own members to become willing to enunciate minority positions.”²⁵ This critical mass of minority representatives may not be possible through simple redistricting, particularly if the tradeoff between more descriptive representatives and less substantive representatives exists.

Third, minority legislators serve as role models, thereby “creating a social meaning of ‘ability to rule’ for members of a group in historical contexts where that ability has been seriously questioned.”²⁶ But beyond simply serving as role models, minority representation also serves to increase trust in government.²⁷ Regardless of whether white Democrats represent blacks as well as black representatives do, minority constituents need to feel they are represented and that there is more than one racial voice in government. As Barbara Burrell argues:

The composition of governmental bodies contributes to the legitimacy of political regimes in democratic polities. ... We accept the argument that ethnic minorities may be more passionately and fairly represented by someone of their own group, and that their members in elected office provide valuable role models. When citizens can identify with their representatives they become less alienated and more involved in the political system.²⁸

²⁴ Mansbridge 643.

²⁵ Mansbridge 636.

²⁶ Mansbridge 628.

²⁷ Swain 217.

²⁸ Barbara C. Burrell, *A Woman's Place is in the House. Campaigning for Congress in the Feminist Era*. (Ann Arbor, MI: University of Michigan Press, 1994) 6.

Similarly, in a defense of gender parity in politics, Jytte Klausen and Charles Maier contend that a lack of descriptive representation decreases the quality of democracy.²⁹ In terms of government trust and efficacy, descriptive representation, therefore, may serve to increase ‘de facto legitimacy’ of the polity.³⁰

Regarding political participation, the Burns et al. (2001) study of the impact of female representatives in Congress may reveal another potential advantage of greater descriptive representation. From the National Election Survey, evidence suggests that the presence of female candidates and representatives has a positive and statistically significant impact on female political interest, campaign interest and the salience of house candidates.³¹ In fact, in states with a female Senator or candidate, nearly 30% more women can name one Senator than in states without female participants.³² These scholars suggest two possible mechanisms to explain the increased political participation. First, female representatives act as role models while also serving to demonstrate that politics are an “inclusive domain.” Second, female candidates generate support from women due to the expectation they will generate “‘woman friendly’ public policies.”³³ Though this study does not directly pertain to ethnic or racial minorities, one may hypothesize about the same mechanisms working with minority representatives. To support this extension, recent research suggests that more black constituents can recall particular details about the member of Congress if that member is descriptively

²⁹ Jytte Klausen and Charles S. Maier, “Introduction,” *Has Liberalism Failed Women? Assuring Equal Representation in Europe and the United States*, eds. Jytte Klausen and Charles S. Maier (New York: Palgrave, 2001) 6.

³⁰ Mansbridge 650.

³¹ Nancy Burns, Kay Lehman Scholzman, and Sidney Verba, *The Private Roots of Public Action. Gender, Equality, and Political Participation* (Cambridge, MA: Harvard UP, 2001) 347.

³² Burns et al. 343.

³³ Burns et al. 351.

representative.³⁴ Since political participation of all American citizens, particularly minorities, is relatively low, this link represents another significant advantage for descriptive representation.

As the efficacy of minorities increases, so may substantive representation. Studies demonstrate that black constituents are more likely to approach their Representative if that Member is also black.³⁵ Further studies suggest that an increase in female representatives may increase the number of ‘women-friendly’ policies on the agenda.³⁶ These studies on the effects of descriptive representation of women suggest that female legislators prioritize issues important to women.³⁷ The effects of minority representation on political-economic outcomes are understudied in Comparative politics, but this may be an important corollary to the research on maximizing minority representation.

Finally, from a pragmatic standpoint, substantive representation is much more difficult to measure than descriptive, particularly in a comparative research project. In the United States, it may be possible to consider lobbyist organizations’ legislator ratings as a proxy for substantive representation; however, as discussed above, one must assume homogeneity of interests to do so. Further, to achieve any consistent cross-national substantive representation measure would be extremely difficult. A second problem with measuring substantive representation is the difficulty of measuring those benefits from descriptive representation described above, such as improved communication, efficacy, political participation, and agenda-setting. As these benefits are less likely to be included

³⁴ Gay 721.

³⁵ Mansbridge 641.

