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Proportional Representation— The Key to Democracy

BY

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and Associate Secretary of the National Municipal League*

with the coöperation of

Clarence Gilbert Hoag

Honorary Secretary of the Proportional Representation League

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NEW YORK CITY

JOHN T. FLYNN, in *Collier's* for May 26, 1934
“No citizen of any American city, no leader of public thought in any American city, can afford to be ignorant of what Cincinnati has done for herself. No matter how busted any city or village is, it ought to make, as its first expenditure, a appropriation for an expedition of citizens to this Ohio city to see for themselves and at first hand the achievements of the first reform ministration in American political history w. has been able to last through five city elections.”

MURRAY SEASONGOOD, mayor of Cincinnati from 1926 to 1930: “Proportional representation is the shield and essence of the charter. Before, the entire government was controlled through the votes of illiterates and the vicious, of those thankful for the favor of a job or for being kept out of jail. Now the intelligent citizens rule.”

TABLE OF CONTENTS

R	PAGE
ORD, by Samuel Seabury	vi
E	xi
KING THE GOVERNMENT SERVE THE GOVERNED	1
<i>Tale of Two Cities</i>	1
<i>oting Methods Should Fit the Facts</i>	3
<i>stice to Minorities Is Vital</i>	5
<i>Cure for Political Misrule</i>	9
<i>hat Every City Needs</i>	10
THE OLD SYSTEMS FAIL	13
<i>Wasted Votes</i>	14
<i>Unfairness to Minorities</i>	18
<i>Minority Rule</i>	20
<i>Guides</i>	25
<i>lections from the District Plurality Plan</i>	27
<i>Machine Rule</i>	31
HOW TO GET REPRESENTATIVE BODIES	37
<i>Sample Election Without Ballots</i>	38
<i>Sample Election With Ballots</i>	42
<i>How a Real Election Works</i>	48
<i>Inferior Forms of P. R.</i>	55
ADVANTAGES OF P. R.	58
OBJECTIONS TO P. R.	75
P. R. AT WORK	105
<i>The Story of Cincinnati</i>	105
<i>R. in Cleveland</i>	121
<i>R. in Other American Cities</i>	129
<i>ow York and Yonkers</i>	147
<i>R. Abroad</i>	158
HOW THE PLAN SHOULD BE USED	161
<i>Inclusion</i>	176

FOREWORD

It gives me great pleasure to commend this admirable book. The arguments advanced in it in favor of P. R. are unanswerable.

At the present time, when ruthless and tyrannical dictatorships have established themselves in foreign countries in defiance of the principle that the people should be accorded fair representation in their government, and dictators are aggressively proclaiming that democracy is a failure, it is more than ever incumbent upon those of us who believe in the democratic ideal to correct the defects and abuses which have grown up under our democratic system.

Many of these defects and abuses arise not from the fact that the people are allowed representation in a democracy, but on the contrary, from the fact that under our system of voting the people do not get the representation to which they are entitled. As long as each of the members of a legislature or council is elected by a plurality of the votes cast in a separate territorial subdivision, it is inevitable that large groups in the community will remain unrepresented by representatives of their choice. This results from the fact that all the

voters other than those who cast their ballots for the candidates who secured the plurality in that political subdivision—and, in the aggregate, they may be more numerous than those who voted for the successful candidate—have elected no one. Their ballots are as ineffective as if they had not voted at all. Thus the territorial or district system under which members of the Board of Aldermen of New York City were formerly elected produced the most incongruous results. In one year, for example, Tammany secured sixty-four aldermen while the Republicans were accorded one, and other large numerical groups were denied any representation in that body, although Tammany polled only 65 per cent of the total vote cast for aldermen. In one Aldermanic District in the Borough of Queens in a Democratic primary the choice of 5410 voters was declared nominated, although 12,803 voters in that district in the same primary did not vote for that candidate. It was to such a system that the late President Garfield referred, when, as a member of Congress, he said:

“In my judgment, it is the weak point in the theory of representative government as now organized and administered, that a large portion of the voting people are permanently disfranchised.”

Proportional representation would do much to remedy this vital defect in our so-called democratic regime. The

abuses incident to our system come largely from the fact, not that it is too democratic, but that it is not democratic enough. Although it gives suffrage to all citizens, it fails to give effect to the votes cast by a large body of them, and, in consequence, does not insure fair representation to all the voters.

It is of primary importance that this defect be remedied. With its remedy many of the abuses which exist, and which are often incorrectly regarded as inherent in democracy, would be removed. Proportional representation would do much to bring about the desired result.

Under P. R. as used in New York City the quota sufficient to elect a representative is fixed by law—75,000 in this case—but the number of seats is determined, not by law, but by the number of quotas polled each time. Thus P. R. accomplishes its own reapportionment and removes that important question from the decision of legislators who often allow political considerations to dictate their conclusions.

P. R. does away with the gerrymandering of districts. It breaks the monopoly of the party machine by recognizing the political rights of the voters in proportion to their numbers. It secures independence of choice to every individual voter, emancipates him from being required to vote for the candidate of one of two political machines, and thus relieves him from the frequent neces-

sity of making a choice between two evils. It accords representation to minority groups, but accords larger representation to more numerous groups. It allows full opportunity for political parties to function, but it does not permit the plurality party to deny representation to other groups in proportion to their number. It insures the equitable division of political power.

As far as the voter is concerned, P. R. is simplicity itself. It requires of the elector no more than that he shall indicate his favorite candidates in the order of his preference by putting numbers—1, 2, 3, etc.—alongside their names on the ballot. Irrespective of the number of preferences the voter may express, his vote is counted for but a single candidate—the candidate being the first of the voter's successive preferences who has not already been credited with enough votes to elect him or defeated because he has too few. In this way, P. R. prevents the wasting of votes and gives effect to every vote to which it is possible to give effect.

P. R. permits a candidate to stand for definite principles, with the assurance that if they find favor with a group sufficiently large to constitute the quota he will be elected. He is relieved of the necessity of straddling issues, or attempting the impossible task of trying to please everybody. Moreover, P. R. precludes the political machine from gaining an advantage by nominating candidates for whom they do not intend to vote, but whom

they cause to be nominated for the sole purpose of bringing about a division of the vote.

I have specified but a few of the manifold advantages of P. R. These and others will be found carefully set forth in this book. Dr. Hallett has done a great service in writing this book. It is especially timely at the present moment when the great City of New York is to enjoy its first experience under P. R.

SAMUEL SEABURY

New York City
July 29, 1937

PREFACE

THIS little book is intended to supply the need for an inexpensive popular treatment of proportional representation. With the adoption of this new instrument of democracy for city council elections in New York City it is naturally being considered in all parts of the United States. And now that the highest court in New York State has joined the Ohio courts in upholding its constitutionality, directly contradicting the adverse opinions of some years ago in Michigan and California, it may be regarded as definitely available in most states of the Union.

I have tried to answer all the usual questions that are asked about proportional representation and to bring out its fundamental importance and simplicity without burdening the reader with technical details. I hope the book will prove valuable for educational campaigns both in communities that have adopted "P. R." and in those considering its adoption.

Some years ago I had the privilege of collaborating with C. G. Hoag of Haverford, Pennsylvania, who is the real father of proportional representation in the

United States, in a more comprehensive treatment of this same subject, published by the Macmillan Company in 1926 under the title *Proportional Representation*. That book contains extensive appendices and much information which the serious student will still find of value. Though it is now out of print, it can be consulted in most large libraries and the National Municipal League still has some copies for sale.

With the consent of the publishers and of Mr. Hoag I have drawn freely on this older book in the preparation of the present one. Mr. Hoag has been of inestimable help in reading the manuscript and suggesting numerous improvements. I owe my background of information on this subject and my enthusiasm for it almost entirely to him. From 1919 till 1932 we worked together in the office of the Proportional Representation League, which he served as honorary secretary—for the greater part of that time on a full-time basis—without compensation.

I am grateful to the National Municipal League and the New York Citizens Union for their sponsorship of the book, which will greatly enhance its usefulness. It was prepared partly on the Citizens Union's time and with the active help of Miss Elsie S. Parker of the staff of the National Municipal League, with which since 1932 the Proportional Representation League has been combined.

A considerable number of my friends and co-workers in the civic field have been kind enough to read the manuscript of the book and give me their impressions and criticisms.

Those who wish more extensive information on proportional representation, and its workings after reading this book are referred to the older book mentioned above; to the files of the *Proportional Representation Review*, quarterly organ of the Proportional Representation League, which suspended separate publication with the issue for April, 1932; to the files of the *National Municipal Review*, organ of the National Municipal League, which has carried a monthly Proportional Representation Department edited by the author since June, 1932; and to the publications of the British Proportional Representation Society, 82 Victoria St., Westminster, London S. W. 1, England. Simple explanatory pamphlets have been published by the National Municipal League, the New York Women's City Club, the Merchants' Association of New York and others. The National Municipal League, 299 Broadway, New York City, is always ready to answer inquiries on the subject.

G. H. H., JR.

PREFACE TO SECOND EDITION

THE FIRST edition of this book was published in 1937, shortly before the first proportional representation election in New York City, by the National Home Library Foundation, Washington, D. C. It was sponsored by the National Municipal League and the Citizens Union of the City of New York.

The first edition being exhausted, the National Home Library Foundation has given the National Municipal League permission to reprint.

The first edition has been completely revised to bring it up to date, especially the chapter on "P. R. at Work," which now includes accounts of the first two P. R. elections in New York City. I regret that space considerations have made it necessary to omit the statement on the adoption of P. R. in New York by William Jay Schieffelin, chairman of the New York Citizens Union, which appeared on pages 153-160 of the first edition.

Judge Seabury's foreword has, with his approval, been left without change. Its observations on the world importance of P. R. seem even more timely than when it was written.

G. H. H., JR.

CHAPTER 1

MAKING THE GOVERNMENT SERVE THE GOVERNED

EVERY minute of our lives, waking or sleeping, is affected by government, particularly local government. If the city doesn't supply pure water, if the health services are inefficient, our lives are endangered. If the fire department is disorganized, if the building code is not enforced, we may be burned in our beds. If the police department is "political," we may be hounded by racketeers. If the schools and playgrounds are poor, our children are cheated. And even if all these services are well performed, we are eaten up with taxes if they are performed wastefully.

The purpose of this book is to show how our governments can be controlled in the interests of the people they are supposed to serve.

A Tale of Two Cities

Consider the difference in government between **Kansas**

2 PROPORTIONAL REPRESENTATION—

City and Cincinnati. Both have the city manager plan, which makes for improved administration. They are nearly the same in size, and they adopted their present charters with similar high hopes of ending similar regimes of political misrule. But Kansas City, for its first fourteen years under the manager plan, was completely dominated by the notorious Pendergast machine. It was efficiently run, at the expense of the taxpayers, for the benefit of the ring. Cincinnati, on the other hand, promptly threw off the yoke of the equally entrenched Cox-Hynicka machine and during the same period enjoyed continuously what was generally regarded as the best government in any of the larger cities of the country.

The contrast in this tale of two cities is not due merely, or even primarily, to a difference in civic spirit. It is due largely to a difference in election methods. Kansas City elects its council, which chooses and controls its manager, by a common method which usually plays into the hands of the best organized political group and tends to kill all hope of effective action in the average public-spirited citizen. Cincinnati elects its council by proportional representation, which insures an effective share in the control of its government to practically all of its voters and gives its public-spirited citizens every incentive to continued political activity.

All popular government is founded on elections. It is of the utmost importance that the rules of elections shall

make it easy for the people to get what they really want.

For achieving this result the modern machinery is proportional representation. Experience with it has brought heartening evidence that people want something very much better than they usually get. It appears actually true that the cure for the ills of democracy is more democracy, a system of election which makes representative government a reality instead of a sham.

Voting Methods Should Fit the Facts

The defective election method used in Kansas City and the similar methods used in most of our elections are due to a failure to recognize that there are different objects of voting which require different methods of election. We try to carry over to more complicated situations a method which is only suitable in deciding the simplest sort of issue, that is, whether a question with only two possible answers shall be answered "yes" or "no." For such an issue a simple majority election is, of course, sufficient.

An essentially similar situation is presented when only two candidates are running for a single office. Here also there are only two possible answers, and the best that can be done is to hold a majority election to let the voters divide into two groups and to give the prize to the larger.

As soon as three candidates present themselves for a

4 PROPORTIONAL REPRESENTATION—

single office (or three answers to a single question) the situation becomes more complicated and a simple majority election is no longer suitable. To illustrate, let us consider the three leading candidates for city comptroller in the New York City election of 1934 and the votes cast for them:

Taylor, Democrat	831,390
McGoldrick, Republican and Fusion	815,561
Laidler, Socialist	77,695

Under the simple relative majority system which was in use Taylor was elected by a plurality of only 15,829 votes, while the 77,695 who voted for Laidler had no share in the decision. If the Laidler voters had been consulted in the real contest between Taylor and McGoldrick, it is quite possible that the outcome would have been something like this:

	McGoldrick	Taylor
Votes actually received	815,561	831,390
Preferences of the Laidler voters	60,000	17,695
	<hr/>	<hr/>
Totals	875,561	849,085

Obviously an election method which can elect one candidate when a majority of the voters prefer another is not a suitable method to use.

The solution of this difficulty is a good system of

majority preferential voting such as Judge Samuel Seabury recommended for the election of mayor and comptroller in New York City in the final report of his famous investigation of New York City government, made as counsel to the Hofstadter legislative investigating committee in 1932. This method would have given every voter a second choice, to be used in case his first choice proved to have no chance of election. When Laidler was found to have no chance, it would have given effect to the second choices on his ballots as in the imaginary tabulation above. This would have shown which of the two leading candidates was preferred to the other by a majority of all the voters who had any preference between them and that candidate would have been elected whether he was the one who led on the count of first choices or not.

Justice to Minorities Is Vital

But this solution also is limited in its application. There is another object of voting for which it is almost as unsuitable as the simple plurality system. When what we want is not a single officer or a *decision* among alternatives, but *a body fit to make decisions* on behalf of the voters, something quite different is required. As Ernest Naville, the eminent Swiss publicist, wrote in 1865, "In a democratic government the right of decision

6 PROPORTIONAL REPRESENTATION—

belongs to the majority, but the right of representation belongs to all.”

In the old New England town meeting every minority was represented. If some minority had been excluded, it would have been evident that majority rule was no longer assured. Take for example a town meeting of 100 citizens of whom 20 belong to the family of Smith. A proposal to build a schoolhouse is favored by 55 votes to 45, the Smith family being solidly on the majority side. But suppose that the Smiths have made themselves unpopular by opposing a new road through their property, and that before the vote on the schoolhouse is taken a motion is passed suspending them from the privileges of membership and depriving them of the right to vote. In that case the schoolhouse will be defeated by 45 votes to 35 even though more than half the townspeople want it. The Smiths are a minority. On some questions they will be overwhelmingly outvoted. But on other questions their votes are essential to majority rule. The exclusion of minorities may defeat the will of the majority.

In the make-up of our representative bodies this fundamental principle has been forgotten. By the majority system of election we exclude minorities much larger than the one-fifth in this example from all representation in our city councils, state legislatures, and Congress. The representatives of the remainder are no

more certain to carry out the wishes of a majority of the people than a town meeting would be if a fifth of the voters were excluded.

One of the most striking examples of this truth was shown in the seizure of power by Adolf Hitler in Germany. In the last Reichstag election under the German Republic, held in March, 1933, Hitler's Nazis polled only about 44 per cent of the votes. Since the election method used limited each party to its proportionate share of the seats, the Nazis elected only 44 per cent of the members. Under the constitution, therefore, Hitler would have been able to take and hold office only so long as he held the backing of the more moderate Nationalist Party. But because the Communist representatives were very unpopular with the Nationalists as well as the Nazis, Hitler was able to secure the Nationalists' help in expelling them from the Reichstag. Thereupon Hitler's 44 per cent became a majority of the members left and he proceeded to use this majority to expel all the other parties, including the Nationalists. The Communist members would have been powerless to enact communism or any of their unpopular ideas, but their help was essential to block the dictatorship of the Nazis. Thus the fair representation of even the most despised minority may be absolutely necessary for majority rule.

Obviously the fair representation of minorities cannot

8 PROPORTIONAL REPRESENTATION—

be secured by any process of majority election. What is needed is not a system of *dividing* the voters into winners and losers but a system of *condensing* them in the right proportions into their chosen leaders.

If, for example, 25 voters divide as follows in their choice of candidates for a committee,

Black	5
White	5
Brown	5
Gray	5
Green	5

a truly representative committee would consist of Black, White, Brown, Gray, and Green. No one of the five represents a majority by himself; but whenever the five decide a question by majority vote, the representatives of a majority of the voters are sure to win. Any three of the five represent 15 of the 25 voters. Of course in actual practice the voters do not divide themselves so obligingly into just the right number of equal groups, but with the right election machinery this sort of result can be closely approximated even when the voters are given the utmost freedom in expressing their real wishes.

This example illustrates the fundamental principles of representative government, just representation of all, including minorities, and then majority rule by decisions

in the representative body. The next chapter will show how lamentably our usual systems of representation fall short of meeting these standards. Chapter 3 will explain the modern system of proportional representation that has been devised to meet them.

A Cure for Political Misrule

It is from lack of such a system that many of our city governments—to go no higher—have fallen into the clutches of self-seeking “machines.” Public services of all kinds are more or less demoralized by “politics,” yet they extract a heavy toll in taxes and rents. The average busy citizen, of whatever party, deplors the situation but feels powerless to do anything about it. The election machinery is geared against him. He may not understand this, but he knows from experience that independent effort to improve conditions gets nowhere except in infrequent explosions when popular exasperation boils over. He probably puts it down to the depravity of human nature and either votes cynically for the hand-picked candidate who is sure to win or does not vote at all. This is what happened in Cincinnati before the adoption of its new charter. With new election machinery the same voters have not only risen once to rout the political spoilsmen but kept them at bay for fifteen long years on end.

The happy experience of Cincinnati and other cities

10 PROPORTIONAL REPRESENTATION—

which have won their freedom by adopting proportional representation is outlined in the later chapters of this book.

What Every City Needs

Of course the adoption of a proper method for the election of the representative body will not of itself do all that is needed. Civic effort is needed also to take full advantage of the new opportunities, and to that end it is essential that the new opportunities should be understood.

Furthermore it is impossible to get the full benefit of a representative body fit to govern if it is not given full power to govern. As soon as the representative body of a city is so elected as to be really representative, it should be given power to “hire and fire” the chief administrator. That is really more democratic than the election of the chief administrator at the polls. It keeps the administrator constantly under the control of a group of representative citizens instead of giving one man—necessarily less representative than the group—a free hand for a period of years. And it usually gives the voters the kind of administration they prefer, but can't get by direct election.

There is nothing new about this idea. How do we get our school superintendents? We let our school boards

select them. The members of a school board are in a position, as most voters are not, to look over the profession, compare the candidates carefully, and make an intelligent selection. They may make mistakes, of course, and sometimes even be corrupt, but usually we get much better school administrators that way than we could hope to get by direct election. If the school boards select the superintendents, the administration of public education becomes a profession and those who are engaged in it rise, usually, by good professional work. But if the superintendents were elected at the polls, where the voting is done by people who have little opportunity of looking into the professional standing of the candidates and their technical qualifications for administrative work, success would soon depend more on political than on professional qualifications.

How does a man become president of the Pennsylvania Railroad Company or of the General Electric Company? By vote of all the stockholders? Far from it. Most of the stockholders are not close enough to the candidates or to the duties of the office to know for whom to vote. Very sensibly, therefore, they leave it to their representative body, the directors.

There is every reason to apply this same principle to the government of a city. Experience shows that if the election method is such as to make the city council truly representative, that council is more likely than the voters

12 PROPORTIONAL REPRESENTATION—

themselves to pick an administrator with the professional competence that the voters want. In other words, *what we need for good administration is the combination of proportional representation and the city manager plan.**

Every American city which has so far adopted proportional representation has this combination, with the single exception of New York. In New York the representative Council has only a limited control over the mayor, the comptroller, and the borough presidents, and important financial policies are determined in the Board of Estimate. But the council, with its assured representation for minorities as well as majority, has enough power to prevent the city from ever falling again into a morass of undisturbed spoils politics, and it can be given more power in the future. Fortunately the way is open for such an extension by direct petition and popular vote.

There is already enough experience elsewhere to justify the hope that any American city can make its government a truly efficient servant of all the people by doing three things: adopting the proper method for the election of its council, giving the council complete control over the city government by the proper machinery of appointment, and organizing the civic spirit which always exists to take advantage of the opportunities thus presented.

*Information on the manager plan may be obtained from the National Municipal League, 299 Broadway, New York City.

CHAPTER 2

THE OLD SYSTEMS FAIL

IN most cities there is a general lack of confidence in the city council, commission, or board of aldermen. The man in the street thinks of it as a "bunch of politicians." The old term "city fathers" is used to provoke a smile. The real leaders of the community, with few exceptions, would scorn to present themselves for election to it and probably could not be elected if they did.

All this is the natural result of the unrepresentative character of our so-called representative bodies and the best evidence that they are unrepresentative. A body which plans and controls such vital services could not fail to be held in general esteem if it truly represented the people it is supposed to serve.

The trouble is not with the attitude of the public, but with methods of election which almost inevitably distort the public's wishes. A public which did not regard some of our "representative" bodies with cynicism and suspicion would be less than intelligent.

Wasted Votes

What is wrong, then, with the common methods of election? To put it briefly, they always exclude large numbers of voters from any real voice in determining the results.

Take the simplest case, election by districts with one member from each district. Here is an example from the New York Assembly elections of 1934:

6th Assembly District, Brooklyn

Helfand, Democrat	7,788 votes
Inselbuch, Republican	7,773 votes

Although the groups of voters supporting the two candidates were almost exactly equal in size, those who voted for the re-election of Inselbuch had no more effect on the result than if they had all stayed at home. Nearly half the votes were lost.

When there are three or more serious candidates for one place, the situation may be much worse. Here is an example from the Democratic primaries for New York City aldermen in 1935:

62nd Aldermanic District, Queens

James J. Paretti	5,410 votes
Carl Deutschmann	5,115 votes
Joseph A. Horak	4,336 votes
John J. McGoldrick	3,351 votes
Written in	1 vote
<hr/>	
Total	18,213 votes

More than twice as many votes were cast against Alderman Paretti as were cast for him; yet because the opposition was not united on one candidate Paretti was nominated, and eventually elected.

A little further examination of this case will be instructive. The 62nd was one of the "sure" Democratic districts, where nomination was equivalent to election. Alderman Paretti secured his nomination on the basis of 30 per cent of the Democratic primary votes, which was 28 per cent of the votes in the primaries of all parties. But the primary vote in all parties was itself only about half of the total vote in the final election. So Mr. Paretti secured his nomination through the support of only 14 per cent of those who voted in the final election.

