Sightline's Guide to Methods for Electing Legislative Bodies

What's the best way to elect a congress, parliament, or city council?

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The legislature is the people's house, the hall of a representative democracy where representatives of the people meet to craft solutions to pressing problems. It is the body that takes people's values and puts them into action. That's the ideal. And when it works well, it's golden.

For example, the US Congress turned people's growing concern about labor conditions during the Progressive Era into child labor and minimum wage laws; the Oregon state legislature's leadership on the bottle bill enacted community values about protecting the environment; Washington's state legislature responded to changing public sentiment by legalizing marriage equality; and British Columbia acted on people's concerns about climate change by enacting a tax on carbon pollution.

But it doesn't always work that way. In fact, in the United States and Canada, federal, state, and provincial legislatures often don't reflect or act on the views and values of the people. They become mired in gridlock and political grandstanding, seeking quick fixes and catering to special interests. The media talk more about representatives' hairstyles, emails, and personal lives than community challenges and solutions, leaving voters ill-informed about policy they could urge their representatives to enact.

What other options do Cascadians have for electing more reflective and effective legislative bodies? This article gives Sightline's take on what is important in a method for electing a legislative body, including city and county councils, and how different election methods could achieve results that get closer—more often and more deeply—to the ideal where electeds work for the people who put them in office, rather than for special interests or narrow or extreme slices of the electorate. The theme throughout is: homogenous legislatures including only, say, white men with a narrow range of political ideologies or life experiences, produce poor results for a diverse electorate, while diverse legislatures, including people with many different life experiences and political perspectives, produce better results.

Election methods aren't the only factor. Big money in politics and barriers to voting can prevent people from having a say in who gets elected, and structural barriers in the candidate pipeline can block diverse candidates. Elections are not a silver bullet, but improving how we vote could be a hefty piece of silver buckshot in the quest to make democracy in Cascadia and throughout the United States and Canada more representative.

If you are wondering about the best ways to elect an executive officer—a mayor or president, for example—see our Glossary and Guide to Methods for Electing Executive Officers.

Our **Glossary of Methods for Electing Legislative Bodies** describes nine different ways to elect a legislature, categorized into four families:

- In **Majoritarian** methods, used in the United States and Canada, all or most legislators represent majority views, while minority groups do not have fair representation. Usually, two major parties representing the social or political majority dominate the legislature.
- In **Proportional** methods, used in most developed countries, legislators represent the diversity of voters. Usually, several parties representing a range of social and political views win seats in proportion to the votes they receive.
- In **Semi-proportional** methods, used in local elections across the United States, minority social or political groups have a chance to win seats.
- **Potentially Proportional** methods have not been used in any public elections, but might achieve proportional results.

Research reveals stark differences between **majoritarian** and **proportional** methods. For each of the properties we identified below as being broken about the political systems in the United States and Canada, proportional election methods offer a solution.

Semi-proportional methods are used at the local but not the national level anywhere in the world, so there is much less research on their outcomes, and the sections below only discuss majoritarian and proportional methods. The effects of semi-proportional methods tend to fall somewhere in the middle, depending on the specific circumstances in which they are implemented.

Two Potentially Proportional methods have not yet been used in any public elections but theoretically could achieve proportional results. They would likely achieve many of the benefits that semi-proportional methods yield, and possibly more.

Majoritarian methods have problems; Proportional methods have solutions

The United States and Canada primarily use majoritarian election methods—particularly single-winner, "vote for one" elections—to elect federal, state, and provincial legislatures, local councils, and school boards. These methods lead to many problems. But decades of research on countries using different election methods show a better way forward with proportional methods. Proportional electoral methods elect more representative legislatures, defang gerrymandering, empower voters, lead to long-term policy solutions, and counter the power of extractive special interests.

Majoritarian problem: Legislative bodies that don't represent the voters

With majoritarian methods, each legislator must have majority, or at least plurality, support. Almost all the members of the legislature end up representing majority views, and voters in the minority don't have fair representation in the legislature or a voice in what policies get passed. If the majority of voters prefer Democrats and Republicans, then few or no independents, Green party members, or libertarians will win seats. If the majority of voters (consciously or unconsciously) tend to favor white candidates, candidates of color may have a harder time winning seats. If most voters, all else equal, would prefer a male candidate, then few women win seats. Even if voters might vote for a woman, political parties often won't risk running a woman as their only candidate in a majoritarian race.