³⁶ Andrew Reynolds, “Women in the Legislatures and Executives of the World: Knocking at the Highest Glass Ceiling,” *World Politics* 51.4 (1999): 548-9.

³⁷ Burrell 7.

in lobbyist ratings, it should not be surprising that Swain and others find little difference between minority and majority representatives in terms of substantive representation.

In her conclusion, Swain contends that “packing” black voters in certain districts diminishes their overall substantive representation.³⁸ As Epstein and O’Halloran argue, “the election of minority candidates may, in some cases, come at the price of overall support for minority-favored legislation.”³⁹ For Swain and others, black interests would be better served with less than a majority, but a significant percentage, in multiple districts rather than a strong majority in one district. In that case, representatives in each of the districts would have to account for black preferences rather than just one representative in a majority-minority district. Thus, Swain seems to argue for trading some descriptive representation for more substantive representation. However, this particular argument, focusing on a tradeoff between descriptive and substantive representation, relies only on redistricting as a method to increase descriptive representation. Perhaps it is possible to bypass this tradeoff through alternative methods such as proportional representation.

If one accepts the argument that descriptive representation is beneficial, several questions emerge. Most importantly, how does society determine which groups need to be represented? Grofman notes that it is unclear ““what characteristics of the electorate need to be mirrored to insure a fair sample.””⁴⁰ Mansbridge responds to this criticism through her discussion of appropriate contexts of uncrystallized interests and mutual distrust; however, she also contends that descriptive representation is most important

³⁸ Swain 210.

³⁹ David Epstein and Sharyn O’Halloran, “Measuring the Electoral and Policy Impact of Majority-Minority Voting Districts,” *American Journal of Political Science* 43.2 (April 1999), 385.

⁴⁰ Grofman 1982, 98 qtd in Mansbridge 634.

when systemic or institutional factors have contributed to the underrepresentation of minorities.⁴¹ Similar to the trade-off discussion above, proportional representation (PR) may resolve this question somewhat, as PR allows citizens to self-determine their group affiliation rather than have it pre-determined,⁴² as the courts implicitly do when they mandate redistricting. For these reasons, advocates support more fluid methods of encouraging group representation, such as PR or cumulative voting (CV), rather than simple quotas or reserved seats.⁴³

In addition to this more practical problem, another issue arises for advocates of descriptive representation. By designing institutions such that individuals are encouraged to affiliate with a subgroup, the overall climate for interethnic accommodation may deteriorate. The potentially greater sense of intraethnic identity may “erode the ties of unity across a nation, a political party, or a political movement.”⁴⁴ However, in a sociopolitical environment where institutions have historically exacerbated, or at the least not improved, political discrimination, institutional attempts to encourage minority representation may be worth the potential costs.

As Pitkin seems to imply at the end of her book, it is not a simple dichotomy between a good definition and a bad definition for representation. Descriptive representation has its own intrinsic value, both in the terms discussed above, but also because a more diverse legislature may be more accommodating to different viewpoints and positions during deliberation. As Grofman, Handley, and Niemi note, “fair representation” implies that the representative body should reflect its constituency to

⁴¹ Mansbridge 639.

⁴² Arend Lijphart, “Self-Determination versus Pre-Determination of Ethnic Minorities in Power-Sharing Systems,” in Will Kymlicka, *The Rights of Minority Cultures* (Oxford University Press, 1995), pp.275-287.

⁴³ Mansbridge 652

some degree.⁴⁵ To that end, it will be valuable to consider mechanisms to encourage greater descriptive minority representation of minorities throughout the world.

Maximizing Descriptive Representation

Despite the recent legal reversal of some majority-minority districts, the largest gains in descriptive minority representation in the United States in the past twenty years can be attributed, at least partially, to redistricting. However, for minorities to continue increasing descriptive representation, politicians must move beyond simple redistricting as few legitimate prospects remain to create majority-minority districts that will meet the legal standards set by the courts.⁴⁶ Further, some observers remain pessimistic about the prospects of black representatives consistently winning office in majority-white districts, particularly in the South.⁴⁷ Thus, a turn to alternatives is both timely and necessary.