If we wish to push the analysis still further, the situation appears even worse. For nothing like the full possible vote of the district turned out even at the final elec-

16 PROPORTIONAL REPRESENTATION—

tion. In the following year no less than 58,920 persons actually voted for President in the district, whereas 5,410 gave Mr. Paretti his Democratic nomination, equivalent to election. The latter figure is only 9 per cent of the former.

So the political backers of Mr. Paretti had only to secure the support of 9 per cent of the potential voters of the district in order to put him in the Board of Aldermen.

In some other districts the condition appeared better but may actually have been worse. A dearth of candidates to contest the election of the dominant organization in the primaries and a dearth of voters against it in the final election may signify not general satisfaction but general hopelessness. After throwing his vote away a certain number of times the average voter becomes cynical as to its value and leaves those who make a business of politics in undisputed possession.

From what has been said it will be evident that the number of votes wasted on losing candidates in the final election is far from being the full measure of the voters' frustration. Nevertheless the number of votes so wasted is almost always large. Here are the total figures for all the aldermanic final elections in New York since the consolidation of the greater city, showing the number of voters of each party who voted for losing candidates in each election and the number of all parties who did so:

WASTED VOTES

FINAL ELECTIONS OF NEW YORK CITY ALDERMEN

Year	Dem.		Rep.		Soc.		Others		Total		Percent- age Wasted
	Wasted		Wasted		Wasted		Wasted		Wasted		
1899	56,698		109,165		14,610a		9,339		189,812		43%
1901	128,686		101,557		15,889b		9,115		255,247		44%
1903	90,700		128,182		17,829c		17,499		254,210		43%
1905	148,269		67,888		12,532		48,316		277,005		48%
1907	77,344		116,851		16,974		41,812		252,981		48%
1909	113,049		89,516		12,565		22,615		237,745		43%
1911	133,481		80,477		33,155		4,691		251,804		44%
1913	120,892		90,124		31,619		62,969		305,604		50%
1915	73,454		136,737		40,685		15,716		266,592		46%
1917	83,294		122,549		77,903		9,662d		293,408		47%
1919	171,350		154,682		110,665		18,377e		455,074		48%
1921	101,274		272,896		113,451		4,747		492,368		43%
1923	57,533		265,706		74,300		1,569		399,108		41%
1925	24,708		341,467		47,095		1,706		414,976		37%
1927	63,472		282,196		51,629		4,690		401,987		37%
1929	21,315		402,070		77,962		4,422		505,769		37%
1931	7,002		328,674		110,254		8,774		454,704		35%
1933	211,371f		523,618g		75,827		39,112		849,928		45%
1935	25,260		414,149		64,829		60,895		565,133		33%
	1,709,152		4,028,504		999,773		386,026		7,123,455		41%
									17,201,392		

18 PROPORTIONAL REPRESENTATION—

Similar figures could be given for the primaries. In the Democratic primaries of 1935, for example, 37 per cent of all the aldermanic votes were wasted on losing candidates. In the borough of Queens more votes were wasted than were effective.

Taking into account the errors of the final election and the primary together, as we did in the case of Alderman Paretti, it is clear that the Board of Aldermen, instead of representing as nearly as possible all the voters, as it should, has truly represented only a minority of them. When a majority vote is taken in such a body, it is sheer good luck if it happens to go the way a majority of the voters would like to have it.

Unfairness to Minorities

Though a large part of the votes in each district have to be wasted under this plan of election, it would not be so bad if the errors in different districts cancelled each other so that each party or group got about its fair share. This is hardly ever the case.

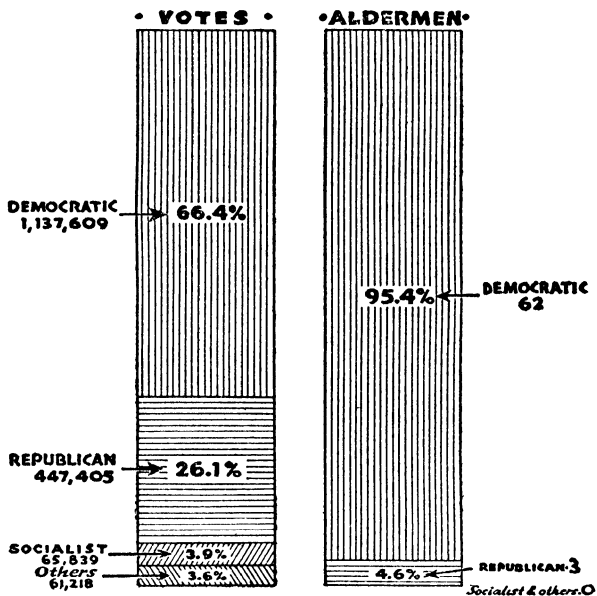
The last election of New York City aldermen illustrates what is likely to happen:

-
- a Socialist Labor (12,188), Socialist Trade and Labor Alliance (1,600), and Social Democratic (822).
 - b Social Democratic (9,039) and Socialist Labor (6,850).
 - c Social Democratic.
 - d Includes 7,365 Democratic-Republican Fusion votes.
 - e Includes 5,037 Democratic-Republican Fusion votes.
 - f Democratic and Recovery totals combined.
 - g Republican and City Fusion totals combined.

THE KEY TO DEMOCRACY

Misrepresentation in the Board of Aldermen*

1935 Election



* This chart is reprinted from the special Charter issue of the *Searchlight*, published by the New York Citizens Union in July, 1936.

In this election the Democrats elected one alderman for every 18,349 votes, the Republicans one for every 149,135. In other words Democratic votes were worth on the average eight times as much as Republican.

The exclusion of minorities is often still more complete. In 1931 the Democrats polled no greater percentage of the votes than in 1935, but they elected every alderman but one. In 1936 the Democrats made a complete sweep of the 23 state senators from New York City. Under essentially the same election method not a single Democrat was elected to the Philadelphia City Council at the regular council elections from the adoption of the present charter in 1919 until 1939.*

Minority Rule

We have seen that the exclusion of large minorities always means the possibility of minority rule. Sometimes the distortions of representation under the district plurality plan make this very apparent. Here are two cases from a number that have been furnished by our congressional elections:

* In Philadelphia several of the districts elect more than one member. As we shall see later this does not alter the nature of the system materially. One Democrat was elected to fill a vacancy in 1936.

1928 Election of Maryland Representatives in Congress

<i>Party</i>	<i>Votes Cast</i>	<i>Representatives Elected</i>
Republican	234,848	2
Democratic	226,116	4

1930 Election of West Virginia Representatives in Congress

<i>Party</i>	<i>Votes Cast</i>	<i>Representatives Elected</i>
Democratic	264,951	2
Republican	264,160	4

In each of these cases the minority party elected twice as many Congressmen as the majority. Its votes just happened to be more favorably distributed in the districts. Where you vote sometimes matters more than how you vote.

Usually, of course, the distortions are in favor of the majority party instead of against it. This obscures the fact of minority rule but does not remove it. In every one of the aldermanic elections in New York since the consolidation of the greater city a majority of the districts have been carried for the largest party by less than a third of the city vote. In 1935, for example, there were 33 districts out of 65 which were carried with absolute majorities for the Democrats by a total Democratic vote

22 PROPORTIONAL REPRESENTATION—

of 358,166. This was about one-fifth of the 1,712,071 votes cast by all parties in the city. If the other four-fifths had all been cast for the Republican candidates, the Democrats would still have elected a majority of the board.

If now we estimate generously that the Democratic aldermen from these 33 districts were satisfactory to three-quarters of the Democratic voters in them (they received only 70 per cent of the Democratic votes in the primaries, although 8 of the districts were uncontested), it is evident that a majority vote in the last Board of Aldermen might represent no more than 15 per cent of the voters of the city.



Distorted—REPRESENTATION—True

In fact, under this common plan of election, results are almost completely haphazard. Any considerable part

of the voters may elect all the members, or any smaller number, or none at all. This may sound extreme, but there are actual examples on record to prove it. In 1912, the year of the Progressive split in the Republican Party, the Democrats of Indiana polled about 45 per cent of the state's congressional votes and elected all 13 of its Representatives in Congress. In 1918 the Democrats again polled about 45 per cent of the state's congressional votes and elected none at all. In either year it would have been possible to rearrange the same votes in the 13 districts, without changing the total votes of the parties or the total votes of the districts, in such a way as to give the Democrats any other number of members from 0 up to 12.

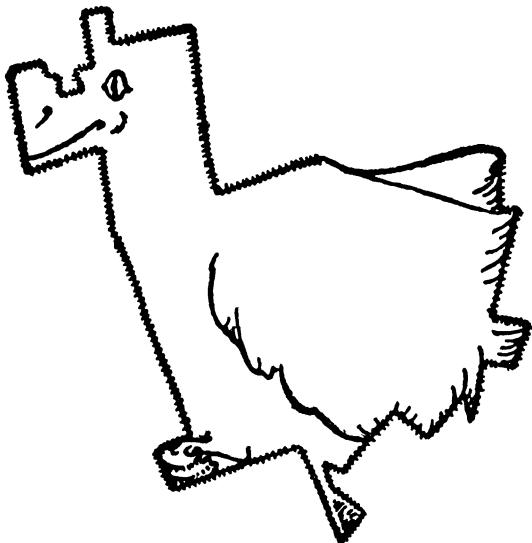


Voter: "Now let's play with the square deck."

All government is founded on elections. Yet this common method makes elections little better than a game of chance.

24 PROPORTIONAL REPRESENTATION—

Worst of all, it is a game that can be “rigged.” The minority votes in each district will be wasted anyway and the party in control at the time a reapportionment is made usually contrives to draw the district lines so that most of these wasted votes belong to its opponents.



A BROOKLYN GERRY-GANDER
34th Aldermanic District, New York City

This practice is known as “gerrymandering” from a redistricting under Governor Elbridge Gerry of Massachusetts in 1812 which gave Governor Gerry’s party 29 senatorial seats to 11 for an opposing party with more votes and which produced one district resembling a

salamander. Such curious effects can be found on most maps of legislative districts, bearing mute witness to the political motives of those who drew them.

Votes can also be bought or stolen in a few close districts with an entirely disproportionate effect on the result. To illustrate the possibilities, let us consider again the New York aldermanic election of 1935. In this election the Democrats polled over 690,000 more votes than the Republicans and elected 62 aldermen out of 65. This looks like a thoroughly safe majority. Yet if 81,000 votes—less than one in every twenty—had been changed from Democratic to Republican in the right districts, the Republicans would have elected a majority of the board. There have been times in the past when the theft or improper influencing of that number of votes in New York City was entirely within the realm of possibilities.

Fortunately it is not likely now that even this small percentage of fraud or unfair influence would be practiced in behalf of either party in so many of the districts. But when the districts are about evenly divided, even if the votes are not, a ridiculously small number of votes may determine the control of the entire body, and in such cases the temptation to unfair practices may be overpowering.

Landslides

More important than fraudulent changes, because more common, is the undue influence of a few votes

legitimately changed. Take the case of Michigan, where for many years there was a large Democratic vote with almost no Democrats elected. In 1930 the Democrats polled 42 per cent of the votes for Governor * but elected only two state representatives out of 100 and no state senators out of 32. In 1932, with a gain of only 13 per cent in the vote for governor, the Democrats suddenly captured a majority in both houses of the legislature. A crowd of untrained men, many of them nominated just to fill up the ticket, were swept into office and into control of the government of the state. The resulting confusion was inevitable but none the less devastating. If representation had had a reasonable relation to the votes cast, the Democrats would have had a good representation in each of the two houses for years before the fateful election and therefore a considerable group of trained leaders when the reins of government came into their hands.

In the provincial election of August 22, 1935, the United Farmers of Alberta, which had had a topheavy majority in the Alberta legislature for fourteen years, failed to elect a single member. The new Social Credit Party, not one of whose successful candidates had had previous experience in the legislature, swept every place but one outside the cities of Edmonton and Calgary. It would have swept all the six seats in Calgary too had it

* I have not been able to secure the votes for the two houses of the legislature, but presumably they were not far out of line with the votes for governor.

not been for that city's use of proportional representation. A fair reflection of the votes would have kept at least seven of the outgoing government party to give the legislature the benefit of their experience and constructive criticism and would have reduced the new majority to 35 members out of 63 instead of the 56 it actually secured.

But there is no need to multiply examples of landslides and their damaging effects. They are among the commonest of our political experiences.

Variations from the District Plurality Plan

Thus far we have been discussing chiefly the most usual of our arrangements for electing representative bodies—districts electing one member each, plurality voting, and partisan primaries. There are numerous variations from this pattern, but none of them is at all suitable for the election of a representative body such as a city council or a state legislature.

The Block Vote. One of the commonest variations is the "block vote" or "general ticket" system. Under this plan several members are elected together from a large district or from a city at large. If five are to be chosen together, each voter votes for five and the five highest win. This plan, with a non-partisan ballot and often with overlapping terms of office, is used in most of the cities operating under the city manager plan. Ordinarily the entire city forms a single district.

The block vote has some advantages over the single-

28 PROPORTIONAL REPRESENTATION—

member district system. In increasing the election area it is likely to increase the breadth of view and the calibre of the candidates. And by decreasing the number of separate contests it often makes possible greater publicity and attention for each one and therefore more intelligent discrimination in voting.

But within each district it has just the same defects that we have been discussing in the single-member district plan, and the effect of each defect is multiplied because it affects several members instead of only one.

Suppose, for example, that there are three parties or slates in the field, with the following numbers of voters:

Party A	10,000
Party B	8,000
Party C	7,000

If there were one to be elected from the district, the 15,000 B and C votes would be wasted and the 10,000 A votes would elect the district's one member. If there are five to be elected from the district, Party A nominates five candidates and gives each of them 10,000 votes. No other candidate gets more than 8,000. The votes of the 15,000 B and C voters are still wasted. The 10,000 A voters still get all the district's representation, the only difference being that now they elect not one but five.

If the five are the only ones to be elected in the city, the result is that no party but A is represented in the council. The largest minority elects all, the divided majority none. And even if the winning party had cast a majority of the votes instead of a mere plurality, it

would still have been quite improper for its candidates to represent the citizens who had voted against them.

This block vote plan also exaggerates the effect of landslides. Consider what happens in our presidential elections. The presidential electors of each state are chosen by the block vote. New York now has 47 electors out of 531, more than one-twelfth of the entire number. In 1928 the Republicans captured this whole block of electoral votes with just less than 50 per cent of the votes of the state. Four years later the Republican vote dropped to 41 per cent of the total vote and the Democratic vote increased from 47 per cent to 54 per cent. This slight shift in the popular vote made a 100 per cent shift in the 47 electoral votes of the state and gave them all to the Democrats. This made a difference of 94 electoral votes in the relative position of the two parties. In 1880 a shift of one per cent of the popular votes in New York would have switched the state's electoral votes from Garfield to Hancock and elected Hancock President. In 1884 a shift of only 575 votes in New York would have elected Blaine President, though Cleveland would still have had the popular majority. Is it any wonder that in three separate presidential elections the candidate with most popular votes was defeated? Or that Congressman Clarence F. Lea of California is winning increasing support for his constitutional amendment to divide the electoral votes of each state among the candidates in proportion to their popular votes?

The block vote is the acme of instability in elections.

It reproduces the evils of an election in a single-member district on a larger scale.

Different Primary Methods. Another sort of variation is in the method of nominating candidates. We have already seen how defective and unfortunate in its results is the ordinary party primary. A slightly better arrangement is the "non-partisan" or "elimination primary." Under this plan all the voters, regardless of party, receive the same primary ballot, and the ballot contains all the candidates who have been designated for the primary by petition. Each voter votes for one candidate for each office and the two highest are nominated for the final election. At the final election there is a straight majority vote between these two. If there are several to be elected together, the principles of the voting are similar. In an election of five, for example, each voter votes for five at the primary, the ten highest are nominated for the final election, and each voter then votes for his five favorites among the ten who survive the primary.

This plan is used extensively in city manager cities. It does prevent some of the loss of voting power that goes with the ordinary party primary system. A slate of candidates, to win under it, must survive a primary test in which all the primary voters take part instead of a test confined to a single party, and then must get a straight majority vote in the final election. In the final election it can never win on a minority vote because of a divided opposition.

But the plan leaves major difficulties unsolved. The weeding out of the weaker candidates so that votes will not be wasted on them is still done at a preliminary election in which only a fraction of the voters may take part. And the candidates weeded out may have together more votes than one or both of the candidates that remain. In the final election, therefore, a large part of the voters may be confronted with what they regard as a choice of evils.

Machine Rule

It is not necessary to describe the many variations of "majority" elections in detail, for none of them get to the root of the trouble. All waste minority votes in each district, and therefore cannot be expected to give a true reflection of what the people want.

Most of them even prevent a clear expression of what the people want. In the primary, in the final election, or in both they confront the average busy citizen, who wants good government but seems so powerless to get it, with a discouraging dilemma. H. G. Wells describes one form of it in Chapter IX of his book, *In the Fourth Year*:

"Methods of voting," he writes, "can be manipulated in various ways, and nearly every method has its own liability to falsification. We may take for illustration the commonest, simplest case—the case that is the perplexity of every clear-thinking voter under British or American conditions—the case of a constituency in which every

elector has one vote and which returns one representative to Parliament. The naive theory on which people go is that all the possible candidates are put up, that each voter votes for the one he likes best, and that the best man wins. . . . Suppose, for example, the constituency is mainly Conservative. A little group of pothouse politicians, wire-pullers, busy-bodies, local journalists, and small lawyers, working for various monetary interests, have 'captured' the local Conservative organization. They have time and energy to capture it, because they have no other interest in life except that. It is their 'business' and honest men are busy with other duties. For reasons that do not appear these local 'workers' put up an unknown Mr. Goldbug as the official Conservative candidate. He professes a generally conservative view of things, but few people are sure of him and few people trust him. Against him the weaker (and therefore still more venal) Liberal organization now puts up a Mr. Kentshire (formerly Wurstberg) to represent the broader thought and finer generousities of the English mind.* A number of Conservative gentlemen, generally too busy about their honest businesses to attend the party 'smokers' and the party cave, realize suddenly that they want Goldbug hardly more than they want Wurstberg. They put up their long-admired, trusted, and able friend

* Mr. Wells' choice of an illustration was a natural one for the time he was writing, the fourth year of the World War. His incidental sarcasm was not directed at Germans in general, however, as those who have read his works extensively will realize, but at the occasional German who changed his name to conceal his ancestry.

Mr. Sanity as an Independent Conservative.

“Every one knows the trouble that follows. Mr. Sanity is ‘going to split the party vote.’ The hesitating voter is told, with considerable truth, that a vote given for Mr. Sanity is a vote given for Wurstberg. . . . So at the eleventh hour Mr. Sanity is induced to withdraw, and Mr. Goldbug goes into Parliament to misrepresent this constituency. And so with most constituencies, and the result is a legislative body consisting largely of men of unknown character and obscure aims, whose only credential is the wearing of a party label. They come into Parliament not to forward the great interests they ostensibly support, but with an eye to the railway jobbery, corporation business, concessions, and financial operations that necessarily go on in and about the national legislature. That in its simplest form is the dilemma of democracy. The problem that has confronted modern democracy since its beginning has not really been the representation of organized minorities—they are very well able to look after themselves—but *the protection of the unorganized masses of busily occupied, fairly intelligent men from the tricks of the specialists who work the party machines.** We know Mr. Sanity, we want Mr. Sanity, but we are too busy to watch the incessant intrigues to oust him in favor of the obscurely influential people, politically docile, who are favored by the organization. We want an organizer-proof method of voting.”

The voter’s dilemma often takes another form which

* The *italics* are Mr. Wells’.

is just as bad. Instead of having a choice of evils he may be confronted with an embarrassment of riches. Two or more candidates whom he regards as good may run and stay in the running, while the machine concentrates on one. This is particularly likely to happen in a “non-partisan” election or in a primary.

A classic example of bewildered voters was the Republican primary for United States Senator in Pennsylvania in 1926. The three candidates were Senator George Wharton Pepper, Governor Gifford Pinchot, and “Boss” William S. Vare of Philadelphia, then a Representative in Congress. A large part of the Republican voters wanted above all else to beat Vare, whom they regarded as the personification of the spoils system, but they failed to get together on either Pepper or Pinchot, and neither Pepper nor Pinchot would withdraw. In the Philadelphia newspapers the race was all between Pepper and Vare; Pinchot lost thousands of votes of persons who really preferred him but who wanted at all costs to defeat Vare and so voted for their second choice, Pepper. In many of the country districts, on the other hand, the race was thought to be between Pinchot and Vare; wherever this theory prevailed, Pepper lost votes to Pinchot. In still other places the race was thought to be between Pepper and Pinchot, an assumption not altogether fantastic in view of the fact that both far out-distanced Vare outside the two largest cities; in such places voters divided between Pepper and Pinchot without knowing—though many must have been

made uncomfortable by the possibility—that by so dividing they were helping to elect the candidate they wanted least of all.

Vare was nominated by 41 per cent of the Republican votes, but we shall never know how many of the voters really preferred each candidate or what the result would have been if there had been a clear choice between Vare and either of his rivals. The three candidates spent more than two million dollars on this primary, whose supposed purpose was to pick the Republican who could poll the largest vote for the party in the final election. The actual result was that the state almost elected a Democrat, a thing unheard of in Pennsylvania at that time.

This situation is often manufactured artificially if it does not happen of its own accord. Those who make a business of politics have devious ways of persuading more than one popular man to run and to stay in the running. If they can persuade enough of them to run and can get the voters sufficiently confused as to their relative chances of election, they can win nominations against a divided field with as small a minority as nominated Alderman Paretti.*

Then when it comes to the final election the average voter may be confronted with another choice between Goldbug and Wurstberg. He must vote either for the candidate of the party whose principles he disapproves

* There is no attempt here to paint Mr. Paretti black and his opponents white. His nomination of course illustrates how small a fraction of the voters can control when the field is divided for any reason, whether by deliberate design or not.

or for the candidate who represents what he regards as worst in his own party.

The situation varies from election to election, but always the voters are more or less baffled. They do not dare to nominate the candidates they really want. They do not dare to vote for the best of the candidates nominated. If they do dare, by so doing they may elect the candidates they like least. No wonder most voters feel helpless at the polls or do not vote at all. No wonder our public affairs are so largely controlled by self-seeking "machines."

When you go to market you dare to ask for what you really prefer—let us say veal cutlet—even though you think it is probably not available. Why? Because if there is no veal cutlet you can at once ask for beefsteak, your second choice; and if there is no beefsteak either, for your third choice, and so on. If you were limited by law to the expression of only one choice of meats, you might ask for bologna sausage, not because you preferred it, but because you thought it most likely to be in stock. In our elections we get political bologna *ad nauseam* because we vote for it; and we vote for it, in spite of the fact that we do not want it, because we are made helpless by the limitations of the ballot. Until we have sense enough to give ourselves the same freedom on the ballot that we have in ordering meat at the butcher's we deserve to eat political bologna indefinitely.

CHAPTER 3

HOW TO GET REPRESENTATIVE BODIES

We have been considering two kinds of errors in our usual methods of electing city councils, state legislatures, and other “representative” bodies.

