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THE PREFERENTIAL BALLOT AS A SUBSTITUTE FOR THE DIRECT PRIMARY

ADDRESS

BEFORE THE
NATIONAL POPULAR GOVERNMENT LEAGUE
AT THE SECOND NATIONAL CONFERENCE
HELD IN WASHINGTON, D. C.
ON JANUARY 4, 1915

DELIVERED BY

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PRESENTED BY MR. OWEN
FEBRUARY 13, 1915.—Referred to the Committee on Printing

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REPORTED BY MR. FLETCHER.

IN THE SENATE OF THE UNITED STATES,
March 3, 1915.

Resolved, That the manuscript submitted by Mr. Owen on February 13, 1915, entitled "The preferential ballot as a substitute for the direct primary," by Lewis Jerome Johnson, be printed as a Senate document.

Attest:

JAMES M. BAKER,
Secretary.

70 1000
ANNOUNCING

THE PREFERENTIAL BALLOT AS A SUBSTITUTE FOR THE DIRECT PRIMARY.¹

Two essentials for securing the right kind of elective official are (1) proper office-holding conditions and (2) proper election procedure. The former, through concentration of authority, longer terms, better salaries, and other modern steps, appears to be in a fair way to realization and can, for the purposes of this address, be dismissed with this brief mention. The importance of proper election procedure is, however, still insufficiently understood and emphasized. For that reason, no doubt, and because there are hopeful new methods to report with a distinct bearing upon the direct primary, I have been invited to address you to-day.

We must distinguish at the outset between the two essentially different steps in an election, viz: (1) Nomination, by which the candidate is put into the running, and (2) the final selection of the winner from among the candidates. The primary, when it exists, may be regarded as associated with either of these steps; their essentially separate character is, nevertheless, clear.

It will be agreed, I believe, that the purpose of the ordinary election is to select some one acceptable to the majority sentiment and, so far as may be, the one most acceptable of all. It will help us to see our usual methods in a clearer light if we stop a moment to think out on what lines the selection obviously should be made.

Ought we not make nominations as easy as possible? Is not this clearly the way to give a wide field of choice and to make it most probable that the list will include some good candidates? Ought we not then set the standard of election high, and require the clearest possible evidence that the winner is acceptable to the majority? Or, better yet, that he is that one of the nominees who is most acceptable to the majority if any way can be devised to identify him?

In a word, ought we not open the door wide for nominations but set as high a standard as possible for elections?

As a matter of fact, what do we do? We do the very reverse. We make nominations difficult and leave elections to the haphazard verdict of the raw plurality system—a system in which the standard of election goes lower and lower as the number of strong candidates increases and in which that standard may prove to be disastrously low if the number of candidates reaches even three. It is to meet these very dangers that we have felt driven to lay heavy restrictions on nominations. Our familiar plurality system is thus seen in its

¹ The text of this paper is, to a large extent, identical with one presented by the same author to the National Municipal League at Toronto, Nov. 14, 1913.

true light as the basic weakness of the whole procedure. Before turning to the remedy, however, it will be well to observe just how our customary procedure operates to defeat the public interest. It produces a chain of evils. Heavy restrictions upon nominations make a nomination a valuable political asset, especially if it carries with it the party label; the standard of election being low, a nomination backed by any considerable organization may mean an election and a chance to dispense favors; the control of nominations becomes an irresistible invitation to professional politics; the candidates become, many or all of them, mere conveniences of the party or other special organizations. The quality as well as the number of candidates tends downward and victory goes to the largest single group of voters regardless of whether it is a majority or could reasonably be regarded as representative of the majority interest. The more candidates the smaller the group, other things being equal, required to win. A selfish minority thus frequently defeats a more public-spirited majority, simply because the latter, being composed of thinking, self-respecting, relatively independent-minded voters, are less readily marshaled to act as a unit. They are easy victims of the policy of divide and conquer, which the old plurality system invites and fosters. Their ineffectiveness and apathy in public affairs are as easy to account for as they are proverbial. They are playing against loaded dice whenever they enter a contest. Their prospects of victory, at the best abnormally poor, are still further diminished because this very fact tends to discourage hearty effort. Their invitation to trouble is complete and the invitation rarely goes begging.

A modern instance or two may be worth citing here.

The nomination of Roger C. Sullivan for the United States Senate in the recent Illinois primaries was in the face of a majority even of that portion of his party who voted in the primary—a divided majority to be sure, but one that may none the less have been unalterably opposed to his nomination. The final election for this office was won by a candidate, Mr. Sherman, with only 39 per cent of the vote of the State behind him. The majority of the State may have been decidedly opposed to Mr. Sherman. There is reason to think they were.

The election of Mr. Penrose to the United States Senate in the last election was also in the face of a majority of the voters of Pennsylvania, who probably were unalterably opposed to his election.

Such instances might be multiplied indefinitely. They are part of our present gross travesty on representative government. What can be more obstructive to progress toward free institutions than the spectacle of a people of a great city or a great State forced by the clumsiness of their own election methods into being "represented" by a man whom they plainly do not want and who is by character, nature, and surroundings quite incapable of truly representing them?

This is not saying, of course, that the old plurality system always yields a bad result, even when the winner appears to have a large majority against him. He may at times even then be the one on whom a majority would actually and gladly unite if given a full and free choice. But it is clearly no adequate defense of that system that it sometimes gives good results or sometimes reflects the majority

will. As much might be said of making officials a matter of heredity or of lot.

Bad as is the plurality system in elections, it is perhaps more dangerous still in the direct primary. Whoever else may appear at the primary, those with axes to grind are pretty sure to be there to a man, and of these the largest single faction, or plurality, is more than likely to be machine ridden. A minority goes to the primary. A minority of that minority is more than likely to carry the primary. A nomination is made by a minority of the minority because the procedure divides the majority. The party label is thus captured for some machine candidate, as readily as of old, perhaps, and with less of that sense of responsibility which sometimes exercises wholesome restraint upon a party management. The party as a whole, when it comes to election, meekly votes for the party label and the damage is done. The direct primary looks like a failure and, worse yet, the whole forward movement with which it is identified naturally drops in public confidence. If primaries are to be retained, they plainly can not be left to the tender mercies of the old plurality system. The immediate necessity is an improved system of choosing from a number of candidates whether for nomination or for election. Such a system may be made a part of the primary; it may, better yet, render the primary superfluous and obsolete.