Significantly, the United States is not alone in its desire to increase minority representation. For example, in India, Muslim representation in the Lok Sabha is half of its total population share.⁴⁸ In response to the need for greater minority representation in national Parliaments, the ECMI recommended the consociational model, which relies on proportional representation, in addition to other mechanisms, to promote minority representation.⁴⁹ Similarly, the OSCE produced the Lund Recommendations as

⁴⁴ Mansbridge 639.

⁴⁵ Grofman et al. 1992, 133. Apparently, the court agrees with this logic as it found the electoral system to be unfair because it overrepresented rural constituents (also Grofman et al. 1992, 133).

⁴⁶ Grofman et al. 1992, 135. Also see Swain 1995.

⁴⁷ Grofman et al. 1992, 134.

⁴⁸ Iqbal A. Ansari, "Minority Representation," (10/15/2002). According to Ansari, Muslim representation ranges from 4.4 to 6.2% of the Lok Sabha even though the Muslim population share is ~11%.

⁴⁹ European Centre for Minority Issues, "Towards Effective Participation of Minorities," Proposals from the ECMI conference, Flensburg, Germany, 30 April to 2 May 1999. 7 March 2003 <http://www.ecmi.de/doc/projects_recomm.html#05>. For a discussion of the benefits of the consociational model, see Lijphart 1977.

guidelines for promoting minority participation in public life. Among these recommendations, the OSCE advises governments to consider proportional representation and preferential electoral systems to increase the representation of minorities.⁵⁰ The foundations of these recommendations can be found in international law, including the *United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities*, which states that minorities must be able to effectively participate in decision-making and public life.⁵¹

As the Lund Recommendations suggest, other electoral formulas exist which may offer advantages in terms of minority representation. Ranging from party list Proportional Representation (PR) systems (e.g. Israel) to semi-proportional (SPR) systems like the Single-Transferable Vote (STV) (e.g. Ireland, Australia), these alternative electoral systems offer ways to potentially increase minority representation without the political problems and representation trade-offs associated with redistricting. Unfortunately, while there seems to be much support for the notion that proportional systems will benefit minorities in terms of representation, few, if any, systematic studies in Comparative Politics address this subject.

American Evidence for Alternative Electoral Systems

Considering that national elections utilize the First-Past-The-Post (FPTP) electoral system, it is not surprising that few examples of alternative systems used in the United States exist. Nonetheless, certain communities have turned to these other

⁵⁰ Organisation for Security and Co-Operation in Europe. Office for Democratic Institutions and Human Rights. "Guidelines to Assist National Minority Participation in the Electoral Process," Warsaw, Poland: OSCE (January 2001) 15.

⁵¹ OSCE 5.

systems. The major question is whether they improve descriptive minority representation. In Cincinnati, for example, the city elected the city council by PR. Theodore Berry won a seat due to support from the black community. After Cincinnati abolished PR, Berry lost his seat and the black community lost its minority representation. Yet before concluding that the electoral system is either a panacea or the only cause of less representation, note that Berry eventually won his seat back under FPTP and became Cincinnati's first black Mayor.⁵² Clearly, other exogenous factors need to be included in any analysis of whether electoral systems affect minority representation.

As noted by Leon Weaver, though, it is quite difficult to statistically study the effects of PR in the United States because the sample size is extremely small (a fraction of 1% of electoral systems used in the US are PR or SPR). For use in city council or school board elections, only two dozen cities have used PR systems rather than the traditional FPTP.⁵³ Nonetheless, the available evidence supports the hypothesis that PR promotes minority representation. Weaver finds that those communities that use PR tend to have more diverse city councils; further, in cases where the city abolished PR, the data suggest that councils elected by PR displayed more descriptive minority representation than both the councils chosen before the introduction of PR and after its abolition.⁵⁴ Anecdotally, when local governments in Alabama switched to a limited voting SPR system (adopted as a remedy for discrimination in *Dillard v. Crenshaw County*), the

⁵² George H. Hallet, Jr., "Proportional Representation with the Single Transferable Vote: A Basic Requirement for Legislative Elections," Lijphart and Grofman 1984, 123. It must also be noted that Berry remained a proponent of PR throughout his life despite his later victory under the plurality system (<http://www.fairvote.org/pr/berry.htm>).