The United States and Canada illustrate the problem: both countries are racially, ethnically, culturally, and economically diverse. Yet elected officials at the federal, state, and provincial levels are disproportionately wealthy white men. For example, in Washington state, white men make up 35 percent of the population but 60 percent of elected officials, while women of color make up 14 percent of the population but just 3 percent of elected officials. In Oregon, white men make up 38 percent of the population but 67 percent of elected officials, while women of color make up 11 percent of the population but just three percent of elected officials.

The United States and Canada rank number 100 and 63 in the world, respectively, in the percentage of women who hold office in their national legislatures. Rwanda, Nicaragua, Mexico, South Africa, Namibia, and others all have more than 42 percent women legislators, compared to 19 percent in the United States and 26 percent in Canada.

North American voters are also diverse in terms of political ideology, but they aren't well represented on that spectrum either. Despite the fact that more Americans identify as independent than as Democrat or Republican, almost all American legislators continue to be either Democrats or Republicans. Canada's parliamentary system lends it more diversity than America's presidential system, but even so, in 2015, more than 3 percent of Canadian voters voted for the Green Party, and it still won just 0.3 percent of seats in Parliament. The New Democratic Party won 20 percent of the vote but only 13 percent of seats.

Beyond the issue of unrepresentative bodies of government is the problem of confidence in our systems of governance. When voters see, year after year, that their views and life experiences are not well represented in their legislature, they may feel alienated from the democratic process and distrustful of the resulting government. And that's a loss for the entire system.

Proportional solution: Legislative bodies that more fairly represent "we the people"

Proportional election methods are designed to ensure that any group of voters above a certain numerical threshold can elect representatives. Some proportional methods even formally set the

threshold. For example, in Germany and New Zealand, any party with less than 5 percent of the vote cannot win a seat. With other methods, the threshold is inherent in the district size. For example, Ireland uses Ranked-Choice Voting to elect its legislators from districts with three, four, or five members. In districts with three members, mathematically, a candidate must have at least 25 percent of the vote to win a seat, while in a five-member district she must have 17 percent.

Legislatures elected with proportional methods end up better representing the politically diverse values of the voters. For example, in Ireland, voters who believe in "People before Profit" have six legislators representing them, and independents have four legislators. In Australia, the Greens have nine representatives in the Senate, and so on.

Proportional countries elect more women. All countries in Western Europe where the number of women in Parliament exceeds 20 percent use proportional methods. Nearly 90 percent of countries that have **no** female legislators use a majoritarian method. Particularly illuminating are two countries which use a hybrid system, electing some legislators in majoritarian, "vote for one," single-member districts and some through proportional methods in larger districts. In Germany and New Zealand, the majoritarian single-member districts elected 13 percent and 15 percent women respectively, while the proportional multi-member districts elected 39 and 45 percent.

Majoritarian problem: District lines that trump voter preferences

Most jurisdictions in the United States and Canada guarantee one type of diversity in the legislature—geographic diversity. Single-member districts ensure that each corner of the country or province or state has a representative, but that assurance comes at a cost: it may give district contours more voting power than voters themselves have. In other words, voters' preferences matter less than the placement of the district lines in deciding representation.

In the single-member districts of majoritarian methods, district lines can determine election outcomes. Gerrymandering—the idea that political parties draw district lines to give themselves an unfair edge in winning legislative seats—has gotten a lot of attention recently. (See videos by *Washington Post*, *Vox*, and John Oliver, and commitments from Eric Holder and Arnold Schwarzenegger.) Indeed, line-drawers can "crack" like-minded voters, parcelling them out among districts in such a way that, despite their large numbers, they aren't able to elect a fair number of legislators (illustrated here, as scenario 3). Or they can "pack" similar voters into certain districts, causing many of their votes to be wasted on a candidate who was already guaranteed to win in that "safe" district, but leaving surrounding districts up for grabs to the other party, because opposing voters have been rounded up into a single district.

But even without nefarious pen-wielding, simple demographic changes based on similar people choosing to live in similar places, can make district lines all-important. If a computer drew compact districts, but one district encompassed an urban area that was 71 percent Democrat, and the surrounding four suburban districts were each 51 percent Republican, the map would look well-proportioned and logical, but it would not be very "small *d*" democratic. Fifty-three percent of voters

in the overall area would have voted for Democrats, but their legislators would be 80 percent Republican.