The need of a better system of choosing from a list of candidates has been the subject of desultory academic discussion for decades, but the topic has attracted little attention in practical politics in this country till within the last four or five years. In this period the country has been finding in the Bucklin system of preferential voting—as I believe the Grand Junction system, shorn of nonessentials, should be called—something worth serious and rapidly increasing attention.

It is a system at once simple and easily explained. The ballot is easily understood, easily voted, and easily counted. It appeals to voters as something that should materially lighten the task of attracting desirable candidates into the field, should materially improve the prospect of securing officials loyal to the majority interest, and should eliminate a lot of vexatious and superfluous politics. Such little theoretical objection as is raised against it, stated below in the explanation of the system, arises from something which makes the system even better suited than otherwise to protect the general interest against cliques, machines, and special interests.

In a word, the Bucklin system is so much better adapted to present-day conditions than anything else either in use or in sight that voters take to it with enthusiasm, and are rapidly putting it into effect. It looks now as if the Bucklin system were about to sweep the country—at least, for city elections—as did the Australian ballot, on which it is based. Its claim upon our attention as an essential safeguard to direct primaries is, for reasons above stated, as strong as for its use for any other purpose. In Cleveland and elsewhere it has done better yet, it has supplanted the primary. The question, then, suggests itself, If a large city like Cleveland can get rid of the primaries, why can not States? They doubtless can and will, particularly after the way has been smoothed by the introduction of the short ballot, or coincidentally with its adoption.

EXPLANATION OF BUCKLIN SYSTEM.

The Bucklin system, as I am using the term in recognition of the Hon. James W. Bucklin, of Grand Junction, Colo., who originated it and got it into use, is the Grand Junction system minus all dropping of "low men" and minus the stipulation that one of each list of candidates must be left unvoted for.

The system may be briefly described as follows:¹ The ballot shown herewith, marked as it might be by a modern voter of progressive type, differs from the familiar Australian form simply in having three columns at the right of the names for crosses instead of only one such column.

A voter marks his first choice by placing a cross in the first or left hand of these columns opposite his first-choice candidate's name and, if he wishes, a second choice by a similar cross in the second column, and as many other choices as he desires (without attempting to grade them)² by additional crosses in the third or right-hand column, but only one choice will be counted for any one candidate. If a candidate receives a majority of the first choices, he is elected; if not, the first and second choices for each candidate are added together.³ The man then highest wins, provided he has that majority; if no one thus receives a majority, all three choices for each candidate are added together³ and the highest man wins whether he has a majority or not. This, with elimination of the primary election, insures either that the man elected is either the choice of a majority of the voters, or is the man among the nominees commanding the largest following of all after a free and full expression of choice by the voters. In fact, there will be a majority of the voters behind the winner, unless the list of nominees contains no one who can command a majority. Then we have the next best thing, and probably the best possible with that list of nominees.

¹ For complete details of a suitable charter phrasing for the Bucklin system see appendix.

² Of course, the voter is expected to express choices only for such candidates as he would be willing to help elect. Unknown or undesirable candidates he should, of course, leave wholly unvoted for, as with our familiar Australian ballot.

³ Herein lies the sole theoretical objection to the Bucklin system referred to above: A vote in the second or third column may contribute to the defeat of a voter's first choice by a less acceptable, even though still acceptable, candidate. Some thinkers and writers regard this with concern, but the ordinary public-spirited voter, rightly, it may be believed, shows little interest in it. He sees that his second or lower choice man, out of a field of good candidates, will be on the side of the public interest as well as his first-choice man, and that, after all, is the question before the House. The satisfaction in greatly increased power to keep out bad and incompetent men greatly outweighs with him the risk to a minor personal preference here and there. He sees, moreover, that this very imperfection tends still more completely to turn the tables on the machine partisan or henchman who puts private schemes ahead of the public good, and into whose hands the present system so perniciously plays.

BALLOT ILLUSTRATING PREFERENTIAL VOTING.

(Bucklin system.)

INSTRUCTIONS.—To vote for a candidate make a cross (X) in the appropriate space.
 Vote your FIRST choice in the FIRST column.
 Vote your SECOND choice in the SECOND column.
 Vote ONLY ONE FIRST choice and ONLY ONE SECOND choice for any one office.
 Vote in the THIRD column for ALL THE OTHER CANDIDATES whom you wish to support.
 DO NOT VOTE MORE THAN ONE CHOICE FOR ONE PERSON, as only one choice will count for any candidate.

For mayor. (One to be elected.)	First choice. (Not more than one.)	Second choice. (Not more than one.)	Other choices. (As many as you wish.)
Charles E. Hughes.....			X
Champ Clark.....			
James A. O’Gorman.....			
Nelson W. Aldrich.....			
Richard Croker.....			
Robert L. Owen.....		X	
William H. Taft.....			
Joseph W. Folk.....			X
Robert M. La Follette.....			X
Woodrow Wilson.....	X		
William J. Bryan.....			X
Chauncey M. Depew.....			
Theodore Roosevelt.....			X

An election by less than a majority is often to be expected in the first election by the new system in a large city, where candidates may well be few who are both widely enough known and favorably enough known to command a majority without the help of a party label. In subsequent elections successful incumbents up for reelection should frequently be found to command an actual majority vote, even in

large cities. Newton D. Baker, mayor of Cleveland, is an instance in point.

If more than one person is to be elected from a group, as in Spokane, the number of first and second choices allowed is increased accordingly and the consequent special provisions made.

HOW IT WORKS IN PRACTICE.

How it works in practice is significantly shown by the results of its first trial in Grand Junction. They are here given, for they are not yet widely enough known.

The results are often, of course, less striking, for it frequently happens that the leader in first choices is the final choice. There is, of course, no objection to this. Such a plurality of first choices is thus shown to be a representative plurality. The trouble with the old system was the great premium it held out for securing an unrepresentative or distinctly antimajority plurality.