⁵³ Leon Weaver, "The Rise, Decline, and Resurrection of Proportional Representation in Local Governments in the United States," Grofman and Lijphart 1986, 140.

⁵⁴ Weaver 150.

minority community achieved greater descriptive representation.⁵⁵ Similarly, Engstrom and Barrilleaux found that the cumulative voting SPR system used in the Sisseton, South Dakota and Alamagordo, New Mexico's school districts allowed the Sioux and Latino voters to elect a representative of their choice to the school board by "plumping" their votes on a single candidate.⁵⁶ While the small sample size precludes a law-like conclusion that PR or SPR systems in the United States lead to greater descriptive minority representation, certainly the cases available support the theory that PR systems encourage greater minority representation.

As empirical evidence is limited, scholars of American politics have turned to experiments to consider the effectiveness of alternative electoral systems in increasing minority representation. Recent experimental work shows that in two member districts, under straight voting, minority candidates win barely 6.3% of the cases; however, under cumulative voting, minority candidates were able to win in excess of 90% of the cases.⁵⁷ Under cumulative voting in a multimember district, a voter has as many votes as candidates and is able to distribute them in any way possible (one to two candidates, both on one candidate (plumping), or abstaining with one or both votes). The basic logic is that cumulative voting, as compared to straight voting, allows minority voters to express the intensity of their preferences and concentrate their votes onto the candidate of their

⁵⁵ Grofman et al. 1992, 126.

⁵⁶ Paula D. McClain and John A. Garcia, "Expanding Disciplinary Boundaries: Black, Latino, and Racial Minority Group Politics in Political Science," in Ada Finifter, *Political Science: The State of the Discipline, II*. (Washington, D.C.: American Political Science Association, 1993) 267. Also, Grofman et al. 126.

⁵⁷ Gerber et al. 130+.

choice.⁵⁸ By doing so, the experiment shows a remarkable increase in minority representation.

Lessons from Comparative Politics

While empirical evidence to test whether proportional systems affect minority representation in the United States is limited to say the least, other countries provide another body of evidence to consider. Out of nearly two hundred countries in the world, over half utilize Anglo-American style pluralitarian or majoritarian electoral systems. But significant variance exists. Of the remaining countries, seventy-five Parliaments use proportional representation to elect Members of Parliament (MPs), while twenty-two additional countries utilize semi-proportional systems (SPR).⁵⁹ In addition, many of these countries have reformed their system over time.

Before turning to the main hypothesis, that PR encourages greater descriptive representation, it would be useful to consider a potential endogeneity problem. Rather than PR encouraging minority representation, perhaps the diversity within a country determines the electoral system in the first place. If this were true, then it would be more difficult to claim a causal linkage between the electoral system and representation. In a series of regressions, though, ethnic diversity or fractionalization is found to have no impact on the type of electoral system.⁶⁰ Consistently, variables such as a former UK colony dummy variable, freedom or democracy, and levels of trade, are the critical

⁵⁸ For discussion of the variety of electoral institutions utilized throughout the world, see Ben Reilly and Andrew Reynolds. *The International IDEA Handbook of Electoral System Design*. Stockholm, Sweden: International Institute for Democracy and Electoral Assistance, 1997.

⁵⁹ Reilly and Reynolds 19. 114 countries use plurality/majority systems (54%, 75 use PR (35%), and 22 use SPR (10%).

⁶⁰ For robustness, the models were run with standard Ordinary Least Squares, logit (on PR), and multinomial logit (with majoritarian, SPR, and PR). Further, a variety of measures for ethnic

explanatory factors. This result suggests that a potential source of endogeneity in the following model is not a major problem.

Thus, a dataset including minority representation in Parliament and electoral system across these countries and for a number of years would be an invaluable resource for testing whether electoral systems did systematically affect minority representation. Unfortunately, at the time of this paper, the author is not aware of any international or nongovernmental organization that collects systematic data on ethnic, religious or linguistic minority representation in Parliaments. Such data collection would require either communication with each Parliament directly or indirectly through news media. In addition to the obvious practical difficulty of such a project, many governments do not recognize ‘minorities’ per se. France, for instance, considers itself a nation indivisible, without subdivisions by minorities, despite the clear regional minority groups such as the Bretons or Basques and ethnic minorities.