There is no fair way to draw single-member district lines. Single-winner districts prioritize geography above all else, assuming that their census precinct is the most important thing the voter wants represented and limiting voters' right to elect a legislator who represents their political ideology, race or ethnicity, economic class, or life experience. No matter who does it, what the criteria are, the process used, or where the lines are ultimately drawn, some voters in each district will have less representation than others. The unfair impacts of district lines typically last for a decade, are not responsive to changing issues or changing voter preferences, and often persist during redistricting exercises.

Proportional solution: Voters, not district lines, choose the winners

Proportional methods use larger districts to ensure that voters, not lines, choose the winners. In this illustration from the *Washington Post*, using one five-member district instead of five one-member districts would ensure voters could achieve fair results no matter what. No one could "crack" or "pack" a five-member district into hugely unfair results. Any group of voters making up at least 17 percent of the population would be able to elect a representative.

For example, if 17 percent of voters preferred a Green Party candidate, and the rest were evenly split between Democrats and Republicans, the district would elect one Green, two Democrats, and two Republicans, no matter who drew the lines. This is the best way to permanently gerrymander-proof elections, far more reliably than redistricting.

Majoritarian problem: Nearly half of voters feel like they've "wasted" their votes

With majoritarian methods, each candidate must win a majority (or a plurality, if there are more than two candidates) of the vote. The inevitable corollary is that a minority (and sometimes a majority) of voters voted for the loser(s). Only voters who agree with the majority (or at least the plurality) of other voters have any hope of voting for the winner. Voters with minority views can vote until the cows come home, never vote for a candidate who actually goes to the capitol, and consistently be "represented" by someone with an opposite agenda. In the example above with the one urban and four surrounding suburban districts, 29 percent of voters in the urban district and 49 percent of voters in the suburban districts might never vote for a candidate who wins. Here in Cascadia, progressives in Walla Walla might never send a representative to Olympia, and be told they are "represented" by a conservative who does not actually fight for anything they value. Conservatives in Portland might vote but never have someone they can call in Salem.

When electing an executive—a mayor or president—only one person can win. Even if that person is a broadly popular consensus candidate, many voters will have voted for someone who lost. That's just math. But the same math need not apply to legislatures. In a country with 535 legislators, or a

city with seven city council-members, nearly all voters should be able to cast a vote for someone they support, and have a chance of seeing that person win one of the many available seats.

But in our current system, voters in the minority can turn in their ballots year after year with no legislator to show for it. The futility of voting can frustrate voters and make them, understandably, question whether the legislature represents them. They might drop out of civic life altogether or rage against a system that seems rigged against them.

Proportional solution: Most voters succeed in electing someone they want to office

With proportional election methods, every voter who agrees with some minimum number of other voters will vote for a winner. The minimum number could be as low as a few percent of voters, especially in List Voting countries, or as many as one-quarter of voters, in a three-member district using Ranked-Choice Voting, for example. Even voters with minority views—so long as their view is shared by somewhere between a few percent and 25 percent of other voters—can elect a legislator. Almost all voters will know, as they fill out their ballot, they are voting for at least one winner.

Some may be concerned that allowing most voters to elect a representative will allow destructive extremists—for example, neo-Nazis—to infiltrate the legislature. But allowing minority voices a seat in the legislature does two things that can actually help diffuse extremist fervor. First, it ensures all voters feel heard and invested in the system, reducing the chance that disgruntled groups will undermine the institution of governance by leveling a legitimate complaint that the "democracy" does not include all voices, but instead is rigged against certain people. Malcontented attacks can erode trust in the entire government and incite support for false solutions such as tearing down the systems that protect us.

Second, it differentiates and clarifies each party's purpose. Many Americans don't see a great deal of difference between what the two parties stand for, and less than one-third of millennials see a great deal of difference. In contrast, while far-right parties have been gaining support across Europe, they are differentiated enough from other parties—even those on the "same side" of the political spectrum, that it is clear to voters what those parties stand for, and voters who don't agree can keep their distance. Far-right parties can win seats in proportion to their support (if 20 percent of voters are far-right, the far-right party can win 20 percent of the seats), but they can't pass policies without finding common ground with a majority of representatives.