Practical working of preferential voting, Grand Junction, Colo., Nov. 2, 1909.

Total number of ballots cast..... 1,847
Majority (of first choices)..... 900

Result of the votes for mayor.

	First choice.	Second choice.	Other choices.	Combined firsts and seconds.	Combined firsts, seconds, others.
D. W. Aupperle.....	465	143	145	608	753
*W. H. Bannister.....	603	93	43	696	739
N. A. Lough.....	99	231	328	330	658
*E. B. Lutes.....	41	114	88	155	243
E. M. Slocomb.....	229	357	326	586	912
Thomas M. Todd (elected).....	362	293	396	655	1,051
	1,799	1,231†	1,326†		

* The s'arred men were the anticharter candidates; the others the procharter candidates.

† The light vote in the second and third columns is, of course, due to the 603 Bannister voters' natural concentration on the only candidate acceptable to them. This gave them a lead in first choices, but being in the minority they could not win against the majority, because, thanks to this ballot, the majority were able to get together.

Omitting reference to the Grand Junction practice of "dropping the low man"—an unessential complication, not likely to be widely adopted, not included in the Bucklin system, and without influence on this election this instance becomes a perfect illustration of the Bucklin system as defined in this paper.

The decision was drawn from the foregoing figures as follows:

No one having a majority in first choices, the first and seconds were added together. Then the leading candidate, Bannister, provided he had had a majority, would have won.

No one having a majority by combined first and seconds, the first, second, and other choices were added together, and Todd, the candidate then leading, won.

Under the usual plurality system the minority would have beaten the majority and elected Bannister.

Under the Berkeley, Des Moines, Los Angeles, or Seattle plan, that of second elections, there would have resulted a contest, possibly bitter, between Aupperle and Bannister, neither of whom had a majority of the people behind him.

The next election by the preferential ballot was held in Spokane (1910 census, population, 104,402) in March, 1911. It was the first election under their present commission government charter. There were five offices to fill, three for four years and two for two years (to secure overlapping terms), and each one carried a \$5,000 salary. Nomination was secured by petition of 25 citizens. The result was 92 candidates in nomination for the five offices, the candidates, of course, varying widely in quality. The number of votes cast was 22,058. Seven thousand women had registered in the few months since their enfranchisement. This was their first election of any kind, and the first experience of the men with this kind of ballot. The election is responsibly reported to have gone off smoothly and without complaint of difficulty or confusion. None of the five men who won had ever held an elective city office. There was an entire change in the quality of city officers. The citizens for the first time in their history had a fair chance at something besides politicians, and seized upon it. Not only the first 5, but the highest 12 names in the list were names of people who had never been in elective office. They were men successful in business and ordinary vocations, a type quite different from the ordinary politician. The third man among the five winners was Mr. C. M. Fassett, president of the Spokane Chamber of Commerce, one of the most successful and respected business men in the Northwest. He was nominated and elected during a prolonged absence from the State, and returned to the city only the day before he was sworn in as a city official. He took no part in the campaign beyond signing his acceptance of the nomination, which had been mailed to him, and writing two or three other letters home, which were published in the local papers. Only one of the five winners was at that time sufficiently widely known to secure the votes of a majority, even upon an addition of first, second, and other choices. The winners were men of standing, successful in business or the professions, and of high civic spirit. The people were greatly pleased, not only with the quality of officers selected but with the high tone of the campaign. Spokane found that an entire change in the rules had proved well worth making.

The next election in Spokane with the preferential ballot occurred November 4, 1913, and was for the purpose of providing successors to the two short-term men elected at the first election. The term for these two officers was henceforth four years. The preferential ballot had in the first election demonstrated the uselessness of trifling candidacies for office, even though they were obtainable by mere petition of 25 signers, and though the salary and the offices were attractive. This time, instead of 92 candidates for five offices, only 12 candidates appeared on the ballot for the two places, 10 besides the two incumbents of the offices who were up for reelection. Strong as these two men were, the voters selected two others in their places. The two candidates up for reelection seemed evidently overtopped by still more acceptable men. One of the two winners led in first choices; the other was fourth in first choices, and it required the

summation of all three columns to determine the election. The higher of the two winners had more than the majority, as now ordinarily defined, and the other came within 95 votes of it.

In Portland, Oreg. (1914 census, population 207,214), in its first preferential election in June, 1913, there were six candidates for mayor and 78 candidates for four places in the council. Here again the result was highly satisfactory, and a new grade of official was put in charge of city affairs. In Portland the voters were evidently greatly assisted by a volunteer committee of a hundred leading men and women, who indorsed 12 of the 78 candidates for the four places in the council. All the winners were included in this list of 12, and all 12 came out inside the highest 18. Here, as in Spokane, newly enfranchised women participated in large numbers in their first election.

PROGRESS OF PREFERENTIAL VOTING.

The progress of the Bucklin system to date (January 1, 1915), can be seen from the following list of cities which have already adopted it:

Preferential voting adopted—Primaries supplanted:

Date.	Cities.	Population in 1910.
1909.....	Grand Junction, Colo.....	7,754 *
1910.....	Spokane, Wash.....	104,402 *
1911.....	Pueblo, Colo.....	44,395 * †
1912.....	New Iberia, La.....	7,499 * †
1913.....	Duluth, Minn.....	78,466 *
1913.....	Denver, Colo.....	213,381 *
1913.....	Colorado Springs, Colo.....	29,078 *
1913.....	Portland, Oreg.....	207,214 * †
1913.....	Nashua, N. H.....	26,005
1913.....	Cleveland, Ohio.....	560,663 †
1913.....	La Grande, Oreg.....	4,843 † †
1913.....	Fort Collins, Colo.....	8,210 †
1913.....	St. Petersburg, Fla.....	4,127
1913.....	Cadillac, Mich.....	8,375 † †
1914.....	Vineland, N. J.....	5,282 *
1914.....	Ridgewood, N. J.....	5,416 *
1914.....	Nutley, N. J.....	6,009 *
1914.....	Hawthorne, N. J.....	3,400 *
1914.....	Bordentown, N. J.....	4,250 *
1914.....	Millville, N. J.....	12,541 *
1914.....	Long Branch, N. J.....	13,298 *
1914.....	Phillipsburg, N. J.....	13,903 *
1914.....	Eleven cities of New Jersey, each under 5,000 population.....	25,521 *
1914.....	Orange, N. J.....	29,630 *
1914.....	Atlantic City, N. J.....	46,150 *
1914.....	Passaic, N. J.....	54,773 *
1914.....	Trenton, N. J.....	96,815 *
1914.....	Jersey City, N. J.....	267,779 *

1,889,179

Preferential voting adopted as adjunct to primary:

1913.....	Houston, Tex.....	78,800 *
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Total population..... 1,967,979

* Commission form charter. Regarding the New Jersey cities, see note next page.