Without such data, it may be difficult to analyze the effects of electoral systems on minority representation using statistical analysis. However, another observable implication of the theory is that women should also achieve higher levels of representation under proportional systems. The Inter-Parliamentary Union tracks the number of female representatives across time for one hundred and sixty-four countries, including representation from each region and both democracies and authoritarian systems. Utilizing their latest available data (2002), a simple regression was performed to test the effect of electoral institutions on female representation (see Table 1). The

fractionalization were used, including the standard ELF index (Ethno-Linguistic Fractionalization) and Alesina et al.’s more sophisticated three part measure. In no model did the ethnic fractionalization measures approach significance at even the 20% level. These models are available upon request.

statistical analysis reported below is simply an update using 2002 data of an analysis done by Andrew Reynolds in 1999.

Table 1: Impact of Electoral Institutions On Representation Of Women ⁶¹		
Variable	Coefficient	t (P)
SPR	-0.898	.42 (.675)
PR	4.19	2.68 (0.008)
GRDI	5.48	1.24 (0.215)
YRCand	0.069	2.73 (0.007)
LeftVote%	0.094	3.72 (0.000)
ENPP	-0.081	-.25 (.805)
constant	6.07	1.78 (0.077)

With a few differences in significance, the statistical analysis supports Reynolds' conclusions. Briefly, I will explain the control variables; however, for a more complete discussion of the theories behind each variable and interpretations of results, refer to Reynolds (1999). The United Nations' Gender-Related Development Index measures

⁶¹ Not included in this table are controls for democracy and religion, including Buddhist, Muslim, Catholic, Protestant and Other. Data were collected from a variety of sources. The dependent variable, percent women in Parliament, can be found at the Inter-Parliamentary Union (www.ipu.org). The electoral system dummies (Plur, SPR, and PR) were taken from Reynolds and Reilly (1997). The United Nations Human Development Report 2002 (www.undp.org) provides the GRDI (for those countries without GRDI scores, a regional average was used). Democracy is the FreedomHouse score (www.freedomhouse.org/reports/century.html). Left Vote % was collected by the author using the ElectionWorld website (www.electionworld.org). Pippa Norris' Shared Global Database provides ENPP (<http://ksghome.harvard.edu/~pnorris.shorenstein.ksg/data.htm>). For the few cases for which the SGB does not provide the ENPP, the author calculated the ENPP based on the latest election data from Election World and the Laakso/Taagepera formula. Following Reynolds 1999, Communist, Socialist, Social Democratic, Green and Women's Parties are included. Finally, the religion dummy variables were created by the author based on the dominant religion in the country, based on the 2002 CIA World Factbook (www.cia.gov/cia/publications/factbook). Data are available upon request in Excel or Stata form.

how well women do in a country relative to men, on a variety of indicators. YRCand is simply the difference between the current year and the first year women were allowed to stand as candidates (e.g. if a country does not allow women to run for office, the variable would be coded zero). LeftVote% is the percentage of Parliament controlled by left-wing parties. ENPP is the Effective Number of Parliamentary Parties.

Each of the variables is interesting on its own terms ; however, the focus in this paper is on the electoral system. Though the semi-proportional system variable is statistically insignificant, the PR variable is positive and highly significant. The substantive implications of the coefficient are quite clear. Controlling for religion, democracy, and development, a proportional electoral system adds over 4% to the female representation in Parliaments. Considering that the mean of this variable is only 13%, this effect is clearly quite significant. This simple analysis therefore supports the evidence presented by Reynolds and others that minority representation is influenced by the electoral systems.

Utilizing time series data with changes in electoral systems over time would allow an even better opportunity to examine the effects that electoral reform can have on minority representation. Also, cross-sectional data on minority representation should serve to support the conclusions suggested by the regression on female representation.

Extensions and Further Research

Clearly, this paper does not resolve the questions associated with electoral reform and minority representation. However, in addition to the observable implication considered above, the analysis suggests several areas for future research. First, if or when

a systematic data collection project on minority representation in Parliaments, and perhaps Cabinets, is completed, scholars can utilize regression analysis to determine the validity of the theory. The expectation, of course, is that proportional systems will allow for greater minority representation in Parliament as it seems to for women; however, systematic analysis should resolve some doubts.