One kind is obvious on the face of the election returns. It has to do with wasted votes and the distortions which result from giving some of the people the representation which belongs to all. To cure this kind of error requires rearrangements to give minorities as well as majorities their fair share.

The other kind of error is not shown on the election returns but is no less important. It has to do with the inability of voters to nominate and vote as they please without danger of defeating their own wishes. To cure this kind of error requires a proper form of preferential voting.

The combination of these two requirements is exactly the remedy to which Mr. Wells refers, in giving the answer to the voters’ dilemma described on pages 31-33,

as “proportional representation with a single transferable vote.”

Let us examine this remedy more in detail, for it not only takes away the menace of unwanted machine rule but gives us the true reflection of the people’s wishes that we have been seeking, whether there is any danger of machine rule or not.

Let us start with the simple example of true representation that we had in Chapter 1. We agreed that if there are 25 voters, of whom

5 want Black
5 want White
5 want Brown
5 want Gray and
5 want Green

then Black, White, Brown, Gray, and Green would be a truly representative committee.

A Sample Election Without Ballots

But suppose the voters do not divide themselves evenly into just the right number of groups. Suppose, to take more interesting names and a more typical assortment of voters, the voters divide themselves like this:*

* The names and votes given in this illustration were timely when the first edition was published in 1937.

- 7 want Roosevelt
- 4 want Hoover
- 4 want Baker
- 3 want Norris
- 3 want Wheeler
- 3 want Vandenberg
- 2 want Thomas and
- 1 wants Harrison

How can we get a representative committee out of that?

Well, it is not so hard if we put it up to the voters in the right way. Suppose we tell them that any five of them can name one member of the committee. For convenience we might put five chairs under the banner of each candidate. Each voter is to vote by sitting in one of these chairs, with permission to change his vote if he wants to by moving from one chair to another. When everyone is satisfied with his vote, those candidates whose chairs are all filled are to be elected.

It is easy to imagine what will happen. The voters go first to the chairs of their favorite candidates and group themselves just as before. But the last two Roosevelt voters to get to his banner are left without chairs. They see that he is already elected without needing their help; so they move on to help the candidates they like among those that are left. Suppose one goes to Wheeler and the other to Baker. Then the groups are divided like this:

40 PROPORTIONAL REPRESENTATION—

Roosevelt	5	Elected
Baker	5	Elected
Hoover	4	
Wheeler	4	
Norris	3	
Vandenberg	3	
Thomas	2	
Harrison	1	

When all the voters are seated, the one who is sitting by himself under Harrison's banner sees that Harrison has no chance of election and that he will be throwing his vote away if he stays there. So he moves over to the banner of his second choice, Wheeler. Then the voters are divided like this:

Roosevelt	5	Elected
Baker	5	Elected
Wheeler	5	Elected
Hoover	4	
Norris	3	
Vandenberg	3	
Thomas	2	

Now the Thomas voters concede his defeat and move over to help their next choices. The first one likes Norris best among all the other candidates and goes at once to

one of his chairs. The second one would have picked Roosevelt as his second choice and Harrison as his third, but since Roosevelt is already sure of election and Harrison is out of the running, he goes to help his fourth choice, who is Norris. Then the voters are divided like this:

Roosevelt	5	Elected
Baker	5	Elected
Wheeler	5	Elected
Norris	5	Elected
Hoover	4	
Vandenberg	3	

At least one of the Vandenberg voters thinks well of Hoover also and, seeing now that Vandenberg has no chance, moves over to the last chair under Hoover's banner so as to elect him. Then the voters are grouped like this:

Roosevelt	5	Elected
Baker	5	Elected
Wheeler	5	Elected
Norris	5	Elected
Hoover	5	Elected
Vandenberg	2	

Now it is evident that we have our representative committee. Except for the 2 out of 27 left over with

Vandenberg, we have just the same sort of grouping of all the voters that we had in the case of Black, White, Brown, Gray, and Green. Given the chance to change their minds when they saw how others were voting, the voters have divided themselves into equal groups, and each group has a representative wanted by all its members.

The committee composed of Roosevelt, Baker, Wheeler, Norris, and Hoover is an accurate cross section of the whole electorate. The majority has elected a majority of the committee—those who supported the Democratic candidates cast 15 of the 27 votes and elected 3 out of 5. And the minorities have their proper shares. The electorate has been condensed in the right proportions into its chosen leaders.

For obvious reasons this sort of election is called proportional representation. For convenience we shall adopt its worldwide nickname, "P. R."

A Sample Election With Ballots

Of course in an actual P. R. election we do not have banners, chairs, and open voting. But it is possible to do just the same thing by means of a secret preferential ballot.

If the voters in our sample election are given ballots with the names of the candidates on them and told to

mark them with numbers—1, 2, 3, etc.—to indicate the order of their choice, it will be possible for the election officials to do with these ballots exactly what, in our election, the voters did in person.

The instructions to be placed on the P. R. ballot under the new New York City charter read as follows:

“Mark your choices with *numbers* only. (Do *not* use X marks.)

“Put the number 1 in the square opposite the name of your first choice.

“Put the number 2 opposite your second choice, the number 3 opposite your third choice, and so on. You may mark as many choices as you please.

“Do not put the same number opposite more than one name.

“To vote for a person whose name is not printed on the ballot, write his name on a blank line under the names of the candidates and put a number in the square opposite to show which choice you wish to give him.

“If you tear or deface or wrongly mark this ballot, return it and obtain another.”

To illustrate, one of the ballots might look like this:

- 4 Baker
- 3 Harrison
Hoover
- 5 Norris
- 1 Roosevelt
Thomas
- 6 Vandenberg
- 2 Wheeler

This means that the voter wants Roosevelt as his representative, but that if he can't help elect Roosevelt he wants to help Wheeler, and that if he can't help elect Wheeler, he wants to help Harrison, and so on.

Now if Roosevelt has been elected by his first 5 ballots and this is the sixth, the election officials can transfer it to the voter's second choice, Wheeler, just as easily as the voter changed his vote to Wheeler in our illustration by walking over to one of Wheeler's chairs. The ballot helps to elect Wheeler, and the third and further choices on it are not needed. If Wheeler had been defeated, however, the further choices would have given directions as to how the ballot was to be passed on to someone else.

If you want to, you can go through this whole election with ballots by marking a set of cards with the numbers given below. Each column gives the numbers marked on one of the ballots:

Baker	1	1	1	1	4	3		2	4	5	4	4	4	
Harrison	4	3	3	5	1					4	5	2	3	
Hoover				3		1	1	1	1					
Norris		5	5		5			3	1	1	1		5	
Roosevelt	2	4	2	6	3				2	3	3	3	2	
Thomas										7	2			
Vandenberg				2		2	2	3	2	3	2	7		
Wheeler	3	2	4	4	2	4				6	6	1	1	
<hr/>														
Baker		5	4	3	4	2	2	4	2	4			4	3
Harrison		2	3	4	5	4	5	3	4	5	3			
Hoover				5								2	3	2
Norris		3	5	7	3		4	5		2	4		2	
Roosevelt		6	1	1	1	1	1	1	1	3	2			
Thomas					6	6				1	1			
Vandenberg		4		6	7	7	6		6			1	1	1
Wheeler		1	2	2	2	3	3	2	3	7				4

You remember that the voters walked first to the chairs of their first choices. So you sort the ballot cards first into piles according to their first choices. But be careful not to give any candidate more than 5, for that is all that are needed for election. The last 2 Roosevelt ballots will be left over. Just as the last two Roosevelt voters walked on to the chairs of their second choices, so these two ballots* should be given to their second choices, one to Wheeler and one to Baker.

Then, you remember, the voters who found themselves in the smallest groups started giving up hope for their candidates and going over to others who had a chance. The smallest group broke up first, then the next smallest,

*The question of which two will be discussed later. In this case the last two of the seven Roosevelt ballots in the tabulation above are the ones given to their second choices.

and so on. So you defeat the lowest candidates, one at a time. As each one goes out, you transfer each of his ballots to the next of its choices that is still in the running, being careful not to give anyone more than the necessary 5.

For example, you remember the voter who was in one of the Thomas chairs and when Thomas was seen to have no chance went to his fourth choice, Norris, because his second and third choices were already out of the running. This voter's ballot looks like this:

Baker
3 Harrison
Hoover
4 Norris
2 Roosevelt
1 Thomas
Vandenberg
Wheeler

When Thomas is defeated, you notice that the second choice on his ballot, Roosevelt, is already elected, and that the third choice, Harrison, is already defeated. So you transfer it to the fourth choice, Norris. Whenever you transfer a ballot you give it to the first of the voter's choices who is not already elected or defeated.

You will find that you can follow the chair election all the way through. You can make up a result sheet for it to look something like this:

RESULT SHEET

	<i>Transfer of Harrison's Ballot</i>	<i>Second Count</i>	<i>Transfer of Thomas's Ballots</i>	<i>Third Count</i>	<i>Transfer of Vandenberg's Final Ballots</i>	<i>Count</i>
Baker . . .	5	5		5		5 Elected
Harrison	1 — 1					
Hoover	4	4		4 + 1		5 Elected
Norris	3	3 + 2		5		5 Elected
Roosevelt	5	5		5		5 Elected
Thomas	2	2 — 2				
Vandenberg	3	3		3 — 3		
Wheeler . . .	4 + 1	5		5		5 Elected
Exhausted				+ 2		2
Total . . .	<u>27</u>	<u>27</u>		<u>27</u>		<u>27</u>

How a Real Election Works

If you have understood this simple example, you understand all the main principles of the proportional representation method which has given such gratifying results in the American cities and other English-speaking communities whose experiences are described later in this book.

In any of these places the rest of the P. R. provisions are merely details, which can be varied without changing the fundamental nature of the system. There are various fair methods, for example, of determining which of the Roosevelt ballots shall be used to elect him and which shall be released to help their second choices instead—the matter is not, of course, left to the discretion of the counting officials. These differences among the methods are of only trifling importance.

The Quota. One of the important details is the number of votes sufficient for election. This number is called the “quota.” In New York City it is fixed at 75,000. That is the figure that corresponds to 5 in our example. Each borough is polled as one district and any 75,000 voters within a borough can be sure of electing a repre-

sentative. In New York, therefore, P. R. is sure to give

- (1) each borough one councilman for every 75,000 votes it casts,
- (2) each party one councilman for every 75,000 votes it casts within a borough,
- (3) each group within a party one councilman for every 75,000 votes it casts within a borough,
- (4) each independent group one councilman for every 75,000 votes it casts within a borough,
- (5) each voter a chance to make his vote count.*

In an election with three Democratic quotas and one Republican, and no cross-party voting, a P. R. result sheet for a New York borough might look something like this:

* This summary is taken from the principal campaign leaflet of the New York Proportional Representation Campaign Committee of 1936, as are the cartoons by C. D. Batchelor on pages 22 and 23. The "Gerry-Gander" on page 24 was drawn by Mary Spencer Lee for an article in *The American City*.

IMAGINARY RESULT SHEET FOR NEW YORK CITY

<i>Candidates</i>	<i>First Sorting</i>	<i>Transfer of D's Votes</i>	<i>Result</i>	<i>Transfer of F's Votes</i>	<i>Result</i>	<i>Transfer of B's Votes</i>	<i>Result</i>
Democrat A	75,000		75,000		75,000		75,000
Democrat B	30,000	+5,000	35,000		35,000	-35,000	75,000
Democrat C	75,000		75,000		75,000		75,000
Democrat D	20,000	-20,000					
Democrat E	25,000	+15,000	40,000		40,000	+35,000	75,000
Republican F	30,000		30,000	-30,000			
Republican G	45,000		45,000	+30,000	75,000		75,000

In this simplified example, taken from the Charter *Searchlight* of the New York Citizens Union published in July 1936, Democrats A, C, and E and Republican G are elected, and all the voters have representation on equal terms. Candidates B, D, and E in this example might represent an independent minority within the Democratic party, which secures its rightful share of the representation even though it started out by scattering its votes over three times as many candidates as it had votes to elect.

Clearly every Democratic voter was free, regardless of the number of competing Democratic candidates, to vote according to his real will without fear of throwing his vote away. And clearly such a method of voting gives the control of each party to those who vote for its candidates. And that is what the politics of the country needs.

Quota for a Fixed Membership. In New York the size of the Council will depend on the size of the vote. Whenever a borough polls more 75,000's it will elect more members.

In most other places where P. R. is used it is the size of the council that is fixed instead of the size of the quota, and a quota is calculated each time so as to elect the desired number of members. Cincinnati, for example, elects nine councilmen by P. R. from the city at large. The size of the quota sufficient to elect a member is not known in advance. It is the smallest number that

will make a candidate sure of winning one of the nine places. This is barely more than a tenth of all the votes cast, for obviously it would be impossible for ten candidates each to receive more than a tenth of the votes. If there are 150,000 valid ballots, the quota is 15,001.

In Hamilton, which elects seven councilmen together by P. R., the quota is just more than an eighth of the total. The general rule is obviously the same as you use in calculating a majority for the election of one. You divide by one more than you are electing and take the whole number next larger than the result.

Nominations. Nominations for P. R. elections are usually made by petition. No primaries are needed. The chief purpose of primaries is to keep votes from being wasted on hopeless candidates through the scattering of the vote. This purpose is carried out better under P. R. by the preferential vote at the final election.

In New York City any 2,000 voters within a borough who have registered within eighteen months before the filing of the petition and have signed no other nominating petition for Council can nominate a candidate. In Cincinnati the number of signers required is 500.

In Irish and Canadian P. R. elections a much smaller number of signers is required (in Dublin only 2), but each petition must be accompanied by a deposit of a sum of money comparable to the usual expense of circulating a large petition. If the candidate polls a reason-

able required minimum vote—let us say one tenth of a quota—this deposit is returned; otherwise it helps pay the expense of the election. It has been suggested that this method might at least be made an optional alternative to the large petition method, which is open to numerous abuses.

Whatever the method, it should be difficult enough to discourage purely frivolous candidacies but easy enough to permit any candidate with a substantial following to run.

Party Designations. In most cities P. R. is used without party names or emblems. This, however, is merely the result of the general movement for non-partisan municipal elections and has no essential connection with the P. R. method. In New York City party or other designations are allowed with P. R., but no emblems. The county committees determine who may use the name of the party. The committees' selections are more likely to be representative with P. R. than they would be without it because, if they are not, those party voters who are dissatisfied, if numerous enough, can easily elect others independently. Thus P. R. tends to keep the organizers of each party under the control of those who vote its ticket.

Ballots and Voting Machines. The usual types of voting machines will not handle P. R. elections, and up to the time of this writing all elections under the best form

of P. R., which we have described, have been carried out with paper ballots and numbered choices as in the illustrations earlier in this chapter. Since it is necessary under this best form of P. R. to bring all the ballots together to a central counting place, the hand count of paper ballots in the larger P. R. elections has sometimes taken as much as a week or two—in New York City the first time even longer. The time has been significantly less, however, when the workers were paid by the job instead of by the day. In Manhattan, with this change, the counting time was reduced from eighteen days the first time to five the second, probably not more than half the difference being accounted for by experience, a lower vote and fewer candidates. But it would be better to wait even a month, if that were necessary, to get the right result than to get the wrong one in a day and suffer under it for years.

Considerable effort has been put on the problem of developing satisfactory voting and counting machines for P. R. elections. The International Business Machines Corporation has produced an inexpensive voting machine which would greatly simplify the hand count and prevent spoiled ballots. It also developed a combination of P. R. voting and counting machines, only to discover that with a large number of candidates the device would not save much time. Work on the problem is continuing and it will doubtless be solved eventually.

The Central Count. Even when paper ballots are used, experience has shown that the supervised central count of P. R. elections, with watchful candidates and the public concentrating their attention on the one place where counting is done, is not subject to the frauds that often characterize paper ballot counts in widely scattered polling places.

The count itself is just a matter of organization. With sufficient space and a sufficient force of workers with proper equipment and arrangements, a P. R. count can be carried through accurately and with reasonable expedition in any area to which it is likely to be applied, even for congressional elections. It should take no longer in New York City, even with paper ballots, than in Cincinnati. With more ballots it is not necessary to multiply the time but only the number of counters.

Inferior Forms of P. R.

Thus far we have been describing the form of P. R. technically known as "proportional representation with the single transferable vote." It is more commonly known as the "Hare system" of P. R., from the English barrister Thomas Hare, one of its inventors, who first made it widely known in his book, *The Election of Representatives, Parliamentary and Municipal*, published in London in 1859.

With the exception of the “cumulative voting” scheme used in many corporation elections and in electing the Illinois House of Representatives since 1870, which might qualify as a very crude form of P. R., this Hare system is the only form of proportional representation that has ever been used for public elections in English-speaking countries.

There are inferior forms which should not be confused with it. A number of the most democratic and internally stable countries of Europe, including Norway, Sweden, Denmark, Finland, the Netherlands, Belgium, Switzerland, and Czechoslovakia, use—or did use until they were overrun by Germany—what are known as party list systems of P. R. These have great advantages over the ordinary plurality systems. They give every organized party the same share of the representatives elected that it has of the votes cast. But they do not give the individual voter the freedom to vote safely his real wishes and make those wishes effective which our experience has shown to be so necessary. They leave the party representation in the hands of the party machines.

The best form of P. R. is probably as much better in its political effects than the list systems of P. R. as the list systems are better than the best forms of plurality voting. And since the best form is thoroughly practicable for all our elections and has already made such gratifying headway as to make its adoption in this country actually

easier than the adoption of simpler but defective forms, we shall confine our attention to the best form. In this book, as in common parlance in this country, "P. R." will be synonymous with "the Hare system of proportional representation" or "proportional representation with the single transferable vote."

The comparative complexity of the Hare system count is a matter of trifling concern to the intelligent voter. He does not have to count the ballots any more than he has to make his own watch or repair his own car. The watch is more complicated than the sun dial and the car than the stage coach, but they give better results. All that we ask of a modern improvement is that it shall be easy for the user and that it shall give the required results. P. R. is vastly easier for an intelligent voter to use than the old systems—it saves him the trouble of primaries and lets him vote for the candidate he likes best without the least danger of throwing his vote away. And it gives the results we all so sorely need—freedom from the domination of self-seeking organized machines, and the control of government by representatives in real accord with what the people want.

CHAPTER 4

ADVANTAGES OF P. R.

It is surprising how many advantages flow from this change in election methods. Some of them have been explained already, but it is perhaps worth while to gather them together.

Effective Voting. First of all, it makes nearly every vote count. In our illustration in the preceding chapter 25 out of 27 shared in the election. In the first seven P. R. elections in Cincinnati nine out of ten who cast valid ballots each time helped elect councilmen. In plurality elections nearly half the ballots are usually wasted, sometimes more than half.

Even that is not the whole story as to the relative effectiveness of the two systems. In our sample election 21 of the 27 voters saw their very first choices elected. While a larger number of candidates would of course decrease the proportion that see their first choices elected, a good majority usually do so and a large part of those that are left see a second or third choice elected. Such is the variety of representation always secured that even a large

part of those whose ballots are technically "exhausted" are sure to have marked early choices for candidates elected by others.

An examination of the ballots cast in the 1919 election in Ashtabula, the only American P. R. election in which the ballots have been made available for complete analysis, showed that many more voters were actually represented by early choices than were recorded on the result sheet as having helped elect candidates. The voters who themselves helped elect candidates numbered 83 per cent of the total, but 86 per cent saw a first or second choice elected, 91 per cent saw one of their first three choices elected, and only 7 per cent failed to see someone elected for whom they had voted.

In contrast to this nearly or quite half of the voters in a plurality election frequently see no one elected for whom they have voted, and great numbers of those who do vote for successful candidates vote for what they regard as a mere choice of evils after their real wishes have been thwarted at a primary.

Unanimous Constituencies. Under P. R. each member elected represents a separate equal part of the voters, as he is supposed to under the ward or district plan. But under the district plan the constituents of a member have nothing more in common than sleeping in the same part of the city. As they don't agree on policies, it is impossible for one person to represent them all. Under P. R.,

on the other hand, each member represents a part of the voters who agree. He has been voted for, and wanted, by them all. He can represent them all without straddling.

Minority Representation. The most obvious advantage of P. R. is that it gives representation to minorities. This may be of very great importance. Who can doubt that everyone would gain from some degree of opposition representation in the “solid South”—or, for that matter, in parts of the North where it has often been absent? It was even suggested by a committee of the United States Senate in 1867 that a fair representation of the minorities in the South and the North might have prevented the Civil War. In many places our vaunted two-party system has become a one-party system. New York City and Philadelphia, with different parties in control, have both suffered from the almost complete exclusion of such opposition representation as P. R. will assure.

P. R. gives representation to various sorts of minorities. Sometimes it is to minority parties, as when it gave representation to the Conservative and Liberal minorities in Edmonton and Calgary in the Social Credit landslide in Alberta in 1936 and to the Labor Party in every national election in the Irish Free State. Sometimes it is to groups within parties, as when it gave representation to the Democratic, independent Republican, and labor elements on the ticket of the municipal party known

as the City Charter Committee in the first P. R. election in Cincinnati. Sometimes it is to unattached independents, as when it elected one outstanding citizen without the support of either party in each of the four districts in the first P. R. election in Cleveland. P. R. lets the voters make their own groupings, on whatever basis happens to appeal to them, and gives them all fair treatment. The groupings may not always be wise or fortunate, but experience shows that they are usually far better than the artificial political groupings forced on the voters by defective methods of election.

Majority Rule. P. R. assures majority rule to an extent that no other system of election approaches. Under other systems, as we have seen, a majority of the votes gives no assurance of electing a majority of the members. Under P. R. any majority of the voters can in general be sure of electing such a majority. In our illustration a majority as small as 15 out of 27 could be sure of electing three out of five. In Cincinnati five more than half of the votes can always be sure of electing five out of nine, for that number will fill up five full quotas of one more than a tenth of the votes each.

In order to do this it is not necessary to stick to any given number of candidates or agree on any given order of choice or division of votes among them. The City Charter Committee of Cincinnati, which elected a majority of the council the first five times under P. R.,

always nominated nine candidates—three more than it ever elected or expected to elect—and simply urged the voters to support all of its candidates with their first nine choices in any order. The votes of its supporters then piled up by transfer on as many of its most popular candidates as its votes deserved to elect.

If there is a split in the majority the advantage of P. R. is still more obvious. Under a plurality system such a split is almost sure to be fatal. Under P. R. the two parts of the majority can elect their representatives separately, and together they can retain their proper majority of the members.