In the United States, far-right positions are folded into one of the two major parties, meaning that when center-right voters vote for the one major right-leaning candidate, they can't be sure to what extent they are enabling a far-right agenda simply because they don't want to vote for the leftist candidate. Same on the left: center-left voters vote for the left-leaning party but aren't sure if their policy priorities are a match overall.

Blocking everyone with a minority view—whether they be a far-right party, the Green party, or the People Before Profit party—from the legislature is not the most effective method for protecting against extremist views. A strong bill of rights and a just legal system can protect basic rights best.

An electoral system that systematically excludes citizens from representation by leaders they agree with—even with minority or extremist views—might well lead to the sort of anti-establishment groundswell we've seen exemplified in the Brexit vote in the (majoritarian) United Kingdom and the election of Donald Trump in the (majoritarian) United States.

Majoritarian problem: Politicians campaign on slogans and personal put-downs, rather than substance

With majoritarian election methods, two major parties dominate the legislature. In the United States, Democrats and Republicans control 99 percent of congressional seats. Even in Canada, where the parliamentary system allows for more party diversity, the two major parties dominate, holding 83 percent of seats in parliament. One of the results of a lack of diversity is a lack of depth—as in deep understanding, focus, and energy on issues and solutions.

Party identity, rather than policy positions, defines candidates, and they tend to stick to safe and shallow slogans and soundbites aimed to appeal to as many voters as possible. They don't dare get too specific or talk about innovative solutions, for fear of turning off some voters. They promise "no new taxes" or "build the wall" or "drill, baby, drill," or "clean energy jobs," but don't go into about any details, paying for the wall (when there are no new taxes), for example or how other options compare with drilling in terms of jobs, safety, and long-term impacts, or exactly whom will get the new jobs. Each side declares it will "repeal and replace" or "defend" or "fix" the Affordable Care Act, but neither talks about the complex questions of how to measure the value of health care services and align incentives to ensure people are getting the best value.

The pandering to feel-good phrases and simplistic solutions is on full display in the discussion of crime and safety. Politicians talk about being "tough on crime," but they don't talk about the complex causes of crime or patterns of systemic discrimination and long-term solutions, such as prevention, criminal justice system reform, mental health services, rehabilitation, and restorative justice. Locking up nearly 5 percent of the population and paying to keep them imprisoned is not a sustainable situation. The (majoritarian) United States imprisons far more people than any other country in the world. On average, majoritarian countries imprison 60 more people per 100,000 than do proportional countries.

In majoritarian elections, the safest strategy of all, unfortunately, is to talk about candidates' personal characteristics—their fashion choices, their personal fitness for office, their perceived health or age, sexual proclivities, musical talents, and so on. Media coverage of the 2016 American presidential campaign was strikingly skewed towards personal scandal with shockingly little discussion of policy issues. American voters were highly informed about Hillary Clinton's email server and Donald Trump's Access Hollywood video, but knew very little, beyond a few shallow slogans, about what either one would do about the economy, the environment, healthcare, mass incarceration, immigration, or most other pressing issues.

This isn't just because the media are obsessed with scandal and clicky headlines; it is what it takes to win with majoritarian methods. Candidates spent most of their ad time talking about character, not policy, and that has been true in the United States and Canada for a long time.

Proportional solution: Voters learn about and legislators craft innovative, durable policy solutions

With proportional election methods, smaller parties win seats and therefore win a share of the megaphone during campaigns and during legislative negotiations. Party diversity brings competition in the "marketplace of ideas," forcing even the big powerful parties to deepen their positions and discuss them.

New Zealand switched from a majoritarian to a proportional method in the 1990s, and much changed:

- Media coverage of candidates' personal characteristics dropped by one-third;
- Coverage of all substantive issues *more than tripled*;
- Coverage of environmental issues more than tripled, while coverage of social issues such as immigration, race relations, and children and families doubled;
- The major parties, which had previously been fewer than 9 points apart on a 200-point political index, shifted to 45 points apart, making it easier for voters to differentiate their policies. Minor parties staked out even more diverse positions, exposing voters to more than double the range of policy options.
- Candidate and party statements about policy issues evolved from a few bland slogans (for example, "education is working" and "there will be no new taxes"), to deeper discussions of specific policy solutions—for example, highlighting the effects that tax cuts would have on student fees, the benefits of national testing, voucher programs, free pre-school, scholarships, apprenticeships, and potential impacts of no-interest student loans.