† Restriction to one vote in the third column for each office to be filled. The provisions in this respect of La Grande and Fort Collins are not quite clear.

‡ Twenty-five hundred signatures required for nomination of mayoralty candidates.

§ Commission city manager plan.

In 1914 Bangor, Me. (population 24,803), adopted by popular vote a commission charter providing preferential voting (with elimination of primaries and election to specific office), which is now awaiting ratification by the legislature before taking effect. Preferential voting is seriously being urged by responsible bodies in Detroit, Buffalo, and numerous other cities.

A demand for the introduction of the preferential ballot into the direct primaries of New Jersey was embodied in the platform of each of the Republican, Progressive, and Democratic parties in the 1913 campaign. This resulted in the substitution of the preferential ballot for the primary and second election system in the commission-governed cities of New Jersey, present and future, and the movement for its further use in New Jersey is being vigorously pushed.

This New Jersey law introduces one new column headed "Third choice," making four columns for crosses headed "First choice," "Second choice," "Third choice," and "Other choices," respectively.

In 1911 a commission form charter for Cambridge, Mass., including the Bucklin system, abolishing primaries, passed a Republican legislature, was signed by a Democratic governor, and failed of adoption by the people at that early date, when an almost-unheard of novelty, by only 798 votes in a total of over 11,300 votes cast on it.

Interest in the preferential ballot shows no signs of abating in that city, and the interest is extending into the neighboring cities and throughout the State.

NOTES FROM THE FIELD.

Spokane, Duluth, Portland, Nashua, and others of the preceding list of cities elect two to six candidates from a group, with as many first choices and as many second choices permitted as there are offices to be filled. In such cases care must be taken to provide for the event of more candidates getting a majority of first choices, or of firsts and seconds combined, than there are offices to be filled. Of course, this is done by simply taking the highest ones up to the requisite number. Commission-governed cities which elect the members of their councils to specific office,* of course, have only one to elect from a group.

Spokane and Duluth have curious and dubious prescriptions that a voter must vote as many first choices as there are places to be filled from the group or have his ballot rejected. This seems an unwarranted infraction of the voter's liberty to vote for as few as well as for as many as he pleases.

Colorado Springs has the interesting distinction of being the first city to modify a preexisting commission charter by the substitution of preferential voting (with election to specific office) for the conventional double-election system of Des Moines with election to undesignated places in the council. Houston, Tex., is practically in the same company.

The New Jersey commission-governed cities have abandoned the double-election system for the preferential ballot.

Each of the five largest cities of Colorado has adopted the preferential ballot, all but one of them, Pueblo, with election to specific office.

Los Angeles, Tacoma, Seattle, and Lawrence and Salem, Mass., are among the cities that have had to recall mayors or other officials chosen by the primary and final election systems. No official chosen by the preferential ballot has ever been subjected to a clear-cut † recall

* A discussion of this innovation in commission government will be found in *National Municipal Review*, October, 1913, p. 661.

† Pueblo, in 1913, adopted a charter amendment reducing the size of the council from five to three, and, as the amendment named the two who were to withdraw, effected a recall so far as these two men were concerned. Whether the recall alone would have carried, or even come to a vote, is not clear.

election, though disgruntled interests, chafing under vigorous and honest administration, have vainly tried to accomplish that result. It is a pretty daring undertaking to try to oust an official known to have got his office in a free, open, highly competitive contest, and to have won it solely because he was on the whole preferred for that office to any other citizen.

MORE RECENT RESULTS.

While some of the most strikingly gratifying results with the preferential ballot have been those reported above from Grand Junction, Spokane, and Portland, Oreg., the combination of preferential voting and nomination to specific office led, in Denver, to a noteworthy outcome in the election from among 23 candidates of an exceptionally qualified commissioner of improvements, Mr. Hunter. Moreover, he polled the highest total vote of all of the 135 candidates for the six offices. It is certainly an encouraging instance of the new politics when the nominee of the local members of the American Society of Civil Engineers (under the ordinary régime keeping as a body scrupulously aloof from "politics") can not only be brought within the reach of the voters for public administrative office, but can be so handsomely elected, as was the case with Mr. Hunter.

Some complaint of the result in Denver is heard from some of the more radically progressive sources because the winners were on the whole not progressive enough to suit them. But close and fair observers believe that they were fully representative of the public sentiment of Denver at the time—and that is all that the preferential ballot is intended to accomplish. Moreover, extremes of radicalism and reaction should be referred to the initiative as their proper field of activity—and Denver has the initiative.

The Denver election illustrates another thing worth noting, and one likely to happen in such large cities, especially at the first election. In such cases, as has been stated above, even in a long list of nominees, there may well be few or no names both widely enough and favorably enough known, when standing entirely on their personal records and without the aid of a party label, to command a majority vote. In subsequent elections, the probably excellent records of the officers up for reelection, the fewer offices to fill (owing to overlapping terms) and improved means of publicity on the merits of candidates should all tend to produce a larger support for the winning candidates.

In Denver there were 135 nominees for five commissionerships and an auditorship, the number of nominees for each office ranging from 14 for the auditorship and an equal number for commissioner of finance, to 29 for commissioner of social welfare. No one got a majority, even by a combination of all choices. The winners had the support of from 23 per cent in the lowest case to 42 per cent in the highest case of the voters at the election. The number of signatures required for nomination in Denver is 100.

Similarly in the first election in Spokane under the new system only one of the five winning candidates out of a field of 92 got a majority, and in Portland only three of the six winners out of a field of 88.