This advantage was illustrated by the sixth P. R. election in Cincinnati, in 1935. Those opposed to the Republican organization which had misruled the city before the advent of P. R. were this time divided between the City Charter Committee and an independent ticket headed by the Rev. Herbert Bigelow. The largest of the three groups was the Republican organization, but it did not have a majority of popular support and so under P. R. elected only its rightful four members out of nine. The Charter Committee, almost as large, also elected four and Mr. Bigelow was elected to the ninth place. The Charter Committee members and Mr. Bigelow, representing together a clear majority of the voters, were able to agree on a program in which neither side got all that it wanted but in which neither surrendered

any of its ideals. The phenomenal good government of Cincinnati continued, with the merit system undisturbed and the same manager and mayor in office as before. The alternative, which any other system of election might easily have produced, would have been the elevation to power of a minority political machine and a probable return in some measure to the old spoils system. This actually happened in the plurality system elections of the county which includes Cincinnati in 1934 because of a split in the Democratic and independent Republican coalition which had controlled the county for two years before. The two parts of the former coalition polled a clear majority of the votes, but all the county offices went to the united Republican organization minority.

Whenever there is no single group with a clear majority, the maintenance of majority rule depends on the proper representation of minorities. Even when one party has an absolute majority, the proper decision on questions which do not follow regular party lines depends on the proper representation of minorities within the parties. Under P. R. any majority of the members is practically sure to represent a majority of the voters. In our illustration of the preceding chapter any three of the five members represented at least 15 of the 27 voters. In Cincinnati any five of the nine councilmen normally represent more than five-tenths of the voters, for each one of them is elected by a separate group larger than

one-tenth. A plan of districting instead of election at large, or an exceptional number of ballots cast for losing candidates only, may throw the proportions off slightly, but only slightly. There can never be a situation such as is usual under plurality systems of election, in which all the members represent only about half the voters and a majority of the members may therefore represent only about a quarter of them.

A New Freedom in Voting. Just as important, perhaps, as the fair treatment of groups of voters is the new freedom that P. R. gives to the individual. He can nominate and vote for the candidates he really wants whether he thinks they are likely to be elected or not. In Chapter 2 we quoted Mr. Wells' story of Mr. Sanity and how he was induced to withdraw in favor of Mr. Goldbug in order not to divide the opposition to Mr. Wurstberg. If Sanity does not withdraw in such a case, he usually polls but a fraction of his real strength because the voters themselves are afraid of dividing the opposition to Wurstberg. But under P. R. he can safely run and be voted for. Those who want to avoid helping Wurstberg can vote first choice Sanity, second choice Goldbug. Then if Sanity is defeated, their votes are transferred at full value to Goldbug. This new freedom to nominate and vote makes startling differences in the calibre of candidates and the votes actually cast.

A Check to Machine Rule. In particular it often makes

startling differences in the support given to political machines. Many a machine which has polled large actual majorities for its candidates under the limited choice of plurality elections has gone down to ignominious defeat under the new freedom of P. R. Machine rule usually exists not because a majority of the people want it but because they do not know how to escape it. Under P. R. a way of escape is provided. Under it a political machine cannot rule unless, with every voter free to vote effectively against it, it can get a willing majority for its candidates.

The annals of P. R. are full of wrecked political machines. The first P. R. elections in Cincinnati, Hamilton, Sacramento, Toledo, and Wheeling all put an end to the supremacy of entrenched political rings and replaced them in power by groups of respected representative citizens. However, it must not be thought that P. R. does away with the need of eternal vigilance. Nothing does that. But it does make vigilance effective.

The Transformation of Machines. Under P. R. a political organization has its choice of breaking or of bending to the popular will. Instead of fighting the changes that the people want, it can, if it is wise, promote them and take the credit for them. It can nominate candidates who are genuinely popular and trustworthy or give them its blessing when they are nominated by others. Thus it can share in the victory which will

usually come to such candidates under P. R. whether they have organization support or not. With the help of such representatives an organization may continue to rule, but not in the ways that have normally characterized organization rule hitherto.

Few organizations have been willing to make such a complete adjustment, which explains why so many of them have fallen with the advent of P. R. Nevertheless there have been some striking developments in this direction. In Cincinnati the Republican organization, in order to keep in the running under P. R. against the well-known and popular candidates of the City Charter Committee, has improved the quality of its council tickets immensely. Its old "bolivars," as the party hacks are known in Cincinnati, have one by one dropped out.

In Cleveland both parties under P. R. waited till all the nominations were in and then endorsed nearly all the strong candidates who were not likely to repudiate their endorsement. A number of able men and women were nominated and elected with such endorsements who would certainly not have been picked by the party organizations of their own free will. Some of them took the places of machine men of the old school. Philip H. Porter, special writer for the Cleveland *Plain Dealer*, wrote in November 1929, just after Cleveland's fourth P. R. election: "The yes-men and colorless rubber stamps are slowly but surely being weeded out. For a

councilman to keep his seat it is becoming increasingly necessary that he be somebody and do something except sit there in the chamber and keep the desks from falling over.”

Under P. R. the voters control their party organizations instead of being controlled by them.

The Gerrymander Killed. One of the incidental benefits of P. R. is its effect on the fine art of gerrymandering. The purpose of a gerrymander is to draw district lines so that most of one party's votes will count and most of the others will not. You cannot do this, of course, when nearly all votes will count in each district.

P. R. in fact does away with all need for periodic re-drawing of district lines. If for any reason it cannot be applied at large, as it should be in most cities, large permanent districts can be created and the number of members assigned to them varied with the numbers of votes polled in them.

A Solution for Reapportionment. In fact the method of applying P. R. used in New York City is the easiest and fairest solution of the vexatious reapportionment problem generally. In the elections of the New York City Council each borough is a separate permanent district, electing each time by P. R. as many councilmen as it polls quotas of 75,000. There is no reason why the same automatic plan should not be used for the state. The

boroughs within the city could serve for that purpose also, and even the same quota could serve for a state senate or a single-house legislature. The counties outside New York City could be combined into districts large enough to be sure of electing several members each; and since both majority and minority would get representation within each such district, there would be no temptation to consider anything but convenience and community of interest in drawing the district lines.

Continuity. P. R. assures a wholesome continuity of personnel. There is no case on record, so far as we know, certainly none in this country, in which, after P. R. once has been established, some of the members have not been re-elected at every election. (At the *first* P. R. election in Wheeling, however, in 1935, not one of the outgoing ward councilmen was elected, though all but one of them made the attempt.)

P. R. avoids landslides. When a minority becomes a majority, it merely increases the representation it had before as a minority. It does not have to train in a whole new group of inexperienced legislators. And as for the former majority, it retains a part of its representation when it becomes a minority. The leaders of both sides remain, and only the less important and less popular members come and go.

The Development of Leadership. This continuity in office is assured not merely to party leaders but to any

member who takes a sufficiently positive and appealing stand on big issues to hold the support of a quota of the voters.

Who has not heard the sad tale of the party legislator under the old system? "Personally, I'm with you heartily. The measure you ask me to vote for is a fine thing. But my party has decided it must be killed. If I go against my party on so important a matter, they won't endorse me for re-election, and then I won't be here next session to do anything at all."

Under P. R. that tale is heard less often. If the legislator is a mere rubber stamp for the organization, the disappointed voters will probably retire him and put someone else in his place. If he lives up to the expectations of the voters who elected him, the organization cannot prevent his re-election.

This new situation also makes the position of legislator more appealing to men and women of outstanding ability and independent character. Such people do not usually come out of their own accord and beg to be elected. They have made a place for themselves elsewhere. They need persuading. If the persuader can offer only a career subservient to a machine or a hope of success against it which is manifestly forlorn, they are not attracted. But if they can run without entangling alliances and with a good chance of election, the case is different. Many a person has been elected under P. R.

who would not have considered running before P. R. was adopted. Such a person, to mention only one example, is Dr. A. R. Hatton, charter consultant of the National Municipal League and former head of the Political Science Department of Western Reserve University, who was elected with votes to spare to the first P. R. Council in Cleveland without the endorsement of either party and with a total campaign expenditure of \$46.79. Dr. Hatton was easily re-elected two years later without party support and could have continued on the Council year after year under P. R. if he had not accepted a call to the political science faculty at Northwestern University which took him away from Cleveland.

Development of Interest. The chance to vote for and actually elect such candidates gives a new interest to intelligent voters. Men and women who stay at home in disgust under the old plan, either because they see no one on the ballot that they know or want or because they think no candidate that they want has a chance of election, find voting under P. R. worth while.

More often than not there has been an increase in the total vote under P. R., sometimes a very large one. In Calgary, with no increase in population, the total vote for Council increased regularly every year from 4,591 in 1916, the last year under the plurality system, to 13,483 in 1922. But whether the total vote has increased or not, there has been evidence of new interest where interest

is most helpful. In Cincinnati under P. R. there was some falling off in the vote of machine wards where voters were used to voting blindly for "the rooster with the short legs" (the Republican eagle) or "the rooster with the long legs" (the Democratic fowl), but the vote in independent residential districts showed a gratifying increase. The total vote at the first P. R. election in Cincinnati was slightly less than in the council election four years before, but later the largest council vote in Cincinnati's history was cast under P. R.

The interest evoked by a P. R. election is not likely to stop on election day. In Cleveland the first P. R. election was followed by an increase in public attendance at council meetings from less than fifty on an average to more than five hundred. The new independent members supplied the opposition which the regulars needed and made the debates searching and picturesque. The new focusing of public attention put the councilmen on their mettle and produced a new record of constructive activity even though the same party group as before was in control.

Reduction of Fraud. In plurality elections a slight shift in votes in close districts may make a great difference in the result. In close elections the temptations to fraud may therefore be tremendous. In P. R. elections stolen or bought votes have only their proportionate effect on the result. The cost and risk, therefore, of stealing more than one seat, perhaps any seat at all,

become prohibitive. Furthermore the supervised central count and the checks in counting that go with a P. R. election make even a small amount of fraud very difficult. Repeatedly, defeated candidates have come forward at the end of P. R. elections and said that for the first time they felt sure they had had a square deal.

Elimination of Primaries. One of the greatest practical advantages of P. R. is that it does away with all need for primaries. Primaries are a trouble and expense, and they often allow a mere fraction of the voters to decide the all-important question of which particular candidates shall represent the dominant party. P. R. requires only one trip to the polls and lets all the voters who support a party's candidates decide which ones are to be elected to represent it. It does everything that a primary can do, and much more, without its disadvantages.

Since P. R. can be used for every representative body and since the corresponding Hare system of majority preferential voting can be used for every single office that is not made appointive (as most such offices should be), there is no good reason why primaries should not be dispensed with altogether.

Coöperation and Good Feeling. Not the least of the advantages of P. R. is that it promotes decency and good feeling in elections and afterward. Instead of trying to beat a particular person, with the temptation to belittle his ability and blacken his character, each candidate is

trying to win a group of supporters for himself out of the whole field. He knows that he cannot defeat the leaders of the opposition, and he knows further that unfairness to any candidate may alienate second choices that he might otherwise receive from that candidate's friends. He dare not be colorless in his desire not to offend, for then he will surely be over-looked in the stiff competition, but it does not pay to throw mud. His best course is to make a vigorous statement of what he himself stands for, without gratuitous attack on anyone else.

The moderating influence of P. R. on election campaigns has been shown best where it was probably most needed, in Ireland. All the important elections in Eire (southern Ireland) have been conducted by P. R. since the Free State was first established, and most of them have been models of good order. *Punch* put it this way, back in 1923:

“Ye'd wonder what's wrong wid the nation!
The way the elections was done
Was proportional reprisentation—
An' in consiquince iverywan won.”

When P. R. was first used in Cleveland William M. Tugman, then a special writer for the *Cleveland Plain Dealer* and now editor of the Eugene (Oregon) *Register-*

Guard, wrote: "It is a strange campaign, the strangest Cleveland has ever seen. The great god Ballyhoo, the patron of party strategists in all other campaigns, is dead, the victim of P. R."

Once again, the beneficial effects of P. R. in this regard do not stop on election day. It brings together the leaders of all elements in the community and invites them to coöperate for the common good. In our drives for community chests, for hospitals, for all unofficial community enterprises, we deliberately try to bring in every element among the people so that all may work together. Is it not strange that in this greatest of community enterprises, government, we try so hard to exclude all groups except our own?

Professor Charles A. Beard has put it well: "Cooperation is to be the great sign of the twentieth century . . . Proportional representation is the governmental instrument through which a coöperative democracy can realize its ideals and accomplish its purposes."

CHAPTER 5

OBJECTIONS TO P. R.

IN this chapter we shall consider briefly the objections to P. R. which are most often heard.

Does P. R. Promote Racial and Religious Blocs? The most frequent objections to P. R. are not to the principle itself but to the real or supposed effects of applying it. "Your arithmetic is good," some objectors say, "but we can put up with bad arithmetic better than with some of the evils its correction would bring."

The most usual objection of this kind, particularly in cosmopolitan cities, is based on the fear that P. R., in offering representation to minorities, will divide the people into national, racial, and religious blocs, that the representatives of these blocs will trade with each other for their selfish advantage, and that the general interests of the public will suffer.

In meeting this objection it would be foolish to deny that some of the voters will vote along these lines under P. R., as they do under other methods of election, or that they will elect some of the representatives on this basis.

It would be a mistake, however, to concede that such votes are always unintelligent or that their representation is unfortunate.

Could anyone seriously contend, for example, that the Negroes of Harlem, with special and difficult community problems of their own, should not try to elect one of their own leaders to represent them? They did not actually do so in either of the first two New York P. R. elections because not enough of them supported the Negro candidates to make up the large quota required in New York. A prospect of their doing so with credit in the future was indicated in 1937 by the good showing of Dr. John Johnson, widely respected Negro minister.

In Cleveland, which has a similar Negro community, there was one Negro councilman before the adoption of P. R. He was part and parcel of the dominant political machine. (Later he was sent to the penitentiary for accepting a bribe.) Under P. R. the Negroes not only increased the amount of their representation but improved its quality. One of their best representatives, a capable Negro lawyer named Clayborne George, was first elected to the Council without the endorsement of either political party. Such an independent election would have been unthinkable in that part of the city before the advent of P. R.

Even in Cleveland, which is one of the most cosmopolitan of our cities, a majority of the councilmen were

never elected on racial and national lines under P. R. There were certain parts of the city, however, where people with a common national ancestry were congregated and where, quite naturally and properly, the nebulous differences between national party affiliations in city elections were subordinated in the voting to the voters' desire to elect one of their own people. The representation they secured on this basis was in many cases better than they had secured under the ward plan. Such representation did not emphasize sectional feeling, but rather the reverse. With each element fairly treated, with no group feeling the sting of discrimination, they were all free to work together as fellow-Americans in solving the common problems of the city. William R. Hopkins, who worked with the P. R. Council for six years as city manager and for two years later as a councilman himself, gave this testimony to the New York Charter Revision Commission of 1934:

"From actual and intimate experience with four of the five councils elected under the proportional representation plan I have no hesitation in saying that we found it the ideal plan for use in a city composed of many diverse groups, and we also found that it brought out of these groups a better type of representation than had previously come from them.

"But while these councils were so clearly representative of groups, the group representatives were most

zealous in the promotion of everything advantageous to the city as a whole. They showed less disposition to act on purely local or group lines than their predecessors and were more devoted to the general good of the entire city. Neither in the elections nor in the framing of city policies was there ever any assertion of group interest to the detriment of any other group or of the city as a whole.”

While P. R. gives to any sort of community of interest among groups of voters such prominence as the voters themselves wish to give it, it does not *create* a division of any kind and it does not enforce a division arbitrarily as the ward or district system often does. As a practical matter a person living in Harlem, whether colored or white, *must* be represented in the state Assembly by a Negro, and a person living elsewhere in New York City *must* be represented by a white man. In South Boston it is folly to nominate anyone but an Irish Catholic: a contest there between Patrick O’Flannigan and Saltonstall Cabot would be a walk-over for O’Flannigan no matter what the relative qualifications of the gentlemen might be.

In certain wards in Cleveland before the advent of P. R. voters never had a chance to vote for anyone for Council who did not belong to the dominant nationality of the ward. When P. R. came in, the Poles, the Hungarians, and the Czechs still had candidates of their own

nationalities, but they were thrown together in a larger district and invited to express an order of choice among candidates of all kinds. Most of them continued to give first choices to their own national group, but the opportunity to express later choices induced many of them, for the first time in local elections, to go outside of that group. After a few years there developed a contest on municipal policies which so split the Polish community that when the second-strongest Pole was defeated more than half of his ballots failed to show next choices for the one Polish candidate remaining, many of them going to non-Polish candidates instead; and consequently for that term no Pole was elected. A large part of the Polish voters were represented, however, by others for whom they had voted.

There were a number of striking cases in Cleveland in which even those voters who were expected to follow nationalistic or religious lines failed to do so. In 1931 the "Irish Derby" of the first district went German and a well-qualified German Democrat was elected over an undistinguished Irish machine Republican by votes transferred from an Irish Democrat. In 1929 an Anglo-Saxon Democrat overhauled a Jewish Republican on votes transferred from another Jewish Republican and was elected. The defeated Jewish Republican and the elected Anglo-Saxon Democrat were running on the same good-government ticket, which meant more to their supporters

in voting for a councilman than race, religion, or national party.

This is the usual experience under P. R. when there are real issues that the voters care about. In Cincinnati, except for the Negro voters, who have been able to get representation of their own for the first time, considerations of race, nationality, and religion have been almost completely subordinated to the main divisions on municipal policy.

Toward the end of the count of one P. R. election there two of the undefeated and unelected candidates remaining were Irish Catholics, but one was an organization Republican and the other a "Charter candidate." The Charter man went out first. Most of his ballots, instead of going to the other Irish Catholic, went to Protestant or Jewish candidates of the Charter Committee. This was accepted as normal in Cincinnati's experience.

Within the major divisions, in Cincinnati and elsewhere, differences of race, nationality, and religion have been given some expression, and the variety of representation that has always been secured from this point of view has been useful in broadening the contacts of the Council and increasing its public support. But these considerations have never submerged the larger issues of public policy, and the dire effects prophesied by the opponents of P. R. have not appeared.

Does P. R. Deprive Localities of Representation?

Strangely enough, persons who object to P. R. because it even allows one sort of sectional representation often object to it also because it does not require another kind. Representation by place of residence may have as little to do with big governmental issues as representation by race, nationality, or religion. Yet one of the most frequent objections to P. R. is that it does not require representation by localities.

Here again the objection is highly theoretical and has practically no basis in fact. A city electing its council at large by P. R. *could* elect all the councilmen from one neighborhood, but no city has ever done so. For to get this result under P. R. it would be necessary for nearly *all* the voters to vote for candidates from one neighborhood in preference to the candidates who live elsewhere, and that never happens.

If a quota of a man's neighbors want to elect him under P. R., all the other voters together cannot prevent it.

Parties and civic groups, in nominating their tickets, take geographical as well as other sectional divisions into account so as to give those voters who think geographically a chance to vote that way without going outside their tickets. That makes it easy in most cases to vote for the policy you want and for a neighbor at the same time. Enough voters do vote for their neighbors

so that the members elected by P. R. are well distributed geographically. We have examined all the American P. R. elections and there is no exception to this statement.

This is true in spite of the fact that many of the voters are but little concerned about the places of residence of their representatives. At the first P. R. election in Cleveland 62 per cent of the voters gave their first choices to candidates who did not live in their own wards, to which they had formerly been limited in their council votes.

P. R. has a great advantage over the ward or district system in not emphasizing geography unduly, just as it does not emphasize unduly nationality or religion. Two of the most valuable members of the Cleveland Council under P. R., Mayor John D. Marshall and Professor A. R. Hatton, lived in the same ward and could not both have been elected under the ward plan. When P. R. was abandoned in Cleveland, Mayor Marshall declined to run again. It was generally assumed that he did not run because his ward had become predominantly Italian and would not have elected him. In one of the P. R. elections he had run only third in his own ward, but in the large P. R. district he had always enough supporters to be elected.

World history is studded with defeats of eminent statesmen like Asquith, Gladstone, Mackenzie King, and General Smuts who were supported enthusiastically

by many times the number of voters who defeated them in their own districts. P. R. allows the voters to make their own choices effective without being cramped by arbitrary district lines.

Does P. R. Help Extremists and Faddists? P. R. is often objected to on the ground that it will help extreme parties or groups with particular fads that might not otherwise have had a chance of electing anyone.

That P. R. may give representation to such groups is not to be denied. But it will not do so unless they have a substantial part of the votes. No Communist, for example, has ever yet been elected in an American P. R. election.

If an extremist group does have a substantial part of the votes, denying it representation is as silly as an ostrich's sticking his head in the sand. There is always the danger, under the old plan of elections, that such a group will suddenly sweep in with more than its share of the members and with no minority experience to prepare it for the responsibilities of control. This is what happened in Alberta in 1935 when the new Social Credit Party suddenly monopolized the entire provincial legislature except for the two P. R. districts and one other. It is what happened in Ontario in 1919 when the Farmer and Labor Parties, with less than a third of the votes, elected a majority of the provincial legislature, in which they had had only one member before.

Many of those in Cincinnati who objected to P. R. because in 1935 it elected the Rev. Herbert Bigelow, single taxer, public ownership advocate, and ally of Father Coughlin, thought better of their objection when he was elected to Congress under the old system in 1936, taking one of his associates with him. By capturing the Democratic primaries in a Democratic year the Bigelow minority group monopolized the entire congressional representation of Cincinnati, whereas in the P. R. Council it had had only one seat out of nine.

The representation of groups thought of as extreme is often helpful on current issues. Due proportional representation of the Socialist Party, for example, in our legislative bodies might have helped often to block the schemes of machine politicians and hastened the advent of woman suffrage, which the party strongly favored. It could not have established socialism, for on that issue the majority had not been convinced that it was right.

It is said that "the best way to discredit a fool is to hire him a hall." And if, as sometimes happens, a "faddist" or "extremist" turns out to be not a fool but a wise man ahead of his time, then too the best thing to do is to hire him a hall.

Does P. R. Increase the Bargaining Power of Minorities? Under proportional representation, as under the old system of election, a minority may hold the balance of power. And it may use this advantage to bargain

effectively for what it wants. A case in point is the one just referred to, that of Mr. Bigelow in Cincinnati, who held the balance of power between the Republican organization and the Charter Committee and delayed the organization of the city Council for a week while a satisfactory compromise was worked out between him and the City Charter Committee (see page 118).

Those who make this objection are straining at a gnat and swallowing a camel. For the sake of avoiding an occasional bargain, which may indeed give a minority something that it wants but only with the consent of a majority, they are willing to substitute downright minority control. The largest of the three groups in the Cincinnati situation was the Republican organization, which was not a majority. A plurality election might have avoided the Bigelow bargain by giving this minority organization a majority of the councilmen, but that would have meant an outright violation of the will of the majority. It would probably have meant also a return to the spoils system of government, from which a majority of the citizens were thankful to be delivered.

Furthermore, not even the creation of a fictitious majority can prevent the bargaining power of minorities. It might if the fictitious majority were really united. But anyone who remembers the log-rolling and dissension of some recent national conventions knows that the parties which win majorities under the old methods

are not united. A majority party is a union of differing minorities, held together (when it is held together) by the very bargaining to which objection is made. Sometimes this is made very clear, as when Senator John J. McNaboe, Manhattan Democrat, harassed the Democratic leadership by using his balance of power in the New York Senate throughout the troubled session of 1934.