The United Kingdom offers a similar natural experiment for comparing majoritarian and proportional methods. Like the United States and Canada, England uses a majoritarian method to elect its national legislature. But like all European countries, its European Parliament representatives (until it exits the EU) are elected through a proportional method. For its EU representatives, Great Britain is divided into 11 districts, each electing between three and ten members from party lists. Comparing the results of these elections with those of the England's national elections, notably from the same time period, with the same voters, and in the same place, confirms that **voters hear more about *policy*** and about a greater variety of policy options in proportional elections than in majoritarian ones.

Greater attention to policy in proportional countries leads to **more innovative policy solutions**. By giving minor parties the opportunity to bring up sensitive, non-mainstream, and more detailed policy proposals, proportional countries grapple with the implications of different policy paths. Because more issues and more possibilities get discussed, proportional countries move more

quickly to adopt new solutions. For example, majoritarian countries have taken more than twice as long to adopt civil union or marriage equality laws, compared with proportional countries.

Proportionally elected legislatures also create **more durable policy** than legislatures elected with majoritarian methods. Researchers have characterized majoritarian governments as operating with a strong but unsteady hand: the party in charge can decisively pass policy, even if it has not been fully vetted or is opposed by major sectors of the society. Majoritarian political systems with single-member districts are prone to "pork-barrelling"—passing policies that benefit the home districts of the ruling party, even at the expense of the country as a whole. The groups left out or ignored become enraged and seek to wrest control away from the ruling group and reverse the policy. As the country seesaws between ruling parties, policies are constantly being relitigated and reversed.

Proportional governments' grasp is gentler, but steady. During the campaign and policy-making process, minor groups are able to bring up dissenting points, ensuring that policies are well thought out. The governing coalition must include as many groups as possible in the decision-making process. Policies that pass are unlikely to disservice large swaths of the population or to be overturned because most voters' representatives had a role in shaping the policy.

Majoritarian problem: Extractive special interests that have disproportionate influence over policy

Sometimes private interests are aligned with the greater interests of the society. But sometimes industries reap profit at the expense of workers and citizens. For example, companies can boost profit by marketing sugary foods to children at the expense of those children's health and wellbeing and of other people's wallets, too, because everyone pays spiraling healthcare costs from the resulting obesity epidemic. Fossil fuel corporations benefit by foisting the costs of their pollution on communities and limiting competition from clean sources of energy, but everyone suffers from the resulting pollution.

A well-functioning democracy generates broad benefits for its members. To do that, it must ensure that special interests don't drown out everyday people's voices. Ideally, elected representatives make sure that companies are able to prosper and create products and jobs, but that the jobs are *good* jobs, the products are *safe* products, and competition drives innovation that helps the community prosper. In the current system, extractive private interests often wield so much power and influence that their priorities come before those of workers and families.

Proportional solution: All interests have a voice in shaping consensual policies

Majoritarian political systems have many small groups working hard to represent different aspects of the concerns of workers, families, and communities. But as they are each fighting to get traction for their issues, the more powerful and concentrated voices of corporate special interests often drown them out. The big money interests may dominate the major political parties, splintering and pushing aside the smaller groups.

Proportional political systems tend to have a few strong, coordinated interest groups, each of which has an important seat at the negotiating table. Business, labor, and government come to comprehensive agreements based on an "ideology of social partnership." If extractive corporate interests capture one or both of the major political parties, smaller parties that make a point of objecting to disproportionate corporate influence will gain power.

The results of these different negotiations can be measured in several concrete ways:

- Majoritarian countries have **higher income inequality** than proportional countries. The average majoritarian country has a Gini index more than 9 points (out of a possible 100) higher than the average proportional country. In other words, in majoritarian countries, more of the wealth flows to those at the top. This is in part a result of corporations and elite economic interests manipulating tax policy to their benefit in majoritarian systems but being restrained by the consensual negotiations more common in proportional jurisdictions.

- Proportional representation countries have half the rates of obesity that majoritarian countries do, partly a result of regulations on marketing to children.
- Proportional countries use more than twice as much renewable energy as do majoritarian countries, largely due to policies promoting renewable energy use.
- Proportional countries have slowed their carbon dioxide emissions more than four times as quickly as majoritarian countries, largely due to policies aimed at slowing global climate change.