It should be borne in mind that each of these cities has the initiative, referendum, and recall, which act as important allies of the preferential ballot in safeguarding the majority interest. They

should tend to keep the unfit from appearing in nomination, and are protection against harm even if objectionable candidates should slip by the election.

Nashua, in her first election under the new system on December 8, 1914, secured gratifying results, and the test of the preferential ballot was in important respects the most severe yet made. There were elected a mayor, six aldermen at large, nine aldermen by wards, four members of a board of public works, three fire commissioners, and four members of a board of education. Nominations were by 50 signatures. The total number to be elected in any one ward was 19. The number of nominees for these 19 places in one of the wards was 53. Of the 27 elected in the whole city, only one is looked upon by good judges as bordering on the unfit, and he is so overborne by numbers as to cause no anxiety. Important new talent, hitherto beyond the reach of the citizens, found its way into the city service in this election. It would seem that if the Bucklin system can go through such a complicated election as that of Nashua with credit its case is pretty secure.

The Bucklin system has also given good account of itself in Cleveland, but no notable changes have been reported as a result. Mayor Baker was reelected, as was wholly to be expected—for he is a mayor notably loyal to the majority interest.

WARNINGS FROM EXPERIENCE.

This gratifying record and rapid progress brings with it not only encouragement, but some warnings which should be noted and acted upon. They may be definitely stated as follows:

1. *No system of voting, preferential or other, can insure an actual majority support for the winner.*—While the Bucklin system of preferential voting probably comes nearer to this standard than any other at present practicable, the supporters of even that system should refrain from calling it, without qualifications, a "majority system."

Obviously for any candidate to get a majority he must be known both widely enough and favorably enough to get the votes of the majority of those at least who cast ballots. The best known so-called "absolute-majority" systems derive their slender claim to that pretentious title either from a system of dropping low men or of choking off nominees by primary elections, as a result of which only two are left in the final contest and of course one gets more than the other, without necessarily having a majority or being able in a free open election to get a majority of the votes of the voting body. The man elected by either of those systems may, of all the nominees, actually be among the least acceptable to the majority.

The political objection to the too sweeping name of "absolute-majority system," apart from its inherently misleading character, is its tendency to undermine public confidence in those who are ready to lead. It offers an opportunity to objectors for troublesome taunts, and with a show of justification which reformers should be too astute to permit them.

While pointing out that majorities are sometimes not to be had, especially in first elections in large cities, we may fairly assert that in such cases a plurality indicating the man who is preferred above all others *in a free and open contest, in which conditions favor an adequate*

supply of desirable candidates and in which each voter may vote for every candidate to his liking and need vote against no such candidate, is the safest known criterion for election. A plurality of that sort is very unlikely to be an antimajority plurality.

2. *The uselessness and danger of restrictions upon the number of third-column choices.* Happily the large cities imposing such restrictions are in the small minority, but that there should be any is surprising. Such restrictions are obviously in violation of the fundamental principle and purpose of the preferential ballot. This purpose is to provide a means to secure the safest practicable choice in one election from a large number of nominees, with a majority behind the winner if possible; if not, the next best thing. To put it another way, *the preferential ballot is intended to make it as easy as possible for voters of any one type automatically to get together behind some one of a large number of nominees acceptable to them.* If the number of choices is restricted at all, just so far the possibility of getting together is threatened. For example, suppose there are nine good candidates (A, B, C, etc.), only three choices permitted, and two-thirds of the voters want some one of those nine. The two-thirds could readily be divided into three groups, one group voting for A, B, and C; the next for D, E, and F; the third for G, H, and I. The largest of these groups might well fall below one-third the whole body of voters, even to less than a fourth, and thus meet defeat at the hands of a united machine-ruled one-third, concentrated, by means they know how to use, on a single candidate. This danger may seem remote, but it is hard to see what excuse there is for risking it. Some may carelessly think if one choice is good, three choices are three times as good, and that is good enough. But such reasoning clearly overlooks the facts that the fundamental purpose of the preferential ballot is to enable the majority to get together and win and that any restriction in the number of choices flies squarely in the face of that purpose. Others may dread careless marking in the third column by voters if left unrestricted. The answer is twofold. The voters understand—as experience has shown—that they must not vote any choice for a man unless they are willing to help elect him; and the actual voting in the third column certainly shows no sign as yet of being too liberal. In any event, the intelligent voter's full and free choice should not be hampered for fear of careless work by the foolish few.

If, as in one system in use in Wisconsin and elsewhere, and made practicable by dropping low men, the choices are restricted to two, the evil above pointed out is intensified, to say nothing of the evil, inherent in dropping low men, that the "low man" dropped, even in an apparently close election, may be the preference of the overwhelming majority over the actual winner.

Permitting only two choices from among 10 nominees or 3 from among 15 is as likely to be as disastrous as the old plurality system with only 1 choice from among 5.

Restrictions in the number of allowed choices are needless and dangerous but, happily, unusual. No clear evidence of actual harm from them in the few cities which have them has, however, yet been reported. Like rocking the boat, they are frequently unaccompanied by casualty. But the risk should not be incurred. It is simply an invitation to trouble without compensating advantage of any kind.

3. *The excessive number of signatures sometimes required upon nominating petitions, or for placing names on primary ballots.* A high number of signatures is resorted to only as a means of choking off excessively numerous or trifling nominations. The device doubtless tends that way, though very uncertainly, and it tends also to choke off many a desirable nomination. The organized interests, with money, do not find it hard to get a large number of signatures, while to the normal type of citizen, with no ax to grind, such red-tap prescriptions are well-nigh intolerably burdensome and distasteful. They are, moreover, a powerful incentive to improper use of money and to wholesale forgeries and fraud. Such unreasonable burdens on legitimate political activity are among the chief causes of the very apathy out of which we are hoping to arouse citizens at large.