Under the old plan the minorities do most of their bargaining before election and prevent certain issues from being raised at all. We can all think of one or more important changes which have long been desired by a majority of the people but which legislators avoid like the smallpox because they are objectionable to some powerful minority in a position to swing an election against them by withdrawing its block of votes.

Whenever there are two or more people to be considered, there is no way of avoiding bargaining and compromise. There has always been plenty of it in the old New England town meeting. If there must be bargaining, let us see that it is such as a majority of the people would probably approve. This is much more likely if it is done by representatives of a real majority after an election in which the people have had a chance to vote freely on the issues, as under P. R., than it is if the issues never come before the people at all.

Does P. R. Make Legislation Harder? People some-

times fear that a body with all elements in it will be strong in oratory but weak in accomplishment.

This fear has little basis in experience. Because of the superior quality and public spirit of a majority of the members elected by P. R., the records of P. R. bodies have almost always far surpassed those of bodies elected by the old methods.

In a surprising proportion of the questions acted on by P. R. bodies it has proved possible after discussion to take action unanimously. A detailed analysis of the first year's work of the first P. R. council in Toledo, published by the Toledo Commission of Publicity and Efficiency in its *Toledo City Journal* for January 23, 1937, contrasts the harmony of sessions of the P. R. council with the bickering and obstruction of earlier councils and shows that all but seven of the 161 important ordinances passed during the year were passed by unanimous vote. When unanimous action is taken in such a really representative body, it is almost sure to have the backing of the public which is so important to any policy's success.

Does P. R. Break Down One-Party Government?
The contention that it does is usually based on the experience of various European countries which have had party-list systems of P. R. Frequently France is brought in, though France has never had anything that could properly be called P. R. at all.

There is plenty of ground for debate as to whether one-party government is really desirable, even in national elections. There is no need to enter that debate, however, for those who think that one-party government and P. R. cannot go together are making a wrong assumption.

The many-party system of Europe was not a result of P. R. It would be more correct to say that P. R. in Europe was a result of the many-party system. European countries adopted their list systems of P. R. because one-party government did not exist, which made it obviously important that the representation of the minority parties taking part in government should be accurate instead of distorted.

In some cases the number of large parties increased under these list systems of P. R., in others it decreased. But in either case it would be a mistake to assume that under the best system of P. R. the number of parties would surely have been the same as under the list system. The list systems give each party its fair share, but they do not give the party voters adequate control over the party. Under them, if you do not like the persons nominated by your party, you may have no recourse but to start a new one. For this reason minor differences which the Hare system would have taken care of by giving representation to both wings of an existing party have often led to new parties.

It is perhaps significant that the only country which

has the best form of P. R. for all its national elections, Eire (formerly the Irish Free State) is one of the very few democratic countries which has recently had a single party in control. The Fianna Fail, Mr. DeValera's party, elected a full half of all the members in each of the three successive Dail Eireann elections of 1933, 1937 and 1938, and in the last of these it secured a majority of sixteen over all others combined. Furthermore, the one-party government of the Irish Free State is a development under P. R., not a survival from another system.

At one period in the Free State's history its two major parties got out of touch with popular sentiment and there was temporarily a large falling away from both of them, with a corresponding growth in the minor parties. Thereupon both major parties took steps to mend their ways, and when another election was held a few months later there was a swing back toward the two-party system. That trend has continued.

Other things being equal most people seem to prefer to belong to a large and powerful group. As in the Irish Free State, the use of P. R. in our national elections might help in a realignment of parties to make them correspond more closely to the real trends of public opinion; but with representative results within each party assured and with sentiment here for the two-party system as strong as it is, there seems no reason to expect that the

best form of P. R. would bring any startling departure from the two-party system in the United States.

Of course in local elections, where the national parties seldom have much real validity, the result may be different. In some of the smaller P. R. cities national party lines have been almost completely forgotten so far as city elections are concerned. But even in cities there is a tendency under P. R. for strong civic groups to develop, which serve the proper function of parties in guiding the course of government. The Cincinnati City Charter Committee, the Toledo City Manager League, the Hamilton Charter Commission group, and the Wheeling Association are cases in point.

Is P. R. Hard to Understand? Admittedly very few of the people in P. R. cities could conduct a P. R. count. But the people can readily understand everything about P. R. which really concerns them. They can understand how to vote; that is as simple as 1, 2, 3. They can understand that the system gives them a chance to have their vote count, if not always for a first choice, then for a second or a third. They can understand that it gives representation to minorities and assures majority rule. And they can look upon the results and see that they are good.

The voters do not have to count the ballots, though anyone of average intelligence can easily learn how if he wants to take the trouble. The rules are simpler than

those of baseball, and incomparably simpler than those of bridge.

But, except that a thorough understanding will keep them from accepting the false statements about P. R. which machine politicians often circulate, it is not important whether the voters master the succession of simple steps in the P. R. count or not. When you post a letter in New York to a village in Scotland, you do not know by what route it will go. And you do not need to. All you need to know is that the system of transmission is one that will stand investigation and carry the letter.

Does the P. R. Count Take Too Much Time? People used to getting unofficial results on election night often object to the time taken for a P. R. count.

In Cincinnati the results have usually taken about a week. The time was longer than necessary, but no great harm was done. As the people had to live under the results for two years, it was worth a week's waiting to get the right ones. In the meantime the transfers made an exciting continued story which the people followed in the papers from day to day. A good idea of the general nature of the result was given, of course, by the count of first choices within the first few hours.

In Cleveland the last two P. R. counts took three days each after a few hours of preliminary work in passing on disputed ballots. With proper arrangements the first

count in New York need not have taken much if any longer than the count in Cincinnati, for when the number of ballots is multiplied it is not necessary to multiply the time but only the number of counters. But the counting force, consisting of otherwise unemployed people who needed the money, was hired at ten dollars a day and given to understand by some of the election authorities that the job could reasonably be expected to take most of a month. It is hardly surprising, therefore, that even with competent direction the count did take 18 days of seven to eight hours each in Manhattan, 19 in the Bronx, 19½ days in Queens, and 21 in Brooklyn, where an exceptionally long ballot made special difficulties. In the second P. R. election, in 1939, the Board of Elections paid a fixed sum for the work and made every effort to expedite it. The count that year was completed in Manhattan and the Bronx in five days, in Queens in seven, and in Brooklyn, with over 600,000 ballots and 54 candidates, in nine.

Does P. R. Lend Itself to Manipulation? It often occurs to those who have not given the matter much thought that the handling and rehandling of paper ballots in a P. R. central count gives excellent opportunities for juggling and manipulation not afforded by the usual election methods.

The truth is just the opposite. The rehandling of ballots provides a check by different persons. Two or three

counters may be dishonest, but a whole force is not likely to be. When a team of Bronx counters in the first New York P. R. election changed some of the ballots, their operations were promptly brought to the directors' attention from several different directions by clerks who were given these ballots to record. The offenders were dismissed and indicted and immediate steps were taken to give effect to the voters' original intentions by court action. In contrast, recent judicial recounts in New York City have given evidence of startling irregularities in ordinary paper ballot primaries. Such irregularities are usually not discovered except in the rare instances where the courts reopen the ballot boxes.

The balancing of totals after every transfer is a further safeguard in the P. R. count. Finally, a central public count is much easier to supervise than a count in scattered precincts. If, as in most P. R. communities, the precinct count is eliminated entirely and the candidates' agents are given adequate facilities for watching the central count, P. R. furnishes as fraud-proof a count of paper ballots as can well be devised.

Does P. R. Cost Too Much? The expense of the central count is sometimes mentioned as an objection.

This added expense is usually far less than that of a primary, which it makes unnecessary if the P. R. ballot is used for all the offices to be filled. When P. R. was first used in Cincinnati in 1925 its total cost was \$22,-

032.59. This saved the cost of a municipal primary, which in 1923 was \$41,043.99.

In New York, because of uneconomical arrangements such as those already described, the added cost due to P. R. in its first use in 1937 was \$701,633, and this was not balanced by any substantial primary saving because primaries were continued for other offices to which the P. R. ballot has not been extended. The cost of P. R. was thus about ten cents for each resident of the city, as compared with three cents the first time in Cleveland. Even so, the cost to the city was less than that of one good snowstorm, and it gave representation to half a million more voters than had ever been able to elect aldermen they wanted under the old system. Few benefits of such magnitude are purchased at so small a per capita cost.

At the second P. R. election in New York the cost was reduced to \$256,739, or about four cents for each resident of the city.

Does P. R. Make the Ballot Too Long? Occasionally the large districts and freedom of nomination of a P. R. election result in a long list of candidates. This is often cited as an objection.

The number of candidates is not usually excessive, for after the first use of P. R. it becomes evident that exceptional popularity is required for a good showing when

every voter can help just one favorite to election from the whole city or large district.

But even when the list is unusually long there are no dire results. That is because, to vote effectively under P. R., you do not have to know all the candidates and you do not have to vote for many of them. The leading candidates will be better known under P. R. than under a ward system because of the publicity always given a city-wide or borough-wide contest. If you know eight or ten candidates whom you consider good and mark choices for them all, as you can easily do because of the alphabetical arrangement of names on the ballot, your transferable vote will almost surely come to rest on one of your choices who can be helped to election by it.

Even in the first P. R. election in Wheeling, in 1935, when 122 candidates established a world's record for number of contestants in a P. R. election, no less than 86 per cent of those who cast valid ballots helped elect someone for whom they had voted.

There is some danger, to be sure, that if there is a long list of candidates representing one point of view, as in the case of the Fusion candidates in the first P. R. election in New York, some of the voters with that point of view will not mark enough choices and the group will lose some of its representation as a result. But if the transferable vote is used intelligently, the fact that there are many candidates to choose from is no more a

disadvantage than is a wide choice of doctors or lawyers. If the voter's first choice is defeated, his vote is simply transferred to the first of his choices who can be helped to election by it.

Does P. R. Make Campaigning Harder? Candidates and their friends sometimes complain that P. R. makes them cover a larger area and thus gives an advantage to those with money or newspaper support.

Of course money and newspaper support always help. But those who make this objection overlook the fact that it is not necessary to reach all the voters, but merely to convince a quota of them. A quota may be cultivated in one part of the city or in one group of citizens. To convince a quota anywhere in the sort of competition that P. R. provides is a formidable task for one who starts unknown. But for a candidate with an established reputation, the sort of candidate whose election is likely to be of most value to the city, it may require no campaign at all. It will be remembered that Professor A. R. Hatton, one of the country's leading authorities on municipal government, was elected to the city Council under P. R. in Cleveland without party support and with no campaign expense except for the circulation of his nominating petitions.

It should be remembered, too, that P. R. eliminates entirely the expense and trouble of a primary campaign.

Does P. R. Decrease Interest in Elections? Strange as

it may seem to those who understand the inevitable reactions of an election method which makes every vote count, the view is frequently expressed by opponents of P. R. that it will keep voters away from the polls. The answer to this objection has already been given on page 70. The objection is probably a survival of the early days of P. R. in Cleveland, when, because of the nature of the issues involved in particular campaigns, the total vote fell off for two successive elections. The argument that P. R. was responsible was widely used by its Cleveland opponents even after subsequent elections had made it clearly untenable. In the third P. R. election 16,000 more valid votes were cast than had ever been cast for a Cleveland council before, and in the last P. R. election four years later the total valid vote was 9,000 greater still.

Does P. R. Mean Minority Rule? "P. R. is a minority system. I believe in majority rule," says the unthinking objector.

Everyone who has read as far as this knows the answer. The representation of minorities is necessary for majority rule. Each voter is a minority, yet if some of the voters were not allowed to vote when an issue was being decided by direct vote at the polls, you would have no assurance that the decision would suit the majority. So also when issues are decided in a representative body—

if the representatives of minorities are excluded you have no assurance of majority rule.

Majority rule does not require that each representative elected represent a majority. It requires that a majority of the representatives, enough to decide a question, shall represent a majority of the voters. The only system that gives any assurance that this will be the case is P. R.

Does P. R. Infringe the Rights of the Voter? “If there are seven to be elected, why shouldn’t I have seven votes that count? Under P. R. I can vote seven choices, but only one counts.”

This sounds plausible; but if you let every voter have seven votes that count, the largest group will give all seven of its candidates more votes than anyone else. This will give the largest group all the representatives. Majority rule and fair minority representation can only be had by giving every voter a single vote and the means to make that vote count.

Does P. R. Leave Elections to Chance? The part that chance plays in a P. R. election is very small. Most of the ballots are not affected by it at all. But when a candidate has more ballots than he needs, there is an element of chance—though no possibility of deliberate selection—in the usual methods of deciding which of his supporters shall make up his constituency and which shall help their later choices instead.

In New York City the ballots will be taken for count-

ing in a prescribed order of polling places which scatters the ballots taken in any one part of the count as evenly as practicable over the entire borough; and the last ballots counted for a candidate, sure to be a fairly representative sample of all of them, are the ones passed on to second choices. In Toledo the same plan is followed except that the order of precincts is arranged by lot. In Hamilton an equal number, as nearly as possible, is taken from each precinct to make up the surplus. In Cincinnati, if one-fourth of a candidate's ballots are to be transferred, every fourth ballot that has been given to him is taken. In Boulder and in British, Irish, and Canadian P. R. elections all of an elected candidate's first-choice ballots are sorted according to second choices and the same proportion is taken for transfer from each second-choice pile, the particular ballots from each pile being taken at random.

Any one of these methods is incomparably fairer than the procedure to which it corresponds for separating constituencies under the single-member district or ward system. Ward lines can be deliberately drawn so as to deprive some voters of all opportunity to be represented, whereas the chance selection of surplus ballots under P. R. cannot be made with deliberate intent without a violation of law and in any case cannot deprive anyone of a representative.

It has been demonstrated mathematically that in a

large election the chance of getting different results with the same ballots under the usual P. R. rules is so small as to be negligible. It has been shown, for example, that if the surplus ballots are taken by chance, in an election of 59,999 ballots for nine members in which a candidate A has 10,000 first-choice ballots divided in their second choices between two other candidates B and C in the ratio 3 to 2, the chances are 2000 to 1 that neither B nor C will vary by more than 60 votes from respectively three-fifths and two-fifths of the surplus. And a variation of 60 votes is only one thousandth of the total vote cast.

If it is considered to be a matter of any practical importance, this element of chance can be eliminated entirely. Indeed, this is done in the elections of the Tasmanian House of Assembly. But there is such a thing as taking too much trouble to eliminate an element of chance which is both infinitesimal in magnitude and unimportant in character.

Is P. R. Un-American? The argument of "Un-Americanism" is the last refuge of a contender with a weak case. It is true that the earliest inventors of P. R. were not Americans, but to argue against the reform on that ground is like arguing against the law of gravitation because Newton was an Englishman. P. R. carries out the fundamental American ideals of majority rule and equality of voting power better than any other system.

It is, indeed, the only system that really puts an end to taxation without representation.

Is P. R. Unimportant? There are some people who regard all governmental devices with disdain. The only thing that counts, they say, is to elect the "right people."

Of course no one who understands how much easier it is to elect the right people under P. R. can make this objection. Newton D. Baker once called the device of representation "the greatest political discovery in history," which "alone saves us from autocracy in a world which has become too complicated and too busy to be operated as a pure democracy." If the device of representation is so important, what must be said of the device which makes it a reality instead of a sham?

Has P. R. Failed Where It Has Been Tried? From the fact that Cleveland, Ashtabula, Kalamazoo, Sacramento, and West Hartford once had P. R. and no longer have it, it is easy to make a superficially attractive case against the system on the basis of experience. "Prevent new fangled voting called proportional representation," read huge streamers in the last days of the P. R. campaign in New York City. "It has failed wherever tried."

Of course in this bald form this statement was simply a brazen falsehood, typical of much of the political opposition to the new method. Some writers, in letters to the papers, tried to make a more reasoned case against P. R. by reference to the cities named above and to the fact

that it was only by a close vote that Cincinnati kept the system in the referendum of 1936.

The complete answer to this objection will be found in the next chapter. The following brief summary of it is based on a letter published in the *New York Times* of October 23, 1936, which the author sent in response to one of these letters of attack:

Opponents of P. R. are making much of the fact that a number of cities which once had it no longer use it. But the fact that a court rules out the adoption of a plan on a technicality, as in Sacramento and Kalamazoo, or that a legislature forces its discontinuance because an independent victory under it is distasteful to a state political organization, as in West Hartford, is no argument against it. The experience of these three communities with P. R. was, in fact, highly gratifying.

The only American city which has discontinued P. R. by a direct popular vote on that issue is Ashtabula, Ohio. Ashtabula had P. R. for fifteen years and defeated two attempts to repeal it and the city manager plan. But when certain minority representatives made themselves obnoxious a majority of the people forgot the evil political conditions from which P. R. had helped rescue the city years before and thought to rid themselves of the minority representatives by abolishing minority representa-

tion. Ironically enough those representatives were all eliminated before the change took effect, for not one of them was re-elected at the P. R. election which took place the same day as the referendum.

There have been up to 1940 twelve separate attempts to repeal P. R. on the direct issue in various American cities—two in Ashtabula, two in Cleveland, two in Cincinnati, three in Hamilton, and one each in Toledo, Wheeling, and Boulder; and only the one in Ashtabula referred to was successful.

There have also been eight attempts to repeal P. R. and the city manager plan as a unit with most of the argument centering on the city manager plan—five in Cleveland, one in Ashtabula, and two in Boulder. Of these only the last one in Cleveland was successful; and in that P. R. was not considered the chief issue. In fact several of the leading advocates of the change stated publicly that they favored P. R. and deplored the fact that those who drafted the new charter had included its abolition. In the fall of 1935 Cleveland gave a 19,000 majority to a county charter which included P. R. as well as the other major principles of the charter repudiated a few years before.

Opponents often mention the close calls that P. R. had in Cincinnati in the spring primary of 1936 and again in a special election in the spring of 1939. But

the fact that it could win by any margin in a primary at which, as usual, only half the regular vote was polled, with the organization of the majority party which usually dominates the primary working hard against it, and then win again in a special election when it is usually hard to get any but “regulars” to the polls, is pretty good evidence in its favor.

P. R. is not like direct primaries and other reforms which have fallen short of early expectations. It has everywhere justified the claims of its careful advocates and sometimes made possible miracles of sustained good government, like those in Cincinnati and Hamilton, which have surprised even its most enthusiastic supporters.

CHAPTER 6

P. R. AT WORK

To do justice to the fascinating story of the 57 public P. R. elections already held in the United States,* not to mention those abroad, would require a book in itself. This chapter will merely sketch the main outlines.

The Story of Cincinnati

The most conspicuous American example of the benefits of P. R. is Cincinnati. This picturesque center of culture and industry on the Ohio, so long held down by one of the worst of America's notorious political machines, has proved that civic reform does not have to be a sporadic outburst once in a generation.

"The Best-Governed City." Since January of 1926

* Cleveland and West Hartford elected their P. R. councils from districts instead of at large as does New York. If each district contest was counted each time as a separate election, the total number of American P. R. elections up to July 1, 1940, would be 84.

Cincinnati has enjoyed without interruption as good government as can be found in any large American city. Right through the depression all its services have been kept on a high level, great new projects have been constructed, unusual programs have been developed for recreation and unemployment relief, the merit system in public employment has been kept inviolate, the tax rate and the city's debt have been reduced, the city has paid all its bills promptly without emergency borrowing, and every year has ended with a balance in the treasury. It was the one large city which developed a detailed program to cope with unemployment before the depression broke. In January 1937 City Manager Clarence A. Dykstra reported that in the six depression years preceding the city had reduced its total bonded debt by \$14,000,000 although it had issued \$3,600,000 in new bonds for large public works during that time. Its adjusted tax rate is now one of the very lowest in the country. The efficiency with which the city government met the great flood of January 1937 brought it nation-wide attention.

This enviable record is the result of the ideal combination recommended to the attention of all American cities in Chapter 1—proportional representation, the city manager plan, and a militant organization of citizens banded together to take full advantage of their opportunities. Civic leaders agree that it could not have happened without P. R. One of the foremost of these

leaders, Charles P. Taft, son of the late President and Chief Justice, says in his book *City Management: The Cincinnati Experiment* (1933): "In 1924 I thought proportional representation a harmless element in the new charter for Cincinnati. There is hardly a supporter of the City Charter Committee today who does not feel that proportional representation is the most important single element in the success of good government in the city and must be preserved at all costs."

Before P. R. For forty years before the adoption of P. R. Cincinnati had been dominated with only two short interruptions by the notorious Cox-Hynicka machine. The machine dominated by controlling the Republican primaries in a Republican city through a skillful use of city and county patronage. "Five thousand employees of the city of Cincinnati and seventeen hundred employees of Hamilton County constituted a standing army of workers sufficient to control any primary election," wrote Henry Bentley, president of the Cincinnati City Charter Committee, in the *National Municipal Review* for February 1929. "If each office holder could control one and one-half votes besides his own, this assured a vote of over 15,000 for the machine candidate. For forty years, from 1884 to 1924, 15,000 votes were sufficient to control the selection of candidates at every primary election in Hamilton County.

"Under this system, if anyone seriously contested the

machine candidate for nomination, it was very easy to nominate a third, fourth, or even a fifth candidate to split the vote. Since merely a plurality was required, the machine, by consolidating the votes of its employees upon one candidate, could insure his selection. Furthermore, the primaries were held in August when a large portion of the voting population was absent from the city, and under these circumstances candidates were selected regularly by a very small minority of the voters.”

Though the city employees were supposed to be selected by the merit system of civil service, their residences were scattered with astonishing evenness over the wards and precincts of the city, so that the standing army was in a position to carry ward as well as city-wide nominations. Once the Republican nominations were won, election followed as a matter of course. Cincinnati was a Republican city and enough voters could be counted on to vote without discrimination for every candidate under the Republican eagle to ratify any selection the primaries might make.

In the last election of councilmen under the old plan, in 1921, the Republican organization elected all six of the members elected at large and 25 of the 26 elected by wards.

This machine control had its usual accompaniment of mismanagement, corruption, high cost and low service.

Here is the way the City Charter Committee accurately described it in retrospect:

“The city streets had fallen into total disrepair; their holes and bumps were a constant menace and fully demonstrated the costly incompetence existing at the City Hall. They were the butt of jokes and the cause of civic dismay; and in many instances indignant citizens, their complaints to the City Hall ignored, made their own street repairs.

“The City Hall with its cracked windows, dirty corridors, leaking roofs, and broken down plumbing system typified the decay of the city government under ‘Party Responsibility.’ Its marble stairways and stained glass windows were hidden under the accumulated dirt of years.

“The Police and Fire Departments, not having any jobs for ward workers, had been starved. Their members were laid off without pay for several days each month, the number of members decreased, their work increased.

“The police and fire houses, as well as all other city property, were in disrepair. Both departments were discouraged, disorganized. The city was without adequate police and fire protection.

“The parks and playgrounds were neglected; practically all of the public baths and comfort stations were closed; the administration of justice was threatened by

defalcation of the clerk of the police court; the entire social service work of the city had been abandoned.”