The best election reform options for Cascadia

Clearly, proportional election methods win. But *which* proportional method should reformers in Cascadia push for? Sightline's view is that advocates should prioritize the election methods that work best *and* are most likely be used in other cities, counties, states, and provinces across Cascadia, in order to make sure that the effort required to win each reform builds momentum for future wins. In other words, the best systems in Cascadia are those that provide diverse representation, can do so at multiple levels of government so that Cascadian cities, counties, state and provinces can try them out, and preferably, have a track record that can help voters be willing to give reform a try.

Multi-winner **Ranked-Choice Voting, a.k.a. Single Transferable Vote**, can be used in local or nonpartisan elections, which could help introduce Cascadian voters to the concept and build momentum for reform up the chain. Multi-winner RCV, which is only currently used in three elections in the United States, requires multi-member districts. Many cities in Oregon and British Columbia already use multi-member districts and Bloc Voting, and could just switch to ranked ballots with no other changes and have proportional representation—voila! But other cities and counties as well as states, provinces, and the federal government would need to change the way they think about districts—and that's an undoubtedly heavy lift. But with that change, cities, counties, states, and provinces in Cascadia could adopt multi-winner RCV and build momentum for sweeping reforms at the national level.

Voters are often reluctant to make big changes to electoral methods, but they may be more willing to adopt reforms that have a track record close to home. For example, [Maine voters who adopted Ranked-Choice Voting](#) for state and federal elections may have been reassured that voters in Portland, Maine had used ranked-choice voting and found it to produce more civil campaigns with broader voter outreach. Here in Cascadia, voters may be interested to hear that [Benton County, Oregon](#), passed a Ranked-Choice Voting initiative in 2016 and even more interested to know how the first election goes in 2018. On the other hand, Cascadian voters who hear that Pierce County tried Instant Runoff Voting and repealed it may be anxious to understand why, and reassured that thirteen US cities and counties already use Ranked-Choice Voting, with proven enhancements to the tone of races and voters' ability to express an opinion about more than one candidate.

Mixed-Member Proportional Voting could be a great solution for federal, state, and provincial elections. Because it retains some single-member districts, it might be an easier transition for American and Canadian voters. Indeed, voters in one Canadian province [recently decided](#) to adopt Mixed Member Proportional. New Zealand transitioned from majoritarian to proportional representation by adopting Mixed Member Proportional, with its mix of single-member districts and larger, party-based districts. Because it is party-based, Mixed Member Proportional could not be used in local nonpartisan elections, so it would need to go straight to a win at the state or national level, without testing in local jurisdictions first.

Cascadian cities and counties could use **Cumulative Voting** in multi-member districts to achieve fairer representation. Cumulative Voting already has a track record in dozens of American jurisdictions, and would involve a relatively simple change to ballots. However, it might not achieve all the benefits of proportional representation described above.

Cities and counties could introduce **Reweighted Range Voting** or **Multi-Winner Score Runoff Voting** and potentially achieve proportional representation. However, the pitch to voters would be more challenging since neither these methods, nor any form of score ballot has been used in any public elections anywhere in the world.

Party **List Voting** is the most proportional of election methods. Because list methods use large districts and party-based voting, they could not be used in local or nonpartisan elections. American voters would likely balk at Closed List Voting, which only allows voters to choose a party and not a candidate. Open List Voting, which allows voters to choose their favorite candidate from party lists, could be more palatable in North America, with its tradition of candidate-focused, rather than party-focused, elections.

Conclusion

Prime Minister [Trudeau's 2015 campaign promises of electoral reform](#) indicated Canadians' growing impatience with first-past-the-post voting, and many Americans are also feeling that elections leave much to be desired. Proportional election methods lead to better representation, more voters with more power to elect officials that represent them, less or no risk of gerrymandering, healthy

competition among parties presenting policy ideas, and innovative laws that take more voices into account in crafting durable solutions.

Sightline would like to see Cascadian cities, provinces, and states adopt proportional Ranked-Choice Voting or possibly Mixed-Member Proportional Voting for states and provinces. Doing so would improve governance across the region while showing the way for better national methods as well.

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