With 25 sufficing for nominating petitions in cities ranging up to Lowell, Mass. (population, 106,295), and 100 sufficing in Denver (population, 213,381), Portland (population 207,214), and Los Angeles (population, 319,198), in all 3 of which women vote and greatly increase their voting population relatively to Cleveland, it is hard to see why Cleveland should take such an extreme figure as 2,500. Boston, to be sure, through two elections, used 5,000, and with little satisfaction, as a means of choking off nominees, but there is an excuse for this in that their elections are upon the old-fashioned single-choice vote and plurality system of our grandfathers, and a large number of candidates, under that system, would be something to be dreaded. Even the 5,000 requirement did not prevent the appearance at the first election of two trifling candidates out of four, whose combined vote came to less than 2,500 in a total for all four of 95,356. These two, however, split the vote and the office went on a mere plurality to the anticharter candidate for mayor. This kind of a thing is particularly serious, because it undermines public confidence in "reform." The results, in fraud and confusion, in the second Boston election, led to the reduction of the number required from 5,000 to 2,500, but with retention of the old plurality system.

In order, so far as possible, to encourage the candidacy of citizens who are not only without a machine, but who, like their probable backers, find the ordinary petty routine and red tape of getting multitudes of signatures intolerably irksome, it is of great importance to keep the number of signatures required for nominating petitions at a very low figure. This the preferential ballot makes quite safe, and experience is accumulating evidence like that from Spokane, that after the new is worn off by the first election, the number of candidates sinks to a wholly reasonable figure. It is easy to see why it should. A nomination so easily got confers no advantage and is not worth having unless there is a substantial backing for the candidate.

One may fairly hazard the assertion that there is no poorer way to safeguard elections than by making nominations difficult or irksome.

CONDENSED COMPARISON OF THE PREFERENTIAL BALLOT WITH OTHER PROCEDURES.

The double election system in use in Des Moines, Los Angeles, Seattle, Tacoma, Lawrence, Mass., and many other cities, may elect any candidate from the best to the next to the least acceptable of

the strong candidates. Of the two men selected in the primary both may be unacceptable, but the final election will reject the less acceptable of the two. It is the raw plurality system but thinly disguised by the burdensome doubling of elections.

The ordinary State primary may elect any from the best to the very least acceptable of the strong candidates. The worst candidate of any party may emerge from the primary with a plurality, and if his is the strongest of several parties, he may get the final election by a plurality. It is the old plurality system, somewhat sobered, perhaps, by partisan self-interest.

The old plurality election, without primaries, as in Boston, may elect any from the best to the least acceptable. It may deliberately be characterized as the most hazardous system of public elections known.

In all three of the foregoing cases a bad matter is made worse by the fact that the imperfections of the systems, and the burdensome nomination or campaign conditions which they involve, are great obstacles to getting the best of citizens to accept a nomination.

The preferential ballot under normal conditions elects the best or one of the best of the candidates; moreover, the improved campaign conditions which go with it tend to attract good candidates into nomination. This statement, of course, presupposes the usual case in which the primary is eliminated. The advantage of the preferential ballot over all other forms of election procedure is clear and sharp. Experience alone will teach us into how large a voting unit we may care to push it. The case for its use in large cities seems already to be made.

But even with the preferential ballot in vogue, a neglect to nominate a candidate of majority magnitude might enable an antimajority man to win. No election procedure can be expected to be either apathy-proof or fool-proof. The best we can do is to minimize the chances for harm.

Whatever the election procedure, good publicity conditions and good initiative, referendum and recall provisions, by hedging the office about with wholesome restraints, are good supplements to any election system. They deter bad candidacies and reduce the harm if a bad candidate should slip past the election.

SUMMARY OF ADVANTAGES OF PREFERENTIAL VOTING (BUCKLIN SYSTEM.)*

The chief advantages of the Bucklin system of preferential voting may be restated and summarized as follows:

1. It permits the abolition of primaries without interference with the democratic and rational method of nomination by a very small number of petitioners.

2. It permits the nomination of a large number of candidates with practical elimination of the danger of the split ticket.

* Some of these advantages are offered by other systems, but no other, it is believed, offers to a sufficient degree the cardinal requisites of simplicity, acceptability, safety, and real suitability to its purpose. Hence no space is taken in this paper for their discussion. The Bucklin system is, however, given particular emphasis by name in order to avoid possibility of confusion. Information regarding other systems can be found in the files of Equity (Dr. C. F. Taylor, publisher, 1520 Chestnut St., Philadelphia), to some extent in works on proportional representation, and particularly in a Report of the Royal Commission on Systems of Election (Cd. 5163), published about five years ago.

3. It fosters campaign methods which greatly reduce the difficulty of getting high-grade men to stand for office. It minimizes the unattractiveness of the campaign and effectively discourages "mud-slinging"—the candidate who might otherwise descend to slander of his opponents is deterred by fear of alienating second or other choice votes which might come his way. The competition between nominees, while keen and searching, is neither burdensome nor invidious. While it is a great honor to win, it may be no dishonor and no disappointment to lose. The best nominees may well accept nominations in the spirit of friendliest rivalry and work for the election of any one of a group of their fellow nominees quite as much as for themselves, and perhaps even more earnestly. The responsibility on any one nominee to win may become so slight that a man may accept a nomination in the midst of an absence from the State which is prolonged till after election day and still be elected. This actually happened when the president of the Spokane Chamber of Commerce was thus elected in 1911 as one of a commission of five to a four-year term, and from a list of 92 nominees for the commission. Other results in preferential voting cities show that the voters are quick, as might be expected, to elect a better grade of officials as soon as they are brought within their reach.

4. It is believed to be the safest known means of election for protecting the majority interest against machine or special interests. It can not, of course, insure a majority for the winning candidate—no system of voting can do so in any proper sense—but, in case no one running is widely and favorably enough known to command a majority in a free, open expression of choice, it offers a greater likelihood than any other known procedure that the winner will be of a type loyal to the majority interest, rather than to any machine or special interest.

5. It greatly simplifies the supremely important problem of securing high-grade, nonplace-hunting, and competent elective officials. The reasons are suggested in the two preceding sections, but this advantage is important enough to warrant separate emphasis.

6. It is simple, practical, attractive to voters, and an already operative institution under widely varying American conditions.

SUMMARY OF THE RELATION OF THE PREFERENTIAL BALLOT TO THE PRIMARY.