A federal trial had sent seventy-two of the underpaid policemen to the Atlanta penitentiary for maintaining profitable relations with the underworld in connection with violations of the Volstead act.

“Seven million dollars worth of bonds had been issued for current expenses, and more than twice that amount for improvements that should have been met from taxation.” *

In 1921 the Council was about to turn down a proposed gas franchise which even its docility could not quite stomach. A telegram arrived from the Republican boss, Rud Hynicka, who then spent most of his time in New York City running his chain of burlesque houses and only occasionally visited his Cincinnati dominions. The franchise was dutifully ratified.

A New Charter. In 1924 the outraged citizens rose in revolt. Using the home rule powers of the Ohio constitution, they put a P. R.-city manager charter amendment on the ballot by petition and carried it by 92,510 votes to 41,105. This victory was won against the strenuous opposition of the Republican organization in an election in which the Republican candidate for Presi-

* From the Bulletin of the Philadelphia Bureau of Municipal Research, December 25, 1924.

dent, Calvin Coolidge, carried the city overwhelmingly.

P. R. was put in the new charter to get minority representation. It was hoped that the constructive criticism of a large and able minority might goad the organization majority into a better record of performance. Few realized at the time that the organization which had elected 31 councilmen out of 32 the time before was itself a minority and that the greatest benefit of P. R. would be not minority representation but true majority rule.

The First P. R. Election. To the astonishment of all but a few the first P. R. election, in the fall of 1925, gave the Republican organization only three councilmen out of nine. One-third of the votes had been sufficient to control the Republican primaries and give it a near-monopoly of the Council under the old plan. But one-third of the votes was the limit of the support willingly given it, and under P. R. one-third of the votes could elect only one-third of the members.

The other six members went to the City Charter Committee, the organization which had secured the adoption of the new charter and which wisely had decided to stay alive and campaign for a representative slate of prominent and trustworthy citizens. The candidates on the Charter ticket were carefully chosen so as to offer every enemy of the spoils system someone he could vote for with enthusiasm. The list of nine included inde-

pendent citizens of both major parties, people from all sections of the city, conservatives and progressives, representatives of capital and labor, Protestants, Catholics, and a Jew. The Democratic organization, being satisfied with the three Democrats on the ticket, decided to support the Charter ticket instead of running one of its own.

Of the six Charter candidates who were successful four were Republicans and two (both former judges) were Democrats, which gave the minority political party two out of nine instead of one out of 32. The first Charter Republican to reach the quota was Murray Seasongood, civic crusader and well-known attorney, the great popular leader of the charter campaign the year before. Another of the Charter Republicans was a prominent engineer and business man, a third the president of the Street Carmen's Union. The fourth was the most independent of the Republican Councilmen on the old Council, an authority on city finances, the only member of the outgoing council to be re-elected.

Nine out of every ten who cast valid ballots helped elect someone to the Council. The obviously representative result was loudly acclaimed by everyone except the discomfited spoilsmen.

Was P. R. Responsible? Though nearly everyone admits that the Charter victory would have been impossible under the old ward system of election with party

primaries, it has often been said that a non-partisan plurality vote at large would have given the Charter Committee a clean sweep of the entire council. Mr. Bentley and others who were close to the situation were inclined to question this assumption. A large majority were united in opposing the sort of government the city had been getting, but they were by no means united on the sort of persons who should be elected to change it. Would the Democrats generally have supported the Republicans on a fusion slate, and would the independent Republicans have supported the Democrats? Would the conservative business elements have supported the La-Follette labor leader or the latter's followers the more conservative candidates? If there had been substantial cutting of several candidates for such reasons, could a majority—or even any—of the Charter candidates have topped the united machine opposition in a plurality vote?

We shall never know the answers with certainty. But we do know that whereas, under any so-called majority system, any division in the Charter ranks would have seriously jeopardized the Charter victory, under P. R. it made little difference. The Democrats could make their full contribution to the defeat of the machine by polling two quotas for Charter Democrats. The labor people could make their contribution by polling a separate quota for the Charter labor leader. The con-

servative independent Republicans could contribute other quotas. Two-thirds of those who elected the Charter six helped elect their first choices. It made no difference in the result whether they voted the whole charter ticket or not. The other third, whose ballots were transferred because they could not help their first choices, had merely to express a next choice for some Charter candidate who had a chance, not necessarily for all of them. One of the greatest benefits of P. R. is that it makes possible the triumph of even a divided good government majority, by giving separate representation to its different parts.

A Reform that Stayed. The most heartening part of the Cincinnati story is not the original revolt, but the fact that it was lasting. Other cities have had their uprisings, but all too often there has been a relapse at the next election. Those who were united to “put the rascals out” were united on nothing else. As soon as the “reformers” started to do anything else, they alienated part of their support, which thereupon went over to the old machine as the only effective alternative. In Cincinnati, because of P. R., this picture was changed in two important respects. First, the machine opposition, being fully represented, had to take a stand on all the problems as they arose and make a record of its own for comparison with that of the majority, instead of waiting on the outside to harvest the fruits of whatever dissatisfac-

tion the majority's decisions might arouse. Secondly, no voter who was dissatisfied with his representation had to go back to the old machine to cast an effective vote. He could vote for another candidate on the Charter ticket whom he thought superior or he could vote safely for an unattached independent, as many did with telling effect in the most recent P. R. elections.

In these circumstances the Cox-Hynicka machine and its successors have lost eight hard-fought elections in succession and Cincinnati has enjoyed superior city government for an unbroken stretch of fifteen years.

Managers and Mayors. During this time the P. R. Council has chosen two city managers, both of whom easily rank as among the most successful city executives in the whole history of the United States. Both were brought in from outside the city, one from the east coast, one from the west. The first manager was Colonel Clarence O. Sherrill, an army engineer who at the time of his selection was a commissioner of the District of Columbia in charge of public parks and public buildings. When Colonel Sherrill resigned in 1930 to accept a position at a much higher salary in a large business corporation, the council chose Clarence A. Dykstra, who was then personnel officer of the large water and power department of Los Angeles, had taught political science in three universities, and had served as a civic secretary in Los Angeles, Cleveland, and Chicago. Mr. Dykstra

resigned after seven years of distinguished service, to accept the presidency of the University of Wisconsin; and Colonel Sherrill was called back as his successor by unanimous vote of the Council, surrendering a much higher salary to accept.

Cincinnati was equally fortunate in its first mayors. Under the standard form of the city manager plan used in Cincinnati, the mayor is the president of the Council and the ceremonial and political head of the city, without administrative duties. He is chosen by the Council from its own number. The mayor chosen by the first P. R. Council was Murray Seasongood, who remained as vigorous and popular in interpreting the actions of the new government to the people as he had been in attacking the old one. His distinguished services brought him merited recognition in his election for three terms to the presidency of the National Municipal League. When he declined to run for the Council again in 1929 his place was capably filled by Russell Wilson, until that time an editor of the Cincinnati *Times-Star*, a gifted speaker and a leader in matters of public policy of whom any city might be proud. Mr. Wilson served for four terms. In 1938 and again in 1940 the mayoralty went to James Stewart of the Republican organization.

Eight P. R. Elections. Each of the eight P. R. elections so far held in Cincinnati has a story worth telling, but we must content ourselves with the merest summary of the

results. The following table will show the gradual change in the make-up of the Council, reflecting accurately the gradual changes in public opinion over a period of years:

Cincinnati Councilmen Under P. R.

	1925	1927	1929	1931	1933	1935	1937	1939
Organization Republicans	3	2	3*	4	4	4	4	4
Unattached Republicans	0	1	0	0	0	0	0	0
Charter Republicans	4	4	3	3	2	1**	2	2
Charter Democrats	2	2	3	2	3	3	2	2
Unattached Democrats	0	0	0	0	0	1	1	1

The Republican organization has gained strength as it cleaned house. The political hacks who used to represent it in Council all dropped out in the early days of P. R., and one or two of its more recent councilmen have made distinguished records. Nevertheless a majority of the people have never been willing to entrust the organization with control because of a general belief that that would be the beginning of a return to the old spoils system.

* This includes the unattached Republican elected the time before, Municipal Court Judge W. Meredith Yeatman.

** Mayor Wilson, the one Charter Republican elected, had nearly two quotas of first choices. Many of his surplus votes went to Charter Democrats.

The Charter Committee's First Defeat. In the election of 1935 there was still a good majority against the organization but no longer a clear majority for the Charter ticket. The Rev. Herbert S. Bigelow, one of the original leaders in the new charter movement, headed a ticket of three with a more "radical" platform than either of the major groups, appealing particularly to progressive Democrats and the followers of Father Coughlin. Mr. Bigelow is particularly interested in the single tax, public ownership of public utilities, and measures for social security. When the votes were counted it was found that he had been elected with a huge surplus, running a close second to Mayor Wilson, and the other eight places were divided evenly between the Republican organization and the Charter Committee.

Consternation reigned in conservative circles and the consternation grew when Mr. Bigelow announced his demands and said that he would coöperate in the Council with either side that agreed to them. Neither side agreed. After a week's delay in organizing the Council a satisfactory compromise was arranged between the Charter Committee and Mr. Bigelow, Mayor Wilson was re-elected, City Manager Dykstra (whose place had never been questioned by anyone) continued in office, the merit system remained intact, and the good government regime went on just as before. Mr. Bigelow won the chairmanship of the council committee on public utilities (on

which he was balanced by two more conservative members), a promise to investigate the availability of T.V.A. power, and support for an effort to get more financial home rule from the state legislature. None of these concessions violated any principle of the former council majority.

The fall election of 1936 completely answered the anti-Bigelow argument against P. R., for at that election Mr. Bigelow was elected to Congress on the Democratic ticket, taking a running-mate with him. By capturing the Democratic primary in a Democratic landslide year his group captured 100 per cent of Cincinnati's representation in the national House of Representatives. Thereafter his one place out of nine in the city Council seemed no longer so excessive.

The two succeeding P. R. elections followed the pattern established by that of 1935. The Republican organization polled the largest block of votes each time and under a plurality system would presumably have swept the Council. But each time it failed to win the support of a majority of the voters and so, thanks to P. R., elected the four councilmen out of nine which were its rightful share. Each time the Charter Committee elected four, including as a new member Charles P. Taft, former county prosecutor and son of the late President and Chief Justice, and the Bigelow group elected one.

Mr. Bigelow himself was not a candidate in 1937 and

his successor, in return for certain concessions, cast the deciding vote for James G. Stewart, organization Republican, as mayor. Since the organization lacked a majority it could count on, however, and since newspapers, civic groups, and the Charter councilmen were alert to publicize any departures from sound public policy, the city's good government regime continued.

In 1939 Mr. Bigelow returned to the arena and was barely elected to the ninth place. When he announced that he was willing to negotiate with either side and threatened to hold up the election of a mayor in the meantime, Mr. Taft, the Charter candidate for mayor, cast the deciding vote for the re-election of Mr. Stewart. Mr. Bigelow then voted for the Charter candidate for vice-mayor, who was accordingly elected, with no strings attached. This demonstration that a 4-4-1 division in the council does not necessarily give the lone member the whip hand decreased noticeably the strength of the demand for an election system which would distort the true proportions so as to give some one group a majority by itself.

Two P. R. Referenda. In the meantime, however, the Republican organization had seized on the psychological opportunity offered by the Bigelow group's representation to appeal to conservative independents in its long-expected attempt to repeal P. R. In the spring primary of 1936, and again at a special election in the spring of

1939, the Republican organization put a repeal charter amendment before the voters by petition. On both occasions the supposed (but probably wholly imaginary) help to the Republican party in national elections of a system which would allow it to sweep the local Council was used as a practical argument. At a primary or special election the machine of the dominant party ordinarily has a great advantage because it can give orders to its own people to get out the machine vote while large numbers of independents stay at home. Nevertheless, under the vigorous leadership of the City Charter Committee and the *Cincinnati Post*, both attacks were repulsed. The votes were too close for comfort, 36,650 to 35,819 in 1936 and 48,300 to 47,558 in 1940, but the enemies of P. R. had twice picked their own time and lost.

P. R. in Cleveland

The second largest American city which has used P. R. is Cleveland. Cleveland adopted a charter based on P. R. and the city manager plan in 1921, used P. R. in five city elections, and then lost it by a close vote in a new charter revision in 1931. Because P. R. was eventually discontinued, it has often been called a failure in Cleveland, but such a conclusion is by no means justified.

The Votes on P. R. In the first place there was never a direct popular repudiation of P. R. The people had to

take or leave the proposed new charter as a whole and two of the most active and effective campaigners for it, Peter Witt and Don P. Mills, made it clear in every speech that they believed in P. R. Twice, in 1925 and in 1927, the people of the city had chances to repeal P. R. without other change and both of these they rejected.

The first of these referenda resulted in one of the most remarkable popular victories on record. The Republican and Democratic organizations, resenting the new independent delegation in the Council, united in a drive to repeal P. R. They put the question on the ballot August 11, 1925, a time when it was assumed that many independents would be out of town or occupied with other matters so that the politically active would have things their own way. But a poorly financed independent defense campaign, led by Prof. A. R. Hatton, drafter of the P. R.-manager charter, and supported by the *Cleveland Press*, the *Plain Dealer*, and the principal civic organizations, was successful in defeating the combined party machines. In spite of a very light vote, P. R. was upheld, 20,918 to 20,353.

Good Results in Spite of Handicaps. But more important than the popularity of P. R. is the record of what it actually accomplished. Although its results were less revolutionary than in Cincinnati, they were definitely beneficial to the city and amply justified all the claims of its careful proponents. For example it elected both

Republicans and Democrats every time from every district and gave representation every time to four out of every five who voted.

Cleveland used P. R. in four large districts, which elected from five to seven members each to a Council of twenty-five. The districting was unfortunate, since four contests could not hope to get the same attention from the city-wide newspapers as one city-wide contest, and this gave an unnecessary advantage to the house-to-house work of the old political organizations. Furthermore the people of Cleveland did not organize to draft high-grade candidates and put on a campaign for them as they did in Cincinnati. Under these circumstances it was not surprising that a majority of the votes and of the seats in the Council continued to go to the Republican organization, which was wise enough to endorse a number of reasonably well-qualified candidates.

Nevertheless at the first two P. R. elections one place in each of the four districts went to a prominent and able citizen who did not have the endorsement of either political party. At each of the subsequent elections unattached independents were elected in two of the districts, with party candidates who had a strong independent appeal in the others. This independent minority had a most wholesome influence. By debating all important issues it focused public attention on council sessions, which had formerly been almost completely

neglected. It thus made the majority think twice before launching any partisan scheme at the expense of the general public. And it contributed many ideas which were taken up and put through by the majority.

Improved Personnel. Just as important was the improvement of the party delegations. Knowing that under P. R. prominent citizens could be elected whether they had party backing or not, the two parties were careful to preserve their prestige by offering their blessing to any of their prominent members who chose to run. "If Hatton and Witt and Miss Wing and Kennedy [the four independents elected at the first two P. R. elections] had been amenable to reason," said William M. Tugman of the *Plain Dealer* to the politicians in his humorous column, *The Statesman's Window*, "you might have made one hundred per cent on pickin' the winners, even under the new system." Even at the first election there were some councilmen elected under party auspices who would certainly not have been picked by the parties as their candidates under the old regime, and the number of such candidates grew. By the time the last P. R. council was elected most of the mere party hacks had been weeded out.

A significant by-product of P. R. was the election of women councilmen. No woman had sat on the Cleveland Council before the advent of P. R. Two were successful in the first P. R. election and three others later.

Most of them were prominent civic leaders whose election was clearly beneficial to the city.

The Choice of a Manager. A striking illustration of the value of P. R. came when the Cleveland Council chose its second city manager.

The first manager, William R. Hopkins, chosen unanimously by the first P. R. council, was a man of undoubted ability under whose administration the city made notable progress in several directions. But some of his policies aroused heated controversy, and his appointments, at first too partisan to suit independent citizens, became too independent to suit the partisan majority in Council. Early in 1930 the Republican majority removed him from office.

For his successor a majority of the Republican caucus favored for political reasons a man thought to be seriously lacking in executive and technical qualifications. But thanks to P. R. the opposition was fully represented in Council so that nearly every Republican vote was needed to elect the Republican choice. Thanks also to P. R., the best Republican elements were represented in the Republican delegation and some of the members refused to sanction what they considered a discreditable choice. Since their votes were needed they were able to force agreement on another Republican of high standing in the community and superior qualifications.

This man was Daniel E. Morgan, a prominent attor-

ney, former president of the Cleveland Citizens League, who had recently led a successful fight for important election reforms as a member of the Ohio State Senate. In line with the desires of the council majority he conducted a Republican rather than a non-partisan administration, but insisted on standards of qualification and performance. He held office until the manager plan was voted out in 1931.

A Good-Government Party. The election which preceded this change of managers saw the only serious attempt in Cleveland to organize a municipal good-government party. Starting too late for full effectiveness, a Progressive Government Committee which had just led a successful defense of the P. R.-manager charter presented a slate of Democrats and independent Republicans in every district and distributed a large amount of well-prepared literature in its behalf. It did not by any means unite all of the opposition to Maurice Maschke's dominant Republican machine, but under P. R. the unitedness of the opposition was less important than its size. The Progressive Government Committee saw 12 of its endorsed candidates elected and helped cut down the Republican organization majority in Council from 17 to a bare 13 out of 25, including two whom the Committee had endorsed. If this promising beginning could have been continued, it might well have

brought victory at the next election and saved the Cleveland P. R.-manager charter from eventual repeal.

Reasons for Repeal. Cleveland's failure to take full advantage of its opportunities was more than anything else responsible for the repeal. The able minority members elected by P. R. kept exposing dramatically the shortcomings of the controlling majority, including some serious scandals which might otherwise have been buried. This undoubtedly improved the quality of the government, but it also supplied ammunition to those who wanted to change the charter for something worse. The indiscriminating could be made to think that the charter was bad because certain things were shown to be bad in the government under it.

At four separate elections attempts to abolish the manager plan and P. R. were repulsed by close votes, but when a fifth question was submitted in the height of the depression in 1931 it succeeded by 61,448 votes to 51,931. Even then all three newspapers and nearly all the civic organizations and outstanding civic leaders were lined up against the change. But in addition to the usual opposition many of the unemployed hoped for political jobs from an elected mayor if the manager plan were abolished, and others, because of their troubles, were in a rebellious mood. At the same election the voters smashed the Bar Association slate for Municipal Court judges and—for only the second time in twenty

years—the Citizens Committee slate for the School Board.

A Civic Relapse. The ward councils elected under the new charter have been definitely inferior to the P. R. councils, as were the ward councils which preceded P. R. Even the P. R. members who were re-elected have felt obliged to put in ordinances for local ward consumption which they did not think wise when they were free to take a broader point of view without danger of defeat.

The first two mayors elected gave the city further cause for regret. Their administrations were both of the old-fashioned spoils variety, with few redeeming merits, at a time when the city sorely needed all the economy and efficiency it could get. After four years of this the people rose in revolt and elected Harold Burton, a member of City Manager Morgan's cabinet who had acted for a short time as manager himself, and at present things are going better. But Cleveland's whole experience has definitely paved the way for a return to the manager plan and P. R., already proposed several times in the Council.

A P. R. County Charter. The best evidence that P. R. and the manager plan are not discredited in Cleveland is the vote on a new county charter, under the recent county home rule amendment to the Ohio constitution, in the fall of 1935. An elected county charter commission, of which the present mayor was chairman, submitted a

county charter based on the county manager plan and a council elected at large by P. R. It included P. R. because it feared any other plan of election would subject the charter to justified attack, and the result was to remove the election provisions almost entirely from the realm of debate. The attacks all came on other features.

The city of Cleveland and the county of Cuyahoga each gave the charter a majority of approximately 19,000. Unfortunately the courts nullified this first adoption of P. R. for an American county by ruling that the charter needed not simply a majority vote in the county, as the charter commission and most of its supporters had supposed, but a majority in the largest city (which it secured), a majority outside the largest city, and a majority vote in a majority of the county's municipalities. Nevertheless the favorable vote in Cleveland is Cleveland's latest expression on the manager plan with P. R.

P. R. In Other American Cities

Hamilton. Though less publicized and on a smaller scale, the benefits of P. R. in the industrial city of Hamilton have been even more striking than in its neighbor city of Cincinnati. Hamilton was formerly one of the most boss-ridden and misgoverned cities in Ohio, infested with underworld characters and generally down at the heel in the operation of city services. Profiting by

130 PROPORTIONAL REPRESENTATION—

the experience of Cincinnati it adopted in 1926, by an extremely close vote, a P. R.-city manager charter drafted for the Hamilton Charter Commission by Professor A. R. Hatton of Cleveland.

For the first P. R. election of the Council, in 1927, the Charter Commission nominated a representative ticket of respected citizens, never before active in politics, whom it recommended as in sympathy with the aims of the new charter. Four of these were elected. Two of the three other places went to a Municipal Ownership League, formed to protect the municipal light plant and gas distributing system against plans to sell them which had recently been discussed because of political mismanagement in their operation. The previously dominant Democratic machine of Mayor Harry J. Koehler, Jr., elected only one.

The new council appointed as manager Russell P. Price, then assistant manager of Daytona Beach, Florida, who has conducted the business affairs of the city with notable efficiency ever since.

After two years of the new regime the Koehler organization nominated an unusually strong council slate including a former mayor and a former judge and campaigned vigorously on the issue of importing out-of-town executives. Even with the assurance of fair play to any minority guaranteed by P. R. this ticket did not poll enough votes to elect one member out of seven. Its

representative in the outgoing council, whom it had repudiated because of his coöperation with the Charter majority, was re-elected as an unattached independent, as was one of the Public Ownership League members. The other five places went to the ticket of the Charter Commission.

In 1931 and 1933 the Charter Commission group continued to elect five out of seven, and in 1935 it actually elected six out of seven, the other place going to one of its own former members who had been adopted as standard bearer by the diminishing opposition. Between elections the charter group maintained no continuing organization and never attempted to influence the actions of the councilmen it elected; but each election time it chose a strong non-political ticket, raised a small fund, and did effective publicity work, with the hearty support of the city's newspaper, the *Hamilton Evening Journal*.

The elections of 1937 and 1939 were fought on new issues, which brought new alignments. The principles of non-partisan efficiency in the public service were not at issue, since they were by now largely taken for granted. Because of disagreement on other issues, principally that of organized gambling, the charter commission group left some of its popular councilmen off its ticket, but the public continued to support them. Accordingly the Charter group lost its usual council majority, in 1939 by a very close margin. A large majority of the council places

continued to be held by men originally brought forward by the Charter group and in general sympathy with its civic ideals.

Three times, once in 1929 and twice in 1933, political enemies of the new regime, recognizing P. R. as their chief obstacle, have submitted charter amendments to repeal it. Three times they have been overwhelmingly defeated.