An additional extension is to study the impact of minority representation on substantive political economic outcomes, such as public good spending, education, and income inequality, and also other outcomes important to politicians and political scientists, such as violence, regime stability and political efficacy. Utilizing the dataset described above, researchers should be able to discern the impact that minority representation has on these other dependent variables. Certainly, as S. Laurel Weldon suggests, research into the effects of descriptive representation on policy and political economic outcomes must also consider alternative forms of representation such as social movements as key alternative theories.⁶² This type of research would contribute to the descriptive representation debate. As Gutmann and Thompson contend:

Before justifying compensatory group representation, then, we should determine whether it encourages more representatives to pay more attention to the voices of neglected citizens, fosters cooperation between representatives of those citizens and representatives of other citizens, and stimulates all representatives to give reasons and invoke moral principles that cut across racial and group divisions.⁶³

Potentially, if greater evidence that descriptive representatives improved substantive representation, in addition to the other benefits, could be produced, some critics of the concept would be forced to reconsider their position.

⁶² S. Laurel Weldon, "Beyond Bodies: Institutional Sources of Representation for Women in Democratic Policymaking," *The Journal of Politics* 64.4 (November 2002): 1153-1174.

⁶³ Amy Gutmann and Dennis Thompson, *Democracy and Disagreement* (Cambridge, MA: Harvard UP, 1996) 154.

An example of this type of extension is to analyze the effect that female representation has on the GRDI. The simple correlation is 0.33, suggesting that women do better in countries with more female representatives included in Parliament. In a regression analysis, including controls such as regional dummies, democracy scores and left party support, the percent of female representatives in Parliament still has a positive and statistically significant effect on the GRDI.⁶⁴ While more detailed research into GRDI and inclusion of theoretically important control variables is necessary to confirm that Parliamentary representation of women improves the relative wellbeing of women in society, the analysis suggests that further research into the effects of minority representation on outcomes could introduce substantively significant new findings into the debate over minority representation.

Conclusion

Though the evidence presented above suggests that proportional representation may be more suited to the task of increasing minority representation than redistricting, proportional representation is clearly not a panacea for the electoral problems of the United States. PR systems tend to encourage multi-partism and unstable governments, relative to plurality-based systems.⁶⁵ In addition, whereas the United States idealizes individualism, PR promotes group representation and may exacerbate, rather than ameliorate, ethnic or racial conflict. By encouraging group representation, PR may limit

⁶⁴ Endogeneity of the key explanatory and the dependent variable is obviously a problem and must be dealt with in a more sophisticated analysis. For the purposes of this simple example, though, it is merely suggestive of a potential link. To legitimately explore the relationship that female representation has on GRDI, a better dependent variable might be the marginal change in GRDI.

⁶⁵ Reilly and Reynolds 65.

opportunities in the United States to reduce the “emphasis on racially based politics.”⁶⁶ Also, as demonstrated in the Lani Guinier case, supporting alternative electoral systems is not always a politically safe option for supporters of minority representation. Clearly, as the literature on democratic institutions demonstrates, trade-offs exist between proportional and pluralitarian systems; however, a more complete understanding of the impact that electoral institutions may have on minority representation is necessary to hold honest discussions about these trade-offs.

Nevertheless, the limited evidence associated with PR in the United States and the available Comparative research supports the idea that a more proportional electoral system will enhance descriptive minority representation. While future opportunities for gains in minority representation from redistricting may be limited and, more importantly, significant trade-offs may exist between descriptive and substantive representation in the United States,⁶⁷ alternative electoral systems offer at least another option. Thus, when discussing remedies to underrepresentation, a cost-benefit analysis of alternative electoral formulas such as Proportional or Semi-Proportional Representation would be both appropriate and potentially useful as a means to increase minority representation.

⁶⁶ Grofman et al. 1992, 125. Also, see Mansbridge 639.

⁶⁷ David Lublin, *The Paradox of Representation: Racial Gerrymandering and Minority Interests in Congress* (Princeton, NJ: Princeton UP, 1997).

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