So long as we retain primaries they should clearly include the preferential ballot, as is already demanded in New Jersey by all three of the chief parties. In Massachusetts one already hears free predictions that the primary, even for State officials, is as doomed as it is in cities. Lack of interest in the primaries gives added force to this suggestion. Nominations by petition and the preferential ballot would seem to be as suitable for the election of a governor as of a mayor or commissioner; but the short ballot should be part of such a system in State politics as it also should be and usually is in city government.

It certainly looks as if the way to mend the primary is to end it, not as a reactionary step but as a step further forward to a simpler, safer, and still more effective instrument of democracy—the Bucklin preferential ballot.

APPENDIX.

FORMAL PROVISIONS FOR PREFERENTIAL VOTING AND FOR SUITABLE ACCOMPANYING SYSTEM OF NOMINATIONS.*

NOMINATIONS BY PETITION OF TWENTY-FIVE VOTERS.

SECTION 1. The mode of nomination and election of all elective officers of the city to be voted for at any municipal election shall be as provided in this act.

SEC. 2. The name of a candidate shall be printed upon the ballot when a petition of nomination shall have been filed in his behalf in the manner and form and under the conditions hereinafter set forth.

SEC. 3. The petition of nomination for each candidate shall be signed by not less than 25 qualified voters of the city either on individual certificates in form, substantially as follows, or on joint papers to the same purport:

PETITION OF NOMINATION.

INDIVIDUAL CERTIFICATE.

State or Commonwealth of _____, }
County of _____, } ss:
City of _____, }

I do hereby join in a petition for the nomination of _____, whose residence is at No. _____ Street, _____, for the office of _____, to be voted for at the municipal election to be held in the city of _____, on the _____ day of _____, 19..; and

I certify that I am qualified to vote for a candidate for said office, and am not at this time a signer of any other certificate nominating any other candidate for the above-named office; that my residence is at No. _____ Street, _____.

(Signed)

Witness:

(Signed)

Residence of witness:

No. _____ Street, _____.

The petition of nomination, of which this certificate forms a part, shall, if found insufficient, be returned to at No. _____ Street, _____.

BLANK NOMINATION CERTIFICATES FURNISHED BY THE CITY CLERK.

SEC. 4. It shall be the duty of the city clerk to furnish upon application a reasonable number of forms of such individual certificates or joint nomination petitions, and of acceptances of nomination.

FURTHER PARTICULARS REGARDING NOMINATION CERTIFICATES.

SEC. 5. Each certificate shall be a separate paper. All certificates shall be of uniform size as determined by the city clerk. Each certificate shall contain the name and signature of one signer thereof and no more. Each certificate shall contain the name of one candidate and no more. In case a voter has signed two or more con-

*Being substantially sections 36-55 of chapter 531, Massachusetts Laws, 1911. Here provision is made exclusively for only one to be chosen from a group. The charters of Spokane, Duluth, and Nashua show the modifications needed when the number is more than one. It should be noted that while this appendix applies directly to city elections, only minor modifications are required to make it a suitable provision for preferential voting for making nominations in a primary. For a State primary the provisions for placing names on ballots would require adaptation to local circumstances and for dealing with party designations, so long as they are retained.

flicting petitions only that one of his conflicting signatures which was included in the petition first presented to the city clerk, as provided in section 41 of this act, shall be valid. Each witness may be any qualified voter of ———, except the candidate named in the certificate.

NOMINATING PETITIONS—HOW AND WHEN PRESENTED.

SEC. 6. Petitions of nomination shall be presented to the city clerk not earlier than 30 nor later than 20 days before the election. The city clerk shall indorse on each petition the date upon which it was presented to him, and by whom it was presented. All papers constituting a petition of nomination shall be presented to the city clerk at one time, except as is provided in section 7 of this ct.

NOMINATING PETITIONS MAY BE AMENDED.

SEC. 7. When a petition of nomination is presented to the city clerk for filing, he shall forthwith examine the same and ascertain whether it conforms to the provisions of this act. If found not to conform thereto, he shall then and there in writing on said petition state the reason why such petition can not be filed, and shall within three days return the petition to the person named therein as the person to whom it shall be returned. The petition may then be amended and again, but not later than three days after said petition shall have been returned, presented to the city clerk, as in the first instance. The city clerk shall forthwith proceed to examine the amended petition as hereinbefore provided.

SEC. 8. If either the original or the amended petition of nomination be found sufficiently signed and witnessed as hereinbefore provided, the city clerk shall file the same forthwith: *Provided*, that no petition, amended or otherwise, shall be presented later than twenty days before the election.

DATE OF FILING NOMINEE'S ACCEPTANCE.

SEC. 9. Any person nominated under this article shall file his acceptance, his signature thereto witnessed by a qualified voter of ———, with the city clerk not later than twenty days before the day of election, and in the absence of such acceptance the name of the candidate shall not appear on the ballot.

FORM OF NOMINEE'S ACCEPTANCE.

SEC. 10. The acceptance mentioned in the preceding section shall be substantially in the following form:

State or Commonwealth of ———, }
 County of ———, } ss:
 City of ———, }

I,, having heretofore been nominated for the office of, in the city of ———, to be voted for at the municipal election to be held in said city on the day of, 19....., do hereby accept the said nomination, and I hereby declare that I am a qualified voter of said city, that my residence is at No..... Street, ———, and that I have not become and am not a candidate for any other office to be voted for at said election.

Witness: (Signed).....

Residence of witness: (Signed).....

No.....Street, ———.

PRESERVATION OF NOMINATION PETITIONS.

SEC. 11. The city clerk shall preserve in his office for a period of four years from the time of the respective filing of the same all petitions of nomination and all certificates, acceptances, and memoranda belonging thereto, filed under this act, but shall thereafter destroy the same.

PUBLICATION OF LISTS OF CANDIDATES.

SEC. 12. The city clerk shall, not later than the fifteenth day before every city election, certify the list of candidates, with their residences, whose names are entitled to appear on the ballot, as being the list of candidates nominated as required by this act, together with the offices for which they are respectively candidates at such election, designating whether such election is for a full or for an unexpired term; and he shall file in his office said certified list of names and offices, and he shall cause to be published before such election, in two successive issues of at least (here insert number) newspapers of general circulation published in the city of —, or in any different or additional manner that may be provided by ordinance, an election notice which shall contain said certified list of names of candidates and offices to be filled, and the time and the places of holding such election.