Under its present charter Hamilton has enjoyed superior government in all departments. It has weathered the depression without the extent of hardship prevalent elsewhere and built a fine new city hall financed by its savings. It has reduced electric rates four times and forced similar reductions from the private utility in the surrounding country. It has reduced gas rates once. Its electric, gas, and water systems, all greatly improved, have paid former debts and carried three quarters of the manager's salary and of the carrying charges on the city hall in which they are housed.

The experience of Hamilton drives home the cardinal truth: as government assumes more services to the public it becomes doubly important that the public have effective means of controlling those services in its own interest.

Toledo. The third largest city in Ohio adopted a P. R.-city manager charter in the fall of 1934. Like the first and second cities of the state it did so by petition and popular vote.

Taking its cue from Cincinnati the City Manager League which had secured the adoption of the new charter brought forward a ticket of prominent, trustworthy citizens and succeeded in electing five of them to the new council of nine at the first P. R. election in the fall of 1935. Two able representatives were elected by the Labor Congress. The retiring vice-mayor and a former mayor completed the council.

As first city manager the council chose John N. Edy, former city manager of Dallas and of Berkeley, one of the outstanding leaders in the profession. He attacked with quiet competence the unusually difficult financial and other problems left by previous administrations and after four successful years resigned to take an important federal post.

Confronted with a bitter class warfare which had recently given the city nation-wide notoriety, the city government took the lead in developing successful machinery for conciliation in labor disputes.

At the second P. R. election the City Manager League endorsed a ticket of twelve, including, regardless of their earlier records, seven of the outgoing councilmen who were now willing to pledge support of the new charter and an anti-spoils administration of it. This policy, though it succeeded in electing eight councilmen, proved to be a mistake, for one of those newly welcomed to the fold led an unsuccessful surprise attempt to remove City

Manager Edy. At the third election the League restricted its nominees to a ticket on whose principles it could rely. Though it missed the controlling fifth place by a few votes, one of its four councilmen was promptly elected mayor and the new council got down to business with dispatch.

Toledo defeated two special election attacks on its new charter within three years of its adoption, the second, aimed chiefly at P. R., by 37,035 to 19,211.

Ashtabula. One other city in Ohio has had experience with P. R., the busy little lakeport of Ashtabula. Ashtabula has the double distinction of being the first city in the United States to adopt P. R. and the only one so far to vote it out on the direct issue of repeal, uncomplicated with other issues.

Ashtabula had the good fortune to adopt P. R. because C. G. Hoag, on his way to Cleveland to address a charter commission, had a day on his hands and stopped off at Ashtabula. He succeeded in interesting several citizens, including a widely respected railroad engineer, William E. Boynton, who led a successful campaign for adoption of P. R. in the summer of 1915.

Ashtabula used P. R. that fall for the first council under a city manager charter adopted separately the year before, and continued to elect its Council by P. R. every second year until 1929, when the system was abolished.

The Council of seven was elected by P. R. eight times.

In 1926 Charles A. Bloomfield, then a member of the Ashtabula High School faculty, made an exhaustive study of the results for a master's thesis which he wrote under Prof. Raymond Moley of Columbia. He reached the conclusions, among others, that there had been "a measurable improvement in the quality of councilmen elected" since the introduction of P. R., that "there is under the Hare system nearly as much local representation as under the enforced localism of the system it supplanted," that "representation of foreign-born groups is about what would exist under an election-by-ward system," and that "the proportion of votes which actually count toward the election of a successful candidate is much larger than in the average election-by-ward system." *

On this last point the difference is very striking. At the last council election under the old plan, in 1913, 30 per cent of the votes had elected the three members at large and 37 per cent the four members elected by wards. Under P. R. from 78% to 85% of the ballots were always effective in electing councilmen and a still larger percentage of the voters saw some of their favorites elected (see page 59).

P. R. also gave the city regularly a reputable non-

* "Ashtabula's Ten Years' Trial of P. R." by Raymond Moley and Charles A. Bloomfield, *National Municipal Review*, November, 1926.

136 PROPORTIONAL REPRESENTATION—

political majority, which it had not always had in the past. On two occasions when anti-Catholic movements were causing much bitterness elsewhere in Ohio the representation which P. R. assured to all elements kept religious antagonisms from influencing the city government, though temporarily they played some part in the elections. During the P. R.-manager regime—especially during the incumbency of City Manager Wilbur M. Cotton—the city solved its major engineering problems and equipped itself to give its citizens modern efficient service in all important lines.

But there was always in Ashtabula an active political minority which fought the city's charter and its efficient operation in season and out. In 1920 it brought a referendum to repeal P. R. and the manager plan together, and in 1926 another to repeal them separately. Both of these attacks were repulsed, though in 1926 by a suspicious coincidence the county budget commission cut the city's operating revenues from \$142,000 to \$96,000 and put it in a serious financial predicament just at the time of the vote.

Under P. R. the opposition naturally elected its representatives in the Council. By their obstructive tactics these minority representatives finally made themselves so obnoxious to a majority of the people that in 1929 a proposal was made from the other side to do away with minority representation in order to get rid of them. This

was opposed as short-sighted by a number of Ashtabula's leading citizens, but the city's one newspaper, for years a strong backer of P. R., supported the change and a majority voted in its favor. Ironically enough, the P. R. election held the same day gave the city probably its best council and did not elect a single one of the offending members.

In the following council election, held by plurality vote at large, several of the able councilmen who had won reputations under P. R. were re-elected, but the resulting council was less representative of the whole city. In particular the large Italian community, which had never been without a councilman of its own under P. R. or for some years previous under the ward plan, was left without a spokesman.

Wheeling. In 1935 a group of young people in Wheeling, inspired by Charles P. Taft's *City Management: The Cincinnati Experiment*, resolved to bring the same sort of government to their own city, and within an astonishingly short time did so. They drew up permissive legislation for a P. R.-manager charter and got it adopted by the West Virginia legislature in March. In April, taking the experienced politicians by surprise in a whirlwind campaign, they got it adopted by the people of Wheeling at a special election.

In June the first council was elected under P. R. Partly because the nominating process had been made too easy,

no less than 122 candidates presented themselves for the council, but this did not prevent 86 per cent of those who cast valid votes from helping to elect councilmen. Eleven of the twelve outgoing ward councilmen ran for re-election, but not one of them showed a wide enough popularity to win in a city-wide election in which any ninth of the voters could elect the sort of representative it really wanted. The new council was hailed as representative, non-political and able. The results of the second P. R. election, four years later, were equally good.

The first city manager chosen by the first P. R. council eliminated various forms of petty graft and finished his first year with a surplus instead of the invariable deficit of a dozen years before. The second manager, chosen four years later, made greater improvements.

In the summer of 1938 Wheeling defeated a proposal to set up a charter board, intended as a means of scrapping P. R., by the same proportion of votes as that by which the P. R.-manager charter was adopted.

Boulder. The American city which has used P. R. longest and in most elections is a little university town nestled picturesquely at the foot of the Rocky Mountains. Boulder, Colorado, adopted a P. R.-manager charter, drawn up by a local charter commission, in 1917, held its first P. R. election of the Council the same year, and has used P. R. every second year in the odd-numbered

years ever since. Though it elects only three of the nine councilmen at each election, which has cut down the scope of the city's representation unnecessarily, it has enjoyed without exception councils of high quality and remarkably good government. There has been no partisanship in the council elections, but on the two or three occasions when there has been a notable cleavage of the electorate on municipal issues both sides have secured representation. In 1923 and 1925 attempts were made by referenda to repeal P. R. and seriously weaken the manager plan, and in 1933 an attempt was made to repeal P. R. without other change, but all three attempts were voted down overwhelmingly.

Sacramento. One of the most striking examples of the benefits of P. R. was its one use in the capital of California in 1921. Before Sacramento adopted a P. R.-manager charter drafted by a local Board of Freeholders (charter commission) in 1920, it had a commission form of government. The Commission was elected by the majority system in what was considered a peculiarly enlightened form. As only one commissioner was elected each year, the people could focus their attention on his selection; a non-partisan ballot was used; and the wastage of votes was kept down by having the final election between the two highest contestants after an elimination primary. Under this "majority system," so-called, a well organized political minority was in complete control. If

their special nominee did not survive the primary, they could bargain with the surviving candidates before the final election. They could deliver enough votes to turn the election either way, and seldom if ever did both of the chief contenders withstand the temptation to reach an agreement with them. Furthermore, the usual defects of the commission plan, which makes each commissioner both a legislator and the administrative head of a department, were much in evidence. In the words of Irvin Engler, then manager of the Sacramento Chamber of Commerce, "Division of authority and responsibility, election of men unqualified by training or experience for executive positions, and extravagances in city affairs could be sensed at first by murmurs of dissatisfaction, then by waves of dissension, and finally by open disgust with shouts for 'action' and 'something for our money.' In fact the stage was reached where the people were saying, 'Nothing could be worse than what we have,' and the commissioners were dubbed 'the floundering five'."

In the P. R. election of May 3, 1921, the minority which had formerly controlled the government succeeded in electing only two councilmen out of nine. The votes which had formerly given it the balance of power were used up in providing two of the nine quotas. The other voters, though their votes were scattered over many more candidates than there were seats to be filled, elected

the other seven. These seven included the first woman ever elected to the city's legislative body and the first representative of organized labor, a former president of the California Federation of Labor. Four of them were members of a ticket put forward by the Board of Freeholders and the others coöperated willingly with these four.

The calibre of the council was universally acclaimed, even by the one newspaper which had strenuously opposed the adoption of P. R. Major J. W. Wooldridge of the California National Bank commented on the election as follows: "Everybody feels that they are represented, that their voice was heard, and they are satisfied. It was the only election I have ever known of in which this feeling holds."

The first act of the new council was to choose a city manager unanimously. This put at rest prophecies that a council representative of all elements would be made ineffective by constant disagreement. The man chosen was Clyde L. Seavey of the State Board of Control, a state official with an enviable reputation for integrity and ability.

The new government, which took office in the middle of the calendar and fiscal year 1921, started with seventy per cent of the year's revenue already used by the outgoing commission. It completed the year without a deficit and with increased efficiency in the administration

of the city's business. The next year it started on a large program of permanent improvements, gave the city the best service it had ever known, raised the wages of firemen and police, and reduced the tax rate.

Manager Seavey, to whom a large part of the credit for the accomplishments is due, testified publicly to the part played by P. R. in securing the coöperation of the people. When he faced the Council of Sacramento, he said, he felt that he was talking not merely with a dominant political element but with the entire city. "The one thing that has impressed itself upon me," he wrote at another time, "is the apparent elimination of a decided pro- and anti-administration feeling as a result of the [P. R.] election."

Before the second election under P. R. could be held the new system had been declared unconstitutional by the state Supreme Court. The election of 1923, therefore, was carried out by the block vote. Five of the P. R. council were re-elected, but labor lost its representative and the council membership was entirely restricted to the nominees on two opposing slates. One of these slates polled fifty-four per cent of the votes and elected eight of the nine members; the other polled thirty-nine per cent of the votes and elected only one. Only 54.5 per cent of the valid votes were effective in electing members as compared with 86.6 per cent under P. R. two years before.

Kalamazoo. Another city which had an enviable experience with P. R., only to have it cut short by the courts, is Kalamazoo, Michigan. Kalamazoo adopted a P. R.-manager charter, drawn by a local Charter Commission, in February 1918. It used P. R. twice, in April 1918 and November 1919, for its city Commission of seven.

At the first P. R. election public interest centered on the candidacy of Truxton Talbot, a Socialist editor active in labor circles who had been caustic in his criticism of various institutions cherished by a majority of the city's residents. Many said that if Talbot, who could never have been chosen under the ward system, were elected, they would move at once to abolish P. R. When the results were announced it was found that six of the seven commissioners were men in general esteem, mostly business men of prominence, but that the seventh was Talbot. It soon became evident, however, to many even of those who had opposed him, that Talbot's election had been a fortunate occurrence. An increase in the tax rate was absolutely necessary if the citizens were to be given the sort of service they had a right to expect. Talbot voted for the increase with the other members, and his newspaper, which had been a thorn in the side of previous administrations, became the spokesman of the city government to an element of the city's population with which no previous administration had been in

contact. At the second P. R. election Talbot, though repudiated by certain radical extremists, was re-elected by an increased vote. When P. R. was later supplanted by the block vote, however, Talbot was defeated and the labor element for which he had been spokesman and whose coöperation with the city government he had largely secured was again left without representation.

Shortly after the second P. R. election the new method of election was held unconstitutional by the Michigan courts. The attack which led to its downfall was due partly to the desire of dispossessed politicians to gain control and partly to the objection of certain business interests to the Commission's efforts to increase the range of the city's service to the citizens. The Commission and the manager had not only reduced the city's deficit and put its usual services on a new business basis, at the same time keeping the tax rate next to the lowest among Michigan cities of its size, but saved thousands of dollars to 6,144 purchasers of coal and wood in small quantities by the establishment of a municipal fuel yard, employed a city physician and public health nurses, and undertaken a survey of milk distribution with a view to its assumption by the city. Before the election of 1920 a campaign of flagrant misrepresentation was carried on against P. R. and an endeavor made to elect candidates who were opposed to its continuance. Only one of these was successful, and the people showed their

confidence in the previous commission by re-electing a majority of its members. The opposition then turned to the courts and secured a decision against P. R., curiously reasoned and reading more like a diatribe against bolshevism than a judicial pronouncement, but having, of course, the force of law.

The Kalamazoo Commission has since been elected by the block vote from the city at large. The high standards set by the P. R. commission have been largely maintained and the policies initiated under it eventually wiped out the city's debt completely, but the body became less representative of the whole community for whom it must act. In 1925 the Ku Klux Klan, a minority, gained control of the Commission for a time.

West Hartford. The earliest American use of P. R. for a municipality other than a city was in the town of West Hartford, a residential suburb of the capital city of Connecticut. It was prescribed at first only for the town council election of 1921, but was continued afterward by ordinance and used again in 1922. Fifteen members were elected from four districts.

The second P. R. council consisted of six organization Republicans, six independent Republicans, and three Democrats. Certain plans of the Republican organization, formerly in undisputed control, were defeated by a vote of nine to six. Meanwhile the P. R. Council and the town manager chosen and controlled by it were making

a notable record of civic progress and reducing the tax rate.

These developments were not altogether pleasing to the Republican organization forces which controlled the state legislature in nearby Hartford. When P. R. was recommended by a charter commission in the important city of Bridgeport, they became alarmed. In the words of Christopher M. Gallup, the P. R. leader in West Hartford, "the state Republican machine had come to regard the Hare ballot [P. R.] as a sort of infection that was likely to spread and upset things generally." Accordingly, with secrecy and dispatch and disregarding strong protests from the West Hartford Council and West Hartford and Bridgeport citizens, they pushed through a law in 1923 that "no preferential or so-called 'proportional' ballot shall be used in any election, any charter provision or municipal ordinance of any town, city, or borough to the contrary notwithstanding."

In 1939 the Connecticut legislature finally modified this edict to the extent of submitting a proposed P. R.-manager charter to the voters of Waterbury, but the charter was defeated at the polls.

Norris. On December 9, 1936, the little town of Norris, Tennessee, adopted P. R. by 267 votes to 28. It has elected a council of nine by that method early in each year since. Norris is an unincorporated municipality owned and managed by the Tennessee Valley Author-

ity. A manager, appointed by the authority, directs the affairs of the town. The council represents the residents in advising the manager.

New York and Yonkers

Adoption in New York City. On November 3, 1936, the greatest city in the United States adopted a new charter by 952,519 votes to 603,072 and by a still greater margin—923,186 to 555,217—adopted P. R. for the elections of the new city council. Each of the five boroughs forms a separate district, electing by P. R. one councilman for every 75,000 votes it polls.

This greatest of the victories of P. R. in North America came at an election in which Tammany and its sister organizations of the dominant Democratic party campaigned strenuously and openly against both charter proposals and in which the presidential candidate of that party carried the city overwhelmingly. As in the first charter victory in Cincinnati in 1924 the large independent vote registered at a presidential election proved helpful in carrying a reform issue even though it also supported the national candidate backed by the local machine. P. R. and the charter carried all four of the large boroughs, losing only in Staten Island. In Brooklyn they carried almost two to one.

The two charter questions were submitted to the voters

by an official charter commission appointed, under authorization from the legislature, by Mayor LaGuardia and headed by Thomas D. Thacher, former solicitor general of the United States. P. R. had been strongly recommended by Samuel Seabury in his final report as counsel to the famous legislative investigating committee which uncovered the scandals that forced the resignation of Mayor Walker. Even before that it had been continuously urged by most of the leading civic organizations ever since a local P. R. committee had secured a recommendation of P. R. for the Board of Aldermen from the Baldwin charter commission in 1922.

The most effective argument for P. R. was the general disrepute of the old Board of Aldermen. "At the present time," wrote Judge Seabury during the adoption campaign, "there is little real democracy in the election of aldermen. In most districts the dominant machine leaders pick an obscure and sufficiently subservient candidate and put him over at the primary, when only a fraction of their own party voters come to the polls. A third or a quarter of the electorate of the district is usually ample for this purpose. Then at the final election a majority of the voters, having little opportunity for knowing the personal qualifications of the obscure candidates, vote blindly under the emblem of their party and elect the hand-picked candidate of the bosses."

The First P. R. Election. As Judge Seabury predicted,

P. R. changed all that. The first P. R. election, held November 2, 1937, gave the Democratic organizations an even half of the new Council. Never since 1919 had they failed to elect at least two-thirds of the Board of Aldermen, even at the time of the first election of Mayor LaGuardia in 1933, and in the last board they had 62 members out of 65.

The secret of the difference was that P. R. gave representation to half a million more voters than had ever been able to elect aldermen for whom they voted under the single-member district plan. Four-fifths of those who cast valid ballots were able to elect councilmen for whom they voted, whereas the number who had been able to help elect their candidates under the old plan ranged between half and two-thirds.

The Council elected was composed of 26 members, of whom 13 were organization Democrats, five represented the new American Labor party, three were organization Republicans, three were independents running only with the designation of the City Fusion party, and two represented an insurgent group of Democrats in the borough of Queens whose votes and councilmen elected exceeded those of the regulars in that borough.

Since Mayor LaGuardia and his principal running mates carried the city by handsome majorities at this election, some were dissatisfied that the Tammany forces elected as many as half the council and blamed P. R. It

is true that the Fusion forces did not make the best possible use of their opportunities and, despite the efforts of a Citizens Non-Partisan Committee headed by Judge Seabury to focus good government votes on a whole Fusion ticket, allowed a clear majority to be dissipated by casting many of their ballots for two or three choices only. Nevertheless it is clear that, with the anti-Tammany forces divided as they were in most of the city contests, P. R. gave them far more adequate representation than they could have secured in any other way. In the state assembly elections held the same day the Democratic party polled 49.6 per cent of the votes in New York City and elected 80.6 per cent of the city's delegation. Since assembly districts were almost identical with the old aldermanic districts, this result gives a good idea of what would have happened if the method of electing the city's legislative body had remained unchanged. In the plurality elections of delegates to the state constitutional convention held the same day the Democratic party elected 87 per cent of the city's district representatives. Since these delegates were elected three each from the state senatorial districts and since the alternative to P. R. provided in the charter was election by senatorial districts with a few members from boroughs at large, this result gives a good idea of what would have happened if the new charter had been adopted and P. R. rejected.

In personnel the new Council was definitely superior

to any Board of Aldermen. On the Democratic side the mere rubber stamps were largely weeded out. And on the Fusion side there were several new members who would have done credit to any legislative body. Especially noteworthy was the election in Brooklyn of Mrs. Genevieve B. Earle, who had been a member of the City Charter Commission and long prominent in independent civic activities and who was easily elected without the endorsement of any of the three legally recognized parties.

The New York *Herald Tribune*, looking back on this election on October 6, 1939, summarized editorially: "P. R. in fact operated magnificently then. It raised tremendously the character of representation in the council, as contrasted with the horizontal statesmen of the old Board of Aldermen, and gave it a political division in reasonable accordance with the real sentiment of the city."

The New Council. When the new Council convened it provided at once a refreshing, if somewhat startling, contrast to the old Board of Aldermen. Aldermanic decisions had regularly been made in advance by the Tammany and other Democratic organization leaders and the sessions of the board had been mere perfunctory ratifications. In the new Council the Tammany steam roller ceased to roll.

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Every controversial issue was debated, sometimes heat-

edly but often ably on both sides, with the result in doubt. Council sessions were packed to the doors and broadcast to listening thousands over the municipal station, WNYC.

Due to the absence of one Labor member at the first session, the Democratic machine organized the first Council by a vote of 13 to 12. After a court fight their right to do so was upheld and a majority revocation at a subsequent meeting by the Fusion forces, with the aid of the deciding vote of Council President Morris, was held illegal. With the Democrats holding topheavy control of all committees, the constructive plans of the Fusion coalition led by labor editor B. Charney Vladeck were largely frustrated; and eventually the insurgent Democrats from Queens, having followed up their P. R. victory by capturing the county organization, abandoned their Fusion alliance. But the Council took the most urgently needed steps for the immediate welfare of the city, such as the raising of funds for relief without resort to borrowing, it did very little that the good government forces found objectionable, and the situation remained vastly better than under the old one-sided control. When the Democratic organization leader, Councilman Cashmore, tried to silence the popular demand for county government reform by passing bills which would have kept county patronage and forced the party-controlled courts into politics to dispense it, he was beaten by 17

votes to 7, a result that would have been unthinkable in any board of aldermen in recent years.

Ban on P. R. Defeated. In the New York Constitutional Convention of 1938 a surprise combination of New York City Democratic and upstate Republican politicians forced through a last-minute amendment to prohibit the use of P. R. anywhere in the state. Popular outcry was such that the convention submitted the amendment as a separate question and the Democratic, Republican, and American Labor party state conventions all repudiated it. The question was fought largely on the issue of municipal home rule. Six of the nine constitutional proposals were approved at the polls but the P. R. ban was defeated 1,554,404 to 627,123. It lost in every county in the state. The adverse vote in New York City was 775,038 to 355,031.

The Second P. R. Election. The second P. R. election, in the fall of 1939, illustrated some of the values of P. R. even more clearly than the first one. If it had not been for P. R. the Democratic organization would almost surely have made a clean sweep of the whole council, as it did of every judicial and county office on the ballot, whether the contest was borough-wide or from a smaller district. The reason for the large Democratic majorities, corresponding to similar majorities in the "off-year" election four years before, was simply that with no mayoralty or other spectacular contest to bring out the vote and

with war news crowding nearly all mention of the election out of the newspapers till after registration was over, about half a million people who had voted for mayor two years before stayed at home. This policy was of course not followed by the well oiled Democratic machine.

The Democratic majority was properly reflected by a clear Democratic majority in the new P. R. council. But in every one of the four large boroughs the minorities secured representation. One-third of the new council were members not endorsed by the Democratic organization. Two were Republicans, two were American Labor party candidates, and three were independents without the endorsement of any of the recognized parties. Of these seven, five were on the Fusion ticket of the Citizens' Non-Partisan Committee, now headed by former Judge Thomas D. Thacher, the chairman of the city charter commission of 1936.

The most interesting result was that in Manhattan, where even in this Democratic year Tammany failed to elect a majority. The Democrats had a majority, to be sure, but many of them used their votes to help elect Alfred E. Smith, Jr., running as an independent, instead of a Tammany regular. The result was two regular Democrats, one City Fusion Democrat, one unattached Democrat and one Republican. Three of the five voted against

the successful Democratic organization nominee for majority leader of the council.

Thanks to P. R. the second council secured the advantage of a vigorous and able minority, with Mrs. Earle as minority leader, to turn the light of public debate on every important issue and spur the majority to a better record of performance than could otherwise have been expected. With a much larger vote assured in the P. R. election of 1941, a mayoralty election year, this minority can easily be turned into a majority next time under P. R. if the present majority fails to satisfy a majority of the voters.

P. R. Spreads to Yonkers. On the Hudson River, on the northern boundary of New York City, lies the industrial community of Yonkers, fifth city of the state, with a population of approximately 135,000. For years the city had been extravagantly run under the auspices of a Democratic machine. In the citizens' search for relief a strong city manager movement developed. After New York City adopted P. R. the City Manager League added P. R. to its repertoire as a means of getting a representative council to choose and control the manager. Finally on November 8, 1938, at the fourth referendum on the manager plan and the second on the manager plan with P. R., the charter amendment proposed by the League was adopted 24,072 to 21,160.

The first P. R. election, held one year later, was con-

tested by 16 candidates of three large groups and 16 others. The number of councilmen to be elected, as in New York, was to depend on the number of votes cast but it was practically certain in advance that the number would be five. The Democratic and Republican organizations each nominated four and the City Manager League eight.

None of the three groups polled a majority of the votes. Under similar circumstances the first council vote under the city manager plan in Schenectady in 1935, without P. R., had given one of three minority tickets six of the seven places. But in Yonkers under P. R. each group got exactly its fair share.

The P. R. quota fixed in the charter was 10,000. The City Manager League polled 19,813 first-choice votes for its candidates, just short of two quotas, and elected two. The Democratic organization polled 17,946 first choices, again a little short of two quotas, and elected two. The Republican organization polled 10,931 first choices, just over one quota, and elected one. Three Democrats and no Republicans stood among the first five on the count of first choices, but the transfers inexorably brought the final results into the right proportions.

The first two candidates elected were two independent candidates of the City Manager League, Robert H. Goodwillie, executive of the large local works of the Otis Elevator Company, and Mrs. Edith P. Welty, a leader in

the local League of Women Voters and in the educational campaign which led to the adoption of the manager plan and P. R.

For mayor of the new council the three organization men sided against the independents and elected the one organization Republican, but the more important choice of a city manager was made unanimously. The man chosen, after a careful search and scrutiny of many candidates, was Raymond J. Whitney, who had made an unusual record of successful economy as the manager of the large neighboring village of Mamaroneck.

When the leaders of both major parties announced their opposition to P. R. shortly after the election, the leading local newspaper, the Yonkers *Herald-Statesman*, said editorially (November 30, 1939): "It is no secret that machine politics throughout Yonkers, throughout Westchester [County], and throughout New York State stands in mortal fear of P. R. as a system of voting. For machine politics and P. R. don't mix. This is so, largely, because P. R., when intelligently exercised, defeats the wishes of politicians and carries out instead the certified wishes of the electorate."

P. R. Abroad

The limits of this little book do not permit any extended treatment of experience with P. R. in other coun-

tries, though much of that experience is significant. P. R. in its best form, with only minor variations, has now been used for some important elections in nearly every part of the English-speaking world.

Denmark. The earliest use of P. R. for public elections was in Denmark, where the mathematician and statesman Carl Christopher Georg Andrae devised the single transferable vote method independently and secured its incorporation in the Danish constitution of 1855. It was used for direct popular elections of the federal Parliament in 1856 with a very limited franchise, but since 1866 has been used only in the indirect elections of the upper house.

Canada. In neighboring Canada P. R. is used for the city councils of Winnipeg and Calgary and for the Winnipeg, Calgary and Edmonton members of the Manitoba and Alberta legislatures. Calgary has used it annually since 1917. Winnipeg introduced it in 1920 to reduce the bitterness resulting from a general strike and has used it for city and provincial elections ever since.

Great Britain uses P. R. for nine university members of the House of Commons. This limited use resulted from a serious attempt in 1918, following the recommendation of a speakers' conference, to apply P. R. to nearly 200 members. Another speakers' conference resolved in 1930 that "any change in the present system of parliamentary elections should include the adoption of

proportional representation with the single transferable vote.”

Australia. As long ago as 1896 P. R. was adopted for some members of the legislature of Tasmania, the southernmost province of Australia. In 1901 this partial use was abolished, but in 1907 P. R. was established for all the members of the legislature. It has been in successful use ever since. The lower house of New South Wales was elected by P. R. from 1918 to 1926 and its upper house has been so elected, but by indirect election, since 1933.

The Union of South Africa also uses P. R. for the indirect elections of the upper house of its parliament.

India uses it under its new constitution for the election of over three-quarters of the members of the Federal Assembly by members of the provincial legislatures, following its successful earlier use for federal and provincial legislative committees. Bengal, Bihar and Burma also use it in certain indirect elections.

New Zealand furnishes one noteworthy example of P. R., for the city council of Christchurch.

Ireland. But the most significant experience is to be found in Ireland. P. R. was used first there in the city of Sligo in 1918, extended to all local and county councils the next year, and in 1920 prescribed by the British Parliament for the Parliaments of Northern and Southern Ireland. The Unionists⁹ who controlled Northern Ireland

were never enamored of minority representation and abolished P. R. when they were free to do so. But in Southern Ireland both major parties asked for its inclusion in the constitution of the Irish Free State in 1922, and it has been used in all parliamentary and local elections in that part of the island ever since. It has contributed notably to good feeling in elections, has given a clear verdict on public issues under the most adverse circumstances, has kept the ablest leaders of all parties almost continuously in office, has resulted in conspicuously stable government, and has been supported by nearly every prominent man in public life. When the new constitution of Eire was adopted in 1937 it was continued in full force.

The Reverend Canon Luce, professor of moral philosophy at Trinity College, Dublin, has summed up the effect of P. R. in Ireland in these words: "P. R. has been a healing force in our midst. Old political feuds are dying; public spirit is replacing faction. Our elections are well conducted. The voice of reason is heard, and the gun is silent. P. R. deserves much of the credit; for P. R. produces contented and loyal minorities, whereas the other system breeds muzzled, sullen, discontented minorities, predisposed to doctrines of violence. P. R. has been a unifying force and unity is strength."

CHAPTER 7

HOW THE PLAN SHOULD BE USED

THE evidence presented in this little book should be enough to demonstrate that proportional representation is the most urgent and fundamental of political reforms. Every other needed reform will be vitally affected by it.

The author hopes that every reader will want to do something about it. He closes, therefore, by suggesting what should be done.

P. R. for Municipal Councils. We may feel sure, on the basis of the experience already gained, that P. R. should be used for every municipal council in the land.

In some smaller communities with few differences, simple problems, and good government, it may not make any striking difference in the results; but even in such communities it is the best insurance against political difficulties in the future.

In our largest cities, which offer tremendous temptations to spoils politics, P. R. is our only hope of real popular control. Judge Seabury, whose exposures of misgovernment and corruption in New York City drove

Mayor “Jimmy” Walker into exile and led to the reform administration of Mayor La Guardia and the adoption of New York’s new charter and P. R., said in 1935:

“Proportional representation may mean all the difference between a sustained good government year in and year out, such as Cincinnati and some other cities have recently enjoyed, and a spasm of reform once in a generation, such as has characterized our experience in New York.”

This might be said of Chicago, Philadelphia, Pittsburgh, Boston, St. Louis, Kansas City, and many another city in which P. R. is being sought as a way of escape from misrule or a protection against it.

In every American city except New York P. R. should be used at large. As has been pointed out, any division is quite unnecessary to secure representation of different parts of the city, and more attention can be centered on a single city-wide contest than on several district contests going on at the same time. One of the reasons why Cincinnati got better results than Cleveland from P. R. was that Cincinnati elects at large while Cleveland was divided into four artificial districts. New York City seems to be a legitimate exception, though even there an attractive case can be made out for city-wide P. R. elec-

tions. Each of the five great boroughs has its own newspapers and strong community feeling, and there seems little danger of any borough-wide contest for important offices being neglected.

There is never any need of overlapping terms of office under P. R., since, as we have seen, sufficient continuity in membership is assured by the method of election itself. This being the case, all the members should certainly be elected at the same time. There should be no "lame duck" hold-overs to defeat the latest expression of the popular will.

It is important not only that we get representative bodies fit to govern, but that we give them power to govern. As soon as a city elects its council by P. R., the council, as explained towards the end of Chapter 1, should be given power over the whole administration through the selection of the city manager. Under that plan the voters have merely to elect a representative body which they trust and then leave the government in its hands. All the American P. R. cities except New York do have the city manager plan. Under its new charter New York can get it by petition and popular vote as soon as some future "political" mayor makes the need for it evident to the people.

Home Rule Needed. More difficult usually than the problem of how to apply P. R., more difficult than the problem of educating the public to see its advantages, is

the problem of getting a chance to vote on its adoption. A few states are fortunate in having general home rule provisions which make it possible to put P. R. and other charter changes on the ballot by petition. That explains the spread of P. R. in Ohio. If Ohio cities had had to wait for their own councils to put P. R. on the ballot or for the legislature to pass special legislation to authorize it, they might be waiting yet.

There has been plenty of interest in P. R. in Pennsylvania cities also, but Pennsylvania has no municipal home rule in spite of the fact that the people of the state passed a home rule constitutional amendment as long ago as 1922. The amendment required enabling legislation and that legislation has never been forthcoming. Repeated attempts have been made, with wide public support, to get the legislature to authorize either general charter-making powers or merely the right to vote on P. R. and the manager plan in Philadelphia, Pittsburgh, and other cities and boroughs; but all such attempts (except one blocked by Democrats) were blocked by the Republican machine. In 1939 an official charter commission for Philadelphia, headed by Thomas Evans, unanimously recommended a P. R.-manager charter. The Woodward-Shapiro bill to submit it to the people won the support of every Philadelphia newspaper and practically every important group of Philadelphia citizens except the Republican machine. It passed the

State Senate 38 to 8, but the larger Republican majority in the House of Representatives stifled it in committee.

As the public demand for P. R. continues to grow, it may be possible more often than hitherto to get specific legislative authority to vote on P. R. A highly gratifying achievement of this kind, coming as the climax to many years of sustained effort, was the passage of general optional legislation in the Massachusetts legislature. In 1937 Representative Christian A. Herter of Boston, Republican leader of the House, sponsored successfully a bill to make P. R. for councils and school committees and the corresponding Hare system of preferential voting for mayors available by petition and popular vote to cities and towns throughout the state. The Boston council (though not the mayor or school committee) had to be excluded to get the bill through. The next year the legislature passed a bill prepared by Professor Lewis Jerome Johnson of Harvard and his son Chandler Johnson, to make a new "Plan E"—combination of P. R. and the manager plan—available by petition and popular vote to all cities except Boston.

It is sometimes easier to get general home rule powers than specific ones. Hence friends of P. R. should miss no opportunity to join with others in getting general home rule powers that will allow municipalities to amend their charters by petition and popular vote. The New York legislature of 1937 passed such a general city home rule

law (the Armstrong-Desmond-Miller act) and within the first few months it had been used to good effect to secure a vote on a P. R.-manager amendment at the 1937 fall election in the city of Yonkers. Once this power to amend by petition and popular vote is secured, every city or town which needs P. R. badly should be able to get it.

P. R. for School Boards. Where school boards are elected by the people, they too should be elected by P. R. Everyone understands the importance of keeping spoils politics out of education, and spoils politics are certainly more likely when all the power is in the hands of the largest organized group.

Thus far P. R. has never been used for school boards in this country, but it has been used successfully for them in several cities of Canada. From 1918 till 1929, when school administration was turned over to the county councils, P. R. was also used with gratifying results throughout Scotland for the educational authorities of counties and large cities.

In 1923 a proposal to use P. R. for the Milwaukee School Board passed the Wisconsin Assembly but lost out in the Senate by one vote. The new law in Massachusetts referred to above opens the way for the cities and towns of that state to adopt P. R. for their school committees as well as for their councils by petition and popular vote.

P. R. for Counties. The problems of government in a

county are not very different from those of a city or town. Wherever the fetters of state constitutions requiring the old headless colonial type of county government are broken, P. R. should be brought in for county boards or councils along with other modern improvements.

The National Municipal League in its model plan of county government recommends the county-manager plan and a county council elected at large by P. R. In 1935 this plan received a 19,000 majority in Cuyahoga County, Ohio, which includes the city of Cleveland, but its application was prevented by a decision of the state Supreme Court on a technical point. The New York legislature of 1937 passed unanimously a comprehensive county home rule law sponsored by Senator Thomas C. Desmond of Newburgh and Assemblyman Lee B. Mailer of Orange County which makes P. R. for county boards of supervisors available by petition and popular vote for all counties in the state outside of New York City.

P. R. is used for all county council elections in Eire. Its first use in an American county should not be far distant.

P. R. for Legislatures. The successful use of P. R. in New York City brings it at once into the realm of practical possibilities for state legislatures. There are only three states in the Union which contain as many people as New York City; and New York City contains more

than half the people of New York State. The New York Constitutional Convention of 1938 had before it well supported bills by Charles Poletti, Democrat, later elected Lieutenant-Governor, and by Edward Corsi, later Republican candidate for United States Senator, to apply P. R. to one or both houses of the legislature or to a unicameral body.

P. R. has already been in successful use for many years for parts of the legislatures of Manitoba and Alberta and since 1907 for the entire legislature of the Australian province of Tasmania. A few years ago three Democratic state conventions endorsed it for the legislature of Michigan, where the almost complete exclusion of the large Democratic minority made the need for it apparent; but the Democrats bungled their first opportunity to get the reform after they swept the state in 1932. Another such favorable opportunity is now all that is needed to establish P. R. for the first state legislature in this country.

Of course, for reasons of convenience, P. R. should not usually be applied for a legislature to a whole state at large. A small state like Rhode Island or Delaware, however, might well be made an exception. Ordinarily a number of counties should be thrown together into one district electing several members. A large county, like the four largest in New York City, could properly be made one district electing several members, and an occasional isolated county like Richmond (Staten Island)

could be made a single-member district using the Hare system of majority preferential voting without seriously affecting the general scheme.

New York City's plan of having a fixed quota for all the districts and letting each district elect as many members each time as there are quotas in its vote has special advantages in connection with state legislatures. It takes care of the vexatious reapportionment problem simply and automatically.

When P. R. is applied to a state legislature, there is no advantage in having more than one house. When one legislative body is made really representative and trustworthy, why try to check it with another? Of course, if two legislative bodies must be kept for the time being, P. R. can be applied to either or both. The National Municipal League has a model state constitution which provides for a single-house legislature elected by P. R. and for a steering committee of the legislature elected by the entire membership by the same method.

Some states like Ohio and New Jersey which have large districts electing a number of legislators together could probably use P. R. for those districts without constitutional amendment. For any state-wide use of the plan, however, an amendment to the state constitution would usually be needed. This is the sort of amendment which legislators are often loath to pass because their own political future is involved. For this reason any oppor-

tunity to change the amending process so that amendments can be put on the ballot by direct petition should be welcomed. This can be done already in twelve states, including Ohio, Michigan, Missouri, and California, and in New York an amendment to allow it has passed one session of the legislature and the subject continues to be seriously considered.

P. R. for Congress. Many enthusiastic advocates of P. R. for local elections are at present opposed to it for national use. Usually their objection is based on fear of a multitude of parties such as some European countries have had. It has been pointed out that in Eire (Southern Ireland), the only country which uses the best form of P. R. for its national elections, one party elected half of the members or more in the last three parliaments and a second party elected most of the rest. There is reason to think that our own experience in this country would be similar, but even if it were not, the consequence of having no one party in control would be less serious here than in countries which have to have new elections or a major reorganization whenever the government party or coalition is defeated. Our congressional committees are already bi-partisan. If no one party had a majority, the committees could easily, by P. R. election if not by agreement, be made accurately representative of the different groups among the members and proceed to bring in majority and minority reports on each

issue as at present. Each issue could then be decided by a majority vote, not necessarily the same majority in every case. The procedure would not have to be very different from what we have now, but the members who decided the issues would be much more likely than now to decide them as the people wished.

The problem of representation is everywhere essentially the same. That is why P. R. is being used for such a wide variety of representative bodies. There is not an argument for P. R. in this book that does not apply to Congress with at least as much force as to city councils. And since the issues decided by Congress are of greater moment, P. R. for Congress should prove of greater value.

Whether we like it or not, recent experience makes it seem probable that the national government will play a larger and larger part in our lives. It is undertaking to determine the conditions under which we work and live. It is attempting to regulate industry, in the hope of assuring a good life to everyone. It will almost certainly do many things directly for the people which were formerly left to private initiative. Can there be anything much more important, then, than replacing limited "pork-barrel" Congressmen with men and women who really represent the voters? The most hopeful way to do this is by the adoption of P. R.

P. R. could be applied to the national House of Representatives without constitutional amendment. An act of

Congress is all that is needed. In fact any state could now elect its representatives by P. R. by passing an act in its state legislature, for although Congress has the right to put restrictions on the method of election in each state, it has not done so in the present reapportionment law.

The smaller states in population should elect their Congressmen by P. R. at large and the larger ones from a few large districts. No district would have to be larger in population than the largest P. R. city council district in New York City. No district would have to be substantially larger in area than the largest district polled under P. R. in Australia.

With New York's adoption of P. R. we seem already at least half way to the goal which Professor Hatton saw ahead after he had watched the first American P. R. count in public elections, in the little lakeport city of Ashtabula in 1915. "It is possible," he wrote in the *National Municipal Review* at that time, "that Ashtabula has started a movement which will ultimately lead to the reform of the present demoralizing method of choosing the members of state legislatures and of the lower house of Congress."

P. R. for Presidential Elections. In theory there is no good reason why the principles of the single-house legislature and an executive appointed by it should not be applied even to our national government when the

national House of Representatives is made really representative. But any such development seems remote.

Remote also is the attractive plan for presidential elections advanced by Emmett L. Bennett of the Cincinnati Bureau of Municipal Research. Mr. Bennett would abolish the national nominating conventions with their frequent log-rolling and dissension, elect the presidential electors of each state by P. R., and have the electors actually meet to nominate and elect a President as originally intended. The electors could safely nominate several leaders of each party for President if they were to elect him by the Hare system of majority preferential voting.

But the remoteness of such plans is no reason why we should not do something to improve the present system of electing the President, which is both unreasonable and dangerous. Three times already a candidate with fewer popular votes has defeated the majority candidate by getting more votes in the electoral college. If this happened at a time of great national stress it might lead to civil war. Conditions here are happily different from those in Spain, but it is significant that General Franco attempted to justify his rebellion by maintaining that the defective election system used there cheated his followers of orderly victory at the polls. Though that assertion appears to be erroneous, it is true that the conservative voters elected fewer, by a considerable number, than

their share and that fair representation might have averted the appeal to arms.

Congressman Clarence F. Lea of California is urging an amendment to the United States Constitution which would leave each state with its present number of electoral votes but would divide them among the candidates in proportion to their popular votes. If one candidate got 25/47 of the New York votes for President and another 22/47, the first would get 25 of the state's electoral votes instead of all 47 and the second would get 22 instead of none at all. This would obviously make the votes in the electoral college correspond closely to the votes cast at the polls.

For the choosing of presidential electors, of course, this simple arithmetical apportionment is quite as good as P. R. with the transferable vote would be, for the electors are mere automatons. Indeed, Mr. Lea would do away with the personal electors altogether, leaving only their votes, the "smile of the Cheshire cat"; for an elector may be prevented, by death or other cause, from casting his vote, whereas an abstract electoral vote for a particular presidential candidate is sure to count.

But why preserve even the electoral votes, you may ask. Why not have a direct popular election of the President? A practical answer is that the smaller states all have more than their share of power in the electoral college—one elector for each Senator in addition to

one for each Representative in Congress—and might block any constitutional amendment which would lessen their influence in the selection of the President, as direct election would. They are in a position to block any amendment, since three-quarters of all the states are required for ratification.

Fortunately the Lea amendment is a real possibility for the not distant future. In the 1933-34 session of Congress it was reported from committee unanimously, though it was prevented from coming to a vote by the pressure of other matters. President Roosevelt let it be known at that time that he was for it.

If the Lea amendment is adopted, it will do more than make the wrong result extremely unlikely. It will have at least the following advantages also:

1. It will make everyone's vote count whether he votes with the majority in his state or not.
2. It will thus stimulate voting and distribute the political education of a campaign more evenly over the entire country. At present little attention is paid to a state like South Carolina, which is safely "in the bag" for one party. In such a state neither the minority nor most of the majority take the trouble to vote.
3. It will make the best candidates available for nomination regardless of where they live. At present most of the candidates are chosen from the large doubtful states whose blocks of votes, all going one way or the

other, may swing the election. In the last fifteen presidential elections the Republican and Democratic parties have nominated for President or Vice-President more candidates from New York, Ohio, and Indiana than from all the rest of the country together.

4. It will remove the present tremendous temptations to fraud, promises of patronage, and lavish spending of money in the key states. How great these incentives are is indicated by the fact that on at least four occasions the change of less than a thousand votes in a single state would have elected a different President.

5. It will remove the very real dangers arising from the fact that presidential electors are not the voting machines they are now supposed to be, but human beings. In 1856 the electors of Wisconsin were prevented from casting their votes on the prescribed day by a blizzard. In the famous Hayes-Tilden dispute the personal eligibility of one elector was a deciding factor. And, of course, one or more of the electors might be prevented from voting by illness or death.

CONCLUSION

To sum up, P. R. can be applied with great profit to all elected bodies whose business it is to make decisions on behalf of the voters. Its heartening victories so far

should be only the beginning of a great nation-wide adoption.

Democracy today is on trial as never before. In some of the world's leading countries it is held in derision. The economic transitions that loom ahead in our country will subject it to terrific strains. Those who see most clearly the degradation of machine politics which blights our democratic institutions from the bottom to the top are sometimes tempted to despair.

But the words of John Stuart Mill are as fitting today as they were when he wrote them in his *Autobiography*, published in 1875:

“To these great evils nothing more than very imperfect palliatives had seemed possible; but Mr. Hare's system affords a radical cure. This great discovery, for it is no less, in the political art, inspired me, as I believe it has inspired all thoughtful persons who have adopted it, with new and more sanguine hopes respecting the prospects of human society.”

Proportional representation is not to be dismissed as a passing fad. It is not even to be classed with other important reforms. It is the greatest single need in government today. It clears the way for all other needed changes, for it makes government responsive to what the people want.