Provision may also be made by ordinance for supplying the voters with information regarding the qualifications of such candidates for the offices for which they are, respectively, nominated.

PREPARATION OF BALLOTS.

SEC. 13. The city clerk shall cause ballots for each general and special municipal election to be prepared, printed, and authenticated as provided by the constitution and laws of the Commonwealth, except as is otherwise required by this act. The ballots shall contain the full list and correct names of all the offices to be filled and the names and residences of all the candidates nominated, respectively, therefor.

FORM OF BALLOT AND METHOD OF VOTING.

SEC. 14. Except that the crosses here shown shall be omitted, and that in place of the names and offices here shown shall be substituted the names and residences of the actual candidates and the offices for which they are, respectively, nominated, the ballots shall be in substantially the following form:

General (or special) municipal election, city of —. (Inserting date thereof.)

Instructions.—To vote for any person make a cross (X) in the square in the appropriate column according to your choice at the right of the name voted for. Vote your first choice in the first column; vote your second choice in the second column; vote in the third column for all the other candidates whom you wish to support; vote only one first choice and only one second choice for any one office. Do not vote more than one choice for one person, as only one choice will count for any one candidate by this ballot.

For supervisor of administration.	Not more than one.		Other choices (as many as you wish).
	First choice.	Second choice.	
Richard Roe.....			X
James Hoe.....	X		
John Doe.....		X	
Henry Poe.....			X
Louis Coe.....			

For supervisor of finance.	Not more than one.		Other choices (as many as you wish).
	First choice.	Second choice.	
Frank Smith.....	×		
Harry Jones.....		×	
Fred Brown.....			
<hr/>			
For supervisor of health.	Not more than one.		Other choices (as many as you wish).
	First choice.	Second choice.	
Hiram Black.....	×		
Robert White.....			

SEC. 15. One space shall be left below the printed names of the candidates for each office to be voted for, wherein the voter may write the name and residence of any person for whom he may wish to vote.

PARTY DESIGNATIONS EXCLUDED FROM BALLOT.*

SEC. 16. The names and residences of candidates for the same office shall be printed on the ballot in the order in which they may be drawn by the city clerk, whose duty it shall be to make such drawing and to give each candidate an opportunity to be present thereat personally or by one representative. Nothing on the ballot shall be indicative of the source of the candidacy or of the support of any candidate. No ballot shall have printed thereon any party or political designation or mark, and there shall not be appended to the name of any candidate any such party or political designation or mark or anything indicating his views or opinions. There shall also appear on the ballot all questions required by law, or by this act, to be submitted to a vote of the qualified voters of the city.

DISTRIBUTION OF SAMPLE BALLOTS.

SEC. 17. The city clerk shall, at least ten days before the election, cause to be printed a sufficient number of sample ballots, upon paper of different color, but otherwise identical with the ballot to be used at the election and until other provision for their distribution is made by ordinance, shall mail a copy of the same to each registered voter qualified to vote thereon.

CANVASS OF RETURNS AND DETERMINATION OF RESULTS OF ELECTION.

SEC. 18. As soon as the polls are closed, the precinct officers shall immediately open the ballot boxes, take therefrom and count the ballots in public view, and enter the total number thereof on the tally sheet provided therefor by the city clerk. They shall also count and enter on said tally sheet the number of the first-choice, second-choice and other-choice votes for each candidate and make return thereof to the city clerk as provided by law.

Only one vote shall be counted for any candidate on any one ballot, all but the highest of two or more choices on one ballot for one and the same candidate being void.

* For use in primaries or elsewhere where party designations are retained this section and others would of course be modified accordingly.

If two and not more choices for any one office are voted in the first-choice column on any one ballot, they shall both be counted as second choices, and all other choices voted on that ballot for that office shall be counted as other choices.

If three or more choices for any one office are voted in the first-choice column on any one ballot, all choices voted on that ballot for that office shall be counted as other choices.

If two or more choices for any one office are voted in the second-choice column on any one ballot, they shall be counted as other choices.

Except as hereinbefore provided, all choices shall be counted and returned as marked on the ballot.

The city clerk shall then determine the successful candidates as hereinafter provided in this section.

The candidate for any office receiving a majority, as hereinafter in this section defined, of the first-choice votes cast for candidates for that office shall be elected to that office: *Provided*, That if no candidate shall receive such a majority, then the second-choice votes received by each candidate for that office shall be added to the first-choice votes received by each such candidate, and the candidate receiving the largest number of said first-choice and second-choice votes combined, if such votes constitute a majority, shall be elected to that office; *And provided further*, That if no candidate shall have a majority after adding the first-choice and second-choice votes, then the other choice votes received by each candidate shall be added to the first-choice and the second-choice votes received by each such candidate, and the candidate having the largest number of first-choice, second-choice and other-choice votes combined shall be elected to that office.

A tie between two or more candidates shall be decided in favor of the one having the largest number of first-choice votes. If two or more are equal in that respect, then the candidate among them having the largest number of second-choice votes shall be elected. If this will not decide, then the result shall be determined by lot under the direction of the city clerk.

Whenever the word "majority" is used in this section it shall mean more than one-half of the total number of first-choice votes cast at such election and counted and returned as hereinbefore provided in this section for candidates for the office in question.*

QUALIFIED VOTER DEFINED.

SEC. 19. The term "qualified voter," wherever it occurs in this act, means a voter qualified by law to vote for candidates for the office named in the petition of nomination or acceptance of nomination in which their names occur, except that witnesses may be residents of any part of the city.

* If more than one official is to be chosen from a group, "majority" should be defined, as in Nashua, as more than half the total number of valid ballots on which at least one first choice for the office in question is marked and returned: or less accurately, as more than one-half the total number of ballots cast at the election. Either safeguards the majority interest suitably, but the latter might sometimes bring the second or other choices into account as a result of counting nonparticipants in the election for that office, which is hardly logical.

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